

ANNEX A

Public

Glossary

Pleadings, Orders, Decisions etc. from *Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*, Case No. ICC-02/11-01/15

Abbreviation used in Prosecution Brief	Full citation
15 January 2019 J. Carbuccia Dis. Op.	Dissenting Opinion to the Chamber's Oral Decision of 15 January 2019, 15 January 2019, ICC-02/11-01/15-1234
6 February 2020 Hearing	Transcript of 6 February 2020 hearing, ICC-02/11-01/15-T-237-Conf-Eng
Blé Goudé Conduct of Proceedings Observations	Public Redacted Version of “Corrected Version of ‘Defence’s written observations on the continuation of the trial proceedings pursuant to Chamber’s Order on the further conduct of the proceedings (ICC-02/11-01/15-1124)’”, 24 April 2018 (public redacted version filed on 25 April 2019), ICC-02/11-01/15-1158-Corr-Red
Blé Goudé’s Pre-Trial Observations	Defence observations on the conduct of proceedings, 21 May 2015, ICC-02/11-01/15-77
Detention AD	Judgment on the Prosecutor’s appeal against the oral decision of Trial Chamber I pursuant to article 81(3)(c)(i) of the Statute, 1 February 2019 (second public redacted version filed on 21 February 2019), ICC-02/11-01/15-1251-Red2
Gbagbo Conduct of Proceedings Observations	<i>Version publique expurgée des « Observations de la Défense présentées à la suite de l’ordonnance de la Chambre « on the further conduct of the proceedings » du 9 février 2018 (ICC-02/11-01/15-1124) », 23 April 2018 (public redacted version filed on 2 May 2019), ICC-02/11-01/15-1157-Red</i>
Gbagbo Response	<i>Version publique expurgée de la « Réponse de la Défense de Laurent Gbagbo au « Mémoire d’appel de l’Accusation » (ICC-02/11-01/15-1277-Conf-tFRA) déposé le 15 octobre 2019 », 13 March 2020, ICC-02/11-01/15-1314-Red</i>
Hearing Scheduling Order	Order scheduling a hearing before the Appeals Chamber and setting a time limit for any request for leave to reply, 20 March 2020, ICC-02/11-01/15-1318
J. Henderson Reasons	Public redacted version of “Reasons of Judge Geoffrey Henderson”, 16 July 2019, ICC-02/11-01/15-1263-AnxB-Red

J. Carbuccia Dis. Op.	Public redacted version of “Dissenting Opinion Judge Herrera Carbuccia”, 16 July 2019, ICC-02/11-01/15-1263-AnxC-Red
J. Tarfusser Op.	Opinion of Judge Cuno Tarfusser, 16 July 2019, ICC-02/11-01/15-1263-AnxA
NCTA Clarification Decision	Decision on “Urgent Prosecution’s motion seeking clarification on the standard of a ‘no case to answer’ motion”, 13 June 2018, ICC-02/11-01/15-1182
PAB	Public redacted version of “Prosecution Document in Support of Appeal”, 15 October 2019 (public redacted version filed on 17 October 2019), ICC-02/11-01/15-1277-Red
Prosecution Notice of Appeal	Corrected version of ‘Prosecution Notice of Appeal’, 17 September 2019, ICC-02/11-01/15-1270-Corr
Questions	Decision rescheduling, and directions on, the hearing before the Appeals Chamber, 30 April 2020, ICC-02/11-01/15-1338, pp. 5-9 (Questions to be addressed before the Appeals Chamber)
Time Extension Decision	Decision on the Prosecutor’s request for time extension for the notice of appeal and the appeal brief, 19 July 2019, ICC-02/11-01/15-1268
Written Reasons	Reasons for oral decision of 15 January 2019 on the <i>Requête de la Défense de Laurent Gbagbo afin qu'un jugement d'acquittement portant sur toutes les charges soit prononcé en faveur de Laurent Gbagbo et que sa mise-en liberté immédiate soit ordonnée</i> , and on the Blé Goudé Defence no case to answer motion, 16 July 2019, ICC-02/11-01/15-1263

