

PUBLIC
ANNEX A

Glossary and List of Authorities

A. FILINGS IN CASE ICC-01/04-02/06

Short-title	Reference
Confirmation Decision	ICC-01/04-02/06-309
Judgment	ICC-01/04-02/06-2359
Jurisdiction Appeal Decision	ICC-01/04-02/06-1962 OA5
Jurisdiction Decision	ICC-01/04-02/06-1707
Prosecution Notice of Appeal	ICC-01/04-02/06-2395
Prosecution Response to Defence Closing Brief	ICC-01/04-02/06-2306-Red

B. OTHER JURISPRUDENCE OF THIS COURT

Short-title	Reference
<i>Abu Garda</i> Confirmation Decision	ICC-02/05-02/09-243-Red
<i>Al Hassan</i> Confirmation Decision (Confidential)	ICC-01/12-01/18-461-Conf
<i>Al Mahdi</i> Confirmation Decision	ICC-01/12-01/15-84-Red
<i>Al Mahdi</i> Reparations Decision	ICC-01/12-01/15-236
<i>Al Mahdi</i> Trial Judgment	ICC-01/12-01/15-171
<i>Bemba</i> Appeal Judgment, Dissenting Opinion of Judges Monageng and Hofmański	ICC-01/05-01/08-3636-Anx1

<i>Bemba</i> Appeal Judgment, Opinion of Judge Eboe-Osuji	ICC-01/05-01/08-3636-Anx3
<i>DRC</i> Extraordinary Review Appeal Decision	ICC-01/04-168 OA3
<i>Katanga</i> Confirmation Decision	ICC-01/04-01/07-717
<i>Katanga</i> Trial Judgment	ICC-01/04-01/07-3436-tENG
<i>Lubanga</i> Appeal Judgment	ICC-01/04-01/06-3121-Red A5
<i>Ngudjolo</i> Trial Judgment, Opinion of Judge Van den Wyngaert	ICC-01/04-02/12-4
[Redacted] Appeal Decision	ICC-ACRed-01/16
<i>Ruto</i> Rule 68 Decision	ICC-01/09-01/11-1938-Red-Corr
<i>Ruto</i> Summonses Appeal Decision	ICC-01/09-01/11-1598 OA7 OA8

C. JURISPRUDENCE OF OTHER JURISDICTIONS

(a) International Court of Justice

Short-title	Reference
<i>Qatar v. Bahrain</i> (Jurisdiction and Admissibility), Opinion of Judge Schwebel	Case concerning Maritime Delimitation and Territorial Questions between Qatar and Bahrain (<i>Qatar v. Bahrain</i>), Jurisdiction and Admissibility [1995] ICI Rep 6, Dissenting Opinion of Judge Schwebel

(b) International Criminal Tribunal for the former Yugoslavia

Short-title	Reference
<i>Kordić</i> Appeal Judgment	<u><i>Prosecutor v. Kordić and Čerkez</i>, IT-95-14/2-A, Judgment, 17 December 2004</u>
<i>Hadžihasanović</i> Trial Judgment	<u><i>Prosecutor v. Hadžihasanović and Kubura</i>, IT-01-47-T, Judgment, 15 March 2006</u>
<i>Martić</i> Trial Judgment	<u><i>Prosecutor v. Martić</i>, IT-95-11-T, Judgment, 12 June 2007</u>
<i>Naletilić</i> Trial Judgment	<u><i>Prosecutor v. Naletilić and Martinović</i>, IT-98-34-T, Judgment, 31 March 2003</u>
<i>Simić</i> Trial Judgment	<u><i>Prosecutor v. Simić et al</i>, IT-95-9-T, Judgment, 17 October 2003</u>
<i>Strugar</i> Appeal Judgment	<u><i>Prosecutor v. Strugar</i>, IT-01-42-A, Judgment, 17 July 2008</u>
<i>Strugar</i> Trial Judgment	<u><i>Prosecutor v. Strugar</i>, IT-01-42-T, Judgment, 31 January 2005</u>

(c) Judgments and decisions relating to crimes committed during World War Two

Short-title	Reference
<i>Hostages</i> Case	<u><i>Trial of Wilhelm List and Others</i>, Trials of War Criminals before the Nuernberg Military Tribunals under Control Council Law No. 10, Vol. XI (Washington DC: United States Government Printing Office, 1950), pp.1230-1319</u>

