

ANNEX A

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ICC-01/05-01/08-3255	ICC-01/05-01/08-3255, 17 June 2015, <i>Prosecutor v. Jean-</i>
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	<i>Pierre Bemba Gombo</i> , Decision on "Defence Request for Relief for Abuse of Process"
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ICC-02/05-01/09-397-Corr	ICC-02/05-01/09-397-Corr , 6 May 2019, <i>Prosecutor v. Omar Hassan Ahmad Al-Bashir</i> , Judgment in the Jordan Referral re Al-Bashir Appeal, para. 122.
ICC-01/13-98	ICC-01/13-98 , 2 September 2019, Judgment on the appeal of the Prosecutor against Pre-Trial Chamber I's 'Decision on the "Application for Judicial Review by the Government of the Union of the Comoros"', para. 2.
ICC-01/04-01/06-772	ICC-01/04-01/06-772 , 14 December 2006, <i>Prosecutor v. Thomas Lubanga Dyilo</i> , Judgment on the Appeal of Mr. Thomas Lubanga Dyilo against the Decision on the Defence Challenge to the Jurisdiction of the Court pursuant to article 19 (2) (a) of the Statute of 3 October 2006, para. 38.
ICC-01/04-01/06-2517-Red	ICC-01/04-01/06-2517-Red , 8 July 2010, <i>Prosecutor v. Thomas Lubanga Dyilo</i> , Redacted Decision on the Prosecution's Urgent Request for Variation of the Time-Limit to Disclose the Identity of Intermediary 143 or Alternatively to Stay Proceedings Pending Further Consultations with the VWU, para. 47.
ICC-02/05-03/09-410	ICC-02/05-03/09-410 , 26 October 2012, <i>Prosecutor v. Abdallah Banda Abakaer Nourain</i> , Decision on the defence request for a temporary stay of proceedings (and concurring separate opinion of Judge Eboe-Osuji), para. 74, fn. 146 and references in separate opinion paras 59-76.
ICC-01/11-01/11-480	ICC-01/11-01/11-480 , 22 November 2013, <i>Prosecutor v. Saif Al-Islam Gaddafi and Abdullah Al-Senussi</i> , Decision on the request for suspensive effect and the request to file a consolidated reply, paras 18-19

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ICTR, ICTR-98-44A	ICTR-98-44A-A , 23 May 2005, <i>Prosecutor v. Juvénal Kajelijeli</i> , Appeals Chamber Judgement, para. 255.
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SCSL, SCSL 2011-02-T	SCSL 2011-02-T , 11 October 2012, <i>Independent Counsel v. Hassan Papa Bangura et al.</i> , Transcript.
SCSL, SCSL 2011-02-T (669-703)	SCSL 2011-02-T (669-703) , 11 October 2012, <i>Independent Counsel v. Hassan Papa Bangura et al.</i> , Sentencing Judgement in Contempt Proceedings.

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A/AC.248/1998CRP.13	Preparatory Committee on the Establishment of an International Criminal Court, Text of the Draft Statute for the International Criminal Court, 'Part 7: Penalties', A/AC.249/1998/CRP.13 , 1 April 1998
A/AC.249/1997/WG.6/CRP.6	Preparatory Committee on the Establishment of an International Criminal Court, Text of the Draft Statute for the International Criminal Court, 'A. Paragraph 1: the penalties', A/AC.249/1997/WG.6/CRP.6 , 10 December 1997.

