

The Problem of Proving Genocidal Intent and Its Impact on Accountability in International Criminal Law

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Abstract

This paper discusses the issue of establishing the genocidal intent (dolus specialis) and its effect on criminal responsibility within international criminal law. It seeks to determine the suitability of existing judicial criteria in determining such intent. The study examines the jurisprudence of ICTR, ICTY, and ICC by using the normative legal research approach, which analyzes the Genocide Convention, the Rome Statute, and convention jurisprudence. The results show that the international courts use indirect and contextual evidence primarily to establish the presence of genocidal intent, so the evidentiary threshold is high, and this has restricted the conviction of genocide offenders.

Keywords: Genocidal, dolus specialist, international criminal law, ICTR, ICTY, ICC, evidentiary challenges.

Introduction

Genocide is considered the most dreadful crime when compared to other crimes, including war crimes and crimes against humanity. Genocide refers to the slaughter of a certain group of individuals to annihilate them. Genocide is a crime with international consequences since it brings about political instabilities as well as the annihilation of a certain group. It disregards international law, it causes huge conflicts, and no society feels safe since it can turn to them next.² Genocide is a concept that has been practiced in history. However, until 1944, no exact term had been used to describe it.³ Genocide is a concept and term that was initially coined in 1944 by the Polish-Jewish jurist Raphael Lemkin (1900-1959).⁴ Lemkin came up with the term based on the Greek word *genos*, meaning tribe or race, and *cide*, meaning killing in Latin.⁵ The crime can also be termed as crime of crimes; the interpretation of this type of crime is stipulated in the Convention on the Prevention and Punishment of the Crime of Genocide of 1948.⁶

The earliest genocide was that perpetrated during World War II on Jews by Nazi Germany, where over 6 million women, men, and children were killed. In 1948, the year after WWII, the Convention on the Prevention and Punishment of the Crime of Genocide was limited to those acts that sought to partially or fully exterminate a national, ethnic,

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² Dr. Ibe Okegbe Ifeakandu et Dr. Charles Emeka Ochem. « Examination of the Crime of Genocide Under the Rome Statute of the International Criminal Court », *Journal of Law, Policy and Globalization* 105 (janvier 2021). <https://doi.org/10.7176/JLPG/105-05>.

³ M. Shaw, *What is genocide?*, 2^e éd. (Polity Press, 2015). <https://books.google.com/books?hl=en&lr=&id=qt4DCgAAQBAJ&oi=fnd&pg=PA35&dq=genocide&ots=tNOglARoiY&sig=nZDF31ch-rf4e-G5a6KsBTAWQaQ>.

⁴ Donna-Lee Frieze. « New approaches to Raphael Lemkin », *Journal of Genocide Research* 15, n° 3 (septembre 2013) : 247. <https://doi.org/10.1080/14623528.2013.821219>.

⁵ Saood Khan et al. « THE ECHOES OF GENOCIDAL CONFLICTS IN THE KITE RUNNER BY KHALED HUSSEINI », *Humanities & Social Sciences Reviews* 9, n° 2 (29 avril 2021) : 673. <https://doi.org/10.18510/hssr.2021.9264>.

⁶ Sadržar Karović. « Genocide in international criminal law with reference to Srebrenica – prevention and challenges », *European Studies Quarterly* 2025, n° 1 (25 août 2025): 9. <https://doi.org/10.31338/1641-2478pe.1.25.1>.

racial, or religious group.⁷ The concept of genocide can be understood from the genocides of Yugoslavia, Rwanda, and Darfur, which were later dealt with by ad hoc tribunals such as the ICTY, ICTR, and ICC.⁸ These trials and tribunals have evidently shown the constituents of genocide, such as evidence of special intent and methodical character of the crime. Besides the above, the Rohingya Muslims in Myanmar, because of mass killings and organized discrimination, which was done with the motive of destroying an ethnic group, are also referred to as genocide victims.⁹

Article 2 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide¹⁰ and Article 6 of the Rome Statute¹¹ draw two fundamental elements of the definition of genocide: (1) the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group, (2) the perpetration of prohibited acts, killing, inflicting serious bodily or mental injury, or destroying productive living conditions.¹² The main difference between genocide and other crimes is the presence of special intent (*dolus specialis*) that is not seen in other crimes.¹³

The purpose of this article is to examine the proof of the specific element of genocide under the Rome Statute of the International Criminal Court. With particular reference to the nature of the crime, the article highlights genocide as a crime that encompasses the principle of special intent, and examines this element in relation to what is necessary to effectively prove the commission of genocide, and its impact on international criminal law.

