

PUBLIC

ANNEX A

International Criminal Jurisprudence Related to Hearings on Fitness to Stand Trial

CASE	HEARING	REFERENCE
INTERNATIONAL CRIMINAL COURT		
<i>Laurent Gbagbo</i>	Yes	See Order scheduling a hearing in relation to Mr Gbagbo's fitness to take part in the proceedings against him, ICC-02/11-01/11-241, 12 September 2012, para. 12. See also Decision on issues related to the hearing on Mr Gbagbo's fitness to take part in the proceedings against him, ICC-02/11-01/11-249, 20 September 2012, para. 37.
<i>Laurent Gbagbo and Charles Blé Goudé</i>	Yes	See Decision on the fitness of Laurent Gbagbo to stand trial, ICC-02/11-01/15-349, 27 November 2015, paras 10, 18.
<i>Dominic Ongwen</i>	No because it was not requested	See Decision on the Defence Request to Order a Medical Examination of Dominic Ongwen, ICC-02/04-01/15-637-Red, 16 December 2016. See also Decision on Defence Request for Leave to Appeal the Decision on Defence Request for Medical Examination of Mr Ongwen, ICC-02/04-01/15-1640, 16 October 2019.

CASE	HEARING	REFERENCE
<i>Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud</i>	No because it was not requested	See Decision on Mr Al Hassan's ongoing fitness to stand trial, ICC-01/12-01/18-1467 , 10 May 2021. See also Decision on Defence request for leave to appeal the 'Decision on Mr Al Hassan's ongoing fitness to stand trial', ICC-01/12-01/18-1503 , 28 May 2021.
<i>Mahamat Said Abdel Kani</i>	No because it was not requested	See Decision on Mr Said's Fitness to Stand Trial, ICC-01/14-01/21-667-Red , 15 December 2023. See also Decision on the Defence's Request for Leave to Appeal the 'Decision on Mr Said's Fitness to Stand Trial' and Further Directions on Sitting Schedule, ICC-01/14-01/21-672 , 17 January 2024.
INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA		
<i>Zejnir Delalić and Hazim Delić</i>	Yes	See Order on the Prosecution's Request for a Formal Finding of the Trial Chamber that the Accused Landžo is Fit To Stand Trial , 23 June 1997.
<i>Pavle Strugar</i>	Yes	See IT-01-42-T, Decision RE The Defence Motion to Terminate Proceedings , 26 May 2004, paras 10-11.

CASE	HEARING	REFERENCE
<i>Vladimir Kovačević</i>	Yes	See IT -01-42/2-1, Public Version of the Decision on Accused's Fitness to Enter a Plea and Stand Trial , 12 April 2006, paras 10, 17, 20.
<i>Jovica Stanišić and Franko Simatović</i>	Yes	See IT-03-69-PT, Decision on Future Course of Proceedings , 9 April 2008, paras 2, 5.
<i>Goran Hadžić</i>	Yes	See IT-04-75-T, Consolidated Decision on the Continuation of Proceedings , 26 October 2015, para. 10.
<i>Janko Bobetko</i>	No because it was not requested	See IT-02-62-I, Decision on "motion of the Prosecutor to schedule a fitness hearing and to take related measures" , 19 March 2003.
<i>Radislav Krstić</i>	No because it was not requested	See IT-98-33, Decision Adjourning the Trial , 15 January 2001.

CASE	HEARING	REFERENCE
INTERNATIONAL TRIBUNAL FOR RWANDA		
<i>Ferdinand Nahimana, Jean-Bosco Barayagwiza and Hassan Ngeze</i>	Yes	See ICTR-99-52-T, Judgement and Sentence , para. 52.
INTERNATIONAL RESIDUAL MECHANISM FOR CRIMINAL TRIBUNALS		
<i>Félicien Kabuga</i>	Yes	See MICT-13-38-T, Further Decision on Félicien Kabuga's Fitness to Stand Trial , 6 June 2023, paras 2, 17.
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA		
<i>Chea Nuon, Sary Ieng, Thirith Ieng, Samphan Khieu</i>	Yes	See 002/19-09- 2007/ECCC/TC, Decision on Ieng Thirith's Fitness to Stand Trial , 17 November 2011, paras 1, 8, 11.
<i>Chea Nuon, Sary Iang and Samphan Khieu</i>	Yes	See 002/19-09-2007/ECCC/TC, Decision on Accused Ieng Sary's Fitness to Stand Trial , 26 November 2012, para. 1.

CASE	HEARING	REFERENCE
<i>Chea Nuon and Khieu Samphan</i>	Yes	See 002/19-09-2007-ECCC/TC, Decision on Accuseds' Fitness to Stand Trial and Order Assigning Experts, 17 February 2014, para. 16. See also 002/19-09-2007-ECCC/TC, Second Decision on Fitness of the Accused Khieu Samphan to Stand Trial, 18 February 2015, para. 1. See also 002/19-09-2007-ECCC/TC, Fourth Decision on Accuseds' Fitness to Stand Trial and Order Assigning Experts, 18 February 2015, paras 1, 2.
<i>Chea Nuon</i>	No because it was not requested	See 002/19-09-2007/ECCC/TC, Decision on Fitness of the Accused Nuon Chea to Stand Trial , 25 April 2014, para. 5.
KOSOVO SPECIALIST CHAMBERS		
<i>Sabit Januzi, Ismet Bahtijari and Haxhi Shala</i>	No because it was not requested	See KSC-BC-2023-10/F00508/RED, Public redacted version of Decision on the Bahtijari Defence request for medical examinations , 21 January 2025.