REGIONAL COURTS AND ORGANISATIONS

Abdoella v. Netherlands	ECtHR, Judgment, Abdoella v. Netherlands (App No 12728/87), 25 November 1992, para. 24
Kemal Coşkun v. Turkey	ECtHR, Judgment, Kemal Coşkun v. Turkey , (App No 45028/07), 28 March 2017, para. 43.
Vanjak v Croatia	ECtHR, Judgment, Vanjak v Croatia , (App No 29889/04), 14 April 2010, paras 37-41.
Tendam v. Spain	ECtHR, Judgment, Tendam v. Spain , (App No 25720/05), 13 October 2010, paras 35-37.
Mansur Yalçın and others v. Turkey	ECtHR, Judgment, Mansur Yalçın and others v. Turkey (App No 21163/11), 16 February 2015, para. 51.
Kalashnikov v. Russia	ECtHR, Judgment, Kalashnikov v. Russia , no. 47095/99, 10 October 2002.
Dzelili v. Germany	ECtHR, Judgment, Dzelili v. Germany , (App No 65745/01), 10 February 2006, para. 83.
Venice Commission Report	Report on the Effectiveness of National Remedies in Respect of Excessive Length of Proceedings, Study No. 316/2004, adopted by the European Commission for Democracy Through Law, 69 th Plenary Sess., 3 April 2007, (" Venice Commission Report "), paras 228 and 229.
Eckle v Germany	ECtHR, Judgment, Eckle v Germany , (App No 8130/78), 15 July 1982.
Moreira Ferreira v. Portugal (No. 2)	ECtHR, Judgment, Moreira Ferreira v. Portugal (No. 2) , (App No 19867/12), 11 July 2017, para. 84.
X v Latvia	ECtHR, Judgment, X v Latvia , (App No 27853/09), 26 November 2013, para. 107.
Mooren v. Germany	ECtHR, Judgment, Mooren v. Germany (App No. 11364/03), 9 July 2009, para. 77.
Gouarré Patte c. Andorre	ECtHR, Judgment, Gouarré Patte c. Andorre , (App No 33427/10), 12 April 2016.
Grava v. Italy	ECtHR, Judgment, Grava v. Italy , (App No 43522/98), 10 October 2003.

UN AND OTHER INTERNATIONAL ORGANISATIONS

Lanza and Perdomo v. Uruguay	Ann Maria Garcia Lanza de Netto, Beatriz Weismann and Alcides Lanza Perdomo v. Uruguay , Comm. 8/1977, U.N. Doc. A/35/40, at 111 (HRC 1980)
General Comment no. 35	UN Human Rights Committee, General comment no. 35, Article 9 (Liberty and security of person) , 16 December 2014, CCPR/C/GC/35, para. 49.
Morrison v Jamaica	Morrison v. Jam. , Comm. 635/1995, U.N. Doc. A/53/40, Vol. II, at 113 (HRC 1998)

DOMESTIC LEGISLATIONS, CASES AND GUIDELINES

Jago v District Court (NSW)	Australia: Jago v District Court (NSW) , 87 ALR 577, 12 October 1989.
Darmalingum v. The State (Mauritius)	Privy Council Appeal: Darmalingum v. The State (Mauritius) [2000] UKPC 30 (10th July, 2000), para. 14.
Mills v Her Majesty's Advocate & Anor (Scotland)	Scotland: Mills v Her Majesty's Advocate & Anor (Scotland) [2002] UKPC D2 (22 July 2002)
R. v. Jordan	Canada: R. v. Jordan , 2016 SCC 27, [2016] 1 S.C.R. 63
DRC Penal code	DRC: Code pénale congolais , Article 147. Article 147 of the DRC penal code: <i>Tout fonctionnaire ou officier public, toute personne chargée d'un service public ou parastatal, toute personne représentant les intérêts de l'Etat ou d'une société privée, parastatale ou d'économie mixte en qualité d'administrateur, de gérant, de commissaire aux comptes ou à tout autre titre, tout mandataire ou préposé des personnes énumérées ci-dessus, tout arbitre ou tout expert commis en justice qui aura agréé des offres, des promesses, qui aura reçu des dons ou présents pour faire un acte de sa fonction, de son emploi ou de sa mission, même juste mais non sujet à salaire, sera puni de six mois à deux ans de servitude pénale et d'une amende de cinq à vingt zaïres. La peine prévue à l'alinéa précédent pourra être portée au double du maximum, s'il a agréé des offres ou promesses ou s'il a reçu des dons ou présents, soit pour faire, dans l'exercice de sa fonction, de son emploi ou de sa mission, un acte injuste, soit pour s'abstenir de faire un acte qui rentre dans l'ordre de ses devoirs.</i>
Einfeld v Regina	Australia: Einfeld v Regina [2010] NSWCCA 87 (5 May 2010)
R v O'brien	Australia: R v O'brien [2011] NSWSC 1553 (14 December 2011)

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Triffterer Commentary	K. Ambos, W. Schabas ‘Article 23’, in Triffterer, Otto. <i>Commentary on the Rome Statute of the International Criminal Court</i> , 2016, Hart, 3 rd ed., p. 970.
Triffterer Commentary	R. Fife, ‘Part 7: Penalties’, in Triffterer, Otto. <i>Commentary on the Rome Statute of the International Criminal Court</i> , 2016, Hart, 3 rd ed., p. 1878.