

Public
Annex A

Glossary and List of Authorities

A. FILINGS IN SITUATION ICC-01/13

Short-title	Reference
Appeals Chamber Decision	ICC-01/13-51 OA
Dissenting Opinion	ICC-01/13-34-Anx-Corr
Notice of Appeal	ICC-01/13-35
Prosecution Response to Comoros	ICC-01/13-14-Red
Prosecution Response to Victims	ICC-01/13-29-Red
Report	ICC-01/13-6-AnxA
Request	ICC-01/13-34
Request for Review	ICC-01/13-3-Red
Victims' Observations (Independent Counsel)	ICC-01/13-28-Red
Victims' Observations (OPCV)	ICC-01/13-27-Red

B. OTHER JURISPRUDENCE OF THIS COURT

Short-title	Reference
<i>Abu Garda</i> Confirmation Decision	ICC-02/05-02/09-243-Red
<i>Abu Garda</i> Decision	ICC-02/05-02/09-267
<i>Al Bashir</i> Appeal Decision	ICC-02/05-01/09-73 OA
<i>Al Mahdi</i> TJ	ICC-01/12-01/15-171
<i>Bahati</i> Judicial Review	ICC-Pres-RoC72-02-05

Decision	
<i>Bemba</i> Judicial Review Decision	ICC-01/05-01/08-310 (made public by ICC-01/05-01/08-501)
<i>CAR Art. 70</i> Interim Release Appeal Decision	ICC-01/05-01/13-969 OA5 OA6 OA7 OA8 OA9
<i>Côte d'Ivoire</i> Article 15 Decision	ICC-02/11-14-Corr
<i>Côte d'Ivoire</i> Article 15 Decision, Separate Opinion of Judge Fernández de Gurmendi	ICC-02/11-15-Corr
<i>DRC</i> Appeal Decision	ICC-01/04-556 OA4 OA5 OA6
<i>DRC</i> Arrest Warrants Appeal Decision	ICC-01/04-169 OA (made public by ICC-01/04-538-PUB-Exp)
<i>Georgia</i> Article 15 Decision	ICC-01/15-12
<i>Georgia</i> Article 15 Decision, Separate Opinion of Judge Kovács	ICC-01/15-12-Anx-Corr
<i>Katanga</i> , Dissenting Opinion of Judge Pikis	ICC-01/04-01/07-521 OA5
<i>Kenya</i> Article 15 Decision	ICC-01/09-19-Corr
<i>Kony</i> Admissibility Appeal Decision	ICC-02/04-01/05-408 OA3
<i>Lubanga</i> AJ	ICC-01/04-01/06-3121-Red
<i>Lubanga</i> Redactions Appeal Decision	ICC-01/04-01/06-773 OA5
<i>Ngudjolo</i> AJ	ICC-01/04-02/12-271-Corr A

Ngudjolo AJ, Dissenting Opinion of Judges Trendafilova and Tarfusser	ICC-01/04-02/12-271-AnxA
Ruto and Sang Summonses Appeal Decision	ICC-01/09-01/11-1598 OA7 OA8

C. JURISPRUDENCE OF OTHER JURISDICTIONS

(a) Canada

Short-title	Reference
<i>Dunsmuir</i>	<i>Dunsmuir v. New Brunswick</i> [2008] 1 S.C.R. 190

(b) England and Wales

Short-title	Reference
<i>Wednesbury</i>	<i>Associated Provincial Picture Houses v. Wednesbury Corporation</i> [1948] 1 K.B. 223
<i>Council of Civil Service Unions</i>	<i>Council of Civil Service Unions v. Minister for the Civil Service</i> [1985] AC 374

