

Annex B

Confidential

List of authorities

**A. Filings and Decisions in *The Prosecutor v. Bosco Ntaganda*,
Case No. ICC-01/04-02/06**

Short-title	Reference
Appeal-Judgment-2026	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 .
Confirmation-Decision-309	Decision Pursuant to Article 61(7)(a) and (b) of the Rome Statute on the Charges of the Prosecutor Against Bosco Ntaganda, 9 June 2014, ICC-01/04-02/06-309 .
CLR1-Observations-2526	Observations of the Common Legal Representative of the Former Child Soldiers on Part II of Mr Ntaganda’s Appeal against the Judgment pursuant to Article 74 of the Rome Statute, 6 May 2020, ICC-01/04-02/06-2625-Conf .
CLR2-Observations-2525	Observations of the Common Legal Representative of the Victims of the Attacks on the Defence Appeal Part II, 6 May 2020, ICC-01/04-02/06-2525-Conf .
DCB or Defence-Closing-Brief-2298-Anx1	Annex 1 to Defence Closing Brief, 09 July 2018, ICC-01/04-02/06-2298-Conf-Anx1-Corr .
Decision-1968	Decision on suspensive effect, 19 June 2017, ICC-01/04-02/06-1968 .
Decision-2522	Decision on request for leave to reply, 4 May 2020, ICC-01/04-02/06-2522 .
Defence Appeal Brief – Part II or Mr. Ntaganda Appeal Brief – Part II	Defence Appeal Brief – Part I, 11 November 2019, ICC-01/04-02/06-2443 .
Defence-Reply-2534	Defence reply to “Prosecution response to ‘Defence Appeal Brief – Part II’”, 3 April 2020, ICC-01/04-02/06-2500, 19 May 2020, ICC-01/04-02/06-2534-Conf .
Defence-Reply-Brief-2307	Corrected version of “Defence Reply to the Prosecution’s Response to the Defence Closing Brief” dated 1 August 2018, ICC-01/04-02/06-2307, 11 August 2018, ICC-01/04-02/06-2307-Conf-Corr .

Defence-Request-2512	Defence request for leave to reply to the Prosecution Response to Defence Appeal Brief – Part II, 15 April 2020, ICC-01/04-02/06-2512 .
Prosecution Response – Part II or Prosecution Response	Prosecution response to “Defence Appeal Brief - Part II”, 3 April 2020, ICC-01/04-02/06-2500-Conf .
SJ or Sentencing-Judgment-2442	Sentencing Judgment, 7 November 2019, ICC-01/04-02/06-2442 .
TJ	Judgment, 8 July 2019, ICC-01/04-02/06-2359 .

B. Other jurisprudence of this Court

Short-title	Reference
<i>Abu-Garda-Confirmation-Decision-243</i>	<i>The Prosecutor v. Bahar Idriss Abu Garda</i> , Decision on the Confirmation of Charges, 8 February 2010, ICC-02/05-02/09-243-Red .
<i>Banda-Jerbo-Confirmation-Decision-121</i>	<i>The Prosecutor v. Abdallah Banda Abaker Nourain and Saleh Mohammed Jerbo Jamus</i> , Corrigendum of the “Decision on the Confirmation of Charges”, 7 March 2011, ICC-02/05-03/09-121-Corr-Red .
<i>Bemba-TJ-3343</i>	<i>The Prosecutor v. Jean-Pierre Bemba Gombo</i> , Judgment pursuant to Article 74 of the Statute, 21 March 2016, ICC-01/05-01/08-3343 .
<i>Bemba-et-al-AJ-2275</i>	<i>The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido</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 .
<i>Gbagbo-Prosecution-Response-1207</i>	<i>The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé</i> , Second public redacted version of “Annex 1 – Prosecution’s Consolidated Response to the Defence No Case to Answer”, 10 September 2018, ICC-02/11-01/15-1207-Conf-Anx1, 10 September 2018, ICC-02/11-01/15-1207-Anx1-Red2 .

