

LLRJ

LEX LUMEN RESEARCH JOURNAL

VOLUME 2 - ISSUE 2
2025

EDITOR-IN-CHIEF: DR. RAZIT SHARMA,
PUBLISHER: MRS. RACHANA

This is an **Open Access** article brought to you by **Lex Lumen Research Journal** made available under the terms of Creative Commons-Attribution Non-Commercial-Share Alike 4.0 International (**CC-BY-NC-SA 4.0**) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

It has been accepted for inclusion in the Journal after Due-review process.

© 2025. LEX LUMEN RESEARCH JOURNAL

GENOCIDE AND INTERNATIONAL JUSTICE: HUMAN RIGHTS OBLIGATIONS AND THE ONGOING IMPUNITY IN MODERN CONFLICTS

By- Gift Portia Mamba¹

ABSTRACT

This article explores the ongoing disparity between the international legal prohibition of genocide and the persistent impunity observed in contemporary conflicts. While genocide is firmly established as a peremptory norm of international law, imposing clear obligations on states to prevent and punish its occurrence, enforcement remains inconsistent and often highly politicised. The article examines the legal framework surrounding genocide, with a particular focus on state responsibility under the Genocide Convention and its relationship with international human rights law. It critically assesses the effectiveness and limitations of international justice mechanisms, such as the International Criminal Court, ad hoc tribunals, and the application of universal jurisdiction. Through the analysis of select contemporary case studies, notably in Syria and Myanmar, the article illustrates how political constraints, jurisdictional barriers, and issues of state sovereignty continue to hinder accountability for genocide. It argues that the issue of impunity stems not from deficiencies in legal norms, but from failures in implementation and a lack of political will. In conclusion, the article proposes targeted reforms designed to bridge accountability gaps. These reform suggestions include limiting the use of veto powers in situations involving atrocities, strengthening universal

¹ Intern- Lex Lumen Research Journal.

GENOCIDE AND INTERNATIONAL JUSTICE: HUMAN RIGHTS OBLIGATIONS AND THE ONGOING IMPUNITY IN MODERN CONFLICTS

Volume-2, Issue-2

Pages: 119-132

jurisdiction, and enhancing the institutional framework of international criminal justice mechanisms.

KEYWORDS: Genocide; International justice; Human rights obligations; Impunity; International Criminal Court; Universal jurisdiction; State responsibility.

METHODS

This article utilises a qualitative doctrinal legal research methodology. The analysis primarily draws on primary sources of international law, including treaties, conventions, and judicial decisions from international courts and tribunals. Special attention is given to the Genocide Convention, the Rome Statute of the International Criminal Court, and the jurisprudence of the International Court of Justice, as well as the work of international criminal tribunals.

In addition, secondary sources such as academic literature, legal commentaries, and reports produced by United Nations bodies and human rights organizations are used to provide context and critically assess the effectiveness of international justice mechanisms. A comparative analytical approach is employed to evaluate various accountability frameworks, including international courts, ad hoc tribunals, and domestic prosecutions based on universal jurisdiction. Selected contemporary case studies are included to illustrate the practical application of legal norms and to highlight the challenges of enforcement. This methodological approach allows for a comprehensive evaluation of both the normative strengths and practical limitations of international responses to genocide.

INTRODUCTION

Genocide is defined in Article II of the Convention on the Prevention and Punishment of the Crime of Genocide as a series of acts that include killing, causing serious physical or mental harm, and deliberately inflicting living conditions intended to bring about destruction, committed with the intent to destroy, in whole or in part, a

national, ethnic, racial, or religious group.²It is recognised as one of the gravest violations of human rights and directly challenges the foundations of international law as well as the global commitment to human dignity.³ Despite its clear legal prohibition, genocide continues to occur in modern conflicts, revealing a persistent gap between legal norms and their enforcement.

A continuing challenge in addressing genocide is the persistent impunity of those responsible. International human rights law and international humanitarian law establish clear obligations for states to prevent, penalise, and prosecute acts of genocide.⁴ However, the enforcement of these laws is often inconsistent. Political factors, jurisdictional limitations, and the selective engagement of powerful states frequently hinder accountability, allowing perpetrators to escape justice and depriving victims of meaningful redress.⁵

This essay argues that while the international legal framework defines genocide as a peremptory norm and establishes clear human rights obligations for states, international justice mechanisms are often structurally and politically incapable of ensuring consistent accountability. The continuing prevalence of impunity does not stem from legal shortcomings but rather from failures in implementation, enforcement, and political will.

² Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, 78 U.N.T.S. 277 (entered into force Jan. 12, 1951).

³ Christine Byron, Genocide, in Oxford Bibliographies in International Law (May 29, 2014), <https://www.oxfordbibliographies.com/display/document/obo-9780199796953/obo-9780199796953-0035.xml?q=genocide&print> (last visited Dec. 27, 2025).

⁴ Rome Statute of the International Criminal Court, July 17, 1998, 2187 U.N.T.S. 3, available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/rome-statute-international-criminal-court> (last visited Dec. 27, 2025).

⁵ William A. Schabas, Genocide in International Law: The Crime of Crimes (3d ed. 2021), available at <http://ndl.ethernet.edu.et/bitstream/123456789/56846/1/4.pdf> (last visited Dec. 27, 2025).

The essay will first examine the legal framework governing genocide, emphasising state obligations under international law and their connection to human rights norms. It will then evaluate the effectiveness and limitations of international justice mechanisms, including both international and domestic avenues for accountability. The analysis will subsequently explore the ongoing impunity in modern conflicts through selected case studies, before addressing accountability gaps and proposing targeted reforms aimed at strengthening international responses to genocide.

1.LEGAL FRAMEWORK OF GENOCIDE AND HUMAN RIGHTS OBLIGATIONS

The prohibition of genocide is established in the Genocide Convention of 1948, which creates a binding legal framework for both the prevention and suppression of genocide.⁶ This Convention is not just a set of definitions; it also imposes significant obligations on states regarding actions that threaten the existence of protected groups. The International Court of Justice (ICJ) has affirmed that genocide involves not only individual criminal liability but also state responsibility, meaning that states have direct legal obligations if the Convention is violated.⁷

The framework emphasises the obligations to prevent and punish genocide. The duty to prevent genocide is based on due diligence and arises when a state becomes aware, or should reasonably be aware, of a serious risk that genocidal acts may occur.⁸ This obligation is not limited to a state's own territory, it extends to situations where a state

⁶ Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, 78 U.N.T.S. 277 (entered into force Jan. 12, 1951).

⁷ Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia & Herzegovina v. Serbia & Montenegro), Judgment, 2007 I.C.J. Rep. 43, ¶ 166.

⁸ Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia & Herzegovina v. Serbia & Montenegro), Judgment, 2007 I.C.J. Rep. 43, ¶ 431.

can influence relevant actors beyond its borders.⁹The duty to punish requires states to establish effective domestic legislation that criminalises genocide and to ensure accountability through prosecution or extradition. Together, these responsibilities aim to protect vulnerable groups by compelling states to act proactively rather than reactively.

The legal significance of genocide is underscored by its classification as a peremptory norm of general international law (*jus cogens*). The International Court of Justice (ICJ) has explicitly recognized the prohibition of genocide as a *jus cogens* norm.¹⁰ This position is supported by the jurisprudential framework and highlights the collective responsibility of the international community, as affirmed by international criminal tribunals and the International Law Commission.¹¹ As a result, the commission of genocide represents a serious violation of international law.¹² This triggers the legal consequences outlined in Articles 40 and 41 of the Articles on State Responsibility, which include obligations for cooperation, non-recognition, and non-assistance.¹³

The prohibition of genocide creates obligations *erga omnes*, meaning that all states have a legal interest in ensuring its enforcement and can hold others accountable for

⁹ *Id.* ¶ 430

¹⁰ *Armed Activities on the Territory of the Congo (Dem. Rep. Congo v. Rwanda)*, Judgment, 2006 I.C.J. Rep. 6, ¶ 64.; *Bosnia and Herzegovina v. Serbia and Montenegro*, 2007, para. 161); *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia & Herzegovina v. Serbia & Montenegro)*, Judgment, 2007 I.C.J. Rep. 43, ¶ 161.

¹¹ *Prosecutor v. Jelusic*, Case No. IT-95-10-A, Judgment, ¶ 60 (Int'l Crim. Trib. for the Former Yugoslavia Dec. 14, 1999).; *Advisory Opinion OC-26/20*, Inter-Am. Ct. H.R. (ser. A) No. 26, ¶ 105 (Nov. 9, 2020).

¹² Int'l Law Comm'n, *Draft Conclusions on Jus Cogens*, with Commentaries, U.N. Doc. A/77/10, at 284 (2022) (Commentary to Draft Conclusion 23, ¶ 8).

