

What Constitutes “Genocide”

The United Nations [defines genocide](#) as: Any of the following acts committed with the **intent to destroy**, in whole or in part, a national, ethnical, racial or religious group:

1. killing members of the group;
2. causing serious bodily or mental harm to members of the group;
3. deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
4. imposing measures intended to prevent births within the group;
5. forcibly transferring children of the group to another group.

The **intent** is the most difficult element to determine. To constitute genocide, there must be a proven intent on the part of perpetrators to physically destroy a national, ethnical, racial or religious group. Cultural destruction does not suffice, nor does an intention to simply disperse a group. It is this special intent, or *dolus specialis*, that makes the crime of genocide so unique.

Importantly, the victims of genocide are deliberately targeted – not randomly – because of their real or perceived membership of one of the four groups protected under the [Convention on the Prevention and Punishment of the Crime of Genocide](#) (which excludes political groups, for example). This means that the target of destruction must be the group, as such, and not its members as individuals. Genocide can also be committed against only a part of the group, as long as that part is identifiable (including within a geographically limited area) and “substantial.”

[BBC News](#): Objections most frequently raised against the Convention on the Prevention and Punishment of the Crime of Genocide:

- The convention excludes targeted political and social groups
- The definition is limited to direct acts against people, and excludes acts against the environment which sustains them or their cultural distinctiveness
- Proving intention beyond reasonable doubt is extremely difficult
- UN member states are hesitant to single out other members or intervene, as was the case in Rwanda
- There is no body of international law to clarify the parameters of the convention (though this is changing as UN war crimes tribunals issue indictments)
- The difficulty of defining or measuring “in part”, and establishing how many deaths equal genocide