

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 <i>Ratione Materiae</i> of the Compulsory Jurisdiction of the ICJ <i>Robert Kolb</i>	442
VII. THE MECHANICS OF THE CONVENTION	
23. Territorial Application of the Genocide Convention and State Succession <i>Marko Milanović</i>	473
24. Operative Provisions of the Genocide Convention <i>Katherine Del Mar</i>	494
VIII. THE CONVENTION IN THE TWENTY-FIRST CENTURY	
25. Prosecuting Denials of Past Alleged Genocides <i>Christian Tomuschat</i>	513
26. Taking Stock of the Genocide Convention and Looking Ahead <i>Antonio Cassese</i>	531
Appendix: Convention on the Prevention and Punishment of the Crime of Genocide	545
<i>Index</i>	549