



**Neier (1998)**

Neier, A., *War Crimes: Brutality, Genocide, Terror and the Struggle for Justice*, New York: Times Books, 1998.

**Nemitz (2001)**

Nemitz, J.C., The Law of Sentencing in International Criminal Law: The Purposes of Sentencing and the Applicable Method for the Determination of the Sentence, in: H. Fischer and A. McDonald (eds.), *Yearbook of International Humanitarian Law*, 4, The Hague: T.M.C. Asser Press 2001, 87-127.

**Ngendahayo and Shermin (2000)**

Ngendahayo, F., and M. Shermin, *Gender and HIV/AIDS: ICTR Challenges*, Presented at the Expert Group Meeting on "The HIV/AIDS Pandemic and its Gender Implications", Windhoek, Namibia, 13-17 November 2000, EGM/HIV-AIDS/2000/OP 4, 16 November 2000.

**Ni Aolain (1997)**

Ni Aolain, F., Radical Rules: The Effects of Evidential and Procedural Rules on the Regulation of Sexual Violence in War, *Albany Law Review*, 60, 1997, 883-905.

**Niarchos (1995)**

Niarchos, C.N., Women, War and Rape: Challenges Facing the International Criminal Tribunal for the former Yugoslavia, *Human Rights Quarterly*, 17, 1995, 649-690.

**Nicholls (2003)**

Nicholls, J., Evidence: Hearsay and Anonymous Witnesses, in: R. Haveman, O. Kavran and J. Nicholls (eds.), *Supranational Criminal Law: A System Sui Generis*, Antwerp/Oxford/New York: Intersentia 2003, pp. 239-303.

**Nikolić-Ristanović (1999)**

Nikolić-Ristanović, V., Living Without Democracy and Peace: Violence Against Women in the former Yugoslavia, *Violence Against Women*, 5(1), 1999, 63-80.

**Nikolić-Ristanović (2000)**

Nikolić-Ristanović, V. (ed.), *Women, Violence and War: Wartime Victimization of Refugees in the Balkans*, Budapest: Central European University Press, 2000.

**Nowrojee (1996)**

Nowrojee, B., *Shattered Lives: Sexual Violence During the Rwandan Genocide and its Aftermath*, Human Rights Watch, HRW Index No.: 2084, September 1996.

**Nowrojee (2004a)**

Nowrojee, B., Expert Report, *Sexual Violence Crimes during the Rwandan Genocide*, Human Rights Watch, June 2004 (filed under the *Government II* case, Case No. ICTR-99-50-T, 25 October 2004).

**Nowrojee (2004b)**

Nowrojee, B., *We Can Do Better: Investigating and Prosecuting International Crimes of Sexual Violence*, presented at the OTP Colloquium, Arusha, November 2004.

**Nowrojee (2005)**

Nowrojee, B., "Your Justice is Too Slow": Will the ICTR Fail Rwanda's Rape Victims?, UNRISD Occasional Paper Series, No. 10, UNRISD, Geneva, 2005 (forthcoming).

**Nowrojee and Ralph (2000)**

Nowrojee, B. and R. Ralph, Justice for Women Victims of Violence: Rwanda after the 1994 Genocide, in: I. Amadiume and A. An-Na'im (eds.), *The Politics of Memory: Truth, Healing and Social Justice*, London: Zed Books 2000, pp. 162-175.

**Ntanda Nsereko (2002)**

Ntanda Nsereko, D., Commentary – Indictment, in: A. Klip and G. Sluiter (eds.), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for the former Yugoslavia 1999-2000*, Volume 4, Antwerp/Oxford/New York: Intersentia/Hart Publishing 1999, pp. 58-68.

**Oosterhoff (2000)**

Oosterhoff, P., *Male Victims of Sexual Torture in the former Yugoslavia – Challenges in Identification and Treatment in Croatia*, Final Paper as part of the Master of Public Health Program of the Netherlands School of Public Health, June 2000.

**Oosterveld (2001)**

Oosterveld, V., The Elements of Genocide, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, Ardsely, New York: Transnational Publishers 2001, pp. 41-48.

**Pace and Schense (2001)**

Pace and Schense, The Coalition for the International Criminal Court and at the Preparatory Commission, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, Ardsely, New York: Transnational Publishers 2001, pp. 705-733.

**Pickard (1997)**

Pickard, D.B., Proposed Sentencing Guidelines for the International Criminal Court, *Loyola of Los Angeles International and Comparative Law Journal*, 20, 1997, 123-164.

**Pictet (1958)**

Pictet, J., *Commentary on IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War*, Geneva: ICRC, 1958.

**Pilch (1998)**

Pilch, F.T., The Crime of Rape in International Humanitarian Law, *United States Air Force Academy Journal of Legal Studies*, 9, 1998/1999, 99.

**Pilch (2003)**

Pilch, F.T., Note: Sexual Violence as Genocide: The Developing Law of the International Criminal Tribunals and the International Criminal Court, *Michigan Journal of Race and Law*, 8, 2003, 503-527.

**Piragoff (2001a)**

Piragoff, D.K., Evidence, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, New York: Transnational Publishers 2001, pp. 349-401.

**Piragoff (2001b)**

Piragoff, D.K., Procedural Justice Related to Crimes of Sexual Violence, in: H. Fischer, C. Krefß and S.R. Lüder (eds.), *International and National Prosecution of Crimes Under International Law: Current Developments*, Berlin: Berliner Wissenschafts-Verlag 2001, pp. 385-421.

**Prunier (1995)**

Prunier G., *The Rwanda Crisis: History of a Genocide*, New York: Columbia University Press, 1995.

