

ANNEX A

PUBLIC

LIST OF AUTHORITIES

Grounds for excluding criminal responsibility

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2. KAZAZI Mojtaba, *Burden of Proof and Related Issues: A study on Evidence before International Tribunals*, Kluwer Law International, London, 1995, at 60-61 and 369.
3. LILLICH Richard B., ed., *Fact-Finding Before International Tribunals*, Transnational Publishers, Inc., New York, 1990, at 34; HEYDON CD, *Cases and Materials on Evidence*, 1975, at 14.
4. ESER A., "Grounds for excluding criminal responsibility", in TRIFFERER, O. (eds.), *Commentary on the Rome Statute of the International Criminal Court*. Second Edition, München, Beck, 2008, in particular p. 873.
5. International Court of Justice, *Pulp Mills on the River Uruguay (Argentina v. Uruguay)*, *Judgment*, I.C.J. Reports 2010, p. 14, para. 162.
6. See ICTY, Appeals Chamber, Prosecutor v. Zejnil Delalic, Zdravko Mucic (aka "Pavo"), Hazim Delic and Esad Landžo (aka "Zenga") ("Čelebići case"), [Judgment](#) Case No. IT-96-21-A, 20 February 2001, para. 582.
7. UK House of Lords, M'Naghten's Case (1843), 10 Cl. And Fin. 200, paras. 210-211.
8. Supreme Court of Canada, Cooper v. R., [1980] 1 S.C.R 1149, 21 December 1979, p. 1159. Available on the following website: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/4496/index.do>
9. ICTY, Erdemovic, Case No. IT-96-22-T, [Sentencing Judgment](#) (Trial Chamber), 29 November 1996, para. 17.
10. ICTY, Erdemovic, Case No. IT-96-22-A, [Appeals Judgment](#) (Appeals Chamber), 7 October 1997. [Separate and Dissenting Opinion of Judge Cassese](#) para. 16. See [Joint Separate Opinion of Judge McDonald and Vohrah](#), para. 81.
11. See SCSL, Sesay et al., Case No. SCSL-04-15-T, [Sentencing Judgment](#) (Trial Chamber), 8 April 2009, paras. 258-262, confirmed on appeal: [Judgment](#) (Appeals Chamber), 26 October 2009, paras. 1279 –1282.