<i>Von Manstein</i>	<i>In re Von Lewinski (called Von Manstein)</i> , British Military Court (Hamburg), 19 December 1949, [1949] 16 <i>Annual Digest and Reports of Public International Law Cases</i> 509
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(d) Reports of International Arbitral Awards

Short-title	Reference
<i>Iron Rhine Arbitration</i>	<u><i>Award in the Arbitration regarding the Iron Rhine ('Ijzeren Rijn') Railway between the Kingdom of Belgium and the Kingdom of the Netherlands, Decision of 24 May 2005, (2005) XXVII RIAA 35</i></u>

D. ACADEMIC WORKS

Short-title	Reference
Achou	A. Achou, 'La repression internationale des atteintes au patrimoine culturel dans le statut de la Cour Pénale internationale: origins et évolutions possibles' [2005] 2 <i>Revue juridique d'Auvergne</i> 183
Arnold and Wehrenberg	R. Arnold and S. Wehrenberg, 'Paragraph 2(b)(ix): Intentionally directing attacks against protected buildings,' in O. Triffterer and K. 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)
Bothe	M. Bothe, 'War crimes,' in A. Cassese <i>et al</i> (eds.), <i>The Rome Statute of the International Criminal Court: a Commentary</i> (Oxford: OUP, 2002)

Bothe et al	M. Bothe, K. Partsch, and W. Solf, <i>New Rules for Victims of Armed Conflicts: Commentary on the Two 1977 Protocols Additional to the Geneva Conventions of 1949</i> , 2 nd Ed. (Leiden: Martinus Nijhoff, 2013)
Chamberlain	K. Chamberlain, <i>War and Cultural Heritage: a Commentary on the Hague Convention 1954 and its Two Protocols</i> 2 nd Ed. (Builth Wells: Institute of Art and Law, 2013)
Cryer et al	Cryer et al, <i>An Introduction to International Criminal Law and Procedure</i> (Cambridge: CUP, 2007)
Dijkstal	H. Dijkstal, 'Destruction of cultural heritage before the ICC: the influence of human rights on reparations proceedings for victims and the accused,' [2019] 17(2) <i>Journal of International Criminal Justice</i> 391
Dörmann	K. Dörmann, <i>Elements of War Crimes under the Rome Statute of the International Criminal Court</i> (ICRC/Cambridge University Press, 2003)
Ehlert	C. Ehlert, <i>Prosecuting the Destruction of Cultural Property in International Criminal Law</i> (Leiden: Martinus Nijhoff, 2014)
Fenrick	W. Fenrick, 'Intentionally directing attacks against protected buildings,' in O. Triffterer (ed.), <i>Commentary on the Rome Statute of the International Criminal Court: Observers' Notes, Article by Article</i> , 1st Ed. (Baden Baden: Nomos, 1999)
Forrest	C. Forrest, <i>International Law and the Protection of Cultural Heritage</i> (Abingdon: Routledge, 2010)
Gardiner	R. Gardiner, <i>Treaty Interpretation</i> , 2 nd Ed. (Oxford: OUP, 2015)

Gerstenblith	P. Gerstenblith, 'The destruction of cultural heritage: a crime against property or a crime against people?' [2016] 15 <i>John Marshall Review of Intellectual Property Law</i> 336
Gonzalez	A. Gonzalez, 'Great expectations? Towards an effective application of the regime of enhanced protection in the Second Protocol to the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict,' in N. van Woudenberg and L. Lijnzaad (eds.), <i>Protecting Cultural Property in Armed Conflict: an Insight into the 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict</i> (Leiden: Martinus Nijhoff, 2010)
Hayashi	N. Hayashi, 'Basic principles,' in Livoja and McCormack (eds.), <i>Routledge Handbook of the Law of Armed Conflict</i> (Oxford: Routledge, 2016)
Hector	M. Hector, 'Enhancing individual criminal responsibility for offences involving cultural property—the road to the Statute and the 1999 Second Protocol,' in N. van Woudenberg and L. Lijnzaad (eds.), <i>Protecting Cultural Property in Armed Conflict: an Insight into the 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict</i> (Leiden: Martinus Nijhoff, 2010)
Heffes	E. Heffes, 'Armed groups and the protection of health care,' [2019] 95 <i>International Law Studies</i> 226

