

The Centre for Holocaust Education & Scholarship Universal Declaration of Human Rights



In the aftermath of the Second World War and the Holocaust, individuals, groups, and nations began to re-evaluate their collective responsibility. The horrors of the Second World War, the new and frightening power of the atomic bomb, and the Nazi genocide of Jews and others deemed unworthy to live shocked the conscience of people all over the world. As First Lady, Eleanor Roosevelt said, "In the end...we are 'One World' and that which injures any one of us, injures all of us."

After the war, the international community saw the creation of the United Nations (1945), the Nuremberg Trials (1945), the Genocide Convention (1948), and the Universal Declaration of Human Rights (1948). Diplomats and politicians created these institutions and frameworks in the hopes of preventing future atrocities.

These initiatives aimed to redefine the responsibilities of all governments and individuals toward other people in the world. They called for a shift in the way people and nations understand their "Universe of Obligation." This term, coined by sociologist Helen Fein, refers to the circle of individuals and groups "toward whom obligations are owed, to whom rules apply, and whose injuries call for [amends]." Fein's ideas refer specifically to how nations perceive their responsibilities to citizens.

By 1948, the United Nations' new Human Rights Commission had captured the attention of the world. Under the dynamic chairmanship of Eleanor Roosevelt—human rights champion and the United States delegate to the UN—the Commission set out to draft the document that became the Universal Declaration of Human Rights. Roosevelt, credited with its inspiration, referred to the Declaration as the "international Magna Carta for all mankind." It was adopted by the United Nations on December 10, 1948.

The Member States of the United Nations pledged to work together to promote the Thirty Articles of Human Rights that, for the first time in history, had been assembled and codified into a single document. In consequence, several of these rights have heavily influenced the constitutional laws of many democratic nations.

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights. Following this historic act the Assembly called upon all Member States to publicize the text of the Declaration. They encouraged Member States "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

Universal Declaration of Human Rights: Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of

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speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

Whereas it is essential, if man is not to be compelled to have recourse as a last resort to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom.

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms.

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

The United Nations and the Genocide Convention

As the horrors of the Third Reich unfolded, people everywhere resolved that such things must never be allowed to happen again. The United Nations was created partly in response to Nazi atrocities, as was the unanimous affirmation of the Nuremberg Principles, making "wars and aggression" and "crimes against humanity" punishable offences.

During the Second World War, Raphael Lemkin, a Jewish lawyer, coined the term *genocide* to describe "crimes against humanity." It combined a Greek word *gens* meaning "a race or tribe" with the Latin *cide* meaning "to kill". The word *genocide* refers to the deliberate destruction of a group of people. On December 9, 1948, the United Nations adopted the Genocide Convention which classified genocide as a crime under international states.

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 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:

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- (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.

Article III

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

Article IV

Persons committing genocide or any of the other acts enumerated in Article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

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A Report Card

The United Nations also created a permanent International Criminal Court to handle cases of genocide. In doing so, the organization was declaring its determination to protect individuals and groups against abuse by the state. Yet in the years that followed, no one had been tried for genocide despite repeated charges of the crime. In the 1960s, at least half a million East Timorese were slaughtered in Indonesia. In the 1970s, three million Bangladeshis and over a million Khmers in Cambodia were also victims of genocide, as were thousands of Native Americans living in the Amazon Valley in Brazil. In the 1980s, the Chinese were accused of genocide in Tibet. The same charge was leveled against the Serbs for their treatment of the Croats and the Muslims in the former Yugoslavia.

Most recently, the Islamic state of Iraq or ISIL was recognized as the perpetrator of the genocide in Iraq. The genocide has led to the expulsion, flight, and effective exile of the Yazidi people from Northern Iraq. The genocide led to the abduction of Yazidi women and massacres that killed at least 5,000 Yazidi civilians during what has been called a forced conversion camp. By August 2016 at least 72 mass graves had been discovered, reportedly containing from “anything from at least 5,200 to over 15,000 victims.” On March 14, 2016 the United Nations voted unanimously that these violent acts were acts of genocide.

Recently, the Canadian government has stepped up and made the decision to bring in as many several thousand Yazidis from conflicts and refugee camps to the country. A recent article in the CBC outlines the action plan for bringing these refugees to Canada: <http://www.cbc.ca/news/politics/yazidis-canada-refugees-un-genocide-1.3850033>

For more information please see these links:

<http://actionyazidis.org/>

<http://www.jpost.com/Magazine/Living-in-exile-415824>

The questions Senator George McGovern of South Dakota raised concerning mass murders in Cambodia might be asked of any these incidents:

- How can or should the international community react in the face of the knowledge that a government is massacring its own people?
- Where do human rights supersede those of sovereignty?
- What lesson, if any, can be derived from the world's inaction over the murder of the Jews?
- How can we now meet the promise of ‘never again’ made in 1945?

Sources Consulted:

Facing History and Ourselves <https://www.facinghistory.org/>

USHMM <https://www.ushmm.org/>

The History Place <http://www.historyplace.com/>