

ELIZABETH II



1969 CHAPTER 12

An Act to give effect to the Convention on the Prevention
and Punishment of the Crime of Genocide.
[27th March 1969]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) A person commits an offence of genocide if he commits Genocide. any act falling within the definition of “ genocide ” in Article II of the Genocide Convention as set out in the Schedule to this Act.

(2) A person guilty of an offence of genocide shall on conviction on indictment—

- (a) if the offence consists of the killing of any person, be sentenced to imprisonment for life;
- (b) in any other case, be liable to imprisonment for a term not exceeding fourteen years.

(3) Proceedings for an offence of genocide shall not be instituted in England or Wales except by or with the consent of the Attorney General and shall not be instituted in Northern Ireland except by or with the consent of the Attorney General for Northern Ireland.

(4) In Schedule 1 to the Criminal Law Act 1967 the following 1967 c. 58. paragraph shall be added at the end of List B (offences outside the jurisdiction of quarter sessions):—

“ 20. Offences of genocide and any attempt, conspiracy or incitement to commit such an offence.”

1959 c. 25.
(N.I.).
1967 c. 18
(N.I.).

(5) At the end of section 40(1) of the County Courts Act (Northern Ireland) 1959 as amended by section 8 of the Criminal Law Act (Northern Ireland) 1967 (original criminal jurisdiction of county courts in Northern Ireland) the following paragraph shall be added:—

“(h) any offence of genocide and any attempt, conspiracy or incitement to commit such an offence”.

1955 c. 18.
1955 c. 19.

(6) Section 70 of the Army Act 1955 and section 70 of the Air Force Act 1955 (civil offences) shall each be amended by inserting:—

(a) in subsection (3), the following paragraph (before paragraph (b)):—

“(ab) if the corresponding civil offence is an offence of genocide consisting of the killing of any person, be liable to imprisonment for life;”

(b) in subsection (4), after the words “or rape” the words “or an offence of genocide”; and

(c) in subsection (5), after the words “or manslaughter” the words “or an offence of genocide consisting of the killing of any person”.

1957 c. 53.

(7) In the Naval Discipline Act 1957:—

(a) in section 42(1)(b) (punishment of murder) after the words “offence of murder” there shall be inserted the words “or of genocide consisting of the killing of any person”; and

(b) in section 48(2) (exclusion of jurisdiction of courts-martial) after the words “or rape” there shall be inserted the words “or genocide” and after the words “or manslaughter” there shall be inserted the words “or an offence of genocide consisting of the killing of any person”.

Extradition
and evidence
for foreign
courts.

1870 c. 52.
1967 c. 68.

2.—(1) There shall be deemed to be included—

(a) in the list of extradition crimes contained in Schedule 1 to the Extradition Act 1870; and

(b) among the descriptions of offences set out in Schedule 1 to the Fugitive Offenders Act 1967,

any offence of genocide and (so far as not so included by virtue of the foregoing) any attempt or conspiracy to commit such an offence and any direct and public incitement to commit such an offence.

(2) For the purposes of the Acts mentioned in subsection (1) of this section, the Extradition Act 1873 and the Backing of Warrants (Republic of Ireland) Act 1965, no offence which, if committed in the United Kingdom, would be punishable as an offence of genocide or as an attempt, conspiracy or incitement to commit such an offence shall be regarded as an offence of a political character, and no proceedings in respect of such an offence shall be regarded as a criminal matter of a political character.

(3) It shall not be an objection to any proceedings taken against a person by virtue of the preceding provisions of this section that under the law in force at the time when and in the place where he is alleged to have committed the act of which he is accused or of which he was convicted he could not have been punished therefor.

3.—(1) Sections 17 and 22 of the Extradition Act 1870 (which also apply to the Extradition Act 1873), section 12 of the Backing of Warrants (Republic of Ireland) Act 1965 and sections 16 and 17 of the Fugitive Offenders Act 1967 (application to Channel Islands, Isle of Man and United Kingdom dependencies) shall extend respectively to the provisions of this Act amending those Acts.

(2) Her Majesty may by Order in Council make provision for extending the other provisions of this Act, with such exceptions, adaptations or modifications as may be specified in the Order, to any of the Channel Islands, the Isle of Man or any colony, other than a colony for whose external relations a country other than the United Kingdom is responsible.

(3) An Order in Council under this section may be varied or revoked by a subsequent Order in Council.

4.—(1) This Act may be cited as the Genocide Act 1969.

Short title and interpretation.

(2) In this Act “the Genocide Convention” means the Convention on the Prevention and Punishment of the Crime of Genocide approved by the General Assembly of the United Nations on 9th December 1948.

Section 1.

SCHEDULE**ARTICLE II OF GENOCIDE CONVENTION**

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:

- (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.

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