¹³ Int'l Law Comm'n, *Draft Articles on Responsibility of States for Internationally Wrongful Acts*, with Commentaries, U.N. Doc. A/56/10, at 112 (2001) (Commentary on art. 40, ¶ 8).

violations.¹⁴ These obligations intersect with international human rights law, particularly in relation to the rights to life, dignity, and the protection of children. This intersection reinforces both the preventive and protective aspects of the legal framework while highlighting the collective responsibility of the international community.

2. INTERNATIONAL JUSTICE MECHANISMS

International justice mechanisms were established to uphold states' human rights obligations to prevent and punish genocide and other atrocity crimes.¹⁵ However, despite the existence of various accountability frameworks, impunity remains a significant issue in modern conflicts. This section examines the International Criminal Court (ICC), ad hoc tribunals, and universal jurisdiction as complementary yet structurally limited responses to the crime of genocide.

2.1 International Criminal Court: Jurisdiction, Limits, and Political Challenges

The International Criminal Court (ICC) operates under the Rome Statute of 1998, which grants it jurisdiction over genocide, crimes against humanity, war crimes, and the crime of aggression.¹⁶ However, its jurisdiction is constrained by the necessity of state consent and territorial or nationality links, as well as the principle of complementarity, which prioritises domestic prosecutions.¹⁷ Although these

¹⁴ Int'l Law Comm'n, *Report of the International Law Commission on the Work of Its Seventy-First Session, Chapter V: Peremptory Norms of General International Law (Jus Cogens)*, U.N. Doc. A/74/10, at 142 (2019), <https://legal.un.org/ilc/reports/2019/english/chp5.pdf> (last visited Dec. 27, 2025).

¹⁵ Veronika Bílková & Federica Cristani, *Mechanisms of International Justice to Fight Impunity*, Eur. Parl. Doc. EXPO_STU(2025)775282 (Nov. 13, 2025), [https://www.europarl.europa.eu/RegData/etudes/STUD/2025/775282/EXPO_STU\(2025\)775282_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2025/775282/EXPO_STU(2025)775282_EN.pdf) (last visited Dec. 27, 2025).

¹⁶ Rome Statute of the International Criminal Court, arts. 12, 17, July 17, 1998, 2187 U.N.T.S. 3.

¹⁷ Rome Statute of the International Criminal Court, arts. 5–8, July 17, 1998, 2187 U.N.T.S. 3.

provisions are intended to respect state sovereignty, they significantly limit the Court's ability to act when states are unwilling or unable to prosecute perpetrators.

As noted by Cryer et al., the ICC's effectiveness heavily depends on state cooperation for arrests, evidence gathering, and enforcement. This reliance creates structural vulnerabilities when cooperation is withheld.¹⁸ The situation is further complicated by the non-participation of major powers such as the United States, Russia, and China, which undermines the Court's universality and perceived legitimacy. Bosco illustrates how geopolitical interests influence selective enforcement, resulting in prosecutions that are disproportionately focused on weaker states and thereby reinforcing critiques of politicisation.¹⁹

The ICC Office of the Prosecutor's Policy Paper on Case Selection and Prioritisation highlights that limited resources, evidentiary thresholds, and strategic considerations often prevent many situations involving atrocities from advancing to trial.²⁰ Consequently, while the ICC represents a normative commitment to accountability for genocide, its capacity to address impunity in modern conflicts remains inconsistent.

2.2 Ad Hoc Tribunals: A Comparative Perspective

Ad hoc tribunals, such as the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), were

¹⁸ Robert Cryer, Håkan Friman, Darryl Robinson & Elizabeth Wilmshurst, *The International Criminal Court*, in *An Introduction to International Criminal Law and Procedure* 119–48 (Cambridge Univ. Press 2007).

¹⁹ David Bosco, *Rough Justice: The International Criminal Court in a World of Power Politics* (Oxford Univ. Press 2013).