Problem Formulation

- 1) To what extent have the current judicial criteria for proving specific genocidal intent been effective in ensuring criminal accountability?

Methodology

This is normative legal research.¹⁴ This method relies on analyzing official sources of international law, such as conventions, treaties, statutes, international customs, and established legal doctrines, and extracting legal principles and norms from these sources. Review the Genocide Convention, the Rome Statute and the case law of the ICTY and ICTR to identify the formal definition of genocide and the requirement of specific intent. Analysis of the courts' ruling on genocide, including judgments of the ICTR, ICTY, and ICC, with

⁷ United Nations. « Convention on the Prevention and Punishment of the Crime of Genocide » (General Assembly of the United Nations, December 1948), article 2.

⁸ Dewa Gede Sudika Mangku et Kadek Astiti Narayani. « The Dangers of The Crime of Genocide: International Law Review », *Journal of Judicial Review* 24, n° 1 (6 June 2022): 84. <https://doi.org/10.37253/jjr.v24i1.6467>.

⁹ Sudika Mangku et Astiti Narayani, 83.

¹⁰ Nations, « Convention on the Prevention and Punishment of the Crime of Genocide », article 2.

¹¹ Rome Statute of the International Criminal Court (r. 533.2010.TREATIES-6).

¹² International Criminal Court, article 6.

¹³ Ifeakandu et Ochem, « Examination of the Crime of Genocide Under the Rome Statute of the International Criminal Court », 28.

¹⁴ JW Singer-UCLA L. Rev et undefined 2008. « Normative methods for lawyers », *HeinOnline*, 2009. https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/uclalr56§ion=27.

particular attention to how judges articulate and implement genocidal intent, and to the indicators they adopt to infer it.

Discussion and Result

1. The legal content and function of genocidal intent

In the crime of genocide, a special element is particularly important because it helps to distinguish between criminal intent in the crime of genocide and criminal intent in ordinary crimes and other crimes. What is meant by specific intention is what a person thinks when he is committing a crime. In ordinary crimes, the intention of the person may be only to take advantage and commit the same act. While in genocide the perpetrator intends to destroy a group in whole or in part, the specific intention in genocide is a higher level of intention than in other crimes.¹⁵

The definition of genocide in Article 2 of the 1948 Convention and Article 6 of the Rome Statute provides a single definition of genocide: the commission of any of the five enumerated acts "with the intention of destroying, in whole or in part, a national, ethnic, racial or religious group, as such":¹⁶ 1) killing group members; 2) causing serious physical or mental injury; 3) imposing destructive living conditions; 4) birth control measures; 5) Forced transfer of children. These acts must be against members of one of the four "supported groups". Material element (actus reus):¹⁷

Psychological element (mens rea):

- a) Intention/knowledge towards the commission of the above acts (in accordance with Article 30 of the Rome Statute, "intention" and "knowledge");¹⁸
- b) In addition, "the intention to destroy the group, in whole or in part, as such" which is called a special intention/dolus specialis.¹⁹

The Rome Statute, in Article 30, defines intention as follows: towards conduct, "the will to perform that conduct"; relative to the result, "the intention to produce the result or the awareness of its occurrence in the ordinary course of affairs"; and it considers "science" to be knowledge of situations and possible outcomes. This general standard applies alongside the specific criterion of intent to destroy for genocide.²⁰

1.1 Specific intent/dolus specialis and its difference from general intention or mere scienter

¹⁵ Augustine Brannigan, *Beyond the banality of evil: criminology and genocide*, 1st ed, Clarendon Studies in Criminology (Oxford : Oxford University Press, 2013).

¹⁶ North South University et Norman K. Swazo. « Eliminating the Criterion of Intent (mens rea, dolus specialis) for Proof of Genocide is Essential to a New Jus Gentium: Israel's Military Operations in Gaza 2023-2024 », *North South Journal of Peace and Global Studies* 2, n° 1 (2024). <https://doi.org/10.47126/nsjps.v2i1.01>.