**Quénivet (2005)**

Quénivet, N.N.R., *Sexual Offenses in Armed Conflict and International Law*, Ardsley, New York: Transnational Publishers, 2005.

**Randelzhofer and Tomuschat (1999)**

Commentary by Judge Cassese, in: A. Randelzhofer and C. Tomuschat (eds.), *State Responsibility and the Individual, Reparation in Instances of Grave Violations of Human Rights*, The Hague: Martinus Nijhoff Publishers 1999, pp. 46-49.

**Ray (1997)**

Ray, A.E., The Shame of it: Gender-Based Terrorism in the former Yugoslavia and the Failure of International Human Rights Law to Comprehend the Injuries, *American University Law Review*, 46, 1997, 793.

**Rijken (2003)**

Rijken, C., *Trafficking in Persons: Prosecution from a European perspective*, The Hague: T.M.C. Asser Press, 2003.

**Roberts and Guelff (2000)**

Roberts, A. and R. Guelff (eds.), *Documents on the Laws of War*, Third Edition, Oxford: Oxford University Press, 2000.

**Robinson (1999)**

Robinson, D., Defining Crimes Against Humanity at the Rome Conference, *American Journal of International Law*, 93(1), 1999, 43-57.

**Robinson (2001a)**

Robinson, D., Article 7(1)(c) – Enslavement, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, Ardsley, New York: Transnational Publishers 2001, pp. 84-85.

**Robinson (2001b)**

Robinson, D., Article 7(1)(f) – Torture, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, Ardsley, New York: Transnational Publishers 2001, pp. 90-92.

**Robinson (2001c)**

Robinson, D., Article 7(1)(g) – Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, Ardsley, New York: Transnational Publishers 2001, p. 93.

**Rombouts (2004)**

Rombouts, H., Chapter 7: Reparation Policies in Rwanda, in: H. Rombouts, *Victim Organisations and the Politics of Reparation: A Case-Study on Rwanda*, Antwerpen/Oxford: Intersentia 2004, pp. 301-395.

**Rückert and Witschel (2001a)**

Rückert, W. and G. Witschel, Genocide and Crimes Against Humanity in the Elements of Crimes, in: H. Fischer, C. Kreß and S.R. Lüder (eds.), *International and National Prosecution of Crimes Under International Law: Current Developments*, Berlin: Berliner Wissenschafts-Verlag 2001, pp. 59-93.

**Rückert and Witschel (2001b)**

Robinson, D., Article 7(1)(h) – Persecution, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, Ardsley, New York: Transnational Publishers 2001, pp. 94-97.

**Rückert and Witschel (2001c)**

Article 7(1)(k) – Other Inhumane Acts, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, Ardsley, New York: Transnational Publishers 2001, pp. 106-108.

**Russell-Brown (2003)**

Russell-Brown, S.L., Rape as an Act of Genocide, *Berkeley Journal of International Law*, 21, 2003, 350-374.

**Rydberg (1999)**

Rydberg, Å., The Protection of the Interests of Witnesses – The ICTY in Comparison to the Future ICC, *Leiden Journal of International Law*, 12(2), 1999, 455-478.

**Rydberg (2004)**

Rydberg, Å., Victims and the International Criminal Tribunal for the former Yugoslavia, in: H. Kaptein and M. Malsch, *Crime, Victims and Justice: Essays on Principles and Practice*, Hampshire: Ashgate 2004, pp. 126-140.

**Safferling (2001)**

Safferling, C., *Towards an International Criminal Procedure*, Oxford: Oxford University Press, 2001.

**Salzman (1998)**

Salzman, T.A., Rape Camps as a Means of Ethnic Cleansing: Religious, Cultural, and Ethical Responses to Rape Victims in the former Yugoslavia, *Human Rights Quarterly*, 20(2), 1998, 348-378.

**Sari Moshan (1998)**

Sari Moshan, B., Women, War, and Words: The Gender Component in the Permanent International Criminal Court's Definition of Crimes Against Humanity, *Fordham International Law Journal*, 22, 1998, 154-183.

**Schabas (1997)**

Schabas, W.A., Sentencing by International Tribunals: A Human Rights Approach, *Duke Journal of Comparative and International Law*, 7, 1997, 461-517.

**Schabas (2000a)**

Schabas, W.A., Perverse Effects of the Nulla Poena Principle: National Practice and the Ad Hoc Tribunals, *European Journal of International Law*, 11(3), 2000, 521-539.

**Schabas (2000b)**

Schabas, W.A., *Genocide in International Law: The Crime of Crimes*, Cambridge: Cambridge University Press, 2000.

**Schabas (2001)**

Schabas, W.A., The Jelusic case and the Mens Rea of the Crime of Genocide, *Leiden Journal of International Law*, 14(1), 2001, 125-139.

**Schabas (2001a)**

Schabas, W., Commentary – ICTR, Prosecutor v. Akayesu, Case No. ICTR-96-4-T, T. Ch., 2 September 1998, in: A. Klip and G. Sluiter (eds.), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Rwanda 1994-1999*, Volume 2, Antwerp/Groningen/Oxford/Vienna: Intersentia/Hart Publishing/Verlag Österreich 2001, pp. 539-554.

