

Annex A

Confidential Ex Parte

available only to the Chamber, the Prosecution, Mr Mokom, and the Registry

Glossary and List of Authorities

1) Filings in the case *Prosecutor v. Maxime Jeoffroy Eli Mokom Gawaka*, ICC-01/04-01/22

Short-title	Full citation
Annex (Confidential)	Annex to the appeal brief of Maxime Mokom against Order ICC-01/14-01/22-26-Conf-Exp, 9 May 2022, ICC-01/14-01/22-47-Conf
Appeal (Confidential)	Appeal brief of Maxime Mokom against Order ICC-01/14-01/22-26-Conf-Exp, 4 May 2022, ICC-01/14-01/22-46-Conf
Mokom ALA Decision	Decision on Mr Mokom's request for reconsideration and leave to appeal the 'Order on appointment of Mr Kaufman as Counsel for Mr Mokom', 14 April 2022, ICC-01/04-01/22-43
Prosecution ALA Response (Confidential)	Prosecution's Response to Request for Reconsideration of Order ICC-01/14-01/22-26-Conf-Exp (ICC-01/14-01/22-36-Conf-Exp) and Request Seeking Leave to Appeal Order ICC-01/14-01/22-26-Conf-Exp (ICC-01/14-01/22-37-Conf-Exp), 13 April 2022, ICC-01/14-01/22-40-Conf-Exp
Prosecution Submissions on Counsel Appointment	Prosecution Submissions on Counsel Appointment, Email from OTP to Pre-Trial Chamber II, 18 March 2022, 09.41.
Revocation Order (Confidential)	Order on appointment of Mr Kaufman as Counsel for Mr Mokom, 25 March 2022, ICC-01/14-01/22-26-Conf-Exp

2) Filings in other cases before the ICC

Short-title	Full citation
<u>Abd-Al-Rahman Interpretation AD</u>	<i>Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb")</i> , Judgment on the appeal of Mr Ali Muhammad Ali Abd-Al-Rahman against the decision of Pre-Trial Chamber II of 10 July 2020 entitled ‘Decision on Defence request under article 67(1)(f) of the Rome Statute’, 5 November 2020, ICC-02/05-01/20-199 OA
<u>Abd-Al-Rahman Partly Dis Op. Judge Ibáñez</u>	<i>Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb")</i> , Partially Dissenting Opinion of Judge Luz Del Carmen Ibáñez Carranza, 5 November 2020, ICC-02/05-01/20-199-Anx OA
<u>Al-Bashir AD</u>	<i>Prosecutor v. Omar Hassan Al-Bashir</i> , Judgment in the Jordan Referral re Al-Bashir Appeal, 6 May 2019, ICC-02/05-01/09-397 Corr OA2
<u>Al-Bashir Joint Dis Op. Judge Ibáñez and Judge Bossa</u>	<i>Prosecutor v. Omar Hassan Ahmad Al Bashir</i> , Joint Dissenting Opinion of Judge Luz Del Carmen Ibáñez Carranza and Judge Solomy Balungi Bossa, 6 May 2019, ICC-02/05-01/09-397-Anx2 OA2
<u>Banda AD</u>	<i>Prosecutor v. Abdallah Banda Abakaer Nourain</i> , Judgment on the appeal of the Prosecutor against the decision of Trial Chamber IV of 30 June 2011 entitled "Decision on the Prosecution's Request to Invalidate the Appointment of Counsel to the Defence", 11 November 2011, ICC-02/05-03/09-252 OA
<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 A

<u>Bemba et al. AJ</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu & 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 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 A A2 A3 A4 A5
<u>Kony et al. Admissibility AD</u>	<i>Prosecutor v. Joseph Kony et al.</i> , Judgment on the appeal of the Defence against the “Decision on the admissibility of the case under article 19(1) of the Statute” of 10 March 2009, 16 September 2009, ICC-02/04-01/05-408 OA3
<u>Lubanga Presidency Decision</u>	<i>Prosecutor v. Thomas Lubanga Dyilo</i> , Decision on the "Demande urgente en vertu de la Règle 21-3 du Règlement de procédure et de preuves" and on the "Urgent Request for the Appointment of a Duty Counsel" filed by Thomas Lubanga Dyilo before the Presidency on 7 May 2007 and 10 May 2007, 29 June 2007
<u>Muthaura et al. AD</u>	<i>Prosecutor v. Uhuru Muigai Kenyatta</i> , Judgment on the appeal of the Prosecutor against the decision of Pre-Trial Chamber II dated 20 July 2011 entitled "Decision with Respect to the Question of Invalidating the Appointment of Counsel to the Defence", 10 November 2011, ICC-01/09-02/11-365 OA3