²⁰ Office of the Prosecutor, Int'l Crim. Ct., *Policy Paper on Case Selection and Prioritisation* (Sept. 2016), https://www.icc-cpi.int/sites/default/files/itemsDocuments/20160915_OTP-Policy_Case-Selection_Eng.pdf (last visited Dec. 28, 2025).

established through UN Security Council Resolutions 827 (1993) and 955 (1994), offering a contrasting model for enforcement.²¹ Backed by the binding authority of the Security Council, these tribunals achieved greater compliance and developed significant jurisprudence on the subject of genocide. However, as Schabas notes, their creation was politically selective, historically limited, and dependent on consensus within the Security Council, which restricts their broader applicability.²² Additionally, critics argue that their physical and social distance from affected communities weakened their ability to provide reparations and deter future crimes.²³

2.3 Universal Jurisdiction: Filling the Accountability Gap

Universal jurisdiction provides a partial solution to the limitations faced by international courts. For example, Germany's prosecution of Anwar Raslan under its Code of Crimes against International Law (VStGB) illustrates how domestic courts can handle genocide-related crimes when international mechanisms fail.²⁴ In a similar vein, the Pinochet case established that former heads of state can be prosecuted for international crimes, which highlights the diminishing notion of absolute immunity.²⁵

²¹ Dagmar Stroh, *State Cooperation with the International Criminal Tribunals for the Former Yugoslavia and for Rwanda*, 5 Max Planck Y.B. U.N. L. 249 (2001).

²² William A. Schabas, *The UN International Criminal Tribunals: The Former Yugoslavia, Rwanda and Sierra Leone* (Cambridge Univ. Press 2006).

²³ Laurel E. Fletcher & Harvey M. Weinstein, *Violence and Social Repair: Rethinking the Contribution of Justice to Reconciliation*, 24 Hum. Rts. Q. 573 (2002).

²⁴ TRIAL Int'l, *Universal Jurisdiction Law and Practice in Germany* (Apr. 2019), <https://trialinternational.org/wp-content/uploads/2019/05/Universal-Jurisdiction-Law-and-Practice-in-Germany.pdf> (last visited Dec. 30, 2025).

²⁵ Andrea Bianchi, *Immunity Versus Human Rights: The Pinochet Case*, 10 Eur. J. Int'l L. 237 (1999).

However, as Cassese warns, universal jurisdiction is politically sensitive and applied unevenly, which prevents it from being a comprehensive solution to impunity.²⁶

3. ONGOING IMPUNITY IN MODERN CONFLICTS

Despite having comprehensive legal obligations under international humanitarian law, international criminal law, and international human rights law, impunity for mass atrocity crimes is still a prominent issue in many modern conflicts.²⁷ Genocide, crimes against humanity, and war crimes persist not due to gaps in legal norms, but because the mechanisms for enforcement are weak, selective, and often influenced by political considerations. Scholars have consistently pointed out that the challenge of achieving international justice is more about the implementation of laws than their creation.²⁸

One of the most significant structural causes of impunity is the politicisation of enforcement, particularly through the United Nations Security Council.²⁹ Although the Council has the authority to refer situations to the International Criminal Court or establish ad hoc tribunals, the veto power of its five permanent members often blocks accountability when strategic or geopolitical interests are at stake.³⁰ This selective enforcement of international justice undermines the principle of equality before the

²⁶ Antonio Cassese, *The Human Dimension of International Law: Selected Papers of Antonio Cassese* (Oxford Univ. Press 2008).

²⁷ Press Release, U.N. Secretary-General, *Rise in Impunity Worldwide "Politically Indefensible and Morally Intolerable," Secretary-General Says as General Assembly Begins Annual High-Level Debate* (Sept. 24, 2024), <https://press.un.org/en/2024/ga12633.doc.htm> (last visited Dec. 30, 2025).

²⁸ Payam Akhavan, *The Rise, and Fall, and Rise, of International Criminal Justice*, 11 J. Int'l Crim. Just. 527 (2013), <https://doi.org/10.1093/jicj/mqt028>.

²⁹ Benson Chinedu Olugbuo, *The African Union, the United Nations Security Council and the Politicisation of International Justice in Africa*, 7 Afr. J. Legal Stud. 351 (2014).

³⁰ *Regulating the Veto: A Pragmatic Path to United Nations Security Council Reform* (Inclusive Soc'y, May 11, 2025), <https://www.inclusivesociety.org.za/post/regulating-the-veto-a-pragmatic-path-to-united-nations-security-council-reform> (last visited Dec. 30, 2025).

law and erodes the legitimacy of international criminal institutions.³¹ As a result, international criminal law is often perceived as being applied disproportionately against weaker states, while powerful actors frequently evade scrutiny.