<i>Katanga</i> -Confirmation-Decision-717	<i>The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui</i> , Decision on the confirmation of charges, 30 September 2008, ICC-01/04-01/07-717 .
<i>Katanga</i> -TJ-3436	<i>The Prosecutor v. Germain Katanga</i> , Judgment pursuant to article 74 of the Statute, 7 March 2014, ICC-01/04-01/07-3436-tENG .
<i>Lubanga</i> -Confirmation-Decision-803	<i>The Prosecutor v. Thomas Lubanga Dyilo</i> , Decision on the confirmation of charges, 29 January 2007, ICC-01/04-01/06-803-tEN .
<i>Lubanga</i> -TJ-2842	<i>The Prosecutor v. Thomas Lubanga Dyilo</i> , Judgment pursuant to Article 74 of the Statute, 14 March 2012, ICC-01/04-01/06-2482 .
<i>Lubanga</i> -AJ-3121	<i>The 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-Conf .
<i>Mbarushimana</i> -Confirmation-Decision-465	<i>The Prosecutor v. Callixte Mbarushimana</i> , Decision on the Confirmation of Charges, 16 December 2011, ICC-01/04-01/10-465-Red .
<i>Ruto-Kosgey-Sang</i> -Confirmation-Decision-373	<i>The Prosecutor v. William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang</i> , Decision on the Confirmation of Charges Pursuant to Article 61(7)(a) and (b) of the Rome Statute, 23 January 2012, ICC-01/09-01/11-373 .
<i>Ruto-Sang</i> -Decision-1334	<i>The Prosecutor v. William Samoei Ruto and Joshua Arap Sang</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 .

C. Jurisprudence of other jurisdictions

(a) ICTY

Short-title	Reference
<u>ICTY-Đorđević-TJ</u>	<i>Prosecutor v. Vlastimir Đorđević</i> , Case No. IT-05-87/1-T, Public Judgement, 23 February 2011.
<u>ICTY-Galić-AJ</u>	<i>Prosecutor v. Stanislav Galić</i> , Case No. IT-98-29-A, Judgement, 30 November 2006.
<u>ICTY-Karadžić-TJ</u>	<i>Prosecutor v. Radovan Karadžić</i> , Case No. IT-95-5/18-T, Public redacted version of Judgement issued on 24 March 2016, 24 March 2016.
<u>ICTY-Krajišnik-AJ</u>	<i>Prosecutor v. Momčilo Krajišnik</i> , Case No. IT-00-39-A, Judgement, 17 March 2009.
<u>ICTR-Kordić-TJ</u>	<i>Prosecutor v. Dario Kordić and Mario Čerkez</i> , Case No. IT-95-14/2-T, Judgement, 26 February 2001.
<u>ICTY-Kunarac-AJ</u>	<i>Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković</i> , Case No. IT-96-23/1-A, Judgement, 12 June 2002.
<u>ICTY-Kvočka-AJ</u>	<i>Prosecutor v. Miroslav Kvočka, Mlađo Radić, Zoran Žigić, Dragoljub Prcać</i> , Case No. IT-98-30/1-A, Judgement, 28 February 2005.
<u>ICTY-Limaj-TJ</u>	<i>Prosecutor v. Fatmir Limaj, Haradin Bala, Isak Musliu</i> , Case No. IT-03-66-T, Judgement, 30 November 2005.
<u>ICTY-Milosević-Reasons</u>	<i>Prosecutor v. Slobodan Milosević</i> , Cases No. IT-99-37-AR73, IT-01-50-AR73, IT-01-51-AR73, Reasons for Decision on Prosecution Interlocutory Appeal from Refusal to Order Joinder, 18 April 2002.
<u>ICTY-Mucić-AJ</u>	<i>Prosecutor Zejnil Delalić, Zdravko Mucić (aka "PAVO"), Hazim Delić and Esad Landžo</i> , Case No. IT-96-21-A, Judgement, 20 February 2001.
<u>ICTY-Mucić-Decision</u>	<i>Prosecutor Zejnil Delalić, Zdravko Mucić (aka "PAVO"), Hazim Delić and Esad Landžo (aka "ZENGA")</i> , Case No. IT-96-21-T, Decision of the President on the Prosecutor's motion for the production of notes exchanged between Zejnil Delalić and Zdravko Mucić, 11 November 1996.
<u>ICTY-Popović-TJ</u>	<i>Prosecutor v. Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin, Radivoje Miletić, Milan Gvero, Vinko Pandurević</i> , Case No. IT-05-88-T, Judgement, 10 June 2015.