**Schabas (2001b)**

Schabas, W., Commentary – ICTY, Judgement, Prosecutor v. Furundzija, Case No. IT-95-17/1-T, T. Ch., 10 December 1998, in: A. Klip and G. Sluiter (eds.), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal*

- Tribunal for the former Yugoslavia 1997-1999*, Volume 3, Antwerp/Oxford/New York: Intersentia 2001, pp. 753-760.
- Scharf (1997)**  
Scharf, M.P., *Balkan Justice: The Story Behind the First International War Crimes Tribunal Since Nuremberg*, Durham, North Carolina: Carolina Academic Press, 1997.
- Scheffer (1998)**  
Scheffer, D.J., US Ambassador at Large for War Crimes Issues Address at Fordham University School of Law New York, *Witness and Victim Protection in International Criminal Courts*, New York, January 28, 1998.
- Schindler and Toman (1988)**  
Schindler, D. and J. Toman (eds.), *The Laws of Armed Conflict: A Collection of Conventions, Resolutions and Other Documents*, Dordrecht: Nijhoff, 1988.
- Shah (2002)**  
Shah, S.B., The Oversight of the Last Great International Institution of the Twentieth Century: The International Criminal Court's Definition of Genocide, *Emory International Law Review*, 16, 2002, 351-389.
- Sharlach (2000)**  
Sharlach, L., Rape as Genocide: Bangladesh, the former Yugoslavia, and Rwanda, *New Political Science*, 22(1), 2000, 89-102.
- Sharratt (1999)**  
Sharratt, S., Interview with Patricia Viseur-Sellers, Legal Officer on Gender Issues, in: S. Sharratt and E. Kaschak (eds.), *Assault on the Soul: Women in the former Yugoslavia*, New York/London/Oxford: The Haworth Press 1999, pp. 53-78.
- Short (2003)**  
Short, J.M.H., Sexual Violence as Genocide: The Developing Law of the International Criminal Tribunals and the International Criminal Court, *Michigan Journal of Race and Law*, 8, 2003, 503-527.
- Sieber (2004)**  
Sieber, U., *The Punishment of Serious Crimes: A Comparative Analysis of Sentencing Law and Practice*, Volume I: Expert Report, Freiburg/Breisgau: Ed. Luscrim, 2004.
- Silber and Little (1997)**  
Silber, L., and A. Little, *Yugoslavia: Death of a Nation*, New York: Penguin Books, 1997.
- Smith and Hogan (1999)**  
Smith, J.C., and B. Hogan, *Criminal Law*, 9<sup>th</sup> ed., London: Butterworths, 1999.
- Stapleton (1999)**  
Stapleton, S., Ensuring a Fair Trial in the International Criminal Court: Statutory Interpretation and the Impermissibility of Derogation, *New York University School of Law Journal of International Law and Politics*, 31, 1999, 535-609.
- Steains (2000)**  
Steains, C., Gender Issues, in: R.S. Lee (ed.), *The International Criminal Court: The Making of the Rome Statute: Issues, Negotiations, Results*, The Hague/London/Boston: Kluwer Law International 2000, pp. 357-390.
- Stevens (2002)**  
Stevens, L., *Strafrecht en seksualiteit. De misdrijven inzake aanranding van de eerbaarheid, verkrachting, ontucht, prostitutie, seksreclame, zedenschennis en overspel*, Antwerpen/Groningen: Intersentia, 2002.



**Stiglmayer (1993)**

Stiglmayer, A. (ed.), *Mass Rape: The War Against Women in Bosnia-Herzegovina*, Lincoln, NE: Nebraska University Press, 1993.

**Strumpen-Darrie (2000)**

Strumpen-Darrie, C., Rape: A Survey of Current International Jurisprudence, *Human Rights Brief*, 7, 2000, 12-17.

**Stuckenberg (2004)**

Stuckenberg, C-F, Multiplicity of Offences: *Concursus Delictorum*, in: H. Fischer, C. Kreß and S.R. Lüder (eds.), *International and National Prosecution of Crimes Under International Law: Current Developments*, Berlin: Berliner Wissenschafts-Verlag 2004, pp. 559-604.

**Survivors Fund (SURF) (2005)**

Survivors Fund (SURF), *Survival Against the Odds: A Book of Testimonies from Survivors of the Rwandan Genocide*, 2005.

**Swaak-Goldman (1997)**

Swaak-Goldman, O.Q., The ICTY and the Right to a Fair Trial: A Critique of the Critics, *Leiden Journal of International Law*, 10, 1997, 215-221.

**Thomas and Levi (1999)**

Thomas, D.Q., and R.S. Levi, Common Abuses Against Women, in: K.D. Askin and D.M. Koenig (eds.), *Women and International Human Rights Law*, Ardsley, New York: Transnational Publishers 1999, Volume 1, pp. 139-176.

**Timm (2001)**

Timm, B., The Legal Position of Victims in the Rules of Procedure and Evidence, in: H. Fischer, C. Kreß and S.R. Lüder (eds.), *International and National Prosecution of Crimes Under International Law: Current Developments*, Berlin: Berliner Wissenschafts-Verlag 2001, pp. 289-308.

**Tochilovsky (1999)**

Tochilovsky, V., Rules of Procedure for the International Criminal Court: Problems to Address in Light of the Experience of the *Ad Hoc* Tribunals, *Netherlands International Law Review*, XLVI, 1999, 343-360.

**Tolbert and Rydberg (2001)**

Tolbert, D. and Å. Rydberg, Enforcement of Sentences, in: R. May, D. Tolbert, J. Hocking, K. Roberts, B. B. Jia, D. Mundis and G. Oosthuizen (eds.), *Essays on ICTY Procedure and Evidence: In Honour of Gabrielle Kirk McDonald*, The Hague/London/Boston: Kluwer Law International 2001, pp. 533-543.

