

South Asia Justice Campaign ([SAJC](#)) is pleased to submit this response to the call for inputs issued by the United Nations Office on Genocide Prevention and the Responsibility to Protect and the Office of the High Commissioner for Human Rights, in support of the Secretary-General's follow-up report mandated by Human Rights Council resolution A/HRC/55/L.16.

This submission is informed by SAJC's research, documentation, and advocacy concerning patterns of persecution and violence affecting religious minorities in India, particularly Muslims. It draws on SAJC's experience engaging with UN human rights and prevention mechanisms on early warning, atrocity risk, and the challenges of translating international scrutiny into effective preventive action in contexts marked by entrenched impunity for perpetrators.

Questions for civil society organisations

Genocide Convention

1. ***In your view, for countries that have not ratified or acceded to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, what are the impediments to ratification or accession? For countries that have already ratified or acceded to the Convention but that have not yet enacted national legislation to give effect to its provisions, what are the impediments to adopting such legislation at the national level?***
 - Governments are often reluctant to bind themselves to obligations that may invite international scrutiny of internal conflicts, security operations, and patterns of discrimination against minorities. Concerns about potential exposure to international dispute settlement mechanisms, including the International Court of Justice, further discourage accession to instruments such as the Genocide Convention. In many contexts, genocide prevention obligations are politically framed as encroachments on national sovereignty or security, particularly where State actors or allied non-State actors could plausibly be implicated in serious and systematic human rights violations.
 - Even after ratifying or acceding to the Convention, many governments continue to rely on ordinary criminal offences to address mass violence rather than enacting dedicated genocide legislation. In addition, procedural barriers—such as executive control over prosecutions, requirements for prior sanction to prosecute public officials, and weak and non-independent investigative mechanisms—further deter meaningful domestic implementation. Resistance from military and security institutions concerned about increased scrutiny and accountability also plays a significant role.

- India illustrates these challenges. Although India ratified the Genocide Convention in 1959, it has still not enacted dedicated national legislation to give effect to its provisions. The absence of a standalone genocide offence has meant that recurring episodes of large-scale, group-targeted violence—often directed at religious minorities, particularly Muslims—are addressed through general criminal law, limiting the recognition of atrocity risk and undermining early warning and prevention.

Initiatives towards Early Warning and Prevention of Genocide

2. *What does your organization understand ‘early warning’ to mean in the context of preventing genocide? Could you share examples of concrete and positive action supported or implemented by your organization to address root causes of genocide?*

- SAJC understands early warning in the context of genocide prevention as the systematic identification, analysis, and communication of patterns, trajectories, and triggers of group-targeted violence that may escalate into atrocity crimes if left unaddressed. Early warning is not limited to incident documentation, but involves analysing how structural discrimination, institutional weaknesses, hate speech and incitement, and political incentives interact over time to increase the risk of mass violence against protected groups.
- SAJC’s approach to early warning is informed by the UN Framework of Analysis for Atrocity Crimes, particularly its emphasis on risk factors, indicators, and escalation dynamics. SAJC has applied this framework to move beyond episodic reporting and towards structured assessment of atrocity risk.
- SAJC’s primary early-warning tool is its [India Persecution Tracker](#) (IPT), published on a quarterly basis. The IPT systematically documents and analyses patterns of persecution affecting religious minorities in India, particularly Muslims, across indicators grounded in international human rights law. By tracking trends over time rather than isolated incidents, the IPT is intended to flag escalation risks and emerging flashpoints.
- In addition, in December 2023, SAJC published ‘[Risk of Atrocities in India: An Assessment Based on the UN Framework of Analysis for Atrocity Crimes](#),’ which applied the UN Framework to assess common and specific risk factors for genocide and crimes against humanity. The purpose of this assessment was preventive, by identifying the convergence of structural discrimination, impunity, incitement, and political mobilisation—particularly in the context of elections—as early warning signals requiring attention by the international community.

3. *Can you elaborate on initiatives undertaken by your organization on early warning and early action towards the prevention of genocide, war crimes and crimes against humanity, including advocacy, monitoring, reporting, conflict prevention, and resolution and reconciliation initiatives?*

- SAJC’s work on early warning is oriented towards early action through international engagement and prevention-focused advocacy, particularly where domestic protection mechanisms are weak or absent. SAJC focuses on ensuring that early

warning analysis is translated into timely preventive attention by UN mechanisms and international stakeholders.