Other ICC Authorities and Documents

Abbreviation used in Prosecution Brief	Full citation
Afghanistan Victims’ Standing Dis. Op.	<i>Situation in the Islamic Republic of Afghanistan</i> , Dissenting Opinion to the majority’s oral ruling of 5 December 2019 denying victims’ standing to appeal, 5 December 2019, ICC-02/17-133
Bashir Arrest Warrant AD	<i>Prosecutor v. Omar Hassan Ahmad Al Bashir</i> , Judgment on Appeal of the Prosecutor against “Decision on Prosecution’s Application for Warrant of Arrest against Omar Hassan Ahmad Al Bashir”, ICC-02/05-01/09-73, 3 February 2010

<u>Bemba AJ</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo</i> , Judgment on the appeal of Mr Jean-Pierre Bemba Gombo against Trial Chamber III's "Judgment pursuant to Article 74 of the Statute", 8 June 2018, ICC-01/05-01/08-3636-Red
<u>Bemba et al. AJ</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo et al.</i> , Judgment on the appeals of Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu and Mr Narcisse Arido against the decision of Trial Chamber VII entitled "Judgment pursuant to Article 74 of the Statute", 8 March 2018, ICC-01/05-01/13-2275-Red
<u>Bemba et al. Second SAJ</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo et al.</i> , Judgment on the appeal of Mr Jean-Pierre Bemba Gombo against the decision of Trial Chamber VII of 17 September 2018 entitled 'Decision Re-sentencing Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba and Mr Jean-Jacques Mangenda Kabongo', 27 November 2019, ICC-01/05-01/13-2351
<u>Bemba J. Eboe-Osuji Sep. Op.</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo</i> , Judgment on the appeal of Mr Jean-Pierre Bemba Gombo against Trial Chamber III's "Judgment pursuant to Article 74 of the Statute", 8 June 2018, Concurring Separate Opinion of Judge Eboe-Osuji, 14 June 2018, ICC-01/05-01/08-3636-Anx3
<u>DRC Extraordinary Review Decision</u>	<i>Situation in the Democratic Republic of the Congo</i> , Judgment on the Prosecutor's Application for Extraordinary Review of Pre-Trial Chamber I's 31 March 2006 Decision Denying Leave to Appeal, 13 July 2006, ICC-01/04-168
<u>Gaddafi Admissibility AD</u>	<i>Prosecutor v. Saif Al-Islam Gaddafi</i> , Judgment on the appeal of Mr Saif Al-Islam Gaddafi against the decision of Pre-Trial Chamber I entitled 'Decision on the "Admissibility Challenge by Dr. Saif Al-Islam Gaddafi pursuant to Articles 17(1)(c), 19 and 20(3) of the Rome Statute"' of 5 April 2019, 9 March 2020, ICC-01/11-01/11-695
<u>Kenyatta Article 87(7) AD</u>	<i>Prosecutor v. Uhuru Muigai Kenyatta</i> , Judgment on the Prosecutor's appeal against Trial Chamber V(B)'s "Decision on Prosecution's application for a finding of non-compliance under Article 87(7) of the Statute", 19 August 2015, ICC-01/09-02/11-1032
<u>Lubanga AJ</u>	<i>Prosecutor v. Thomas Lubanga Dyilo</i> , Judgment on the appeal of Mr Thomas Lubanga Dyilo against his conviction, 1 December 2014, ICC-01/04-01/06-3121-Red