¹⁷ « Rome Statute of the International Criminal Court », *International Criminal Court* (https://asp.icc-cpi.int/en_menus/asp/RomeStatute/pages/default.aspx, mars 2021), article 6. www.icc-cpi.int.

¹⁸ Md. Hasnath Kabir Fahim. « Genocide: A Crime with Intent to Destroy in Whole or in Part », *Lex Publica* 10, n° 1 (20 mai 2023) : 1-13. <https://doi.org/10.58829/lp.10.1.2023.1-13>.

¹⁹ Stearns Broadhead. « The Conventional Definition of Genocide », *Institutiones Administrationis* 4, n° 1 (2024) : 90-102. <https://doi.org/10.54201/iajas.v4i1.117>.

²⁰ « Rome Statute of the International Criminal Court », mars 2021, article 30.

The ICTY/ICTR and ICC Conventions and Procedures emphasize that genocide requires a double intention: the perpetrator not only wants to commit material acts (murder, harm, etc.), but also wants to destroy the very existence of the group, in whole or in part, through these acts. This “intention to destroy the group as such” is the essence of *dolus specialis* and separates genocide from genocide or crimes against humanity. Against it:²¹ The generic intent or ordinary *mens rea* of Article 30 refers to the intention to commit the conduct and the knowledge of its usual consequences, without necessarily the “destruction of the group” being the specific end. Knowledge is when the perpetrator knows that his actions are likely to lead to the destruction of part of the group, but his mental goal is not necessarily the destruction of the group.²²

The prevailing practice (especially in the ICTY/ICTR and ICJ) is that mere knowledge or prediction of destruction is not sufficient and that it must be shown that the perpetrator pursued the destruction of the group as the objective (or at least the outcome he consciously accepts).²³ Some authors, such as Triffterer and Fahim, argue that the threshold for this intention is not necessarily higher than the Article 30 standard, and that even *dolus eventualis* can be sufficient to constitute an “intent to destroy”,²⁴ provided that the perpetrator has accepted the destruction of the group as a consequence. Others, on the other hand, insist on a stricter interpretation and “targeted destructive intent.”²⁵ Greenawalt suggests that in some cases, the “knowledge-based” interpretation be accepted: the primary responsibility for genocide includes those who may not have the mental goal of destroying the group, but who commit the same genocidal acts knowing that their actions seriously threaten the survival of the group.²⁶ This view partially bridges the gap between “specific intention” and “science”, although it is still a minority view.²⁷ In short, *dolus specialis* entails a destructive orientation towards the group as a group, whereas public intention and science are oriented only to the performance of actions and awareness of the consequences, and without this orientation, they are usually not recognized as sufficient for genocide.²⁸

2. Difficulties of proving genocidal intent in the judicial process

2.1. The problem of the absence of written commands and express statements; Reference to indirect evidence

International courts themselves have acknowledged that it is “very difficult, even impossible” to discover the minds of perpetrators, especially political and military leaders,

²¹ Kabir Fahim, « Genocide ».

²² Alexander K. A. Greenawalt. « Rethinking Genocidal Intent: The Case for a Knowledge-Based Interpretation », *Columbia Law Review* 99, n° 8 (décembre 1999) : 2259. <https://doi.org/10.2307/1123611>.

²³ International Criminal Court. « Elements-of-Crimes » (International Criminal Court, 2013). <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>.

²⁴ Triffterer, Otto. « Genocide, its particular intent to destroy in whole or in part the group as such », *Leiden Journal of International Law* 14, n° 2 (2001). <https://doi.org/10.1017/S0922156501000206>.

²⁵ Kabir Fahim, « Genocide ».

²⁶ Greenawalt, « Rethinking Genocidal Intent ».

²⁷ Janine Natalya Clark. « Elucidating the *Dolus Specialis*: An Analysis of ICTY Jurisprudence on Genocidal Intent », *Criminal Law Forum* 26, n° 3 (1 décembre 2015) : 497-531. <https://doi.org/10.1007/s10609-015-9260-5>.