**Van Boven (1999a)**

Van Boven, T., The Position of the Victim in the Statute of the ICC, in: H.A.M. von Hebel, J.G. Lammers and A. Bos (eds.), *Reflections on the International Criminal Court: Essays in Honour of Adriaan Bos*. The Hague, T.M.C. Asser Press 1999, pp. 77-89.

**Van Boven (1999b)**

Van Boven, T., The Perspective of the Victim, in: Y. Danieli, E. Stamatopoulou, C.J. Dias, *The Universal Declaration of Human Rights*, Amityville, NY: Baywood 1999, pp. 13-26.

**Van Boven (2003)**

Van Boven, T., Foreword by Theo van Boven, The Special Rapporteur of the UN Commission on Human Rights on Torture, in: *Redress, Reparation for Torture: A Survey of the Law and Practice in Thirty Selected Countries*, April 2003, pp. iii-iv.

**Van Genugten (1995)**

Van Genugten, W.J.M., Het Joegoslavië-Tribunaal: Pervertering van het internationale recht?, *Nederlands Tijdschrift voor Rechtsfilosofie en Rechtstheorie*, 24(1), 1995, 49-56.

**Van Sliedregt (2003)**

Van Sliedregt, E., *The Criminal Responsibility of Individuals for Violations of International Humanitarian Law*, The Hague: T.M.C. Asser Press, 2003.

**Verdirame (2000)**

Verdirame, G., The Genocide Definition in the Jurisprudence of the *Ad Hoc* Tribunals, *International and Comparative Law Quarterly*, 49, 2000.

**Verrijn Stuart (undated)**

Verrijn Stuart, H.H.M., *Een beschrijving en waardering van de stand van zaken met betrekking tot relevante nieuwe ontwikkelingen als gevolg van de jurisprudentie van de ad hoc Tribunalen inzake voormalig Joegoslavië en Rwanda en de totstandkoming van het Statuut van het Internationaal Strafhof*, undated.

**Villiger (1997)**

Villiger, M.E., *Customary International Law and Treaties: A Manual on the Theory and Practice of the Interrelation of Sources*, The Hague/Boston/London: Kluwer Law International, 1997.

**Viseur Sellers (1997)**

Viseur Sellers, P. and K. Okuizumi, Intentional Prosecution of Sexual Assault, *Transnational Law and Contemporary Problems*, 7, 1997, 45-80.

**Viseur Sellers (1999)**

Viseur Sellers, P. The Cultural Value of Sexual Violence, *American Society of International Law Proceedings*, 93, 1999, 312-324.

**Viseur Sellers (2001a)**

Viseur Sellers, P., Rule 89(C) and (D): At Odds or Overlapping with Rule 96 and Rule 95?, in: R. May, D. Tolbert, J. Hocking, K. Roberts, B. B. Jia, D. Mundis and G. Oosthuizen (eds.), *Essays on ICTY Procedure and Evidence: In Honour of Gabrielle Kirk McDonald*, The Hague/London/Boston: Kluwer Law International 2001, pp. 275-290.

**Viseur Sellers (2001b)**

Viseur Sellers, P., *Sexual Violence Materials and ICTY/ICTR Jurisprudence*, August 2001 (on file with the author).

**Viseur Sellers (2002)**

Viseur Sellers, P., Sexual Violence and Peremptory Norms: The Legal Value of Rape, *Case Western Reserve Journal of International Law*, 34, 2002, 287-303.

**Viseur Sellers (2004)**

Viseur Sellers, P., Individual(s') Liability for Collective Sexual Violence, in: K. Knop (ed.), *Gender and Human Rights*, Oxford: Oxford University Press 2004, pp. 153-194.

**Vohrah and Cina (2001)**

Vohrah, L.C. and J. Cina, The Outreach Programme, in: R. May, D. Tolbert, J. Hocking, K. Roberts, B. B. Jia, D. Mundis and G. Oosthuizen, *Essays on ICTY Procedure and Evidence: In Honour of Gabrielle Kirk McDonald*, The Hague/London/Boston: Kluwer Law International 2001, pp. 547-557.



**Von Hebel (2001)**

Von Hebel, H., The Elements of War Crimes – Introduction, in: R.S. Lee *et al.* (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, Ardsley, New York: Transnational Publishers 2001, pp. 109-111.

**Wierda and De Greiff (undated)**

Wierda, M. and P. de Greiff, *Reparations and the International Criminal Court: A Prospective Role for the Trust Fund for Victims*, International Center for Transnational Justice, undated.

**Yoshiaki (2000)**

Yoshiaki, Y., *Comfort Women: Sexual Slavery in the Japanese Military During World War II*, New York: Columbia University Press, 2000.

**Zappalà (2002)**

Zappalà, S., The Rights of the Accused, in: A. Cassese, P. Gaeta and J.R.W.D. Jones (eds.), *The Rome Statute of the International Criminal Court: A Commentary*, Oxford: Oxford University Press, 2002, pp. 1319-1354.

**Zegveld (2003)**

Zegveld, L., Remedies for Victims of Violations of International Humanitarian Law, *International Review of the Red Cross*, 85(851), 2003, 497-526.