The enduring influence of state sovereignty poses a significant barrier to accountability. While contemporary international law recognises certain limits on sovereignty, especially regarding jus cogens norms, states continue to use their sovereign rights to resist investigations, deny cooperation, or protect senior officials from prosecution. The International Criminal Court's (ICC) reliance on state cooperation for arrests and evidence collection, as outlined in the Rome Statute, limits its effectiveness, especially when states are unwilling to cooperate or when they themselves are implicated.³² Consequently, while the obligations to prevent and punish genocide under the Genocide Convention are formally binding, they often remain practically unenforceable in many situations.

Structural weaknesses are evident in the conflict in Syria, where extensive evidence of war crimes and crimes against humanity has been documented by UN bodies and human rights organisations³³. Despite repeated efforts to refer the situation to the International Criminal Court (ICC), these attempts have failed due to vetoes in the Security Council, leaving international criminal accountability largely unattainable. While some European states have pursued limited prosecutions through the principle

³¹ Dezalay, *Review of Rough Justice: The International Criminal Court in a World of Power Politics*, by D. Bosco, 70 Int'l J. 159 (2015), <http://www.jstor.org/stable/24709383> (last visited Dec. 30, 2025); Robert Cryer, Darryl Robinson & Sergey Vasiliev, *An Introduction to International Criminal Law and Procedure* (Cambridge Univ. Press 2019).

³² Robert Cryer, Darryl Robinson & Sergey Vasiliev, *An Introduction to International Criminal Law and Procedure* (Cambridge Univ. Press 2019).; Rome Statute of the International Criminal Court, arts. 86-98, July 17, 1998, 2187 U.N.T.S. 3.

³³ Center for Preventive Action, Council on Foreign Relations, *Conflict in Syria* (updated Nov. 19, 2025), <https://www.cfr.org/global-conflict-tracker/conflict/conflict-syria> (last visited Dec. 30, 2025).

of universal jurisdiction, these cases remain fragmented and cannot serve as a substitute for comprehensive international accountability.³⁴

A similar pattern is observed in Myanmar, particularly regarding the atrocities committed against the Rohingya population. Despite findings by UN investigators that there is credible evidence of genocidal intent, Myanmar's status as a non-signatory to the Rome Statute restricts the ICC's jurisdiction. Proceedings before the International Court of Justice and the ICC's limited jurisdiction over cross-border crimes illustrate creative but incomplete responses to this impunity gap. These cases highlight that international justice relies more on political will than on strictly legal obligations.³⁵

Overall, these cases reveal a persistent and systemic gap between international legal obligations and their enforcement in practice. While the prohibition of genocide and mass atrocities is universally recognized, accountability remains selective, delayed, or entirely absent. If enforcement mechanisms are subordinate to political interests and hindered by sovereignty-based resistance, impunity will continue to characterise international responses to modern conflicts, fundamentally challenging the credibility and moral authority of the international legal order.

4. ACCOUNTABILITY GAPS AND REFORM PROPOSALS

Existing international justice mechanisms often fail to adequately support victims due to structural and political barriers that undermine the practical implementation of

³⁴ Human Rights Council, *Report of the Commission of Inquiry on the Syrian Arab Republic to the 57th Regular Session of the Human Rights Council* (Sept. 2024), Syria-September 2024 (last visited Dec. 30, 2025); David Bosco, *Rough Justice: The International Criminal Court in a World of Power Politics* (Oxford Univ. Press 2013).

³⁵ Payam Akhavan, *The Rise, and Fall, and Rise, of International Criminal Justice*, 11 J. Int'l Crim. Just. 527 (2013), <https://doi.org/10.1093/jicj/mqt028>.

legal obligations. As highlighted in recent discussions at the UN General Assembly, Member States have expressed frustration that the political deadlock within the United Nations Security Council, along with the misuse of veto power, obstructs timely and decisive action in cases involving mass atrocity crimes. This situation weakens the credibility of collective responses to genocide and war crimes, contributing to a gap between legal norms and enforcement outcomes for affected populations.³⁶

The Responsibility to Protect (R2P) doctrine was created to turn the commitment to prevent atrocity crimes into practical action. However, in its current institutional form, R2P is overly dependent on Security Council authorizations. The structural features of the Council, particularly the veto mechanism, often prevent action even when there is overwhelming evidence of crimes, making R2P's protective promise inconsistent. Critics argue that this selective engagement transforms R2P from a normative commitment into a political tool influenced by power dynamics, thereby undermining its potential to effectively protect civilians.³⁷

Addressing these accountability gaps requires reforms that directly tackle the identified political constraints while remaining realistic in the short term. One concrete proposal is to expand initiatives for voluntary veto restraint in cases involving genocide, crimes against humanity, and war crimes. Many Member States and civil society actors have supported pledges and codes of conduct that encourage

³⁶ Global Centre for the Responsibility to Protect, *Summary of the 2024 UN General Assembly Plenary Meeting on the Responsibility to Protect* (July 25, 2024), <https://www.globalr2p.org/publications/summary-of-the-2024-un-general-assembly-plenary-meeting-on-the-responsibility-to-protect/>.