<u>Lubanga First Redactions AD</u>	<i>Prosecutor v. Thomas Lubanga Dyilo</i> , Judgment on the appeal of Mr. Thomas Lubanga Dyilo against the decision of Pre-Trial Chamber I entitled “First Decision on the Prosecution’s Requests and Amended Requests for Redactions under Rule 81”, 14 December 2006, ICC-01/04-01/06-773
<u>Mbarushimana Confirmation AD</u>	<i>Prosecutor v. Callixte Mbarushimana</i> , Judgment on the appeal of the Prosecutor against the decision of Pre-Trial Chamber I of 16 December 2011 entitled "Decision on the confirmation of charges", 30 May 2012, ICC-01/04-01/10-514
<u>Ngudjolo AJ</u>	<i>Prosecutor v. Mathieu Ngudjolo Chui</i> , Judgment on the Prosecutor’s appeal against the decision of Trial Chamber II entitled “Judgment pursuant to article 74 of the Statute, 7 April 2015, ICC-01/04-02/12-271-Corr
<u>Ngudjolo Dis. Op.</u>	<i>Prosecutor v. Mathieu Ngudjolo Chui</i> , Joint Dissenting Opinion of Judge Ekaterina Trendafilova and Judge Cuno Tarfusser, 27 February 2015, ICC-01/04-02/12-271-AnxA
<u>Nordic States IER Submission</u>	Norwegian Ministry of Foreign Affairs, <i>Input by Denmark, Finland, Iceland, Norway and Sweden to the ongoing Independent Expert Review of the International Criminal Court</i>
<u>Ntaganda NCTA AD</u>	<i>Prosecutor v. Bosco Ntaganda</i> , Judgment on the appeal of Mr Bosco Ntaganda against the “Decision on Defence request for leave to file a ‘no case to answer’ motion”, 5 September 2017, ICC-01/04-02/06-2026
<u>Ntaganda Response</u>	<i>Prosecutor v. Bosco Ntaganda</i> , Public Redacted Version of “Prosecution response to ‘Defence Appeal Brief - Part II’”, 3 April 2020 (public redacted version filed 14 April 2020), ICC-01/04-02/06-2500-Red
<u>Ruto & Sang Decision No. 5</u>	<i>Prosecutor v. William Samoei Ruto et al.</i> , Decision No. 5 on the Conduct of Trial Proceedings (Principles and Procedure on 'No Case to Answer' Motions), 3 June 2014, ICC-01/09-01/11-1334
<u>Ruto & Sang J. Carbuccia Dis. Op.</u>	<i>Prosecutor v. William Samoei Ruto et al.</i> , Dissenting Opinion of Judge Herrera Carbuccia, 5 April 2016, ICC-01/09-01/11-2027-AnxI
<u>Ruto & Sang J. Eboe-Osuji Reasons</u>	<i>Prosecutor v. William Samoei Ruto et al.</i> , Decision on Defence Applications for Judgments of Acquittal, 5 April 2016, ICC-01/09-01/11-2027-Red-Corr, pp. 58-259 (Reasons of Judge Eboe-Osuji)
<u>Ruto & Sang J. Eboe-Osuji Sep. Op.</u>	<i>Prosecutor v. William Samoei Ruto et al.</i> , Separate further opinion of Judge Eboe-Osuji, 3 June 2014, ICC-01/09-01/11-1334-Anx-Corr

<u>Ruto & Sang J. Fremr Reasons</u>	<i>Prosecutor v. William Samoei Ruto et al.</i> , Decision on Defence Applications for Judgments of Acquittal, 5 April 2016, ICC-01/09-01/11-2027-Red-Corr, pp. 3-57 (Reasons of Judge Fremr)
<u>Ruto & Sang NCTA Decision</u>	<i>Prosecutor v. William Samoei Ruto et al.</i> , Decision on Defence Applications for Judgments of Acquittal, 5 April 2016, ICC-01/09-01/11-2027-Red-Corr

