

Table of Contents

<i>Table of Cases</i>	xi
<i>Table of Treaties</i>	xvii
<i>List of Abbreviations</i>	xxi

PART A. A THEORY OF COMPLICITY

1. Introduction	3
1.1. Introduction	3
1.2. The Structure of the Work	4
1.3. The Scope of the Work	7
2. The Structure of Complicity	10
2.1. Introduction	10
2.2. A Definition of Complicity	10
2.3. The Wrongness of Complicity	12
2.4. Structuring Complicity Rules	17
2.5. Prohibiting Complicity: An Analytical Framework	31
2.6. Conclusion	55

PART B. COMPLICITY IN INTERNATIONAL CRIMINAL LAW

3. Individual Criminal Responsibility	59
3.1. Introduction	59
3.2. The Scope of Part B	60
3.3. The Principle of Individual Criminal Responsibility	62
3.4. Conclusion	65
4. Archetypal Doctrines of Complicity in International Criminal Law	66
4.1. Introduction	66
4.2. Instigation	66
4.3. Aiding and Abetting	69

4.4. The Structure of Complicity in International Criminal Law	86
4.5. Assessing the Rules Within the Analytical Framework	91
4.6. Complicity in Genocide—A Coda for Non-Imputational Complicity	93
4.7. Conclusion	97
5. Omissions and Complicity in International Criminal Law	98
5.1. Introduction	98
5.2. Aiding and Abetting By Omission	98
5.3. Command Responsibility	110
5.4. Conclusion to Part B	120
 PART C. STATE COMPLICITY IN INTERNATIONAL LAW 	
6. State Complicity—A Framework	125
6.1. State Complicity in State Wrongdoing	125
6.2. State Participation in the Acts of Non-State Actors—A Conceptual Difficulty	127
6.3. The Role of Complicity?	131
6.4. The Structure of Part C	132
7. State Complicity in the Internationally Wrongful Act of Another State	135
7.1. Introduction	135
7.2. State Complicity in Aggression—A Specific Complicity Rule	136
7.3. A General Complicity Rule—Article 16 ARSIWA	147
7.4. Conclusion	174
8. State Complicity, Non-State Actors, and Attribution	176
8.1. Introduction	176
8.2. Attribution in International Law—Baselines	177
8.3. State Participation in Terrorist Attacks and the Rules of Attribution	179
8.4. State Participation in Human Rights Violations and the Rules of Attribution	190
8.5. Conclusion	200

Table of Contents

ix

9. State Complicity and the Obligations of Non-State Actors	201
9.1. Introduction	201
9.2. State Complicity in Genocide—A Specific Rule	202
9.3. A General Rule?	214
9.4. Conclusion	216

PART D. CONCLUSION

10. Conclusion	219
<i>Bibliography</i>	223
<i>Index</i>	237