<u>ICTY-Šainović-AJ</u>	<i>Prosecutor v. Nikola Šainović, Nebojša Pavković, Vladimir Lazarević, Sreten Lukić</i> , Case No. IT-05-87-A, Judgement, 23 January 2014.
<u>ICTY-Tolimir-TJ</u>	<i>Prosecutor v. Zdravko Tolimir</i> , Case No. IT-05-88/2-T, Judgement, 12 December 2012.

(b) ICTR

Short-title	Reference
<u>ICTR-Bizimungu-TJ</u>	<i>The Prosecutor v. Casimir Bizimungu, Justin Mugenzi, Jérôme-Clément Bicamumpaka, Prosper Mugiraneza</i> , Case No. ICTR-99-50-T, Judgement and Sentence, 30 September 2011.
<u>ICTR-Mpambara-TJ</u>	<i>The Prosecutor v. Jean Mpambara</i> , Case No. ICTR-01-65-T, Judgement, 11 September 2006.
<u>ICTR-Mugenzi-AJ</u>	<i>Justin Mugenzi, Prosper Mugiraneza v. The Prosecutor</i> , Case No. ICTR-99-50-A, Judgement, 4 February 2013.
<u>ICTR-Muvunyi-AJ</u>	<i>Prosecutor v. Tharcisse Muvunyi</i> , Case No. ICTR-2000-55A-A, Judgement, 29 August 2008.
<u>ICTR-Nchamihigo-AJ</u>	<i>Siméon Nchamihigo</i> , Case No. ICTR-2001-63-A, Judgement, 18 March 2010.
<u>ICTR-Ngirabatware-TJ</u>	<i>The Prosecutor v. Augustin Ngirabatware</i> , ICTR-99-54-T, Judgement and Sentence, 20 December 2012.
<u>ICTR-Ntagerura-AJ</u>	<i>The Prosecutor v. André Ntagerura, Emmanuel Bagambiki, Samuel Imanishimwe</i> , Case No. ICTR-99-49-A, 7 July 2006.
<u>ICTR-Renzaho-AJ</u>	<i>Tharcisse Renzaho v. The Prosecutor</i> , Case No. ICTR-97-31-A, Judgement, 1 April 2011.

D. Academic works

Short-title	Reference
<u>Del Ponte</u>	Del Ponte, C., <i>Investigation and Prosecution of Large-scale Crimes at the International Level</i> , Journal of International Criminal Justice, 4 J. Int'l Crim., 2006.
<u>Fenrick (2004)</u>	Fenrick, W.J., Crimes in combat: the relationship between crimes against humanity and war crimes, 5 March 2004, Guest Lecture Series of the Office of the Prosecutor, The Hague.

E. Other sources

Short-title	Reference
<u>Katz</u>	178 F3d 368 United States v. Katz, 14 June 1999.
<u>Lanning</u>	<i>R. v. Lanning</i> , 2012 ABPC 171.
<u>Loring</u>	HMTQ v. Loring 2001 BCSC 200, 5 February 2001.
<u>Merton</u>	B (R on the application of) v Mayor and Burgesses of the London Borough of Merton [2003] EWHC 1689.
<u>RPS v. The Queen</u>	<i>RPS v. The Queen</i> [2000] HCA 3, 3 February 2000, S116/1998.
<u>R. v. Karamitsos</u>	<i>R. v. Karamitsos</i> , [2008] O.J. No. 3376, 78 W.C.B. (2 nd) 797.
<u>R. v. Pasloski</u>	<i>R. v. Pasloski</i> , 2005 SKPC 79.
<u>R. v. P. (M.B.)</u>	<i>R. v. P. (M.B.)</i> , (1994) 1 S.C.R. 555.
<u>R. v. Smith</u>	<i>R.v. Smith</i> , [1968] 1 W.L.R. 636.
<u>R. v. Turino</u>	<i>R. v. Turino</i> , 2005 ONCJ 411.