ICTY authorities and documents

Abbreviation used in Prosecution Response Brief	Full citation
<u>Blagojević & Jokić ALA Decision</u>	<i>Prosecutor v. Vidoje Blagojević & Dragan Jokić</i> , Case No. IT-02-60-T, Decision on request for certification of interlocutory appeal of the Trial Chamber's judgement on motions for acquittal pursuant to Rule 98 bis, 23 April 2004
<u>Brđanin Interlocutory AD</u>	<i>Prosecutor v. Radoslav Brđanin</i> , Case No. IT-99-36-A, Decision on Interlocutory Appeal, 19 March 2004
<u>Čelebići AJ</u>	<i>Prosecutor v. Zejnil Delalić et al.</i> , Case No. IT-92-21-A, Judgement, 20 February 2001
<u>Hadžihasanović et al. AJ</u>	<i>Prosecutor v. Enver Hadžihasanović & Amir Kubura</i> , Case No. IT-01-47-A, Judgment, 22 April 2008
<u>Halilović AJ</u>	<i>Prosecutor v. Sefer Halilović</i> , Case No. IT-01-48-A, Judgment, 16 October 2007
<u>Haradinaj et al. AJ</u>	<i>Prosecutor v. Ramush Haradinaj et al.</i> , Case No. IT-04-84-A, Judgment, 19 July 2010
<u>Haradinaj Retrial AD</u>	<i>Prosecutor v. Ramush Haradinaj et al.</i> , Case No. IT-04-84bis-AR73.1, Decision on Haradinaj's appeal on scope of partial retrial, 31 May 2011
<u>Jelisić AJ</u>	<i>Prosecutor v. Goran Jelisić</i> , Case No. IT-95-10-A, Judgment, 5 July 2001
<u>Karadžić ALA Decision</u>	<i>Prosecutor v. Radovan Karadžić</i> , Case No. IT-95-5/18-T, Decision on Prosecution Request for Certification to Appeal Judgment of Acquittal under Rule 98 bis, 13 July 2012
<u>Karadžić R98bis AD</u>	<i>Prosecutor v. Radovan Karadžić</i> , Case No. IT-95-5/18-AR98bis.1, Judgment, 11 July 2013

<u>Kordić & Čerkez R98bis Decision</u>	<i>Prosecutor v. Dario Kordić and Mario Čerkez</i> , Case No. IT-95-14/2, Decision on Defence Motions for Judgements of Acquittal, 6 April 2000
<u>Krajišnik R98bis AD</u>	<i>Prosecutor v. Momčilo Krajišnik</i> , IT-00-39-AR98bis.1, Decision on Appeal of Rule 98 bis Decision, 4 October 2005
<u>Šešelj AJ</u>	<i>Prosecutor v. Vojislav Šešelj</i> , MICT -16-99-A, Judgement, 11 April 2018
<u>Šešelj R98bis Decision</u>	<i>Prosecutor v. Vojislav Šešelj</i> , Case No. IT-03-67-T, Transcript of Rule 98 bis Judgement, 4 May 2011
<u>Stanišić & Simatović AJ</u>	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-A, App.Ch., Judgment, 9 December 2015
<u>Stanišić Mistrial Decision</u>	<i>Prosecutor v. Mićo Stanišić & Stojan Župljanin</i> , Case No. IT-08-91-A, Decision on Mico Stansic's motion requesting a declaration of mistrial and Stojan Zupljanin's motion to vacate trial Judgement , 2 April 2014
<u>Tadić AJ</u>	<i>Prosecutor v. Duško Tadić</i> , Case No. IT-94-1-A, Judgement, 15 July 1999

MICT authorities and documents

Abbreviation used in Prosecution Response Brief	Full citation
<u>Stanišić Stay Decision</u>	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , MICT-15-96-PT, Decision on Stanišić's request for stay of proceedings, 2 February 2017

ICTR authorities and documents

Abbreviation used in Prosecution Response Brief	Full citation
<u>Bagosora et al. AJ</u>	<i>Prosecutor v. Théoneste Bagosora et al.</i> , Case No. ICTR-98-41-A, Judgement, 14 December 2011
<u>Muvunyi First AJ</u>	<i>Prosecutor v. Tharcisse Muvunyi</i> , Case No. ICTR-2000-55A-A, Judgement, 29 August 2008