## LIST OF DOCUMENTS

### INTERNATIONAL CRIMINAL COURT

- Assembly of States Parties, *Report on Participation of and Reparations to Victims*, 25 August 2004, ICC-ASP/3/21, Third Session, The Hague, 6-10 September 2004.
- Assembly of States Parties, *Report to the Assembly of States Parties on the Activities and Projects of the Board of Directors of the Trust Fund for Victims 2003-2004*, Third Session, The Hague, 6-10 September 2004, including Annex A, *Draft Regulations of the Trust Fund for Victims*, First Meeting of the Board of Directors of the Trust Fund for Victims, ICC/ASP/3/14/Rev.1, The Hague (The Netherlands), 20-22 April 2004.
- *Decisions taken by the Preparatory Committee at its Session held in New York*, 11 to 21 February 1997, A/AC.249/1997/L.5 (1997), 12 March 1997.
- *Decisions taken by the Preparatory Committee at its Session held in New York*, 4 to 15 August 1997, A/AC.249/1997/L.8/Rev.1 (1997), 14 August 1997.
- *Decisions taken by the Preparatory Committee at its Session held in New York*, 1 to 12 December 1997, A/AC.249/1997/L.9/Rev.1 (1997), 18 December 1997.
- *Discussion Paper Proposed by the Coordinator on Rules of Procedure and Evidence Related to Part 6 of the Statute*, Second Session of the Preparatory Commission, UN Doc. PCNICC/1999/WGRPE/RT.5/Rev.1/Add.3, 11 August 1999.
- ICC, *Order Regarding Request for Additional Information (Concerning Applications for Participation of Victims)*. Confidential and Ex-parte, 1 June 2005.
- ICC website, *Assembly of States Parties/The States Parties to the Rome Statute*, at <http://www.icc-cpi.int/asp/statesparties.html>.
- International Seminar 'Access of Victims to the International Criminal Court', Paris, 27-29 April 1999, *Report of Workshops*, 29 April 1999.
- Preparatory Committee Meeting, A/AC/249/1998/CRP.8, 2 April 1998.
- *Proceedings of the Preparatory Commission at its Fourth Session (13-31 March 2000)*, PCNICC/2000/L.1/Rev.1, 3 April 2000.
- Proposal for a draft Code of Professional Conduct for counsel before the International Criminal Court, ICC-ASP/3/11/Rev.1, 27 August 2004.
- Proposal Submitted by the Holy See, A/AC.249/1998/DP.13, 1 April 1998.
- Proposal Submitted by France, *Comments on the Proposal Submitted by the United States of America Concerning Article 6 Crime of Genocide*, PCNICC/1999/WGEC/DP.1, 18 February 1999.

List of Documents

- Proposal Submitted by the United States of America, *Draft Elements of Crimes*, PCNICC/1999/DP.4/Add.1, 4 February 1999.
- Proposal Submitted by the United States of America, *Draft Elements of Crimes*, PCNICC/1999/DP.4/Add.2, 4 February 1999.
- *Proposal Submitted by Costa Rica, Hungary and Switzerland on Certain Provisions of Article 8 Para. 2 (B) of the Rome Statute of the International Criminal Court*, (VIII), (X), (XIV), (XV), (XVI), (XXI), (XXII), (XXVI), PCNICC/1999/WGEC/DP.8, 19 July 1999.
- Proposal Submitted by Colombia, *Comments on the Proposal by the Delegations of Costa Rica, Hungary and Switzerland Concerning Article 8, Paragraph 2(b) of the Rome Statute* (PCNICC/1999/WGEC/DP.8), PCNICC/1999/WGEC/DP.16, 29 July 1999.
- *Proposal Concerning the Elements of Crimes Against Humanity Submitted by Bahrain, Iraq, Kuwait, Lebanon, The Libyan Arab Jamahiriya, Oman, Qatar, Saudi Arabia, The Sudan, The Syrian Arab Republic and United Arab Emirates*, PCNICC/1999/WGEC/DP.39, 3 December 1999.
- *Report on the International Seminar on Victims' Access to the ICC*, PCNICC/1999/WGRPE/INF/2, Second Session of the Preparatory Commission, 26 July-13 August, 6 July 1999.
- *Report of the Inter-Sessional Meeting from 19 to 30 January 1998*, Zutphen, The Netherlands, A/AC.249/1998/L.13 (1998), 4 February 1998.
- *Report of the Ad Hoc Committee on the Establishment of an International Criminal Court*, G.A. 50<sup>th</sup> Session, Supp. No. 22, A/50/22 (1995), 1 January 1995.
- *Report of the Prosecutor of the International Criminal Court, Mr. Louis Moreno Ocampo, to the Security Council Pursuant to UNSCR 1593 (2005)*, 29 June 2005.
- *Report of the Preparatory Committee on the Establishment of an International Criminal Court, Proceedings of the Preparatory Committee during March-April and August 1996*, Volume 1, GA 51<sup>st</sup> Session, Supp. No. 22, A/51/22 (1996), 1 January 1996.
- *Report of the Preparatory Committee on the Establishment of an International Criminal Court*, A/CONF.183/2/Add.1, 14 April 1998.
- *Report of the Preparatory Commission for the International Criminal Court: Addendum*, PCNICC/2000/1/Add.2, 2 November 2000.
- *Request from the Governments of Belgium, Costa Rica, Finland, Hungary, The Republic of Korea and South Africa and the Permanent Observer Mission of Switzerland Regarding the Text Prepared by the International Committee of the Red Cross on Article 8, paragraph 2(B), (C), and (E) of the Rome Statute of the International Criminal Court*, PCNICC/1999/WGEC/INF.2, 14 July 1999.
- Resolution ICC-ASP/1/Res.6, *Establishment of a Fund for the Benefit of Victims of Crimes within the Jurisdiction of the Court, and of the Families of Such Victims*, 9 September 2002.