Henckaerts	J. Henckaerts, 'New rules for the protection of cultural property in armed conflict: the significance of the Second Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict,' in N. van Woudenberg and L. Lijnzaad (eds.), <i>Protecting Cultural Property in Armed Conflict: an Insight into the 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict</i> (Leiden: Martinus Nijhoff, 2010)
Hosang	H. Hosang, 'Article 8(2)(b)(xiii)—Destroying or Seizing the Enemy's Property,' in R. Lee et al (eds.), <i>The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence</i> (Ardsey: Transnational, 2001)
Lostal (2012)	M. Lostal, 'The meaning and protection of "cultural objects and places of worship" under the 1977 Additional Protocols,' [2012] 59(3) <i>Netherlands International Law Review</i> 455
Lostal (2017a)	M. Lostal, <i>International Cultural Heritage Law in Armed Conflict: Case-Studies of Syria, Libya, Mali, the Invasion of Iraq, and the Buddhas of Bamiyan</i> (Cambridge: CUP, 2017)
Lostal (2017b)	M. Lostal, 'The misplaced emphasis on the intangible dimension of cultural heritage in the <i>Al Mahdi</i> case at the ICC,' [2017] 1(2) <i>Inter Gentes</i> 45
Miller	J. Miller, 'Commentary, Part II,' [A. Wall (ed.), <i>Legal and Ethical Lessons of NATO's Kosovo Campaign</i>] [2002] 78 <i>International Law Studies</i> 106
O'Keefe (1999)	R. O'Keefe, 'The meaning of "cultural property" under the 1954 Hague Convention,' [1999] 46(1) <i>Netherlands International Law Review</i> 26

O'Keefe (2006)	R. O'Keefe, <i>The Protection of Cultural Property in Armed Conflict</i> (Cambridge: CUP, 2006)
O'Keefe (2010)	R. O'Keefe, 'Protection of cultural property under international criminal law,' [2010] 11(2) <i>Melbourne Journal of International Law</i> 339
Pfirter	D. Pfirter, 'Article 8(2)(b)(ix) – Attacking Protected Objects,' in R. Lee et al (eds.), <i>The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence</i> (Ardsey: Transnational, 2001)
Schabas (2016)	W. Schabas, <i>The International Criminal Court: A Commentary on the Rome Statute</i> , 2 nd Ed. (Oxford: OUP, 2016)
Schabas (2017)	W. Schabas, 'Al Mahdi Has Been Convicted of a Crime He Did Not Commit' [2017] 49(1) <i>Case Western Reserve Journal of International Law</i> 1.
Van Woudenberg	N. van Woudenberg, 'Enhanced protection: a new form of protection under the 1999 Second Protocol,' in N. van Woudenberg and L. Lijnzaad (eds.), <i>Protecting Cultural Property in Armed Conflict: an Insight into the 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict</i> (Leiden: Martinus Nijhoff, 2010)
Zawati	H. Zawati, <i>Fair Labelling and the Dilemma of Prosecuting Gender-Based Crimes at the International Criminal Tribunals</i> (New York: Oxford University Press, 2014)

E. OTHER DOCUMENTS

Short-title	Reference
1899 Hague Regulations	<u>Convention (II) with Respect to the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, 29 July 1899</u>
1906 Geneva Convention	<u>Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field, 6 July 1906</u>
1907 Hague Regulations	<u>Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, 18 October 1907</u>
1929 Geneva Convention	<u>Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field, 27 July 1929</u>
1954 Hague Convention	<u>Convention for the Protection of Cultural Property in the Event of Armed Conflict, 14 May 1954</u>
1954 Hague Convention (Special Protection Register)	<u>UNESCO, International Register of Cultural Property Under Special Protection, CLT/HER/CHP, 23 July 2015</u>
1954 Hague Convention (States Parties)	<u>UNESCO, States Parties to the 1954 Hague Convention, as 17 May 2018</u>
1991 ILC Draft Code	<u>International Law Commission, Yearbook of the International Law Commission 1991, Vol. II Part Two (Report of the Commission to the General Assembly on the work of its forty-third session), Draft Code of Crimes against the Peace and Security of Mankind, UN Doc. A/CN.4/SER.A/1991/Add.1</u>
1994 ILC Draft Statute	<u>International Law Commission, Yearbook of the International Law Commission 1994, Vol. II Part Two (Report of the Commission to the General Assembly on the work of its forty-sixth session), Draft Statute for an International Criminal Court, UN Doc. A/CN.4/SER.A/1994/Add.1 (Part 2)</u>