- As mentioned earlier, SAJC undertakes sustained monitoring and reporting through its quarterly India Persecution Tracker, which is designed to inform early action by identifying escalation trends, policy-driven risks, and known triggers such as elections and religious festivals. For instance, the lead-up to India's 2024 general elections, SAJC undertook [focused monitoring and analysis of hate speech and incitement](#) as a recognised trigger for mass violence. Hate speech continues to be covered in the IPT, complementing the work of specialist initiatives such as India Hate Lab.
- A key early action pathway for SAJC is engagement with UN human rights and prevention mechanisms. SAJC regularly submits its findings to UN Special Procedures and treaty bodies, highlighting discriminatory legislation, exclusionary policies, and patterns of impunity as root causes of atrocity risk. SAJC has also played a substantive role in engagement with the Committee on the Elimination of Racial Discrimination (CERD), including contributing to CERD's recent Early Warning and Urgent Action Procedure communications¹ concerning the treatment of Bengali-speaking Muslims in Assam, and supporting partner groups to file submissions under EWUA concerning adivasi communities in Chattisgarh.

In addition, SAJC conducts periodic briefings for UN actors, including representatives of OHCHR and the UN Office on Genocide Prevention and the Responsibility to Protect, besides special procedures, to ensure that emerging risks are communicated in a timely, structured, and prevention-oriented manner.

4. *Could you provide examples of successful cases of prevention at the regional and sub-regional level supported or led by your organization? Are there such examples that have either not worked or have been unsuccessful? What challenges exist, and how could they be overcome?*

- SAJC approaches the notion of 'successful prevention' with caution. In contexts like South Asia, marked by entrenched discrimination, political polarisation, and institutional impunity, prevention outcomes are often partial and indirect, and may not result in immediately visible improvements on the ground.
- One example of such partial prevention is SAJC's contribution to international early-warning engagement concerning the treatment of Bengali-speaking Muslims in Assam, including through substantive inputs to the CERD's Early Warning and Urgent Action Procedure. While these interventions have helped elevate the situation within the UN system and clarify atrocity risk indicators, they have not yet translated into clear or sustained protective outcomes at the domestic level, indicating the limits of current prevention mechanisms in the absence of political will by the State concerned.
- In general, the main challenges include the lack of enforceable consequences for State non-cooperation, delayed or fragmented international responses, and the

¹ See CERD action letter (May 2025) on Bengali-speaking Muslims [here](#). See CERD's follow-up action letter (January 2026) on Bengali-speaking Muslims [here](#).

limited ability of UN mechanisms to compel preventive action once risks are identified. These challenges could be addressed through stronger coordination across UN prevention, human rights, and political mechanisms; clearer follow-up expectations when early-warning procedures are triggered; and more consistent use of diplomatic and political tools to reinforce prevention obligations.

- A key tool here could be UNGA resolution 60/251 (para 59f) to act to prevent human rights violations and respond promptly to human rights emergencies), and better implementation of HRC's responsibility for processing incoming information about emerging situation of concern, to be able to engage with a concerned State, to prevent, respond to or address violations and to assist in de-escalation of a situation of concern (HRC resolution - 32nd session, 2016).

5. ***Considering that early warning signs of genocide may also include an increase in serious acts of violence against women and children, could you indicate whether your organization supported the adoption of legislative and other measures by national governments to protect women and children from all forms of violence and discrimination?***

- SAJC treats violence against women and children as a key early-warning indicator of atrocity risk, particularly where such violence is group-targeted, recurrent, and met with impunity. In the Indian context, SAJC has documented patterns of violence affecting Muslim women and children as part of broader persecution dynamics.
- Through its India Persecution Tracker and submissions to UN Special Procedures, including engagement with the Special Rapporteur on violence against women and girls, SAJC has highlighted these patterns as indicators of escalation and urged States to fulfil existing obligations to prevent, investigate, and punish such violence. SAJC's advocacy so far has focused on effective implementation of existing legal safeguards and accountability mechanisms, rather than on drafting new legislation.

Accountability, Archives, Memorialization and Remembrance

6. ***Please indicate ways in which your organization supported efforts towards accountability for genocide, war crimes and crimes against humanity. Also, could you share information on any initiative in support of preservation of archives, oral histories and other forms of evidence in situations in which such crimes and violations have been committed?***

- As mentioned previously, SAJC's work includes identifying patterns of violations, analysing them under international human rights law and, where relevant, international criminal law frameworks, and communicating these findings to UN Special Procedures, treaty bodies, and other mechanisms to support calls for scrutiny, investigation, and accountability. In contexts such as India, where domestic accountability mechanisms have proven largely ineffective or inaccessible for marginalised communities, SAJC's accountability-oriented work is primarily international-facing, aimed at ensuring that violations are recorded, legally characterised, and placed on the international record rather than normalised or erased.
- With respect to evidence preservation, SAJC maintains structured and longitudinal documentation through initiatives such as the India Persecution Tracker, which

functions as a form of contemporaneous incident database. The IPT systematically records and categorises incidents—such as extrajudicial killings by State actors and hate crime-related killings—preserving verified information and patterns over time. While SAJC does not operate formal archival or memorialisation projects, its documentation practices contribute to the preservation of evidence that may be relevant for future accountability, truth-seeking, and prevention efforts.