- Resolution ICC-ASP/3/Res.7, *Establishment of the Secretariat of the Trust Fund for Victims*, 10 September 2004.
- Statement by Archbishop Desmond Tutu at the Ceremony Marking the First Meeting of the Board of Directors of the Trust Fund for Victims at The Hague on the 22<sup>nd</sup> of April 2004, at <http://www.icc-cpi.int/press/video.html>.
- United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, *Final Act of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, done at Rome on 17 July 1998*, A/CONF.183/10\*, 17 July 1997.
- Working Group on Procedural Matters, *Final Report of the Working Group on Procedural Matters*, A/CONF.183/C.1/WGPM/L.2/Add.7, 13 July 1998.
- Working Group on Procedural Matters, *Final Report of the Working Group on Procedural Matters*, A/CONF.183/C.1/WGPM/L.63/Rev.1, 15 June-17 July 1998.

#### INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

- ICTY, *Yearbook 1995*, The Netherlands, 1996.
- ICTY, *Third Annual Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991*, A/51/292-S/1996/665, 16 August 1996 (ICTY Third Annual Report (1996)).
- ICTY, *Ninth Annual Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991*, A/57/379-S/2002/985, 4 September 2002 (ICTY Ninth Annual Report (2002)).
- ICTY, *Eleventh Annual Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991*, A/59/215-S/2004/627, 16 August 2004 (ICTY Eleventh Annual Report (2004)).
- ICTY website, *The ICTY at a Glance/Key Figures of ICTY Cases*, at <http://www.un.org/icty/cases-e/factsheets/procindex-e.htm>.
- Letter dated 12 October 2000 from the President of the International Tribunal for the Former Yugoslavia addressed to the Secretary-General, Annex to a Letter dated 2 November 2000 from the Secretary-General addressed to the President of the Security Council, UN doc. S/2000/1063, 3 November 2000.
- *Victims Compensation and Participation*, Report Prepared by the Rules Committee, 2000, at <http://www.un.org/icty/pressreal/tolb-e.htm>.

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

- *Completion Strategy of the International Criminal Tribunal for Rwanda*, 19 November 2004.
- ICTR, Witnesses and Victims Support Section [WVSS], *Manual of Operational Guidance*, Volume I, undated.
- ICTR website, Fact Sheet No. 1, *The Tribunal at a Glance*, at <http://www.ictr.org/ENGLISH/factsheets/1.htm>.
- ICTR, *Seventh Annual Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States Between 1 January and 31 December 1994: For the Period from 1 July 2001 to 30 June 2002*, A/57/163-S/2002/733, 2 July 2002 (ICTR Seventh Annual Report (2002)).
- ICTR, Office of the President, *Statement by the President of the ICTR to the United Nations General Assembly by Judge Navanethem Pillay, President*, 28 October 2002.
- ICTR, Office of the President, *Statement by the President of the ICTR to the United Nations Security Council by Judge Navanethem Pillay, President*, 29 October 2002.
- ICTR, *Address by Judge Erik Møse, President of the International Criminal Tribunal for Rwanda, to the United Nations General Assembly*, 9 October 2003.
- ICTR, *Ninth Annual Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States Between 1 January and 31 December 1994*, A/59/183-S/2004/601, 27 July 2004 (ICTR Ninth Annual Report (2004)).
- ICTR, *Address by the Registrar on the Occasion of the Visit of the Prime Minister of Norway to the International Criminal Tribunal for Rwanda*, Arusha, 11 October 2004.
- ICTR Draft Report on Improved Access to Anti-Retroviral Treatment and Psychological Counselling for ICTR Witnesses with HIV/AIDS, prepared by Elsie Effange-Mbella, 2004 (on file with the author).
- Kamuhanda, *Kamuhanda Jean de Dieu, Innocent Mais Condamné*, 11 février 2004.
- Letter of the President of the ICTR to the Secretary General of the United Nations, Annex to a Letter of 14 December 2000 by the UN Secretary-General, Kofi Annan, to the UN Security Council, UN Doc. S/2000/1198, 15 December 2000.

- Letter dated 19 November 2004 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States Between 1 January and 31 December 1994 Addressed to the President of the Security Council, Annexed the Completion Strategy of the International Criminal Tribunal for Rwanda, S/2004/921, 22 November 2004.
- Letter from Dr. Alex Obote-Odora, Special Assistant to the Prosecutor, to Ms. Brunet, 11 February 2005.

#### NGO REPORTS

- **African Rights (1995a)**  
African Rights, *Death, Despair and Defiance*, rev. ed., 1995.
- **African Rights (1995b)**  
African Rights, *Rwanda Not So Innocent: When Women Become Killers*, August 1995.
- **African Rights (2004)**  
African Rights, *Broken Bodies, Torn Spirits, Living With Genocide, Rape and HIV/AIDS*, April 2004.
- **Amnesty International (1993)**  
Amnesty International, *Bosnia-Herzegovina: Rape and Sexual Abuse by Armed Forces*, January 1993.
- **Amnesty International (1998)**  
Amnesty International, *Rwanda: Major Step Back for Human Rights as Rwanda Stages 22 Public Executions*, AI Index: AFR 47/14/98, 24 April 1998.
- **Amnesty International (1999)**  
Amnesty International, *The International Criminal Court: Preliminary Comments Concerning the Elements of War Crimes Other Than Grave Breaches of the Geneva Conventions – Part I*, July 1999.
- **Amnesty International (2003)**  
Amnesty International, *Bosnia-Herzegovina: Shelving Justice – War Crimes Prosecutions in Paralysis*, AI Index: EUR 63/018/2003, 12 November 2003.
- **Amnesty International (2004a)**  
Amnesty International, *Rwanda: Marked for Death*, AI Index: AFR 47/007/2004, 5 April 2004.
- **Amnesty International (2004b)**  
Amnesty International, *Sudan – Darfur: Rape as a Weapon of War: Sexual Violence and its Consequences*, AI Index: AFR 54/076/2004, 19 July 2004
- **Amnesty International (2004c)**  
Amnesty International, *Sudan – Mass Rape, Abduction and Murder*, AI Index: AFR 54/125/2004, 12 October 2004.