1996 ILC Draft Code	<u>International Law Commission, Yearbook of the International Law Commission 1996, Vol. II Part Two (Report of the Commission to the General Assembly on the work of its forty-eighth session), Final version of the draft Code of Crimes Against the Peace and Security of Mankind, UN Doc. A/CN.4/SER.A/1996/Add.1</u>
1999 Second Protocol to the Hague Convention	<u>Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, 26 March 1999</u>
1999 Second Protocol to the Hague Convention (Enhanced Protection List)	<u>UNESCO, International List of Cultural Property under Enhanced Protection, 2019</u>
1999 Second Protocol to the Hague Convention (States Parties)	<u>UNESCO, States Parties to the 1999 Second Protocol to the Hague Convention, as 5 September 2018</u>
1999 Second Protocol to the Hague Convention (Tentative Enhanced Protection List)	<u>UNESCO, Tentative List for Enhanced Protection</u>
Additional Protocol I	<u>Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, 8 June 1977</u>
Additional Protocol II	<u>Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977</u>
<i>Al Hassan</i> Confirmation Press Release	<u>ICC, 'Al Hassan case: ICC Pre-Trial Chamber I confirms charges of war crimes and crimes against humanity and commits suspect to trial,' 30 September 2019</u>

AP Commentary	Y. Sandoz (ed.), <i>Commentary on the Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949</i> (Geneva: ICRC/Martinus Nijhoff, 1987)
CIHL Study, rule 28	ICRC, Customary International Humanitarian Law, Rule 28: medical units
CIHL Study, rule 30	ICRC, Customary International Humanitarian Law, Rule 30: persons and objects displaying the distinctive emblem
Diplomatic Conference on IHL: Resolution 20 (1977)	Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, <i>Resolution 20: Protection of Cultural Property</i> , 55th plen mtg (7 June 1977)
ECCC Law	Kingdom of Cambodia, Law on the Establishment of the Extraordinary Chambers, with inclusion of amendments as promulgated on 27 October 2004 (NS/RKM/1004/006)
GCI Commentary (2016)	J. Henckaerts <i>et al</i> (eds.), <i>Commentary on the First Geneva Convention</i> (Cambridge/Geneva: CUP/ICRC, 2016)
GCIV Commentary	J. Pictet (ed.), <i>Commentary on the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War</i> (Geneva: ICRC, 1958)
Geneva Call Deed of Commitment (Health Care in Armed Conflict)	Geneva Call, Deed of Commitment under Geneva Call for the Protection of Health Care in Armed Conflict
Geneva Convention I	I Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949

Geneva Convention II	<u>II Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of 12 August 1949</u>
Geneva Convention IV	<u>IV Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949</u>
ICTY Statute	<u>Updated Statute of the International Criminal Tribunal for the Former Yugoslavia, as amended, September 2009</u>
Informal Note on Concurrence of Offences	<u>Portugal: Informal Note on Concurrence of Offences, 1 June 2000</u>
KSC Law	Republic of Kosovo, <u>Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office</u>
Merriam-Webster Dictionary	<u>Merriam-Webster Dictionary</u>
OED	<u>Oxford English Dictionary</u>
Preparatory Committee Decisions (February 1997)	<u>Decisions taken by the Preparatory Committee at its session held from 11 to 21 February 1997, UN Doc. A/AC.249/1997/L.5</u>
Preparatory Committee Proceedings (March-April 1996)	<u>Summary of the Proceedings of the Preparatory Committee during the period of 25 March-12 April 1996, UN Doc. A/AC.249/1</u>
Preparatory Committee Report (1996)	<u>Report of the Preparatory Committee on the Establishment of an International Criminal Court, Volume I (Proceedings of the Preparatory Committee during March-April and August 1996), UN Doc. A/51/22</u>
Spanish Proposal	<u>Article 5 – crimes within the jurisdiction of the Court, Proposal Submitted by Spain, UN Doc. A/Conf.183/C.1/L.4, 17 June 1998 [in Spanish]</u>

UK MoD Manual	UK Ministry of Defence, <i>The Manual of the Law of Armed Conflict</i> (Oxford: OUP, 2004)
UNESCO World Heritage: Criteria for Selection	<u>UNESCO, 'The Criteria for Selection'</u>
UNESCO World Heritage Convention: Operational Guidelines	<u>UNESCO, <i>Operational Guidelines for the Implementation of the World Heritage Convention</i>, WHC.17/01, 12 July 2017</u>
Vienna Convention	<u><i>Vienna Convention on the Law of Treaties</i></u>
World Heritage Convention	<u><i>Convention concerning the Protection of the World Cultural and Natural Heritage</i>, 16 November 1972</u>