

## DEFINITIONS OF GENOCIDE

### 1) Convention on the Prevention and Punishment of the Crime of Genocide *(relevant)*

Adopted by Resolution 260 (III) A of the U.N. General Assembly on 9 December 1948.  
Entry into force: 12 January 1951.

**Article I:** The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

**Article II:** In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

2) from **Raphael Lemkin's *Axis Rule in Occupied Europe: Laws of Occupation - Analysis of Government - Proposals for Redress***, (Washington, D.C.: Carnegie Endowment for International Peace, 1944), p. 79 - 95.

By "genocide" we mean the destruction of a nation or of an ethnic group. This new word, coined by the author to denote an old practice in its modern development, is made from the ancient Greek word *genos* (race, tribe) and the Latin *cide* (killing), thus corresponding in its formation to such words as tyrannicide, homicide, infanticide, etc.<sup>Ⓜ</sup> Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups. Genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group.

### 3) Acts Constituting a General (Transnational) Danger Considered as Offences Against the Law of Nations

By Raphael Lemkin, lecturer on comparative law at the Institute of Criminology of the Free University of Poland and Deputy Prosecutor of the District Court of Warsaw.

**LET US CONSIDER**, first and foremost, **acts of extermination** directed against the ethnic, religious or social collectivities whatever the motive (political, religious, etc.); for example massacres, pogroms, actions undertaken to ruin the economic existence of the members of a collectivity, etc. Also belonging in this category are all sorts of brutalities which attack the dignity of the individual in cases where these acts of humiliation have their source in a campaign of extermination directed against the collectivity in which the victim is a member.

Taken as a whole, all the acts of this character constitute an offense against the law of nations which we will call by the name "**barbarity.**" Taken separately all these acts are punishable in the respective codes; considered together, however, they should constitute offenses against the law of nations by reason of their common feature which is to endanger both the existence of the collectivity concerned and the entire social order.

4) Frank Chalk and Kurt Jonassohn:

"Genocide is a form of one-sided mass killing in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrator" (*The History and Sociology of Genocide* , 1990).

Israel W. Charny:

5)"Genocide in the generic sense is the mass killing of substantial numbers of human beings, when not in the course of military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims". (in *Genocide: Conceptual and Historical Dimensions* ed. George Andreopoulos, 1994).

6) Helen Fein:

"Genocide is sustained purposeful action by a perpetrator to physically destroy a collectivity directly or indirectly, through interdiction of the biological and social reproduction of group members, sustained regardless of the surrender or lack of threat offered by the victim". (*Genocide: A Sociological Perspective*, 1993/1990).

7)Barbara Harff and Ted R. Gurr:

"By our definition, genocides and politicides are the promotion and execution of policies by a state or its agents which result in the deaths of a substantial portion of a group. The difference between genocides and politicides is in the characteristics by which members of the group are identified by the state. In genocides the victimized groups are defined primarily in terms of their communal characteristics, i.e., ethnicity, religion or nationality. In politicides the victim groups are defined primarily in terms of their hierarchical position or political opposition to the regime and dominant groups" ("Toward empirical theory of genocides and politicides," *International Studies Quarterly* 37, 3 [1988]).

8) Steven T. Katz:

"the concept of genocide applies *only* when there is an actualized intent, however successfully carried out, to physically destroy an *entire* group (as such a group is defined by the perpetrators)" (*The Holocaust in Historical Perspective*, Vol. 1, 1994).

9) Scott Spence,

"... an organized attempt to annihilate a group that a perpetrator constitutes as an organic collectivity."

(*Journal of Genocide Research* (2001), 3:3, pp. 349-375).