- **Amnesty International (2004d)**  
Amnesty International, *Justice Shelved – Impunity for Rape in Bosnia Herzegovina*, AI Index: EUR 63/005/2004, 12 October 2004.
- **Amnesty International (2004e)**  
Amnesty International, *Democratic Republic of Congo: Mass Rape – Time for Remedies*, AI Index: AFR 62/022/2004, 26 October 2004.
- **Amnesty International (2004f)**  
Amnesty International, *Central African Republic: Five Months of War Against Women*, AI Index: AFR 19/001/2004, 10 November 2004.
- **Amnesty International (2004g)**  
Amnesty International, *Women, HIV/AIDS and Human Rights*, AI Index: ACT 77/084/2004, 24 November 2004.
- **Amnesty International (2005)**  
Amnesty International, *Amnesty International's Concerns on the Implementation of the "Completion Strategy" of the International Criminal Tribunal for the former Yugoslavia*, AI Index: EUR 05/001/2005, 6 June 2005.
- **Coalition for Women's Human Rights in Conflict Situations (1997a)**  
Coalition for Women's Human Rights in Conflict Situations, *The Prosecutor v. Jean-Paul Akayesu, Amicus Brief Respecting Amendment of the Indictment and Supplementation of the Evidence to Ensure the Prosecution of Rape and Other Sexual Violence Within the Competence of the Tribunal*, Case No. ICTR-96-4-T, 29 May 1997 (also filed in the ICTR Database).
- **Coalition for Women's Human Rights in Conflict Situations (1997b)**  
Coalition for Women's Human Rights in Conflict Situations, *Witness Protection, Gender and the ICTR*, A report prepared by Connie Walsh, as a result of investigations in Rwanda in June and July 1997, for the Centre for Constitutional Rights (CCR), International Centre for Human Rights and Democratic Development (ICHRDD), International Women's Law Clinic (IWHR) and MADRE, 1997.
- **Coalition for Women's Human Rights in Conflict Situations (1998a)**  
Coalition for Women's Human Rights in Conflict Situations, *Application to File an Amicus Curiae Brief in the Case of the Prosecutor v. Anto Furundzija*, Case No. IT-95-17/1-T, 5 November 1998.
- **Coalition for Women's Human Rights in Conflict Situations (1998b)**  
Coalition for Women's Human Rights in Conflict Situations, *Prosecutor v. Anto Furundzija, Amicus Curiae Brief Respecting the Decision and Order of the Tribunal of 16 July 1998 Requesting that the Tribunal Reconsider its Decision Having Regard to the Rights of Witness "A" to Equality, Privacy and Security of the Person and to Representation by Counsel*, Case No. IT-95-17/1-T, 5 November 1998.
- **Coalition for Women's Human Rights in Conflict Situations (2001a)**  
Coalition for Women's Human Rights in Conflict Situations, *The Prosecutor v. Samuel Imanishimwe, Emmanuel Bagambiki and André Ntagerura, Amicus Curiae Brief Respecting the Need to Include Sexual Violence Charges in the Indictment*, Case No. ICTR-99-46-T, 1 March 2001 (also filed in the ICTR Database).

- **Coalition for Women's Human Rights in Conflict Situations (2001b)**  
Coalition for Women's Human Rights in Conflict Situations, *The Prosecutor v. Samuel Imanishimwe, Emmanuel Bagambiki and André Ntagerura, Request for Reconsideration of the Decision on Amici's Application to File an Amicus Curiae Brief According to Rule 74 of the Rules of Procedure and Evidence Filed on Behalf of the NGO Coalition for Women's Human Rights in Conflict Situations*, Case No. ICTR-99-46-T, 12 July 2001 (also filed in the ICTR Database).
- **Human Rights Watch (1993)**  
Human Rights Watch, *War Crimes in Bosnia-Herzegovina (Volume II)*, HRW Index No.: 0979, 1 April 1993.
- **Human Rights Watch (1999)**  
Human Rights Watch, *Commentary to the Second Preparatory Commission on Rules of Procedure and Elements of Crimes*, July 1999.
- **Human Rights Watch (2000a)**  
Human Rights Watch, *Federal Republic of Yugoslavia – Kosovo: Rape as a Weapon of Ethnic Cleansing*, HRW Index No.: D1203, 1 March 2000.
- **Human Rights Watch (2000b)**  
Human Rights Watch, *Commentary to the Fifth Preparatory Commission Meeting on the International Criminal Court*, June 2000.
- **Human Rights Watch (2002)**  
Human Rights Watch, *The War Within the War: Sexual Violence against Women and Girls in Eastern Congo*, June 2002.
- **Human Rights Watch (2003a)**  
Human Rights Watch, *We'll Kill You if You Cry: Sexual Violence in the Sierra Leone Conflict*, January 2003.
- **Human Rights Watch (2003b)**  
Human Rights Watch, *Abducted and Abused: Renewed Conflict in Northern Uganda*, July 2003.
- **Human Rights Watch (2004a)**  
Human Rights Watch, *Memorandum to the International Criminal Court*, 3 March 2004.
- **Human Rights Watch (2004b)**  
Human Rights Watch, *Struggling To Survive: Barriers to Justice for Rape Victims in Rwanda*, September 2004.
- **Human Rights Watch (2004c)**  
Human Rights Watch, *Foca Confronts its Past: Human Rights Activists and Tribunal Officials Discuss War Crimes with Residents of Notorious Bosnian Serb Town*, 15 October 2004.
- **Human Rights Watch (2005)**  
Human Rights Watch, *Sexual Violence and its Consequences Among Displaced Persons in Darfur and Chad*, April 2005.
- **International Center for Transitional Justice (2002)**  
International Center for Transitional Justice, *A Casualty of Politics: Overview of Acts and Projects of Reparation on the Territory of the Former Yugoslavia* (prepared by D. Djordjević), July 2002.



