

ANNEX A

PUBLIC

LIST OF AUTHORITIES

**IN CONFORMITY WITH REGULATION 23(3) OF THE REGULATIONS OF THE
COURT**

JURISPRUDENCE

INTERNATIONAL TRIBUNALS

INTERNATIONAL CRIMINAL COURT

Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido

SHORT CITATION USED THROUGHOUT THE APPEAL BRIEF	FULL CITATION	LOCATION OF OR HYPERLINK TO THE SOURCE
N/A	Requête de la Défense sollicitant la tenue d'une audience en vue de la présentation de ses conclusions orales et de la déclaration orale de Monsieur Fidèle Babala Wandu, ICC-01/05-01/13-2223, 12 September 2017	<i>Available in Court Records</i>
N/A	Narcisse Arido's Request for an oral hearing pursuant to Rule 156(3), ICC-01/05-01/13-2222, 11 September 2017	<i>Available in Court Records</i>
N/A	Decision on the Prosecutor's request for an extension of page and time limits for her consolidated response to the documents in support of the appeals, ICC-01/05-01/13-2161, 18 May 2017	<i>Available in Court Records</i>
N/A	Decision on extension of time limits for documents in support of the appeals, ICC-01/05-01/13-2136, 10 April 2017	<i>Available in Court Records</i>
N/A	Decision on Mr Babala's request for an extension of page limit for his document in support of the appeal, ICC-01/05-01/13-2124, 23 March 2017	<i>Available in Court Records</i>
N/A	Decision on requests for an extension of the time limit for the filing of the documents in support of the appeal, ICC-01/05-01/13-2046, 23 November 2016	<i>Available in Court Records</i>

Prosecutor v. Jean-Pierre Bemba Gombo

N/A	Judgment on the appeal of Mr Jean-Pierre Bemba Gombo against the decision of Trial Chamber III of 24 June 2010 entitled "Decision on the Admissibility and Abuse of Process Challenges", ICC-01/05-01/08-962, 19 October 2010	https://www.icc-cpi.int/CourtRecords/CR2010_09017.PDF
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Prosecutor v. Thomas Dyilo Lubanga

<i>Lubanga Appeal Judgment</i>	Public redacted version of the Judgment on the appeal of Mr Thomas Lubanga Dyilo against his conviction, ICC-01/04-01/06-3121-Red, 1 December 2014	https://www.icc-cpi.int/CourtRecords/CR2014_09844.PDF
<i>Lubanga Scheduling Order</i>	Scheduling order for a hearing before the Appeals Chamber, ICC-01/04-01/06-3067, 21 March 2014	https://www.icc-cpi.int/CourtRecords/CR2014_09844.PDF

		4_02909.PDF
N/A	Defence reply to the “Prosecution’s Response to Thomas Lubanga’s Appeal against Trial Chamber I’s Judgment pursuant to Article 74” and the “Prosecution’s Response to the ‘ <i>Mémoire de la Défense de M. Thomas Lubanga relative à l’appel à l’encontre de la “Décision relative à la peine, rendue en application de l’article 76 du Statut” rendu par la Chambre de première instance I le 10 juillet 2012</i> ’”, both filed on 4 February 2013, ICC-01/04-01/06-2989-Red-tENG, 28 February 2013	https://www.icc-cpi.int/CourtRecords/CR2014_08388.PDF

Prosecutor v. Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali

N/A	Decision on the “Request to Make Oral Submissions on Jurisdiction under Rule 156(3)”, ICC-01/09-02/11-421, 1 May 2012	https://www.icc-cpi.int/CourtRecords/CR2012_05350.PDF
N/A	Decision on the “Request for an Oral Hearing Pursuant to Rule 156(3)”, ICC-01/09-02/11-251, 17 August 2011	https://www.icc-cpi.int/CourtRecords/CR2011_12326.PDF

Prosecutor v. Saif Al-Islam Gaddafi and Abdullah Al-Senussi

N/A	Judgment on the appeal of Mr Abdullah Al-Senussi against the decision of Pre-Trial Chamber I of 11 October 2013 entitled “Decision on the admissibility of the case against Abdullah Al-Senussi”, ICC-01/11-01/11-565, 24 July 2014	https://www.icc-cpi.int/CourtRecords/CR2014_06755.PDF
N/A	Judgment on the appeal of Libya against the decision of Pre-Trial Chamber I of 31 May 2013 entitled ‘Decision on the admissibility of the case against Saif Al-Islam Gaddafi’, ICC-01/11-01-11-547-Red, 21 May 2014	https://www.icc-cpi.int/CourtRecords/CR2014_04273.PDF

