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HUMAN RIGHTS COUNCIL
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PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

**Andorra*, Argentina*, Armenia*, Austria*, Australia*, Azerbaijan,
Belgium*, Bolivia, Bosnia and Herzegovina, Bulgaria*, Canada, Congo*,
Croatia*, Cyprus*, Czech Republic*, Denmark*, Ecuador*, Estonia*,
Ethiopia*, Finland, Germany, Greece*, Hungary*, Ireland*, Israel*,
Italy, Kenya*, Latvia*, Liechtenstein*, Lithuania*, Luxembourg*,
Mexico, Montenegro*, Netherlands, Nicaragua, Norway*, Panama*,
Peru, Poland*, Portugal*, Romania, Serbia*, Slovakia*, Slovenia, Spain*,
Sweden*, Switzerland, Ukraine, United Kingdom of Great Britain and
Northern Ireland, United Republic of Tanzania*, Uruguay: revised
draft resolution**

7/... Prevention of genocide

The Human Rights Council,

*Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,
the Convention on the Prevention and Punishment of the Crime of Genocide, as well as other
relevant international instruments,*

* Non-member State of the Human Rights Council.

Considering that the sixtieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, adopted on 9 December 1948 and succeeded by the adoption of the Universal Declaration of Human Rights on the next day, provides an important opportunity for the international community to draw the attention of all States to the significance of the Convention and to invite them to redouble their efforts for the prevention and punishment of the crime of genocide,

Emphasizing that the crime of genocide is recognized in the Convention as an odious scourge which has inflicted great losses on humanity and that further international cooperation is required to facilitate the timely prevention and punishment of the crime of genocide,

Deeply concerned about the occurrence in recent history of genocide, recognized as such by the international community, on the basis of and as defined in the 1948 Convention, and bearing in mind that massive, serious and systematic violations of human rights and international humanitarian law might result in genocide,

Taking into consideration that States parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity of 26 November 1968 have agreed that no statutory limitation shall apply to such crimes, including the crime of genocide, irrespective of the date of their commission,

Affirming that impunity for such crimes encourages their occurrence and is a fundamental obstacle to the furtherance of cooperation among peoples and the promotion of international peace and security, and that fighting impunity for such crimes is an important factor in their prevention,

Acknowledging the significant progress made by the international community in the past 60 years, including within the United Nations system, in developing relevant mechanisms and practices to prevent and punish the crime of genocide, thereby contributing to the effective implementation of the Convention,

Recalling General Assembly resolution 96 (I) of 11 December 1946, in which the Assembly declared genocide a crime under international law, and all subsequent resolutions

within the United Nations system that have contributed to the establishment and development of the process of prevention and punishment of the crime of genocide, including Assembly resolution 60/1 of 16 September 2005,

Acknowledging with appreciation that genocide is defined among the most serious crimes of concern to the international community as a whole in the Rome Statute of the International Criminal Court,¹ and anticipating that the functioning of the Court and other relevant international criminal tribunals together with efforts at the domestic level to prevent and punish genocide will help increase accountability for the crime of genocide,

Recalling that the Council is mandated by the General Assembly to address situations of violations of human rights, including gross and systematic violations, and to make recommendations thereon, and that it should also promote the effective coordination and mainstreaming of human rights within the United Nations system,

Recognizing the important contribution of the United Nations human rights system to efforts towards preventing situations in which the crime of genocide could be committed,

Reaffirming its full support for the mandate of the Special Adviser of the Secretary-General on the prevention of genocide, who acts, inter alia, as an early warning mechanism to prevent potential situations that could result in genocide,

Taking note with appreciation of the presentation of the reports of the Secretary-General submitted to the Council on the implementation of the Five-Point Action Plan and the activities of the Special Adviser,² as well as of the convening of two interactive dialogues with the Special Adviser at both the third and current sessions of the Council,

1. *Reaffirms* the significance of the Convention on the Prevention and Punishment of the Crime of Genocide as an effective international instrument for the prevention and punishment of the crime of genocide;

¹ A/CONF.183/9.

² E/CN.4/2006/84 and A/HRC/7/37.