<u>Muvunyi Retrial AD</u>	<i>Prosecutor v. Tharcisse Muvunyi</i> , Case No. ICTR-2000-55A-AR73, Decision on the Prosecutor's Appeal Concerning the Scope of Evidence to be Adduced in the Retrial, 24 March 2009
<u>Rutaganda AJ</u>	<i>Prosecutor v. Georges Anderson Nderubumwe Rutaganda</i> , Case No. ICTR-96-3-A, Judgement, 26 May 2003
<u>Zigiranyirazo AJ</u>	<i>Prosecutor v. Protais Zigiranyirazo</i> , Case No. ICTR-01-73-A, Judgement, 16 November 2009

SCSL authorities and documents

Abbreviation used in Prosecution Response Brief	Full citation
<u>Sesay et al. AJ</u>	<i>Prosecutor v. Issa Hassan Sesay, Morris Kallon & Augustine Gbao</i> , Case No. SCSL-04-15-A, Judgment, 26 October 2009

STL authorities and documents

Abbreviation used in Prosecution Response Brief	Full citation
<u>Ayyash et al. AD</u>	<i>Prosecutor v. Salim Jamil Ayyash et al.</i> , Case No. STL-11-01/T I AC/AR126.11, Decision on Badreddine Defence Interlocutory Appeal of the “Interim Decision on the Death of Mustafa Amine Badreddine and Possible Termination of Proceedings”, 11 July 2016
<u>Ayyash et al. CDR AD</u>	<i>Prosecutor v. Salim Jamil Ayyash et al.</i> , Case No. STL-11-01/T/AC/AR126.9, Decision on appeal by counsel for Mr Oneissi against the Trial Chamber's decision on the legality of the transfer of call data records, 28 July 2015

Ayyash et al. J. Baragwanath Dis. Op.	<i>Prosecutor v. Salim Jamil Ayyash et al.</i> , Case No. STL-11-01/T I AC/ AR126.11, Dissenting Opinion of Judge David Baragwanath on the Appeals Chamber's "Decision on Badreddine Defence Interlocutory Appeal of the 'Interim Decision on the Death of Mr Mustafa Amine Badreddine and Possible Termination of Proceedings'", 13 July 2016
Ayyash et al. J. Nsereko Dis. Op.	<i>Prosecutor v. Salim Jamil Ayyash et al.</i> , Case No. STL-11-01/T I AC/ AR126.11, Decision on Badreddine Defence Interlocutory Appeal of the "Interim Decision on the Death of Mustafa Amine Badreddine and Possible Termination of Proceedings", 11 July 2016, Dissenting Opinion of Judge Nsereko
STL Statute	Statute of the Special Tribunal for Lebanon, 2007

ECCC authorities and documents

Abbreviation used in Prosecution Response Brief	Full citation
Case 002/01 AJ	<i>Case File No. 002/19-09-2007/ECCC/SC</i> , Appeal Judgement (F36), 23 November 2016
Case 002/02 Case History	<i>Case File No. 002/19-19-2007/ECCC/TC</i> , Case 002/02 history, last accessed 21 May 2020
Case 002/02 TJ	<i>Case File No. 002/19-09-2007/ECCC/TC</i> , Case 002/02 Judgement (E465), 16 November 2018
Case 002/02 TJ Summary	<i>Case File No. 002/19-09-2007/ECCC/TC</i> , Trial Chamber Summary of Judgement Case 002/02, 16 November 2018

Domestic legislation and jurisprudence

Abbreviation used in Prosecution Response Brief	Full citation
<i>Arizona v. Washington</i>	Supreme Court of the United States, <i>Arizona v. Washington</i> , 434 U.S. 497, 98 S.Ct. 824 (U.S. Ariz., 1978)

