

Annex C

List of Authorities

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

Short-title	Reference
14 May Decision	Decision on the “Request for Reconsideration of the Decision of the Judges Concerning Judge Ozaki Pursuant to Article 40 of the Rome Statute” (ICC-01/04-02/06-2337) and the “Request for Reconsideration of ‘Decision concerning the “Request for disclosure concerning the Decision of the plenary of Judges on the judicial independence of Judge Ozaki”, the “Request for disclosure concerning the visit of the Registrar to Japan on 21 and 22 January 2019” (Filing #2336), and for Additional Disclosure” (ICC-01/04-02/06-2339) and related requests, 14 May 2019, ICC-01/04-02/06-2346.
Resignation Notification	Notification concerning Judge Kuniko Ozaki, 1 May 2019, ICC-01/04-02/06-2338.
Reconsideration Request	Request for Reconsideration of the Decision of the Judges Concerning Judge Ozaki Pursuant to Article 40 of the Rome Statute, 30 April 2019, ICC-01/04-02/06-2337.
Decision	Notification of the Decision of the Plenary of Judges pursuant to article 40 of the Rome Statute, 22 March 2019, ICC-01/04-02/06-2326-Anx1.
First Disclosure Request	Request for disclosure concerning the Decision of the plenary of Judges on the judicial independence of Judge Ozaki, 1 April 2019, ICC-01/04-02/06-2327.
Second Disclosure Request	Request for disclosure concerning the visit of the Registrar to Japan on 21 and 22 January 2019, ICC-01/04-02/06-2332, 8 April 2019.
18 April Presidency Decision	Decision concerning the “Request for disclosure concerning the Decision of the plenary of Judges on the judicial independence of Judge

	Ozaki" and the "Request for disclosure concerning the visit of the Registrar to Japan on 21 and 22 January 2019", 18 April 2019, ICC-01/04-02/06-2336.
Judge Fremr Decision	Decision on request for excusal dated 5 April 2019, 10 April 2019, ICC-01/04-02/06-2336-Anx1.

Other ICC Authorities

Short-title	Reference
Statute	Rome Statute of the International Criminal Court 1998.
CJE	Code of Judicial Ethics, 2005.
Lubanga 23 September 2009	<i>The Prosecutor v. Thomas Lubanga Dyilo</i> , Decision replacing a judge in the Appeals Chamber, 23 September 2009, ICC-01/04-01/06-2138-AnxIII.
Al Bashir 19 March 2010	<i>The Prosecutor v. Oman Hassan Ahmad Al Bashir</i> , Notification of the decision on the request for excusal of a Judge, 19 March 2010, ICC-02/05-01/09-76-Anx2.
Banda Disqualification Decision	<i>The Prosecutor v. Abdallah Banda Abakaer Nourain</i> , Decision of the plenary of the judges on the 'Defence Request for the Disqualification of a Judge' of 2 April 2012, ICC-02/05-03/09-344-Anx, 5 June 2012.
Banda, Disqualification Decision, Judge Eboe-Osuji Memorandum	<i>The Prosecutor v. Abdallah Banda Abakaer Nourain</i> , Judge Eboe-Osuji's Memorandum Concerning 'Defence Motion for Disqualification of a Judge', in Decision of the plenary of the judges on the 'Defence Request for the Disqualification of a Judge' of 2 April 2012, Annex 2, 16 April 2012, ICC-02/05-03/09-321-Anx2.
Lubanga 11 June 2013	<i>The Prosecutor v. Thomas Lubanga Dyilo</i> , Decision of the plenary of judges on the Defence Application of 20 February 2013 for the disqualification of Judge Sang-Hyun Song from the case of <i>The Prosecutor v. Thomas Lubanga Dyilo</i> , 11 June 2013, ICC-01/04-01/06-