(c) ICTR

Short-title	Reference
<i>Karera</i> AJ	<i>Karera v. the Prosecutor</i> , ICTR-01-74-A, Judgment, 2 February 2009, available at http://www.legal-tools.org/doc/5bf368/
<i>Muvunyi</i> AJ	<i>Muvunyi v. the Prosecutor</i> , ICTR-2000-55A-A, 29 August 2008, available at http://www.legal-tools.org/doc/2e6b3a/
<i>Nahimana</i> AJ	<i>Prosecutor v. Nahimana et al</i> , ICTR-99-52-A, Judgment, 28 November 2007, available at

	http://www.legal-tools.org/doc/04e4f9/
<i>Ntawukulilyayo</i> AJ	<i>Ntawukulilyayo v. the Prosecutor</i> , ICTR-05-82-A, Judgment, 14 December 2011, available at http://www.legal-tools.org/doc/42d81d/
<i>Rutaganda</i> AJ	<i>Rutaganda v. the Prosecutor</i> , ICTR-96-3-A, Judgment, 26 May 2003, available at http://www.legal-tools.org/doc/40bf4a/
<i>Simba</i> AJ	<i>Simba v. the Prosecutor</i> , ICTR-01-76-A, Judgment, 27 November 2007, available at http://www.legal-tools.org/doc/fc6330/
<i>Zigiranyirazo</i> AJ	<i>Zigiranyirazo v. the Prosecutor</i> , ICTR-01-73-A, Judgment, 16 November 2009, available at http://www.legal-tools.org/doc/8c455f/

(d) ICTY

Short-title	Reference
<i>Galić</i> AJ	<i>Prosecutor v. Galić</i> , IT-98-29-A, Judgment, 30 November 2006, available at http://www.legal-tools.org/doc/c81a32/
<i>Gotovina</i> AJ	<i>Prosecutor v. Gotovina and Markač</i> , IT-06-90-A, Judgment, 16 November 2012, available at http://www.legal-tools.org/doc/03b685/
<i>Karadžić</i> Facilities Appeal Decision	<i>Prosecutor v. Karadžić</i> , IT-95-5/18-AR73.2, Decision on Interlocutory Appeal of the Trial Chamber's Decision on Adequate Facilities, 7 May 2009, available at http://www.legal-tools.org/doc/d48ebd/
<i>Karadžić</i> Indigence Appeal Decision	<i>Prosecutor v. Karadžić</i> , IT-95-5/18-AR73.13, Public Redacted Version of the 25 July 2014 Decision on Appeal from Decision on Indigence, 2 December 2014, available at http://www.legal-tools.org/doc/c5f3eb/
<i>Kordić</i> TJ	<i>Prosecutor v. Kordić and Čerkez</i> , IT-95-14/2-T, Judgment, 26 February 2001, available at

	http://www.legal-tools.org/doc/d4fedd/
<i>Kvočka</i> AJ	<i>Prosecutor v. Kvočka et al</i> , IT-98-30/1-A, Judgment, 28 February 2005, available at http://www.legal-tools.org/doc/006011/
<i>Lukić</i> AJ	<i>Prosecutor v. Lukić and Lukić</i> , IT-98-32/1-A, Judgment, 4 December 2012, available at http://www.legal-tools.org/doc/da785e/
<i>Mrkšić</i> AJ	<i>Prosecutor v. Mrkšić and Šljivančanin</i> , IT-95-13/1-A, Judgment, 5 May 2009, available at http://www.legal-tools.org/doc/40bc41/
<i>Perišić</i> AJ	<i>Prosecutor v. Perišić</i> , IT-04-81-A, Judgment, 28 February 2013, available at http://www.legal-tools.org/doc/f006ba/
<i>Popović</i> AJ	<i>Prosecutor v. Popović et al</i> , IT-05-88-A, Judgment, 30 January 2015, available at http://www.legal-tools.org/doc/4c28fb/
<i>Stanišić and Simatović</i> AJ	<i>Prosecutor v. Stanišić and Simatović</i> , IT-03-69-A, Judgment, 9 December 2015, available at http://www.legal-tools.org/doc/198c16/
<i>Tolimir</i> AJ	<i>Prosecutor v. Tolimir</i> , IT-05-88/2-A, Judgment, 8 April 2015, available at http://www.legal-tools.org/doc/010ecb/