2. *Expresses its appreciation* to all States that have ratified or acceded to the Convention, and in particular to the States that have done so in the years following the adoption of Commission on Human Rights resolution 2005/62 of 20 April 2005;

3. *Calls upon* States that have not yet ratified or acceded to the Convention to consider doing so as a matter of high priority and, where necessary, to enact national legislation in conformity with the provisions of the Convention;

4. *Reiterates* the responsibility of each individual State to protect its population from genocide, which entails the prevention of such a crime, including incitement to it, through appropriate and necessary means;

5. *Stresses* the importance of enhanced international cooperation, including through the United Nations system and through regional organizations, aimed at fostering the principles enshrined in the Convention;

6. *Calls upon* all States, in order to deter future occurrences of genocide, to cooperate, including through the United Nations system, in strengthening appropriate collaboration among existing mechanisms that contribute to early detection and prevention of massive, serious and systematic violations of human rights, which if not halted, could lead to genocide;

7. *Recognizes* the important role of the Secretary-General in contributing to prompt consideration of early warning or prevention cases, as mandated by Security Council resolution 1366 (2001) of 30 August 2001, and the functions of the Special Adviser, who, in accordance with his mandate, collects existing information, in particular from within the United Nations system, liaises with the United Nations system on activities for the prevention of genocide and works to enhance the capacity of the United Nations to analyse and manage information relating to genocide or related crimes;

8. *Welcomes* the decisions of the Secretary-General and of the General Assembly, as contained in its resolution 62/238, to retain the mandate of the Special Adviser, to upgrade his position to the level of Under-Secretary-General and to strengthen his office;

9. *Requests* all Governments to cooperate fully with the Special Adviser in the performance of his work, to furnish all relevant information requested and to react promptly to his urgent appeals;

10. *Underlines* the important role of the United Nations human rights system, including of the Council, the Office of the United Nations High Commissioner for Human Rights and the relevant special procedures and treaty bodies in addressing the challenge of collating information on massive, serious and systematic violations of human rights, and thereby contributing to a better understanding and early warning of complex situations that might lead to genocide;

11. *Encourages* the Special Adviser on the Prevention of Genocide and the High Commissioner for Human Rights to further enhance the systematic exchange of information between their offices and between the Special Adviser and all relevant special procedures, including those concerned with the promotion and protection of human rights of persons belonging to the national, ethnic, racial or religious groups as outlined in article II of the Convention on the Prevention and Punishment of the Crime of Genocide;

12. *Emphasizes* the importance, when addressing complex situations that might lead to genocide as defined in the Convention, of a prompt and comprehensive examination of a set of multiple factors, including legal factors, the existence of groups at risk, the massive, serious and systematic violation of human rights, and the resurgence of systematic discrimination, the prevalence of expressions of hate speech targeting persons belonging to national, ethnic, racial or religious groups, especially if they are uttered in the context of an actual or potential outbreak of violence;

13. *Encourages* States to make use of appropriate international and regional forums to address the issue of prevention of genocide, including, inter alia, the annual meetings of regional and thematic organizations and their related human rights machinery, the preparatory process for the Review Conference on the implementation of the Durban Declaration and Programme of Action and any conferences commemorating the sixtieth anniversary of the Universal Declaration of Human Rights;

14. *Encourages* Governments, in cooperation with international and regional organizations and civil society, while promoting human rights education activities, to disseminate knowledge of the principles of the Convention, paying particular attention to the principles of prevention;

15. *Requests* the High Commissioner to circulate the reports of the Secretary-General submitted to the Council in order to obtain the views of States, relevant United Nations agencies, treaty bodies and special procedures on those reports, including on possible warning signs that might lead to genocide,³ and to report to the Council at its tenth session;

16. *Invites* the High Commissioner, as a matter of high priority and in consultations with States, to elaborate and implement, within existing resources, appropriate commemorative events to mark the sixtieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, having also in mind the commemoration of the sixtieth anniversary of the Universal Declaration of Human Rights;

17. *Also invites* the High Commissioner, as part of the commemorative events, and as an important contribution to developing preventive strategies, to organize, within existing resources, a seminar on the prevention of genocide, with the participation of States, relevant United Nations entities and other international and regional organizations, civil society, and academic and research bodies, and to publish a paper on the outcome of the seminar;

18. *Requests* the Secretary-General to make available to the Council at its tenth session an updated report on the efforts of the United Nations system to prevent genocide and on the activities of the Special Adviser, and invites the Special Adviser to an interactive dialogue with the Council at the same session on the progress made in discharging his duties;

19. *Decides* to continue consideration of this issue in accordance with its programme of work.

³ E/CN.4/2006/84.