²⁸ Broadhead, « The Conventional Definition of Genocide ».

unless they confess explicitly.²⁹ Politicians usually issue orders for genocide not in writing and transparency, but in cryptic, ambiguous language or in envelopes.³⁰ Thus, in most cases, no “genocide order” or explicit “destroy” sentence is found in official documents.³¹ For this reason, courts and tribunals are forced to infer intention from the evidence and circumstances, including the set of statements of officials, policy documents, the pattern of operations of the armed forces, and its compliance with ideological discourse.³² The International Criminal Court also states in its "Elements of Crimes" that "intention and knowledge can be inferred from the relevant circumstances" and are not explicitly established in official documents or speeches.³³

2. 2. Criteria for inferring intention from situations

a) The scale and systemic pattern of violence

The ICTY, ICTR and ICC procedures emphasize that the extent, intensity and persistence of violence, along with its organized and coordinated nature, are the most important indicators of inferring genocidal intent.³⁴ The existence of a coherent “general plan” or pattern, in which diverse but complementary crimes are committed against a particular group, can be seen as a context for *dolus specialis*.³⁵

b) Systematic targeting of a group as such

Courts move towards finding genocidal intent when violence is committed not randomly, but regularly against members of a particular group, as such; That is, the victims were selected because of their group identity.³⁶ The focus of attacks on the physical cleansing or expulsion of a particular population, among other indicators, can indicate that the goal is to undermine the survival of the group, not just control the land.

c) Policies, programs, and removal of the group leadership factor

Some views and doctrines emphasize the role of official policies and programs as structural evidence of intent: government documents, military orders, uniformity of killing methods, and administrative organization of repression.³⁷ The theory of “structural intent” suggests that the intention to destroy the group can be inferred from the design and implementation of a policy at the collective level – even in the absence of an explicit order. One of the most important indicators is the targeted removal of the group's leadership; It

²⁹ Brannigan, *Beyond the banality of evil*.

³⁰ Mykola Riabchuk. « Calling a Spade a Spade: How to Unwrap a Genocidal Essence from the Kremlin Anti-Ukrainian Rhetoric », *Eidos. A Journal for Philosophy of Culture* 6, n° 4 (31 mars 2023): 8-20. <https://doi.org/10.14394/eidos.jpc.2022.0031>.

³¹ Brannigan, *Beyond the banality of evil*.

³² North South University et Swazo, « Eliminating the Criterion of Intent (*mens rea*, *dolus specialis*) for Proof of Genocide is Essential to a New *Jus Gentium* ».

³³ Riabchuk, « Calling a Spade a Spade ».

³⁴ North South University et Swazo, « Eliminating the Criterion of Intent (*mens rea*, *dolus specialis*) for Proof of Genocide is Essential to a New *Jus Gentium* ».

³⁵ Riabchuk, « Calling a Spade a Spade ».

³⁶ M. Antonovych. « INDIVIDUAL AND COLLECTIVE INTENT IN THE CRIME OF GENOCIDE (ON THE EXAMPLE OF THE HOLODOMOR-GENOCIDE AGAINST THE UKRAINIAN NATION) », *Actual Problems of International Relations*, n° 145 (2020) : 54-64. <https://doi.org/10.17721/apmv.2020.145.1.54-61>.

³⁷ Antonovych.

is the planned killing, disappearance or detention of a group's political, religious, cultural or intellectual elite in order to weaken its collective resistance and reproduction.³⁸

d) Hate speech and propaganda

The official discourse of governments and media propaganda, especially when it involves dehumanization, demonization of the group, and calls for “cleansing” have been identified as the most important indicator of genocidal intent.³⁹ Ryabchuk argues that by systematically analyzing, deciphering, and contextualizing these narratives – including code words, metaphors and threatening allusions – and comparing them with the pattern of crimes committed, the “genocidal essence” can be extracted from the heart of propaganda. The ICTR procedure also identifies the hate speech of the Rwandan media as a key element in establishing genocidal intent.⁴⁰

3. How to prove genocidal intent in the courts of ICTY, ICTR, and ICC

In Rwanda (ICTR) and the former Yugoslavia (ICTY), and then in the ICC, the proof of genocide was on two axes: 1) proving "the occurrence of genocide as an objective fact", 2) attributing a specific intention to destroy the group to the accused through direct and indirect evidence.

