

Abstract

Genocide is a crime unlike others and with the help of the 1948 Genocide Convention and its definition, it has received acknowledgement as its own crime in international law. The thesis takes us through Article II of the Genocide Convention analyzing the different elements that make up the definition. The aim of the thesis was to analyze the sustainability and applicability of the definition with the usage of various cases, further examining if the definition is suitable for modern times international law and politics. Accordingly, various relevant international relations concepts were discussed such as, globalization and its backlash and well as power politics. The topic is extremely relevant and crucial in our world today because there are various cases which are not acknowledged under the Genocide Convention due to the restrictions of the genocide definition. Among those are cases concerning groups that are subject to large hate and discrimination, and are not protected under the definition but satisfy all other elements of the crime. Through the discussion of the definition's elements, various cases from the ICTY, ICTR, and the ICJ were pulled in order to showcase the concluding arguments. Amongst those cases was *The Prosecutor v. Akayesu*, *The Prosecutor v. Mladić* as well as the *Application of the Convention in Croatia v. Serbia*. The thesis concluded that the elements of the definition; the *dolus specialis*, the protected group categorizations and the *actus reus* all showcased limitations in the definition's applicability. All in all, the thesis, through the definition's restraints, presents how the genocide definition does not reflect the needs of modern times. It is important for the definition to evolve and be updated but at the same time, still maintain its distinctive qualities in order for genocide to maintain its specified place in international law.