<u>Ntaganda AJ</u>	<i>Prosecutor v. Bosco Ntaganda</i> , Public Redacted Version of Judgment on the appeals of Mr Bosco Ntaganda and the Prosecutor against the decision of Trial Chamber VI of 8 July 2019 entitled 'Judgment', 30 March 2021, ICC-01/04-02/06-2666-Red A1 A2
<u>7 May 2010 Bemba Decision</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo</i> , Decision on the "Prosecution's Request to Invalidate the Appointment of Legal Consultant to the Defence Team", 7 May 2010, ICC-01/05-01/08-769
<u>30 June 2011 Banda Decision</u>	<i>Prosecutor v. Abdallah Banda Abakaer Nourain</i> , Decision on the Prosecution's Request to Invalidate the Appointment of Counsel to the Defence, 30 June 2011, ICC-02/05-03/09-168
<u>1 April 2014 Babala Decision</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu & Narcisse Arido</i> , Decision on the "Prosecution Submission on the Appointment of Defence Counsel" for Mr Fidèle Babala Wandu, 1 April 2014, ICC-01/05-01/13-306
<u>1 April 2014 Kilolo Decision</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu & Narcisse Arido</i> , Decision on the "Prosecution submission on the appointment of Defence Counsel" for Mr Aimé Kilolo Musamba, 1 April 2014, ICC-01/05-01/13-307
<u>15 April 2015 Bemba et al. Decision</u>	<i>Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu & Narcisse Arido</i> , Decision on Prosecution submission on the appointment of defence counsel, 15 April 2015, ICC-01/05-01/13-909

19 January 2021 Yekatom & Ngaiissona Decision	<i>Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaiissona</i> , Decision on the Prosecution Submission on the Appointment of Defence Counsel, 19 January 2021, ICC-01/14-01/18-837-Red
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3) ICTY authorities

Short-title	Full citation
Blagojević AJ	<i>Prosecutor v. Blagojević et al.</i> , Case No. IT-02-60-A, Judgement, 9 May 2007

4) ICTR authorities

Short-title	Full citation
Akayesu AJ	<i>Prosecutor v. Jean-Paul Akayesu</i> , Case No. ICTR-96-4-A, Judgment, 1 June 2001
Kambanda AJ	<i>Prosecutor v. Jean Kambanda</i> , Case No. ICTR-97-23-A, Judgement, 19 October 2000

5) Other ICC documents

Short-title	Full citation
ICC Presidency Proposal	Proposal for a draft Code of Professional Conduct for counsel before the International Criminal Court, 27 August 2004, ICC-ASP/3/11/Rev.1
Bureau Report	Report of the Bureau on the draft Code of Professional Conduct for counsel, 10 October 2005, ICC-ASP/4/21
Working Group Report	Report of the Working Group on the draft Code of Professional Conduct for counsel, 2 December 2005, ICC-ASP/4/WGCPC/1, available in ICC library

6) ECtHR

Short-title	Full citation
<u><i>Croissant v. Germany</i></u>	<i>Croissant v. Germany</i> , Application no. 13611/88, 25 September 1992
<u><i>Dvorski v. Croatia</i></u>	<i>Dvorski v. Croatia</i> , Application no. 25703/11, 20 October 2015
<u><i>Mayzit v. Russia</i></u>	<i>Mayzit v. Russia</i> , Application no. 63378/00, 20 January 2005
<u><i>Meftah and others v. France</i></u>	<i>Meftah and Others v. France</i> , Application No. 32911/96, 35237/97 and 34595/97, Judgement, 26 July 2002
<u><i>Vitan v. Romania</i></u>	<i>Vitan v. Romania</i> , Application no. 42084/02, 25 March 2008

7) UN Human Rights Committee

Short-title	Full citation
<u><i>Osbourne Wright and Eric Harvey v. Jamaica</i></u> ,	<i>Osbourne Wright and Eric Harvey v. Jamaica</i> ,
<u><i>Harvey v. Jamaica</i></u> ,	Communication no. 459/1991,
	U.N.Doc.CCPR/C/55/D/459/1991, 1995

8) International and regional treaties and documents

Short-title	Full citation
<u>ACHPR</u>	AU, African Charter on Human and Peoples' Rights, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), Adopted 27 June 1981, into force 21 October 1986
<u>ACHR</u>	OAS, American Convention on Human Rights "Pact of San Jose, Costa Rica", 18 July 1978

Short-title	Full citation
ECHR	COE, European Convention on Human Rights Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocols Nos. 11 and 14, supplemented by Protocols Nos. 1, 4, 6, 7, 12 and 13, 4 November 1950
ICCPR	UNGA, International Covenant on Civil and Political Rights, 16 December 1966

9) Academic works

Short-title	Full citation
Schabas	W.A. Schabas, <i>The International Criminal Court: A Commentary on the Rome Statute</i> , 2 nd Ed. (Oxford: OUP, 2016)
Schabas / McDermott	W.A. Schabas and Y. McDermott, 'Article 67: Rights of the accused', in O. Triffterer and K. Ambos (eds.), <i>The Rome Statute of the International Criminal Court: a Commentary</i> , 4 th Ed. (München/Oxford/Baden Baden: C.H. Beck/Hart/Nomos, 2022)/ 3 rd Ed. (München/Oxford/Baden Baden: C.H. Beck/Hart/Nomos, 2016), available in ICC Library
Keïta <i>et al.</i> , 'Article 67'	Keïta <i>et al.</i> , 'Article 67,' in J. Fernandez and X. Pacreau, <i>Statut de Rome de la Cour pénale internationale : commentaire article par article</i> , 2 nd Ed. (Paris: Editions A. Pedone, 2019), Vol. II, available in ICC library

10) Other Abbreviations

Short-title	Full citation
Code of Conduct or Code	Code of Professional Conduct for counsel
ECtHR	European Court of Human Rights
HRC	Human Rights Committee

Short-title	Full citation
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
OTP	Office of the Prosecutor of the International Criminal Court
Regulations or RoC	ICC Regulations of the Court
Rules or RPE	Rules of Procedure and Evidence
Statute	Rome Statute of the International Criminal Court