1. Rwanda – How did the ICTR prove genocidal intent?

a) Akayesu case and proof of specific intent

In the ICTR's first major judgment against Jean-Paul Akayesu, the Court indicated that:

The widespread and nationwide attacks against the Tutsi in 1994 were accompanied by apolitical and administrative organization.⁴¹ Akayesu incited people to kill Tutsis in official meetings; Witnesses said "he killed on orders," not with his own hands. The murders, rapes, and harassments were almost all against Tutsis or "Tutsi-like", indicating the link of the crime to the target group.⁴² The court concluded from the pattern of violence, the accused's role in the power structure, his speech, and the selection of victims based on group identity that the goal was to destroy the Tutsi as a group; This is the same *dolus specialis*. The ICTR also recognized rape as a “means of committing genocide” when used for the physical/reproductive destruction of a group (forced pregnancy, group birth control).⁴³

a) Former Yugoslavia – How did the ICTY get to the genocide?

³⁸Antonio Cassese et Paola Gaeta, *Cassese's International Criminal Law*, 3^e éd. (Oxford University Press, 2013). <https://doi.org/10.1093/he/9780199694921.001.0001>.

³⁹Marko A. Hoare. « The Bosnian Genocide and the Srebrenica massacre », *Bosnian Studies: Journal for Research of Bosnian Thought and Culture*, 5 avril 2021, 40-52. <https://doi.org/10.47999/bos.2021.5.1.40-52>.

⁴⁰ Cassese et Gaeta, *Cassese's International Criminal Law*.

⁴¹ United Nations International Residual Mechanism for Criminal Tribunals (IRMCT). « The ICTR in Brief », International Criminal Tribunal for Rwanda (ICTR) – Legacy Website, s. d. <https://unictr.irmct.org/en/cases>.

⁴² Narelle Fletcher. « Sociolinguistic Challenges of Prosecuting Rape as Genocide at the International Criminal Tribunal for Rwanda: The Trial of Jean-Paul Akayesu », *International Journal for the Semiotics of Law - Revue internationale de Sémiotique juridique* 35, n° 4 (août 2022) : 1597-1614. <https://doi.org/10.1007/s11196-020-09810-w>.

⁴³ Saahil Gill. « Inconsistent Justice: The ICTR and ICTY's Divergent Jurisprudence on Sexual Violence as a Means of Genocide », *Canadian Journal for the Academic Mind* 2, n° 2 (9 May 2025): 41-56. <https://doi.org/10.25071/2817-5344/95>.

At the ICTY, the Srebrenica case (especially Krstić) was the key point:

The organized killing of more than 7,000 Bosnian Muslim men and boys in a few days, the systematic separation of men from women and children, the deportation of the rest of the population, and the cover-up of the bodies were analyzed as a “joint plan” involving Bosnian Serb army commanders.⁴⁴

The court inferred genocidal intent from the following:

The scale and speed of the killing and the impossibility of explaining it purely as military action; selection of victims solely based on Muslim Bosnian identity; Commanders' statements about "destroying the enemy" and clearing the area of Muslims; Coordinate military and police agencies in the arrest, transfer and execution of victims.⁴⁵

In many parts of the Bosnian war, the ICTY, and later the ICJ, did not establish this specific intention for the “entire Bosnian population” and described some acts only as crimes against humanity or ethnic cleansing. This shows that the threshold for proving genocidal intent is very high.⁴⁶

b) The role of the ICC in developing proof of genocidal intent

The ICC has directly pursued a few cases on charges of genocide, but at a theoretical level:

Article 6 of the Rome Statute repeats the definition of the 1948 Convention. Article 30 makes “intention and knowledge” the general criterion of the psychological element, and Article 30 states that intention and knowledge can be inferred from the circumstances.⁴⁷ The ICTR and ICTY procedures are the basis for the ICC's interpretation of the elements of genocide. Attention to the structural pattern of violence, the role of leadership and policies, and the use of hate speech and the media (such as the ICTR in “media” cases) to infer *dolus specialis*.⁴⁸

Conclusion

This paper has shown that the intent of genocide (*dolus specialis*) makes up the key differentiating factor of the crime and is the primary difficulty in proving the offense in court. The study of foreign jurisprudence reveals that there is seldom an immediate indication of such intent, especially in those cases that involve political and military leaders. This has seen international courts mostly utilize indirect and contextual clues, such as systematic violence and discriminatory victimization, coordinated policies, and hate speech and propaganda, to conclude the state of having the intent of genocide.