Prosecutor v. William Samoei Ruto and Joshua Arap Sang

N/A	Judgment on the appeals of Mr William Samoei Ruto and Mr Joshua Arap Sang against the decision of Trial Chamber V(A) of 19 August 2015 entitled “Decision on Prosecution Request for Admission of Prior Recorded Testimony”, ICC-01/09-01/11-2024, 12 February 2016	https://www.icc-cpi.int/CourtRecords/CR2016_01129.PDF
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Prosecutor v. Mathieu Ngudjolo Chui

N/A	Second Public Redacted Version of “Prosecution’s Document in Support of Appeal against the ‘Jugement rendu en application de l’article 74 du Statut’”, 19 March 2013, ICC-01/04-02/12-39-Conf, ICC-01/04-02/12-39-Red3, 15 October 2014	https://www.icc-cpi.int/CourtRecords/CR2014_08808.PDF
<i>Ngudjolo</i> Scheduling Order	Scheduling order for a hearing before the Appeals Chamber, ICC-01/04-02/12-199, 18 September 2014	https://www.legal-tools.org/doc/203990/pdf/

<i>Ngudjolo</i> OTP Hearing Request	Public redacted version of “Prosecution’s Request to Schedule the Appeal Hearing”, 29 August 2014, ICC-01/04-02/12-193-Red, 29 August 2014	https://www.icc-cpi.int/CourtRecords/CR2014_07322.PDF
<i>Ngudjolo</i> Defence Response	Response of the Defence for Mathieu Ngudjolo to the “Prosecution Reply to the Defence Response to the Prosecution’s Appeal Brief” (ICC—01/04-02/12-126-Conf), ICC-01/04-02/12-134-Red-tENG, 28 October 2013	https://www.legal-tools.org/doc/037bff/pdf/
N/A	Response of the Defence for Mathieu Ngudjolo to the observations of the Legal Representative of the main group of victims (ICC-01/04-02/12-124-Conf-Corr) and the Legal Representative of the child-soldier victims (ICC-01/04-02/12-125-Conf-Corr) on the Prosecution Brief on Appeal and the Defence’s Brief in Response, ICC-01/04-02/12-131-Red-tENG, 25 October 2013	https://www.icc-cpi.int/CourtRecords/CR2014_08245.PDF
N/A	Corrigendum du mémoire de la défense de Mathieu Ngudjolo en repose à “Prosecution’s Document in Support of Appeal against the ‘Judgement rendu en application de l’article 74 du Statut’” (ICC-01/04-02/12-39-Conf-Exp), ICC-01/04-02/12-90-Corr2-Red, 23 October 2013	https://www.icc-cpi.int/CourtRecords/CR2013_07707.PDF
N/A	Corrigendum aux Observations relatives au document déposé par le Procureur à l’appui de son appel et au mémoire en réponse de la Défense, ICC-01/04-02/12-125-Corr-Red, 22 July 2013	https://www.legal-tools.org/doc/4e8fdb/pdf/
N/A	Corrigendum des ‘Observations sur le Document du Procureur déposé à l’appui de son appel et sur la Réponse de la Défense à ce Document’, ICC-01/04-02/12-124-Corr-Red, 18 July 2013	https://www.legal-tools.org/doc/a2f731/pdf/

TRANSCRIPTS: INTERNATIONAL CRIMINAL COURT

PROSECUTOR V. LUBANGA (ICC-01/04-01/06)

<i>Lubanga</i> Appeals Transcript	ICC-01/04-01/06-T-363-Red-ENG	https://www.legal-tools.org/doc/7479b6/pdf/
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INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