7. *Has your organization implemented or supported any initiative to advance memorialization and remembrance of past instances of genocide, including participation in national days of remembrance of victims of genocide, war crimes and crimes against humanity, or observance of the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime?*

- SAJC's work has primarily focused on documentation, legal analysis, accountability, and early-warning efforts aimed at preventing future atrocities, particularly in contexts where denial, impunity, and ongoing violations remain prevalent.
- SAJC recognises the importance of memorialisation and remembrance as components of long-term prevention and non-recurrence. Capacity and resource constraints, as well as the absence of specialised expertise in this area, have limited SAJC's engagement to date. We are just beginning to explore the feasibility of setting up a digital archive of atrocity crimes in India.
- SAJC would welcome opportunities for guidance, capacity-building, or collaboration with relevant UN offices and partners to integrate memorialisation and remembrance more systematically into its future prevention work.

8. *Please indicate any initiative supported by your organization towards the protection of cultural heritage and prevention of the destruction of historic monuments, memorial sites, works of art and places of worship.*

- SAJC has not supported direct protection, restoration, or conservation initiatives relating to cultural heritage or places of worship. Its engagement to date has focused on documentation and international advocacy concerning the destruction of religious and cultural sites as part of broader patterns of persecution of minorities. In the Indian context, SAJC has documented and analysed the targeting of places of worship, particularly those of Muslims, as forms of collective punishment and discriminatory state action. These patterns have been raised in submissions to UN Special Procedures and other international mechanisms as indicators of escalation and violations of freedom of religion or belief and minority rights.
- SAJC recognises that the protection of cultural heritage and places of worship is relevant to atrocity prevention and non-recurrence. Capacity and mandate constraints have limited SAJC's role to documentation and advocacy thus far, but SAJC would welcome guidance or collaboration with relevant UN offices and partners to strengthen engagement in this area in the future.

Education and Training Initiatives

9. ***Has your organization implemented or supported educational initiatives and projects to contribute to the prevention of genocide, also advancing the implementation of target 4.7 of the Sustainable Development Goals, on Education for Sustainable Development and Global Citizenship? Has your organization delivered training or technical assistance to strengthen early warning mechanisms for the prevention of genocide?***

- SAJC has supported targeted educational and capacity-building initiatives aimed at strengthening early warning and documentation at the community level. In India, SAJC works with local change-makers and has organised workshops focused on fact-finding, evidence collection, verification standards, and documentation of human rights violations affecting religious minorities. These initiatives are intended to strengthen the quality and reliability of grassroots information feeding into early warning and prevention efforts.
- While SAJC does not run formal education programmes explicitly framed around SDG 4.7 or global citizenship, many of its research outputs, reports, and analytical tools are publicly available online and are used by civil society actors, researchers, and international stakeholders as educational and reference resources relevant to atrocity prevention.

Cooperation

10. ***Does your organization contribute to existing mechanisms of early detection and prevention of human rights violations that may lead to genocide? This can include cooperation with the Universal Periodic Review Mechanism, Special Procedures of the Human Rights Council and the Treaty Bodies, as well as with the Office of the Special Adviser on the Prevention of Genocide.***

- Yes. SAJC contributes regularly and in a sustained manner to existing UN mechanisms concerned with early detection and prevention of serious human rights violations. SAJC routinely engages with UN Special Procedures, through written submissions, follow-up communications, and briefings, to raise concerns relating to patterns of discrimination, incitement, group-targeted violence, and impunity, that may signal atrocity risk.
- SAJC has also engaged with UN treaty bodies, including the Committee on the Elimination of Racial Discrimination and the Human Rights Committee, through joint submissions and in-person engagement in Geneva, with a view to informing early-warning assessments and preventive scrutiny. In addition, SAJC has participated in the Universal Periodic Review process by contributing stakeholder submissions and advocacy.
- SAJC has further shared analysis and participated in briefings with the UN Office on Genocide Prevention and the Responsibility to Protect, including in the context of periodic discussions and side-events, to support early warning and prevention-oriented engagement.

11. Please indicate whether and how your organization cooperates with governments, international and regional organizations and other stakeholders and civil society organizations in advancing efforts to identify the risk of and to prevent genocide.

- SAJC's cooperation in atrocity prevention efforts is primarily international and civil society-focused, and centres on risk identification, early warning, and prevention-oriented advocacy. SAJC works with international organisations, UN-facing civil society actors, and expert networks to share analysis, coordinate messaging, and strengthen international attention to emerging risks.
- SAJC has also conducted some briefings for international and regional actors, including representatives of individual states, focused on patterns of persecution, escalation risks, and early-warning indicators. These engagements are aimed at informing preventive diplomatic and policy responses rather than operational implementation.
- In addition, SAJC has co-organised side events and briefings at the Human Rights Council, providing platforms to present early-warning analysis, engage UN officials and Member States, and facilitate dialogue between civil society and international actors on atrocity risk and prevention.