The results also show that such an evidentiary method has contributed to a high threshold of establishing the genocide in the practice of law. Although this retains the legal particularity of the crime of genocide, it has also constrained the number of convictions of

⁴⁴ Gill.

⁴⁵ International Criminal Tribunal for the former Yugoslavia. « International Criminal Tribunal for the former Yugoslavia », Legacy website of the ICTY, 1993. <https://www.icty.org/en/about>.

⁴⁶ Gill, « Inconsistent Justice ».

⁴⁷ « Rome Statute of the International Criminal Court », *International Criminal Court* (https://asp.icc-pi.int/en_menus/asp/RomeStatute/pages/default.aspx, mars 2021), article 30. www.icc-cpi.int.

⁴⁸ Erik Møse. « Main Achievements of the ICTR », *Journal of International Criminal Justice* 3, n° 4 (9 January 2005). <https://doi.org/10.1093/jicj/mqi068>.

genocide, and led to a reclassification of many of the mass atrocity crimes as crimes against humanity rather. In general, the findings demonstrate that the existing judicial criteria of establishing genocidal intent do not make sense in terms of legal doctrine, but they are only partially successful in providing full responsibility for criminals.

References

- Antonovych, M. « INDIVIDUAL AND COLLECTIVE INTENT IN THE CRIME OF GENOCIDE (ON THE EXAMPLE OF THE HOLODOMOR-GENOCIDE AGAINST THE UKRAINIAN NATION) ». *Actual Problems of International Relations*, n° 145 (2020) : 54-64. <https://doi.org/10.17721/apmv.2020.145.1.54-61>.
- Brannigan, Augustine. *Beyond the banality of evil: criminology and genocide*. 1st ed. Clarendon Studies in Criminology. Oxford : Oxford University Press, 2013.
- Broadhead, Stearns. « The Conventional Definition of Genocide ». *Institutiones Administrationis* 4, n° 1 (2024) : 90-102. <https://doi.org/10.54201/iajas.v4i1.117>.
- Cassese, Antonio, et Paola Gaeta. *Cassese's International Criminal Law*. 3e éd. Oxford University Press, 2013. <https://doi.org/10.1093/he/9780199694921.001.0001>.
- Clark, Janine Natalya. « Elucidating the Dolus Specialis: An Analysis of ICTY Jurisprudence on Genocidal Intent ». *Criminal Law Forum* 26, n° 3 (1 décembre 2015) : 497-531. <https://doi.org/10.1007/s10609-015-9260-5>.
- Fletcher, Narelle. « Sociolinguistic Challenges of Prosecuting Rape as Genocide at the International Criminal Tribunal for Rwanda: the Trial of Jean-Paul Akayesu ». *International Journal for the Semiotics of Law - Revue internationale de Sémiotique juridique* 35, n° 4 (août 2022) : 1597-1614. <https://doi.org/10.1007/s11196-020-09810-w>.
- Frieze, Donna-Lee. « New approaches to Raphael Lemkin ». *Journal of Genocide Research* 15, n° 3 (septembre 2013) : 247-52. <https://doi.org/10.1080/14623528.2013.821219>.
- Gill, Saahil. « Inconsistent Justice: The ICTR and ICTY's Divergent Jurisprudence on Sexual Violence as a Means of Genocide ». *Canadian Journal for the Academic Mind* 2, n° 2 (9 mai 2025) : 41-56. <https://doi.org/10.25071/2817-5344/95>.
- Greenawalt, Alexander K. A. « Rethinking Genocidal Intent: The Case for a Knowledge-Based Interpretation ». *Columbia Law Review* 99, n° 8 (décembre 1999) : 2259. <https://doi.org/10.2307/1123611>.
- Hoare, Marko A. « The Bosnian Genocide and the Srebrenica massacre ». *Bosnian Studies: Journal for Research of Bosnian Thought and Culture*, 5 avril 2021, 40-52. <https://doi.org/10.47999/bos.2021.5.1.40-52>.
- Ifeakandu, Dr. Ibe Okegbe, et Dr. Charles Emeka Ochem. « Examination of the Crime of Genocide Under the Rome Statute of the International Criminal Court ». *Journal of Law, Policy and Globalization* 105 (janvier 2021). <https://doi.org/10.7176/JLPG/105-05>.
- International Criminal Court. « Elements-of-Crimes ». International Criminal Court, 2013. <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>.
- Rome Statute of the International Criminal Court (r. 533.2010.TREATIES-6).
- International Criminal Tribunal for the former Yugoslavia. « International Criminal Tribunal for the former Yugoslavia ». Legacy website of the ICTY, 1993. <https://www.icty.org/en/about>.

