LIST OF AUTHORITIES

Case law

ICTY

Prosecutor v. Kunarac et al. Case No. IT-96-23 & IT-96-23/1-A, Appeals Judgment, 12 June 2002; at http://www.icty.org/x/cases/kunarac/acjug/en/kun-aj020612e.pdf

Prosecutor v. Vasiljevic, Case No. IT-98-32-T, Judgment, 29 November 2002; at http://www.icty.org/x/cases/vasiljevic/tjug/en/vas021129.pdf

Prosecutor v. Naletilic and Martinovic, Case No. IT-98-34-T, Judgment, 31 March 2003; at http://www.icty.org/x/cases/naletilic_martinovic/tjug/en/nal-tj030331-e.pdf

Prosecutor v. *Tadic*, Case No. IT-94-1-T, Judgment, 7 May 1997; at http://www.icty.org/x/cases/tadic/tjug/en/tad-tsj70507JT2-e.pdf

Prosecutor v. Limai et al, Case No. IT-03-66-T, Judgement, 30 November 2005; at http://www.icty.org/x/cases/limaj/tjug/en/lim-tj051130-e.pdf

ICTR

Prosecutor v. Semanza, Case No. ICTR-97-20-T, Judgment, 15 May 2003; at 329. http://www.ictrcaselaw.org/docs/doc37512.pdf

<u>ICC</u>

Situation in Republic of Kenya, Pre-Trial Chamber II, Public Decision Pursuant to Article 15 of the Rome Statute on the Authorization of an Investigation into the Situation in the Republic of Kenya, ICC-01/09-19-Corr.

Prosecutor v. Ruto et al, Public Dissenting Opinion by Judge Hans-Peter Kaul to Pre-Trial Chamber II's "Decision on the Prosecutor's Application for Summons to Appear for William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang, ICC-01/09-01/11-2.

Prosecutor v. Katanga and Ngudjolo, Decision on the Confirmation of Charges, ICC-01/04-01/07-717.

Prosecutor v. Bemba, Decision Pursuant to Article 61(7)(a) and (b) of the Rome Statute on the Charges of the Prosecutor Against Jean-Pierre Bemba Gombo, ICC-01/05-01/08-424.

<u>UN</u>

United Nations Diplomatic Conference of Plenipotentiaries on the establishment of an International Criminal Court, Committee of the whole, A/CONF.183/C.1/L.53, 6 July 1998; A/CONF.183/C.1/L.44, 7 July 1998, page 2; A/CONF.183/C.1/L.59, 10 July 1998, page 2: "Discussion Paper Bureau Part 2. Jurisdiction, Admissibility and Applicable Law" Article 5 Crimes within the jurisdiction of the Court". http://www.un.org/icc/pressrel/017dsum.htm; http://untreaty.un.org/cod/diplomaticconferences/icc-1998/docs/english/vol3/a_conf_183_commwholedocs.pdf

Legal texts

Treaty, Done at Vienna on 23 May 1969. Entered into force on 27 January 1980. United Nations, *Treaty Series*, vol. 1155, page 331. http://untreaty.un.org/ilc/texts/instruments/english/conventions/1 1 1969.pdf

Preamble of the ICC Statute http://www.icc-cpi.int/NR/rdonlyres/ADD16852-AEE94757-ABE7-9CDC7CF02886/283503/RomeStatutEng1.pdf

OTR ICC Vol. 1, Issue 11, July 2, 1998, at: http://www.advocacynet.org/resource/367.

Books and Book Chapters

- M. Cherif Bassiouni, *The Legislative History of the International Criminal Court: Introduction, Analysis and Integrated Text*, Vol. 1, 2005; ed. New York: Transnational Publishers, Inc **Annex 1**.
- M. Cherif Bassiouni, *Crimes against humanity in International Criminal Law*, ed. Kluwer Law International (The Hague/London/Boston), 1999,2nd revised edition **Annex 2**.
- R. Cryer et al., 'An Introduction to International Criminal Law and Procedure'; Cambridge, Cambridge University Press, 2007 **Annex 3**.

Antonio Cassese, 'Crimes Against Humanity', in Antonio Cassese et al. (eds), *The Rome Statute of the International Criminal Court: A Commentary*, Volume 1; Oxford: Oxford University Press, 2002 – **Annex 4**.

Herman Von Hebel and Darryl Robinson: 'Crimes within the Jurisdiction of the Court', in: Roy S. Lee (ed): *The International Criminal Court*, *The Making of the Rome Statute, Issues * Negotiations * Results*; ed: The Hague: Kluwer Law International, 1999 – **Annex 5**.