<i>Collins v. State</i>	Court of Appeals of Mississippi, <i>Collins v. State</i> , 81 So.3d 1174 (Miss. App., 2011)
<i>Downum v. U.S.</i>	Supreme Court of the United States, <i>Downum v. United States</i> , 372 U.S. 734 (U.S. Tex., 1963)
<u>Gilham v. R</u>	Supreme Court of New South Wales, Court of Criminal Appeal, <i>Gilham v. R</i> [2012] NSWCCA 131
<i>Gori v. U.S.</i>	Supreme Court of the United States, <i>Gori v. United States</i> , 367 U.S. 364, 81 S.Ct.1523 (1961)
<i>Illinois v. Somerville</i>	Supreme Court of the United States, <i>Illinois v. Somerville</i> , 410 U.S. 458 (U.S. Ill., 1973)
<i>R v. Cunningham</i>	Court of Appeal for Ontario, <i>R v. Cunningham</i> , 106 O.R. (3d) 641, 3 August 2011
<u>R v. Graveline</u>	Supreme Court of Canada, <i>R v. Graveline</i> [2006] 1 SCR 609
<i>R v. SH</i>	England and Wales Court of Appeal, <i>R v SH</i> [2010] EWCA Crim 1931 [England and Wales CA]; [2011] 1 Cr. App. R. 14
<i>R v. Shippey & Jedynak</i>	England and Wales Court of Appeal, <i>R v. Shippey and Jedynak</i> , [1988] Crim LR 767
<u>R v. Teskey</u>	Alberta Court of Appeal (Canada), <i>R v. Teskey</i> [2007] 2 S.C.R. 267
<u>R. v. Galbraith</u>	England and Wales Court of Appeal, <i>R v. Galbraith</i> , [1981] 1 WLR 1039
<i>Renico v. Lett</i>	Supreme Court of the United States, <i>Renico v. Lett</i> , 559 U.S. 766 (U.S., 2010)
<i>U.S. v. Alvarez-Moreno</i>	United States Court of Appeals, Ninth Circuit, <i>United States v. Alvarez-Moreno</i> , 657 F.3d 896 (C.A.9 (Ariz.), 2011)
<i>U.S. v. Nelson</i>	United States Court of Appeals, Tenth Circuit, <i>United States v. Nelson</i> , 941 F.2d 1213 (C.A. 10 (Kan.), 1991)
<i>U.S. v. Perez</i>	Supreme Court of the United States, <i>United States v. Perez</i> , 22 U.S. 579, 1824 WL 2694, 6 L.Ed. 165, 9 Wheat. 579
<u>Uganda v. Godfrey</u>	Uganda High Court, <i>Uganda v. Kato Kajubi Godfrey</i> [2010] UGHC 4 (23 April 2010)

Academic sources

Abbreviation used in Prosecution Response Brief	Full citation
Djukić	Dražan Djukić, <i>The Right to Appeal in International Criminal Law: Human Rights Benchmarks, Practice and Appraisal</i> (Leiden/Boston: Brill/Nijhoff, 2019)
Klamberg	Klamberg, M. (Ed.), <i>Commentary on the Law of the International Criminal Court</i> (Brussels: Torkel Opsahl Academic EPublisher, 2017)
Kuhlmann	Kuhlmann, C., “Ich muss immer das letzte Wort haben - Vom Gestaltungsmissbrauch bei der mündlichen Urteilsverkündung”, <i>Onlinezeitschrift für Höchststrichterliche Rechtsprechung zum Strafrecht</i> , 15. Jahrgang (Januar 2014), p. 25
Staker/Eckelman	C. Staker and F. Eckelmans, “Article 81” in Triffterer, O. and Ambos, K., (Eds.) <i>The Rome Statute of the International Criminal Court: A Commentary</i> , 3 rd Ed. (München/Oxford/Baden Bden: C.H. Beck/Hart/Nomos, 2016)
Triffterer/Kiss	O. Triffterer and A. Kiss, “Article 74” in Triffterer, O. and Ambos, K., (Eds.) <i>The Rome Statute of the International Criminal Court: A Commentary</i> , 3 rd Ed. (München/Oxford/Baden Bden: C.H. Beck/Hart/Nomos, 2016)

Other Abbreviations

Abbreviation used in Prosecution Response Brief	Full citation
FDS	<i>Forces de Défense et de Sécurité</i> (Defence and Security Forces)
ICTY	International Criminal Tribunal for the Former Yugoslavia
NCTA	No case to answer
Statute	Rome Statute