	3040-Anx.
Bemba et al. 20 June 2014	<i>The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido</i> , Decision of the Plenary of Judges on the Defence Application for the Disqualification of Judge Cuno Tarfusser from the Case of <i>The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido</i> , 23 June 2014, ICC-01/05-01/13-511-Anx.
Katanga, 22 July 2014	<i>The Prosecutor v. Germain Katanga</i> , Decision of the Plenary of Judges on the Application of the Legal Representatives for Victims for the Disqualification of Judge Christine Van den Vyngaert from the case of <i>The Prosecutor v Germain Katanga</i> , 22 July 2014, ICC-01/04-01/07-3504-Anx.
Lubanga SAI	<i>The Prosecutor v. Thomas Lubanga Dyilo</i> , Judgement on the appeals of the Prosecutor and Mr Thomas Lubanga Dyilo against the "Decision on Sentence pursuant to Article 76 of the Statute", 1 December 2014, ICC-01/04-01/066-3122.
Statement by the ICC President 18 November 2015	Judge Silvia Fernández de Gurmendi, <i>Presentation of the Court's annual report</i> , Statement by the ICC President at the opening of the 14th Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court, 18 November 2015.
Allocution de la Présidente 4 décembre 2017	Judge Silvia Fernández de Gurmendi, <i>Allocution de la Présidente lors de la 16^e réunion de l'Assemblée des Etats parties au Statut de Rome</i> , New York, 4 décembre 2017.

ICTY Authorities

Short-title	Reference
Delalić Bureau Decision	<i>The Prosecutor v. Mucić et al.</i> , Case No. IT-96-21, Decision of the Bureau on Motion on Judicial Independence, 4 September 1998.
Delalić AJ	<i>The Prosecutor v. Mucić et al.</i> , Case No. IT-96-21-A, Appeals Judgement, 20 February 2001.

Šešelj Disqualification Decision	<i>The Prosecutor v. Šešelj</i> , Case No. IT-03-67-PT, Decision on Motion for Disqualification, 10 June 2003.
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Short-title	Reference
Barayagwiza, Nieto-Navia Declaration	<i>Jean Bosco Barayagwiza v. The Prosecutor</i> , Case No. ICTR-97-19-AR72, Decision (Prosecutor's Request for Review or Reconsideration), 31 March 2000.
Karemera Appeals Decision	<i>Karemera v. Prosecutor</i> , Reasons for Decision on Interlocutory Appeals regarding the continuation of Proceedings with a Substitute Judge and on Nzirorera's Motion for Leave to Consider New Material, 22 October 2004, ICTR-98-44-AR15bis.2.
Ngirabatware 31 January 2017	<i>The Prosecutor v. Augustin Ngirabatware</i> , Case No. MICT-12-29-R, Order to the Government of the Republic of Turkey for the Release of Judge Aydin Sefa Akay, 31 January 2017.

STL Authorities

Short-title	Reference
Al Jadeed	<i>Al Jadeed</i> , Decision on "Defence request to the President for disclosure related to the matter of the personal jurisdiction of the tribunal", 13 November 2014, STL-14-0S/PT/PRES.

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Short-title	Reference
Korea, Court Organization Act	Korea, Part IV of the Court Organization Act, Art.49(2), 26 September 1949.
France, Statut de la magistrature	France, Ordonnance n° 58-1270 du 22 décembre 1958 portant loi organique relative au statut de la magistrature, Art.8.
Belgium, Code Judiciaire	Belgium, Chapitre II du Code judiciaire, Art.293, 11 Novembre 1970.
Germany, Judiciary Act	Germany, First Chapter of the German

	Judiciary Act, section 4(1), 19 April 1972.
Portugal, Constitution	Portugal, Chapitre 3 de la Constitution du 2 Avril 1976, Art.216(3).
Canada, Judges Act	Canada, Judges Act (R.S.C. (Revised Statutes of Canada), 1985, c. J-1.
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Poland, Constitution	Poland, Chapter VIII of the Constitution, Art.178, 2 April 1997.
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Estonia, Courts Act	Estonia, Chapter 7 of the Courts Act, para.49, 2002.
Benin, Statut de la Magistrature	Benin, Chapitre 1 ^{er} de la Loi n° 2001-35, Portant Statut de la Magistrature en République du Benin, Art. 11, 21 février 2003.
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Dominican Republic, Constitution	The Dominican Republic, Title V of the Constitution, as published on 10 July 2015, Art.151.