- Kabir Fahim, Md. Hasnath. « Genocide: A Crime with Intent to Destroy in Whole or in Part ». *Lex Publica* 10, n° 1 (20 mai 2023) : 1-13. <https://doi.org/10.58829/lp.10.1.2023.1-13>.
- Karović, Sadržir. « Genocide in international criminal law with reference to Srebrenica – prevention and challenges ». *European Studies Quarterly* 2025, n° 1 (25 août 2025). <https://doi.org/10.31338/1641-2478pe.1.25.1>.
- Khan, Saood, Sidra Amina, Maryam Sarwar, Sayed Mujeeb Ullah Shah, et Afaqullah Khan. « THE ECHOES OF GENOCIDAL CONFLICTS IN THE KITE RUNNER BY KHALED HUSSEINI ». *Humanities & Social Sciences Reviews* 9, n° 2 (29 avril 2021) : 672-82. <https://doi.org/10.18510/hssr.2021.9264>.
- Møse, Erik. « Main Achievements of the ICTR ». *Journal of International Criminal Justice* 3, n° 4 (9 janvier 2005). <https://doi.org/10.1093/jicj/mqi068>.
- Nations, United. « Convention on the Prevention and Punishment of the Crime of Genocide ». General Assembly of the United Nations, décembre 1948.
- North South University, et Norman K. Swazo. « Eliminating the Criterion of Intent (mens rea, dolus specialis) for Proof of Genocide is Essential to a New Jus Gentium: Israel's Military Operations in Gaza 2023-2024 ». *North South Journal of Peace and Global Studies* 2, n° 1 (2024). <https://doi.org/10.47126/nsjpgs.v2i1.01>.
- Rev, JW Singer-UCLA L., et undefined 2008. « Normative methods for lawyers ». *HeinOnline*, 2009. https://heinonline.org/hol/cgi-bin/get_pdf.cgi?handle=hein.journals/uclalr56§ion=27.
- Riabchuk, Mykola. « Calling a Spade a Spade: How to Unwrap a Genocidal Essence from the Kremlin Anti-Ukrainian Rhetoric ». *Eidos. A Journal for Philosophy of Culture* 6, n° 4 (31 mars 2023) : 8-20. <https://doi.org/10.14394/eidos.jpc.2022.0031>.
- « Rome Statute of the International Criminal Court ». *International Criminal Court*. https://asp.icc-cpi.int/en_menus/asp/RomeStatute/pages/default.aspx, mars 2021. www.icc-cpi.int.
- « Rome Statute of the International Criminal Court ». *International Criminal Court*. https://asp.icc-cpi.int/en_menus/asp/RomeStatute/pages/default.aspx, mars 2021. www.icc-cpi.int.
- Shaw, M. *What is genocide?* 2^e éd. Polity Press, 2015. <https://books.google.com/books?hl=en&lr=&id=qt4DCgAAQBAJ&oi=fnd&pg=PA35&dq=genocide&ots=tNOglARoiY&sig=nZDf31ch-rf4e-G5a6KsBTAWQaQ>.
- Sudika Mangku, Dewa Gede, et Kadek Astiti Narayani. « The Dangers of The Crime of Genocide: International Law Review ». *Journal of Judicial Review* 24, n° 1 (6 juin 2022) : 81-90. <https://doi.org/10.37253/jjr.v24i1.6467>.
- Triffterer, Otto. « Genocide, its particular intent to destroy in whole or in part the group as such ». *Leiden Journal of International Law* 14, n° 2 (2001). <https://doi.org/10.1017/S0922156501000206>.
- United Nations International Residual Mechanism for Criminal Tribunals (IRMCT). « The ICTR in Brief ». International Criminal Tribunal for Rwanda (ICTR) – Legacy Website, s. d. <https://unictr.irmct.org/en/cases>.