(e) STL

Short-title	Reference
<i>Ayyash</i> Jurisdiction Appeal Decision, Separate Opinion of Judge Baragwanath	<i>Prosecutor v. Ayyash et al</i> , STL-11-01/PT/AC/AR90.1, Decision on the Defence Appeals against the Trial Chamber's 'Decision on the Defence Challenges to the Jurisdiction and Legality of the Tribunal', 24 October 2012, Separate and Partially Dissenting Opinion of Judge Baragwanath, available at http://www.legal-tools.org/doc/a4d58e/

(f) United States of America

Short-title	Reference
<i>Chevron</i>	<i>Chevron U.S.A., Inc., v. Natural Resources Defense Council, Inc.</i> , 467 U.S. 837 (1984)

D. ACADEMIC WORKS

Short-title	Reference
Bassiouni	Bassiouni, <i>The Legislative History of the International Criminal Court: an article-by-article evolution of the Statute (Vol. 2)</i> (Ardsey: Transnational, 2005)
Bitti	Bitti, 'Article 53: ouverture d'une enquête,' in Fernandez and Pacreau (eds.), <i>Statut de Rome de la Cour pénale internationale</i> (Paris: Editions Perdone, 2012)
Bergsmo and Kruger	Bergsmo and Kruger, 'Article 53: initiation of an investigation,' in Triffterer (ed.), <i>Commentary on the Rome Statute of the International Criminal Court: Observers' Notes, Article by Article</i> , 2 nd Ed. (München/Oxford/Baden Baden: C.H.Beck/Hart/Nomos, 2008)
Bergsmo et al	Bergsmo et al, 'Article 53: initiation of an investigation,' in Triffterer and Ambos (eds.), <i>The Rome Statute of the International Criminal Court: a Commentary</i> , 3 rd Ed. (München/Oxford/Baden Baden: C.H.Beck/Hart/Nomos, 2016)
Bergsmo et al (article 15)	Bergsmo et al, 'Article 15: Prosecutor,' in Triffterer and Ambos (eds.), <i>The Rome Statute of the International Criminal Court: a Commentary</i> , 3 rd Ed. (München/Oxford/Baden Baden: C.H.Beck/Hart/Nomos, 2016)
Brady	Brady, 'Appeal and revision,' in Lee et al (eds.), <i>The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence</i> (Ardsey:

	Transnational, 2001)
DeGuzman and Schabas	DeGuzman and Schabas, 'Initiation of investigations and selection of cases,' in Sluiter et al (eds.), <i>International Criminal Procedure: Principles and Rules</i> (Oxford: OUP, 2013)
Dörmann	Dörmann, <i>Elements of War Crimes under the Rome Statute of the International Criminal Court: Sources and Commentary</i> (Geneva/Cambridge: ICRC/CUP, 2002)
Fernández de Gurmendi	Fernández de Gurmendi, 'The role of the Prosecutor,' in Lee (ed.), <i>The International Criminal Court: the Making of the Rome Statute</i> (The Hague: Kluwer, 1999)
Guariglia	Guariglia, 'Investigation and Prosecution,' in Lee (ed.), <i>The International Criminal Court: the Making of the Rome Statute</i> (The Hague: Kluwer, 1999)
Guilfoyle	Guilfoyle, 'The <i>Mavi Marmara</i> Incident and Blockade in Armed Conflict,' [2011] <i>81 British Yearbook of International Law</i> 171
Klamberg	Klamberg, 'The alternative hypothesis approach, robustness and international criminal justice: a plea for a 'combined approach' to evaluation of evidence,' [2015] <i>13 Journal of International Criminal Justice</i> 535
Knoops and Zwart	Knoops and Zwart, 'The Flotilla Case before the ICC: the need to do justice while keeping heaven intact,' [2015] <i>15 International Criminal Law Review</i> 1069
Longobardo	Longobardo, 'Everything is relative, even gravity: remarks on the assessment of gravity in ICC preliminary examinations, and the <i>Mavi Marmara</i> Affair', [2016] <i>14 Journal of International Criminal Justice</i> 1011
Pikis	Pikis, <i>The Rome Statute for the International Criminal Court: analysis of the Statute, the Rules of Procedure and Evidence, the Regulations of the Court and</i>