³⁷ Edmarverson A. Santos, *The Responsibility to Protect: Law, Practice, and Limits*, DIPLOMACY & L. (n.d.), <https://www.diplomacyandlaw.com/post/the-responsibility-to-protect-law-practice-and-limits>.

permanent Security Council members to refrain from using their vetoes in situations of atrocity. These measures aim to reduce paralysis without requiring formal amendments to the UN Charter.³⁸

Another practical reform involves strengthening universal jurisdiction frameworks at the domestic level. As commentators have noted, where the International Criminal Court's (ICC) jurisdiction is limited due to non-ratification or political non-cooperation, well-designed national prosecutions can help close gaps in accountability, provided they are supported by international cooperation and capacity-building.³⁹

Finally, institutional reform of the ICC itself, such as enhancing independent investigative resources or establishing standing capacities, could reduce dependence on state cooperation and improve responsiveness to atrocity situations. While these reforms may not deliver immediate justice, they specifically target the political and structural failures that currently hinder victims from achieving accountable investigations and meaningful prosecutions.

CONCLUSION

Genocide stands as one of the most egregious violations of international law and human rights, fundamentally challenging the core principles of human dignity and the very foundations of the international legal order.⁴⁰ This article has highlighted that

³⁸ Mona Ali Khalil, *Reforming the UN Security Council: Recommendations on Reform of the United Nations Security Council on the Occasion of the 75th Anniversary of the Founding of the United Nations*, TOGETHER FIRST (2020), https://una.org.uk/sites/default/files/0008499_TFR_UN_FINAL.pdf.

³⁹ Daniel Shields-Huemer, *From the Hague to National Courts: Can Domestic Universal Jurisdiction Deliver Where the ICC Cannot?*, YALE J. INT'L L. (July 9, 2025), <https://yjil.yale.edu/posts/2025-07-09-from-the-hague-to-national-courts-can-domestic-universal-jurisdiction-deliver>.

⁴⁰ WILLIAM A. SCHABAS, *GENOCIDE IN INTERNATIONAL LAW: THE CRIME OF CRIMES* (Cambridge Univ. Press 2000).

GENOCIDE AND INTERNATIONAL JUSTICE: HUMAN RIGHTS OBLIGATIONS AND THE ONGOING IMPUNITY IN MODERN CONFLICTS

Volume-2, Issue-2

Pages: 119-132

the prohibition against genocide is entrenched as a peremptory norm within international law, underscored by unequivocal obligations imposed on states to prevent, punish, and suppress acts that constitute genocide. Despite this robust legal framework, the ongoing incidence of genocide in contemporary conflicts reveals a distressing and persistent chasm between legal commitments and their actual enforcement. A deeper analysis reveals that this gap does not stem from any inadequacies within the legal instruments themselves. Rather, it is indicative of structural and political failures inherent in international justice mechanisms. These shortcomings include jurisdictional constraints that limit the reach of legal action, an overreliance on state cooperation which can be inconsistent and politically motivated, and the politicization of enforcement actions, particularly evident in institutions like the UN Security Council. Such limitations foster an environment where impunity thrives, significantly undermining the principle of accountability for perpetrators while simultaneously denying meaningful redress for victims and their families. Looking ahead, bridging the divide between the legal framework and its practical implementation necessitates a renewed political will and concerted effort towards targeted institutional reforms. These reforms should prioritize genuine victim-centred accountability, ensuring that the voices and needs of those affected by genocide take centre stage in any legal processes. Without robust mechanisms that translate established legal obligations into actionable steps, the pledge of "never again" risks becoming merely a rhetorical flourish, devoid of real-world impact. It is imperative for the international community to understand that ensuring consistent enforcement of the genocide prohibition is not only a legal imperative but also a profound moral obligation that underscores our collective humanity.