N/A	<i>Prlić et al.</i> , IT-04-74-A, Order for the Preparation of the Appeal Hearing, 1 March 2017	http://www.icty.org/x/cases/prlic/acord/en/170301.pdf
N/A	<i>Popović et al.</i> , IT-05-88-A, Order for the Preparation of the Appeal Hearing, 6 November 2013	http://www.icty.org/x/cases/popovic/acord/en/131106.pdf
N/A	<i>Dorđević</i> , IT-05-87/1-A, Addendum to the Scheduling Order for Appeal Hearing, 12 April 2013	http://www.icty.org/x/cases/djordjevic/acord/en/130412.pdf
N/A	<i>Šainović et al.</i> , IT-05-87-A, Order for the Preparation of the Appeal Hearing, 20 February 2013	http://www.icty.org/x/cases/milutinovic/acord/en/130220.pdf
N/A	<i>Perišić</i> , IT-04-81-A, Addendum to the Scheduling Order for Appeal Hearing, 15 October 2012	http://www.icty.org/x/cases/perisic/acord/en/121015.pdf
N/A	<i>Gotovina et al.</i> , IT-06-90-A, Addendum to the Scheduling Order for Appeal Hearing, 24 April 2012	http://www.icty.org/x/cases/gotovina/acord/en/120424.pdf
N/A	<i>Lukić et al.</i> , IT-98-32/1-A, Order for the Preparation of the Appeal Hearing, 6 September 2011	http://www.icty.org/x/cases/milan_lukic_sredoje_lukic/acord/en/110906.pdf
N/A	<i>Haradinaj et al.</i> , IT-04-84-bis-AR73.1, Decision on request for Oral Argument, 16 March 2011	http://www.icty.org/x/cases/haradinaj/acdec/en/110316.pdf
<i>Krajišnik Appeal Judgment</i>	<i>Krajišnik</i> , IT-00-39-A, Judgement, 17 March 2009	http://www.icty.org/x/cases/krajsnik/acjug/en/090317.pdf
N/A	<i>Raević and Todović</i> , IT-97-25/1-AR65.1, Decision on Interlocutory Appeal from Trial Chamber Decision Denying Savo Todović's Application for Provisional Release, 7 October 2005	http://www.icty.org/x/cases/todovic_rasevic/acdec/en/051007.htm
N/A	<i>Krajinik</i> , IT-00-39-AR73.1, Decision on Interlocutory Appeal of Decision on Second Defence Motion for Adjournment, 25 April 2005	http://www.icty.org/x/cases/krajsnik/acdec/en/050425.htm

TRANSCRIPTS: INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

<i>Gotovina Appeals Hearing Transcript</i>	<i>Gotovina</i> , Appeals Hearing Transcript of 14 May 2012	http://www.icty.org/x/cases/gotovina/trans/en/120514ED.htm
N/A	<i>Lukić et al.</i> , Appeals Hearing Transcript of 14 September 2011	http://www.icty.org/x/cases/milan_lukic_sredoje_lukic/trans/en/110914it.htm

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

N/A	<i>Mugenzi and Mugiraneza</i> , ICTR-99-50-A, Judgement, 4 February 2013	http://unictr.unmict.org/sites/unictr.org/files/case-documents/ict-99-50/appeals-chamber-judgements/en/130204.pdf
N/A	<i>Setako</i> , ICTR-04-81-A, Order for the Preparation of the Appeal Hearing, 25 March 2011	http://www.worldcourts.com/ict-99-50/appeals-chamber-judgements/en/130204.pdf
N/A	<i>Bagosora et al.</i> , ICTR-98-41-A, Order for the Preparation of the Appeal Hearing, 7 March 2011	https://www.legal-tools.org/doc/8663c9/pdf/
N/A	<i>Renzaho</i> , ICTR-97-31-A, Order for Preparation of Appeal Hearing, 7 June 2010	http://www.worldcourts.com/ict-99-50/appeals-chamber-judgements/en/130204.pdf
N/A	<i>Kalimanzira</i> , ICTR-05-88-A, Order for the Preparation of the Appeal Hearing, 3 June 2010	http://www.worldcourts.com/ict-99-50/appeals-chamber-judgements/en/130204.pdf
N/A	<i>Karera</i> , ICTR-01-74-A, Order for Preparation of Appeal Hearing, 20 August 2008	http://ict-99-50/appeals-chamber-judgements/en/130204.pdf
N/A	<i>Nahimana et al.</i> , ICTR-99-52-A, Judgement, 28 November 2007	http://unictr.unmict.org/sites/unictr.org/files/case-documents/ict-99-50/appeals-chamber-judgements/en/071128.pdf
N/A	<i>Muvunyi</i> , ICTR-00-55A-A, Decision on Motion for Reconsideration of Decision on Motion for Disclosure and Request for Admission of Additional Evidence, 23 November 2007	https://www.legal-tools.org/doc/301b7b/pdf/
N/A	<i>Nahimana et al.</i> , ICTR-99-52-A, Decision on Appellant Jean-Bosco Barayagwiza's Motion for Leave to Present Additional Evidence Pursuant to Rule 115, 5 May 2006	http://ict-99-50/appeals-chamber-judgements/en/130204.pdf

SPECIAL COURT FOR SIERRA LEONE

N/A	<i>Taylor</i> , SCSL-03-01-A, Scheduling order, 18 January 2013	http://www.scsldocs.org/documents/view/6927-2
N/A	<i>Sesay et al.</i> , SCSL-04-15-A, Scheduling Order for Appeal Hearing, 3 August 2009	http://www.scsldocs.org/documents/view/6056-2