Darryl Robinson, 'The Elements of Crimes Against Humanity", in Roy S. Lee (ed.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence* New York: Transnational Publishers Inc., 2001 – **Annex 6**.

L. May, 'Crimes against Humanity: A Normative Account', Cambridge: Cambridge University Press, 2005 – **Annex 7**.

William A. Schabas, *An Introduction to the International Criminal Court*, Cambridge: Cambridge University Press, Third Edition, 2007 – **Annex 8**.

Rodney Dixon, revised by Christopher K. Hall: 'Crimes Against Humanity' in: Otto Triffterer (ed.), Commentary on the Rome Statute of the International Criminal Court: Observer's Notes, Article by Article, C.H. Beck, Hart and Nomos, Second Edition, 2008 – Annex 9.

S. Ratner, *Accountability for Human Rights Atrocities in International Law. Beyond the Nuremberg Legacy*, third edition, Oxford: Oxford University Press, 2009 – **Annex 10**.

Articles

P. Burns QC, 'Aspects of Crimes Against Humanity and the International Criminal Court', A Paper prepared for the Symposium on the International Criminal Court, February 3-4,2007, International Centre for Criminal Law Reform and Criminal Justice Policy, Vancouver, BC, Canada, at:

http://www.icclr.law.ubc.ca/Site%20Map/ICC/AspectofCrimesAgainstHumanity.pdf

M. Di Filippo, 'Terrorist crimes and international co-operation', The European Journal of International Law Vol. 19 no. 3 2008, pp. 533- 567, at: <a href="https://docs.google.com/viewer?a=v&pid=gmail&attid=0.3&thid=131f7afc3bc45bf0&mt=application/pdf&url=https://mail.google.com/mail/?ui%3D2%26ik%3Dde06cebe95%26view%3Datt%26th%3D131f7afc3bc45bf0%26attid%3D0.3%26disp%3Dsafe%26realattid%3D736a033a2a2b62f_0.3%26zw&sig=AHIEtbS-D72I30yXOfOMMSwGuGOH9CtTIg&pli=1

Charles Chernor Jalloh: 'International Criminal Court—jurisdiction—prosecutor's proprio motu power to initiate investigations—contextual elements of crimes against humanity—state or organizational policy—complementarity', The American Journal of International Law, Vol. 105, No. 3 (July 2011), pp. 540-547, at: http://www.jstor.org/stable/pdfplus/10.5305/amerjintelaw.105.3.0540.pdf?acceptTC=true

M. Halling, 'Push the Envelope – Watch It Bend: Removing the Policy Requirement and Extending Crimes Against Humanity", <u>Leiden Journal of International Law</u> (2010), 23: 827-845, at:

http://journals.cambridge.org/action/displayFulltext?type=1&fid=7926016&jid=LJL&volume Id=23&issueId=04&aid=7926014&bodyId=&membershipNumber=&societyETOCSession

C. Kress, 'On the Outer Limits of Crimes against Humanity: the Concept of Organisation within the Policy Requirement: Some Reflections on the March 2010 ICC Kenya Decision', Leiden Journal of International Law (2010), 23: 855-873, at: <a href="http://journals.cambridge.org/action/displayFulltext?type=1&fid=7926022&jid=LJL&volume-ld=23&issueId=04&aid=7926020&bodyId=&membershipNumber=&societyETOCSession="http://journals.cambridge.org/action/displayFulltext?type=1&fid=7926022&jid=LJL&volume-ld=23&issueId=04&aid=7926020&bodyId=&membershipNumber=&societyETOCSession=

Darryl Robinson, 'Defining "Crimes Against Humanity" at the Rome Conference', 93 American Journal of International Law 43, No.1, Jan 1999, at: <a href="https://docs.google.com/viewer?a=v&pid=gmail&attid=0.4&thid=131f7afc3bc45bf0&mt=application/pdf&url=https://mail.google.com/mail/?ui%3D2%26ik%3Dde06cebe95%26view%3Datt%26th%3D131f7afc3bc45bf0%26attid%3D0.4%26disp%3Dsafe%26realattid%3D736a033a2a2b62f_0.4%26zw&sig=AHIEtbSf1SK2nPg5WDGuy0-2JONmtHts0A

William A. Schabas, 'State Policy as an Element of International Crimes', Journal of Criminal law and Criminology, Vol. 98. No.3, 2008, pp. 953-982, at: http://www.law.northwestern.edu/jclc/backissues/v98/n3/9803_953.Schabas.pdf

W.A. Schabas: London Riots: Were they Crimes Against Humanity? Posted on 15th of August 2011 on http://humanrightsdoctorate.blogspot.com/2011/08/london-riots-were-they-crimes-against.html.