

**PEMBUNUHAN ETNIS FULA OLEH PEMBURU DOZO DI MALI
DITINJAU DARI KONVENSI GENOSIDA 1948 DAN STATUTA ROMA
1998**

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Abstrak

Kejahatan genosida merupakan jenis kejahatan internasional yang termasuk dalam pelanggaran HAM berat. Dalam hukum internasional, kejahatan genosida diatur dalam Konvensi Genosida 1948 dan Statuta Roma 1998. Konvensi Genosida 1948 mengatur tentang definisi dari kejahatan genosida dan kewajiban bagi negara pihak didalamnya untuk mengadili pelaku kejahatan genosida di pengadilan yang berkompeten dimana tindakan tersebut dilakukan atau pengadilan internasional yang yurisdiksinya telah diterima oleh negara pihak. *Special intent* yang membedakan kejahatan genosida dengan jenis kejahatan internasional lainnya telah tercermin dalam definisi tersebut. Sementara itu, adanya Statuta Roma 1998 mendirikan *International Criminal Court* yang memiliki kewenangan dalam mengadili individu yang telah melakukan kejahatan internasional termasuk kejahatan genosida. Namun, dalam melaksanakan yurisdiksinya *International Criminal Court* tetap berpegang pada prinsip komplementaritas (*principle of complementarity*).

Kata Kunci : Kejahatan Genosida, Konvensi Genosida 1948, Statuta Roma 1998, *Special intent*, *International Criminal Court*, Yurisdiksi, Individu, Prinsip Komplementaritas.

***FULA ETHNIC KILLINGS BY DOZO HUNTERS IN MALI REVIEWED
FROM GENOCIDE CONVENTION 1948 AND ROME STATUTE 1998***

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Abstract

The crime of genocide is a type of international crime which is included in gross human rights violations. In international law, the crime of genocide is regulated in the Genocide Convention 1948 and in the Rome Statute 1998. The Genocide Convention 1948 regulates the definition of genocide crimes and the obligation for states parties to try the perpetrators of genocide crimes in the competent tribunal where the acts was committed or international penal tribunal whose jurisdiction have accepted by the states parties. The special intent that distinguishes the crime of genocide from other types of international crime has been reflected in the definition. Meanwhile, the Rome Statute 1998 established an International Criminal Court which has the authority to try individuals who have committed international crimes including crimes of genocide. However, to exercise its jurisdiction the International Criminal Court still adheres to the principle of complementarity.

Keywords : *Crimes of Genocide, Genocide Convention 1948, Rome Statute 1998, Special intent, International Criminal Court, Jurisdiction, Individual, Principle of Complementarity*