

## **Joint Statement: Civil Society Supports Historic Genocide Amendment to UK Trade Bill**

8 February 2021

Genocides and other mass atrocity crimes have claimed the lives of over 80 million victims globally since 1945. Today the very existence of the Rohingya in Myanmar and the Uyghur in China is threatened by ongoing violations including torture, rape and sexual violence, forced starvation, and the deprivation of liberty and dignity. We see the proposed Genocide Amendment to the Trade Bill (“the Genocide Amendment”) as a historic opportunity for the United Kingdom to demonstrate global leadership by considering trade and other consequences with governments and regimes that seek systemically to destroy whole communities from their populations.

The UK has in the past five years played a key international role in protecting civilians from egregious human rights violations, including the spearheading of a global campaign to bring Da’esh/ISIS to justice for its genocidal crimes against the Yazidis in northern Iraq. Support for this amendment represents the continuation of such commitments to universal human rights, in accordance with the UK’s critical standing as a permanent member of the UN Security Council.

The UK has a long-standing policy that genocide be legally determined in a court of law, an independent and impartial mechanism which safeguards against politicisation and vexatious claims. The Genocide Amendment addresses any concerns that the courts should not have power to revoke trade deals agreed by a sovereign parliament. The amendment has been revised to clarify that, following preliminary determination of genocide by the High Court, the matter would go back to the Parliament and Government ultimately decides on all consequences. An impartial High Court ruling on genocide shields the Government and Parliament from the potential damage to foreign relations that may occur from a determination of this nature.

The Genocide Amendment allows UK domestic courts to fill a gap in the international justice system, since international courts cannot guarantee consequential action in time to prevent further atrocities as mandated by the UN Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention). For non-governmental organisations, a court ruling on the existence of genocide would, in itself, enhance human rights advocacy and strike a meaningful blow against the perpetrators. Moreover, the establishment and effective implementation of a national atrocity prevention strategy would ensure that the UK complies with its own obligations under the Genocide Convention.

As the Government charts a new course in international relations, parliamentarians have an opportunity to ensure that future trade agreements reflect the UK’s moral commitments and values.

### *Signatories:*

1. International Bar Association’s Human Rights Institute
2. Accountability Unit
3. Aegis Trust
4. Anti-Slavery International
5. Bar Human Rights Committee of England and Wales
6. Burma Campaign UK
7. Coalition for Genocide Response
8. Crown Christian Heritage Trust
9. CSW
10. Genocide80Twenty
11. International Coalition to End Transplant Abuse in China
12. Minority Rights Group International
13. René Cassin
14. STAND UK
15. Widows for Peace through Democracy
16. Women for Justice
17. World Uyghur Congress
18. Yazda-UK
19. Yazidi Emergency Support
20. Yet Again