

Contents

<i>Table of Cases</i>	xiii
<i>Table of Legislation</i>	xxiii
<i>List of Abbreviations</i>	xxxi
<i>List of Contributors</i>	xxxiii

I. INTRODUCTION

1. The Road to the Genocide Convention and Beyond <i>Yuval Shany</i>	3
2. The Obligations to Prevent and to Punish Genocide <i>Orna Ben-Naftali</i>	27
3. The Implementation of the Genocide Convention at the National Level <i>Ben Saul</i>	58

II. THE DEFINITION OF GENOCIDE

4. The Definition and the Elements of the Crime of Genocide <i>Florian Jessberger</i>	87
5. The Notion of 'Protected Group' in the Genocide Convention and its Application <i>Fanny Martin</i>	112
6. Is Genocidal Policy a Requirement for the Crime of Genocide? <i>Antonio Cassese</i>	128

III. INDIVIDUAL CRIMINAL RESPONSIBILITY FOR GENOCIDE

7. Perpetrators and Co-perpetrators of Genocide <i>Alexander Zahar</i>	139
8. Complicity to Commit Genocide <i>Elies van Sliedregt</i>	162
9. Attempt to Commit Genocide <i>Jens David Ohlin</i>	193

10. Incitement and Conspiracy to Commit Genocide <i>Jens David Ohlin</i>	207
IV. THE REPRESSION OF THE CRIME OF GENOCIDE	
11. National Criminal Jurisdiction over Genocide <i>Vanessa Thalmann</i>	231
12. International Criminal Jurisdiction over Genocide <i>Salvatore Zappalà</i>	259
13. The Extradition of <i>Génocidaires</i> <i>Robert Roth</i>	278
14. Immunities and Genocide <i>Paola Gaeta</i>	310
15. The Defence of Alleged <i>Génocidaires</i> <i>Judge Howard Morrison, QC</i>	334
V. ACCOUNTABILITY OF STATES FOR GENOCIDE	
16. State Responsibility for Genocide under the Genocide Convention <i>Anja Seibert-Fohr</i>	349
17. State Responsibility for Conspiracy, Incitement, and Attempt to Commit Genocide <i>Jens David Ohlin</i>	374
18. State Responsibility for Complicity in Genocide <i>Paolo Palchetti</i>	381
VI. ENFORCING THE CONVENTION THROUGH THE UNITED NATIONS	
19. The Role of the United Nations in Preventing and Suppressing Genocide <i>Giorgio Gaja</i>	397
20. The Compromissory Clause of the Convention <i>Robert Kolb</i>	407
21. The Scope <i>Ratione Personae</i> of the Compulsory Jurisdiction of the ICJ <i>Robert Kolb and Sandra Krähenmann</i>	425

22. The Scope *Ratione Materiae* of the Compulsory Jurisdiction
of the ICJ
Robert Kolb 442

VII. THE MECHANICS OF THE CONVENTION

23. Territorial Application of the Genocide Convention
and State Succession
Marko Milanović 473
24. Operative Provisions of the Genocide Convention
Katherine Del Mar 494

VIII. THE CONVENTION IN THE TWENTY-FIRST CENTURY

25. Prosecuting Denials of Past Alleged Genocides
Christian Tomuschat 513
26. Taking Stock of the Genocide Convention and Looking Ahead
Antonio Cassese 531
- Appendix: Convention on the Prevention and Punishment
of the Crime of Genocide 545
- Index* 549