

CICR

Incitement in international criminal law / Wibke Kristin Timmermann

Document type:	Article
Title:	Incitement in international criminal law
Host item entries:	International review of the Red Cross,
Author zone:	Wibke Kristin Timmermann
Language(s):	eng
Abstract:	The author critically analyses in this article the status of incitement in international criminal law. After a discussion of the relevant judgments by the Nuremberg Tribunal and related courts, including German de-Nazification courts, the travaux préparatoires of the Genocide Convention and the case-law of the International Criminal Tribunals, the international approach is criticized, particularly its practice of regarding only direct and public incitement to genocide as inchoate, whilst instigation generally is treated as not inchoate. The author recommends the adoption of an approach modelled on German and Swiss domestic law and argues that instigation per se should also be regarded as an inchoate crime.
Keyword in French:	DROIT INTERNATIONAL PENAL CONVENTION DE 1948 SUR LE GENOCIDE TRIBUNAL PENAL JURISPRUDENCE TRIBUNAL MILITAIRE DE NUREMBERG GENOCIDE
Keyword in English:	INTERNATIONAL CRIMINAL LAW 1948 CONVENTION ON GENOCIDE CRIMINAL COURT CASE LAW NUREMBERG MILITARY TRIBUNAL(S) GENOCIDE
Authors:	Timmermann, Wibke Kristin
Go to:	International review of the Red Cross / ICRC International review of the Red Cross [Vol. 88, no. 864, December 2006] / ICRC