

LAWS OF DOMINICA

GENOCIDE ACT

CHAPTER 10:04

**Act
20 of 1969
Amended by
19 of 1974**

Current Authorised Pages

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**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

CHAPTER 10:04

GENOCIDE ACT

AN ACT to give effect to the convention on the prevention and punishment of the crime of genocide. 20 of 1969.

[18th December 1969]

Commencement.

1. (1) This Act may be cited as the –

Short title and interpretation.

GENOCIDE ACT.

(2) In this Act, “the Genocide Convention” means the Convention on the Prevention and Punishment of the Crime of Genocide approved by the General Assembly of the United Nations on 9th December 1948.

2. (1) A person commits an offence of genocide if he commits any act falling within the definition of “genocide” in Article II of the Genocide Convention as set out in the Schedule.

Genocide.
Schedule.

(2) A person guilty of an offence of genocide is liable on conviction on indictment –

(a) if the offence consists of the killing of any person, to imprisonment for life;

(b) in any other case, to imprisonment for fourteen years.

(3) Subject to section 72 of the Constitution, proceedings for an offence of genocide shall not be instituted in Dominica except by or with the consent of the Attorney General.

* 3. (1) There shall be deemed to be included–

Extradition and evidence for foreign courts.

(a) in the list of extradition crimes contained in Schedule 1 to the Extradition Act 1870; and

1870 c. 52 (U.K.)

(b) among the descriptions of offences set out in the Schedule to the Extradition Act,

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* Subsection (3) of this section has been omitted because it is repugnant to section 8(4) of the Constitution.

any offence of genocide and (so far as not so included by virtue of the foregoing) any attempt or conspiracy to commit such an offence and any direct and public incitement to commit such an offence.

1873 c.60
(U.K.).

(2) For the purposes of the Acts mentioned in subsection (1) of this section and the Extradition Act 1873 (U.K.), no offence which, if committed in Dominica, would be punishable as an offence of genocide or as an attempt, conspiracy or incitement to commit such an offence shall be regarded as an offence of a political character, and no proceedings in respect of such an offence shall be regarded as a criminal matter of a political character.

Section 2.
[19 of 1974].

SCHEDULE

ARTICLE II OF GENOCIDE CONVENTION

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) killing members of the group;
 - (b) causing serious bodily or mental harm to members of the group;
 - (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
 - (d) imposing measures intended to prevent births within the group;
 - (e) forcibly transferring children of the group to another group;
 - (f) the use of any biological or microbial agent or toxin, or of any weapon, equipment or means of delivery designed to use biological or microbial agents, that has no justification for prophylactic protective or other peaceful purposes.
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