	<i>Supplementary Instruments</i> (Leiden: Martinus Nijhoff, 2010)
Schabas	Schabas, <i>The International Criminal Court: a Commentary on the Rome Statute</i> , 2 nd Ed. (Oxford: OUP, 2016)
<i>San Remo Manual</i>	<i>San Remo Manual on International Law Applicable to Armed Conflicts at Sea</i> , 12 June 1994, available at https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/xsp/.ibmmodes/domino/OpenAttachment/applic/ihl/ihl.nsf/5B310CC97F166BE3C12563F6005E3E09/FULLTEXT/IHL-89-EN.pdf
Turone	Turone, 'Powers and duties of the Prosecutor,' in Cassese et al (eds.), <i>The Rome Statute of the International Criminal Court: a Commentary</i> (Oxford: OUP, 2002)

E. OTHER DOCUMENTS

Short-title	Reference
CPS Judicial Review Guidance	Crown Prosecution Service, 'Appeals: judicial review of prosecutorial decisions,' available at http://www.cps.gov.uk/legal/a_to_c/appeals_judicial_review_of_prosecution_decisions/ , last updated 21 May 2009
Palmer-Uribe Report	<i>Report of the Secretary-General's Panel of Inquiry on the 31 May 2010 Flotilla Incident</i> , September 2011, available at http://www.un.org/News/dh/infocus/middle_east/Gaza_Flotilla_Panel_Report.pdf
Policy Paper on Case Selection and Prioritisation	<i>Policy Paper on Case Selection and Prioritisation</i> , 15 September 2016, available at https://www.icc-cpi.int/itemsDocuments/20160915_OTP-Policy_Case-Selection_Eng.pdf
Policy Paper on Preliminary	<i>Policy Paper on Preliminary Examinations</i> , November 2013, available at https://www.icc-

Examinations	cpi.int/en_menus/icc/press%20and%20media/press%20releases/Documents/OTP%20Preliminary%20Examinations/OTP%20-%20Policy%20Paper%20Preliminary%20Examinations%20%202013.pdf
Preparatory Committee Report	<i>Report of the Preparatory Committee on the Establishment of an International Criminal Court</i> , UN Doc. A/Conf.183/2, available at http://www.legal-tools.org/doc/816405/
Prosecutor's Statement concerning Iraq	<i>Prosecutor of the International Criminal Court, Fatou Bensouda, re-opens the preliminary examination of the situation in Iraq</i> , 13 May 2014, available at https://www.icc-cpi.int/Pages/item.aspx?name=otp-statement-iraq-13-05-2014
<i>Strengthening the ICC</i>	<i>Strengthening the International Criminal Court and the Assembly of States Parties</i> , ICC-ASP/14/Res.4, 26 November 2015 (adopted by consensus), available at https://asp.icc-cpi.int/iccdocs/asp.../Resolutions/ASP14/ICC-ASP-14-Res4-ENG.pdf
Turkel Report	The Public Commission to Examine the Maritime Incident of 31 May 2010 (The Turkel Commission), <i>Report: Part One</i> , available at http://www.turkel-committee.gov.il/files/wordocs/8808report-eng.pdf
UNHRC Report	<i>Report of the international fact-finding mission to investigate violations of international law, including international humanitarian and human rights law, resulting from the Israeli attacks on the flotilla of ships carrying humanitarian assistance</i> , A/HRC/15/21, 27 September 2010, available at http://www2.ohchr.org/english/bodies/hrcouncil/docs/15session/A.HRC.15.21_en.pdf