

From the Scourge of War to the Hope of Justice and Prevention: How WWII Shaped
Raphael Lemkin's Genocide Convention

Marking the 85th Anniversary of WWII's Outbreak and the 65th Anniversary of Raphael Lemkin's
Death

Remarks by the Special Adviser on the Prevention of Genocide, Alice Wairimu Nderi tu
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Your excellencies,

Dear colleagues,

It is my honor to join you today as we mark these two important anniversaries, the 65th anniversary of the passing of the Polish Jewish lawyer Dr. Raphael Lemkin and the 85th anniversary of the outbreak of World War II. These are seemingly separate but intricately connected.

I thank the Permanent Mission of Poland and Ambassador Krzysztof Szczerski for gathering us all today

On the last occasion Dr. Lemkin saw his mother, she spoke of her son as "the idea to find a name for this crime of killing entire groups of people." Tragically, she, alongside 49 members of the Lemkin family would be killed through this crime that her son sought to find a name for.

This idea took shape after Dr. Lemkin, as a child, had read Nobel Laureate Polish writer Henryk Jablonski's "The Crime of Leszno." Dr. Lemkin said he realized vividly when reading the

He suggests to the President, the adoption of a treaty to make genocide a crime, the crime of the President responded, saying, aware of the danger but that he sees difficulties in adopting a treaty now and urges patience. Dr. Lemkin was saddened by the response and decided to change focus from the President and appeal directly to the American people. In a matter of such magnitude, where the lives of entire nations were involved, I should not rely on the press. He then wrote feverishly to media houses, haunted everyday by nightmares of the ongoing killings including of his family that would come to be known as the Holocaust.

When the war ends, genocide was included in the indictment of the war criminals in London in August 1945. However, the Tribunal in Nuremberg declared was bound by the Statute of the International Military Tribunal, which did not contain the charge of genocide. This meant that the Nuremberg Tribunal did not issue a verdict that as Dr. Lemkin had hoped, and I quote, "This was a very important missed opportunity."

Undeterred, Dr. Lemkin continued to write about his idea, to media houses, to peer reviewed journals. He gave several interviews and spoke at numerous universities. The Washington Post became the first newspaper in the world to write an editorial on genocide, on December 3, 1945.

Dr. Lemkin then made

The Belgian Minister of Foreign Affairs Paul Spaak presided over the General Assembly meeting on genocide.

When the resolution is presented to the legal committee Lemkin meets Judge Riad of Egypt advisor to the King of Saudi Arabia, who became not only the spokesman for the Genocide Convention in the Arab world, but its special defender in this committee, which voted unanimously for it.

When in July 1948 Lemkin travels to Geneva for the Economic Social Council consideration of the report on genocide, he goes for a walk at night, sleepless with worry over the task ahead of him, coincidentally meeting the delegate from Canada, Ambassador Dana Wilgress. A fascinating conversation happens

Dr. Lemkin had envisioned the establishment of the Office lead in 1947 through an implementation mechanism spelt out in the Genocide Convention, namely "quote - Í2 Ù 2 e ô X 2 í e : 2 í + Ù : è ô Ù : X Ù e ô Ù í í 1 related to the Genocide Convention. e ô X \ Ù < j è Ù : è ô Ù • : j + í Ù í e ô X Ù í e í Ù X ô + í e ô í Ù e : Ù e ô Ù è í j \ ô \ Ù í 2 í Ù í ô } ô U í X e è j + í X Ù e ô Ù X í è í + à Ù X ô + : j \ Ù í 2 í Ù 2 í e : 2 í + Ù e ô 2 \ : 2 \ Ù è : 2 í j è } ô

commemoration of the 75th Anniversary of the Genocide convention, was drawn directly from [1] 2 words.

We brought together experts on prevention, accountability and memory to reflect on the legacy of the Convention and Dr. Lemkin, and each of them issued a 1,000 word statement similar to the 1000-word statement Dr. Lemkin wrote on 12 January 1951, the day the Convention entered into force.

Jacob Blaustein Institute for the Advancement of Human Rights. On 7 December, the Permanent Missions of Germany, Bosnia and Herzegovina, Cambodia, Israel, Poland, and Rwanda, organized a side event reflecting on the 75 years of the Convention, offering Member States perspective and experiences.

I also went to Yale University where Dr. Lemkin taught and invited the Fall class on Atrocity

153 States. Whether or not States have ratified the Convention, they are bound by the principle that genocide is a crime under international law, and they have an obligation to prevent and punish it.

Like Raphael Lemkin, I continue to relentlessly lobby the Member States who are yet to ratify the Convention. The most recent ratification was by Zambia.

At the same Delegates Lounge in which Lemkin spent so much time lobbying, Ambassador Simbyakula of Zambia promised me that his country would take this step and indeed ratify the Convention, which they did. In March this year, I travelled to Zambia for the launch of the Genocide Convention committee, tasked to implement the now ratified Genocide Convention.

It is essential that we continue to support efforts to expand knowledge of this critical instrument because we must recognize the limits in the language and the spaces of diplomacy and legality and the universality of Dr. Lemkin's great idea that became the Genocide Convention.