

# Burma is the Country at Highest Risk of Genocide: All States are Obligated to Act to Prevent Genocide under the Genocide Convention

Genocide strikes at the heart of our international legal order which is why the Genocide Convention requires states to take action both “to prevent” and “to punish” genocide - in that order.<sup>1</sup>

The International Court of Justice has made clear that all states must take “all possible measures” to prevent genocide once a credible risk of genocide is shown to exist anywhere in the world.<sup>2</sup>

Burma is now the number one state in the world at risk of genocide. This means that all states have existing affirmative obligations to act against genocide in Burma, including through the Security Council.

## 2011 Genocide Risk Indices

	Burma	Sudan	Pakistan	Somalia	Zimbabwe	DRC
Harff: Countries at Risk of Genocide & Politicide (2011), <sup>3</sup> Normalized Score	1.92	1.72	1.6	1.24	1.42	1.3
People Under Threat (2011), <sup>4</sup> Normalized Score	1.57	1.65	1.55	1.77	1.71	1.47
The Failed States Index (2011), <sup>5</sup> Normalized Score	1.05	1.16	1.09	1.21	1.15	1.15
Countries at Risk of Genocide, Politicide, or Mass Atrocities (2011), <sup>6</sup> Normalized Score	1.28	1.28	1.28	1.28	1.1	1.28
<b>Total Score (Sum of Normalized Scores)</b>	<b>5.82</b>	5.81	5.52	5.50	5.38	5.20

*“If we are serious about preventing or stopping genocide in the future, we must not be held back by legalistic arguments about whether a particular atrocity meets the definition of genocide or not. By the time we are certain, it may often be too late to act.”<sup>7</sup>*

**Former UNSG Kofi Annan  
April 7, 2004**

*“Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States of America.”<sup>8</sup>*

**President Barack Obama  
August 4, 2011**

<sup>1</sup> Convention on the Prevention and Punishment of the Crime of Genocide, art. 1, Dec. 9, 1948.

<sup>2</sup> *See*, The Application of the Genocide Convention Case (*Bosnia and Herzegovina v. Serbia and Montenegro*), 2007 I.C.J. 140 (Feb. 26, 2007).

<sup>3</sup> Harff: Countries at Risk of Genocide & Politicide (Oct 2011). Harff accessed the risk of seven distinct factors that influenced the risk of genocide and politicicide: 'Prior Genocides and Politicides', 'Ethnic Character of the Ruling Elite', 'Ideological Character of the Ruling Elite', 'Type of Regime', 'Trade Openness', 'State-Led Discrimination', and 'Instability Risk'. Available at [http://www.gpanet.org/webfm\\_send/120](http://www.gpanet.org/webfm_send/120).

<sup>4</sup> People Under Threat 2011. The overall measure of People Under Threat is based on a basket of ten indicators. These include indicators of democracy or good governance from the World Bank, conflict indicators from the Center for Systemic Peace and other leading global conflict research institutes, indicators of group division or elite fictionalization from the Fund for Peace and the Carnegie Endowment for International Peace, the State Failure Task Force data on prior genocides and politicides, and the country credit risk classification published by the Organization for Economic Cooperation and Development (as a proxy for trade openness). Available at <http://www.minorityrights.org/10744/peoples-under-threat/peoples-under-threat-2011.html>.

<sup>5</sup> The Failed States Index 2011. The Fund for Peace collects millions of documents and analyzes this content for every country based on the twelve primary social, economic and political indicators, which themselves each have a dozen or more sub-indicators. These twelve indicators are 'Demographic Pressures', 'Refugee/IDPs', 'Group Grievance', 'Human Flight', 'Uneven Development', 'Economic Decline', 'Delegitimization of the State', 'Public Services', 'Human Rights', 'Security Apparatus', 'Factionalized Elites', and 'External Intervention'. Available at [http://www.foreignpolicy.com/articles/2011/06/17/2011\\_failed\\_states\\_index\\_interactive\\_map\\_and\\_rankings](http://www.foreignpolicy.com/articles/2011/06/17/2011_failed_states_index_interactive_map_and_rankings).

<sup>6</sup> Countries at Risk of Genocide, Politicide, or Mass Atrocities 2011. The countries are ranked based on the current mass killing stage, such as current massacres, victims, and killers. Those countries at Stage 7 are currently at the highest mass killing stage. This includes active genocides, recurring genocidal massacres, or ongoing politicides which are erupting. The others are at various stages of dormancy (4 through 6,) but could erupt again at anytime. Available at: <http://www.genocidewatch.org/alerts/countriesatrisk2011.html>.

<sup>7</sup> UN Press Release, UN Secretary-General Kofi Annan's Action Plan to Prevent Genocide, SG/SM/9197 AFR/893, 07/04/2004, available at <http://www.preventgenocide.org/prevent/UNdocs/KofiAnnansActionPlantoPreventGenocide7Apr2004.htm>.

<sup>8</sup> White House Press Release, Presidential Study Directive on Mass Atrocities (Aug. 4, 2011), at <http://www.whitehouse.gov/the-press-office/2011/08/04/presidential-study-directive-mass-atrocities>.