Treaties

Short-title	Reference
ECHR	European Convention on Human Rights, 4 November 1950.
ICCPR	International Covenant on Civil and Political Rights, 16 December 1966.

Academic works

Short-title	Reference
Amoah	P.K.A. Amoah, "Independence of the Judiciary and the Legal Profession in

	Botswana, Lesotho and Swaziland: An Overview," in <i>The Independence of the Judiciary and the Legal Profession in English-Speaking Africa</i> (ICJ, 1987), p.35.
Vyas	Vyas, Yash (1992) "The Independence of the Judiciary: A Third World Perspective," <i>Third World Legal Studies</i> : Vol. 11, Article 6.
<i>Jones Commentary</i>	Jones, Cassese, Gaeta, <i>The Rome Statute of the International Criminal Court</i> , v.1, (Oxford UP 2002).
Meron, Judicial Independence	Meron, Judicial Independence and Impartiality in International Criminal Tribunals, 99 AM. J. Intl. L. 359, 2005.
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<i>Schabas Commentary</i>	Schabas, <i>The International Criminal Court A Commentary on the Rome Statute</i> , (Oxford UP 2010).
<i>Fernandez Commentary</i>	Fernandez et Pacreau, <i>Statut de Rome de la Cour pénale internationale Commentaire article par article</i> (Pedone 2012).
Roth	R. Roth, "Tribunal spécial sur le Liban: retour sur une expérience", in Editions BRUYLANT, <i>Revue Belge de Droit International</i> 2017/1, Bruxelles.
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Other sources

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UDHR	Universal Declaration of Human Rights, 10 December 1948.

UN Basic Principles	UN Basic Principles on the independence of the Judiciary, 1985, s. 1.
Valente	Canada, <i>Valente v. The Queen</i> , 19 December 1985, [1985] 2 SCR 673, paras.15,22.
Draft Universal Declaration on the Independence of Justice	United Nations, Commission on Human Rights, Sub-commission on Prevention of Discrimination and Protection of Minorities, <i>Draft Universal Declaration on the Independence of Justice: final report</i> , 24 August 1987, E/CN.4/Sub.2/1985/18/Add.5/Rev.1.
Gonzalez	Human Rights Committee, <i>Gonzalez del Rio v. Peru</i> , 19 October 1987, Communication No. 263/1987.
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1996 Preparatory Committee Report, v.1	Report of the Preparatory Committee on the Establishment of an International Criminal Court, March-April and August 1996, Vol.I, 1996, A/51/22.
Findlay	ECHR, <i>Findlay v. UK</i> , Application no. 22107/93, 25 February 1997.
Incal	ECHR, <i>Incal v. Turkey</i> , Application no. 22678/93, 9 June 1998.
McGonnell	ECHR, <i>McGonnell v. UK</i> , Application no. 28488/95, 8 February 2000.
Bangalore Principles	UNODC, The Bangalore Principles of Judicial Conduct, 2002.
African Principles and Guidelines	African Commission on Human and Peoples's Rights, Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa, 2003.
Pabla Ky	ECHR, <i>Pabla Ky v. Finland</i> , Application no. 47221/99, 22 June 2004.
Philippine CJC	Philippines, Code of Judicial Conduct for the Philippine Judiciary Supreme Court of the Philippines, A.M. No. 03-05-01-SC, 2004.
UNODC Commentary	UNODC, Commentary on the Bangalore Principles of judicial conduct, September 2007.
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	America "Campeche Declaration", April 2008, Article 7.b)b.4.
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HRC, Report of the Special Rapporteur	Human Rights Council, Report of the Special Rapporteur on the independence of judges and lawyers, 38 th session, 2 May 2018, A/HRC/38/38.
Al-Nashiri	<i>In re. Al-Nashiri</i> , (D.C. Cir. 2019), No 18-1315.