N/A	<i>Fofana and Kondewa</i> , SCSL-2004-14-A, Scheduling Order, 11 February 2008	http://www.scsldocs.org/documents/view/5248-2
N/A	<i>Brima et al.</i> , SCSL-2004-16-A, Scheduling order, 7 November 2007	http://www.scsldocs.org/documents/view/5061-2

DOMESTIC CASESFRANCE

N/A	Cass. crim., n° 97-84.657, 24 juin 1998	http://actu.dalloz-etudiant.fr/fileadmin/actualites/pdfs/Crim24juin1998.pdf
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UNITED KINGDOM

N/A	<i>Sengupta & Anor v Holmes & Ors</i> [2002] EWCA Civ 1104	https://court-appeal.vlex.co.uk/vid/-52574248
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UNITED STATES OF AMERICA

N/A	<i>Goldberg v. Kelly</i> , 397 U.S. 254, 269 (1970)	https://supreme.justia.com/cases/federal/us/397/254/case.html
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CODES, STATUTES, LEGISLATION, GUIDELINES AND RULES

INTERNATIONAL

N/A	ECCC, Internal Rules (Rev. 9) of the Extraordinary Chambers in the Courts of Cambodia, as revised on 6 January 2015	https://www.eccc.gov.kh/sites/default/files/legal-documents/Internal_Rules_Rev_9_Eng.pdf
N/A	ICTR Rules of Procedure and Evidence, U.N. Doc. ITR/3/REV.1 (1995), as amended on 13 May 2015	http://unictr.unmict.org/sites/unictr.org/files/legal-library/150513-rpe-en-fr.pdf
N/A	ICTY Rules of Procedure and Evidence, UN Doc. IT/32/Rev.50, as amended on 8 July 2015	http://www.icty.org/x/file/LegalLibrary/Rules_procedure_evidence/IT032Rev50_en.pdf
N/A	MICT, Rules of Procedure and Evidence MICT/1, as amended on 8 June 2012	http://www.unmict.org/sites/default/files/documents/120608_rules_en.pdf
N/A	SCSL, Rules of Procedure and Evidence, as amended on 31 May 2012	http://www.rscsl.org/Documents/RPE.pdf
N/A	STL, Rules of Procedure and Evidence, STL-BD-2009-01-Rev.6-Corr.1, as corrected on 3 April 2014	https://www.stl-tsl.org/images/RPE/20140403_STL-BD-2009-01-Rev-6-Corr-1_EN.pdf

DOMESTIC

High Court Rules (Aus)	Australia, <i>High Court Rules</i> 2004 (Cth)	https://www.legislation.gov.au/Details/F2017C00001
Rules of the Supreme Court (Can)	Canada, <i>Rules of the Supreme Court of Canada</i> (SOR/2002-156)	http://laws-lois.justice.gc.ca/eng/regulations/SOR-2002-156/
N/A	France, <i>Code de procédure pénale</i> , (Paris: Dalloz 2014)	https://www.legifrance.gouv.fr/affichCode.do?idArticle=LEGIARTI000032400656&idSectionTA=LEGISCTA00006167465&cidTexte=LEGITEXT000006071154&dateTexte=20170920
N/A	Germany, <i>German Code of Criminal Procedure</i> (7 April 1987, as amended on 23 April 2014)	https://www.gesetze-im-internet.de/englisch_stpo/englisch_stpo.html
N/A	Poland, <i>Code of Criminal Procedure</i> (6 June 1997)	http://www.legislationline.org/documents/section/criminal-codes/country/10

N/A	Switzerland, <i>Swiss Code of Criminal Procedure</i> (5 October 2007, as of 1 January 2017)	https://www.admin.ch/opc/en/classified-compilation/20052319/index.html
Supreme Court Rules (UK)	United Kingdom, <i>The Supreme Court Rules</i> 2009, No. 1603 (L. 17)	https://www.supremecourt.uk/docs/uksc_rules_2009.pdf
Rules of the Supreme Court (US)	United States, <i>Rules of the Supreme Court of the United States</i> 2013	https://www.supremecourt.gov/ctrules/2007rulesofthecourt.pdf

ACADEMIC ARTICLES AND BOOKS

N/A	Hawley, Jonathan E. et al., <i>Handbook for Criminal Appeals in the Seventh Circuit</i> , (Federal Public Defender, Central District of Illinois, 2nd ed.)	http://www.ca7.uscourts.gov/Handbook_Criminal_Appeals_7thCircuit.pdf
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