- **International Center for Transitional Justice (2004a)**  
International Center for Transnational Justice, *Bosnia and Herzegovina: Selected Developments in Transitional Justice* (prepared by M. Freeman), October 2004.
- **International Center for Transitional Justice (2004b)**  
International Center for Transnational Justice, *Serbia and Montenegro: Selected Developments in Transitional Justice* (prepared by M. Freeman), October 2004.
- **International Committee of the Red Cross (1999a)**  
International Committee of the Red Cross, *Working Paper on Article 8, Paragraph 2 (b) (viii), (x), (xiii), (xiv), (xv), (xvi), (xxi), (xxii), and (xxvi) of the Statute*, 18 June 1999.
- **International Committee of the Red Cross (1999b)**  
International Committee of the Red Cross, *Working Paper on Article 8, Paragraph 2 (e) (v), (vi), (vii), (viii), (xi), and (xii) of the Statute*, 29 June 1999.
- **International Crisis Group (2001)**  
International Crisis Group, *International Criminal Tribunal for Rwanda: Justice Delayed*, Nairobi/Arusha/Brussels: Africa Report No. 30, 7 June 2001.
- **International Federation for Human Rights (2002)**  
International Federation for Human Rights, *Report: Victims in the Balance, Challenges Ahead for the International Criminal Tribunal for Rwanda*, No. 329/2, November 2002.
- **International Helsinki Federation for Human Rights (2000)**  
International Helsinki Federation for Human Rights, *Women 2000: An Investigation into the Status of Women's Rights in Central and South-Eastern Europe and the Newly Independent States*, 9 November 2000.
- **Médecins Sans Frontières (2004)**  
Médecins Sans Frontières, *I Have No Joy, No Peace of Mind: Medical, Psychosocial, and Socio-Economic Consequences of Sexual Violence in Eastern DRC*, 2004.
- **Médecins Sans Frontières (2005)**  
Médecins Sans Frontières, *The Crushing Burden of Rape: Sexual Violence in Darfur*, 8 March 2005.
- **Penal Reform International (2003)**  
Penal Reform International, *Research on the Gacaca: Report V*, September 2003.
- **Penal Reform International (2004)**  
Penal Reform International, *Research Report on the Gacaca: Report VI: From Camp to Hill, the Reintegration of Released Prisoners*, May 2004.
- **Physicians for Human Rights (2002)**  
Physicians for Human Rights, *War-Related Sexual Violence in Sierra Leone: A Population Based Assessment*, 2002.
- **Reporters Without Borders (2003)**  
Reporters Without Borders, *Victims' Guide to the International Criminal Court*, 2003.
- **Save the Children (2002)**  
Save the Children, *HIV and Conflict: A Double Emergency*, 2002.
- **Save the Children (2005)**  
Save the Children, *Forgotten Casualties of War: Girls in Armed Conflict*, April 2005.

- **Victims Rights Working Group (2003)**  
Victims Rights Working Group, *Victim Participation at the International Criminal Court: Summary of Issues and Recommendations*, November 2003.
- **Victims Rights Working Group (2005)**  
Victims Rights Working Group, *Comments on the Draft Regulations of the ICC Trust Fund for Victims*, February 2005.
- **Women Caucus for Gender Justice (1999)**  
Women Caucus for Gender Justice, Women's Caucus Advocacy in ICC Negotiations, *Recommendations and Commentary for the Elements Annex*, Submitted to the July 26 – August 13, 1999, Preparatory Commission for the International Criminal Court.
- **Women Caucus for Gender Justice (2000)**  
Women's Caucus for Gender Justice, *Recommendations and Commentary for the Elements of Crimes and Rules of Procedure and Evidence: Submitted to the Preparatory Commission for the International Criminal Court*, Commentary to the 5<sup>th</sup> PrepCom, 12 June 2000.


#### PRESS RELEASES

- Agence France-Presse, *Trauma and Isolation Await Many Witnesses of UN Court at Home*, 16 January 2004
- BBC News, *Rwanda Going Ahead with Genocide Executions*, 24 April 1998.
- BBC News, *Japan Rejects Sex Slave Appeal*, 25 March 2003.
- BBC News, *Genocide Witnesses Being Killed: The Rwandan Government Has Been Urged to Halt the Murder and Intimidation of Potential Witnesses to the Genocide in 1994 During which 800,000 People Died*, 16 December 2003.
- BBC News, *Congo Rape Victims Seek Solace* (by Jackie Martens), 24 January 2004.
- BBC News, *Rwanda Still Searching for Justice*, 30 March 2004.
- BBC News, *Woman Soldier in Abuse Spotlight*, 7 May 2004.
- BBC News, *DR Congo's Shameful Sex Secret*, 3 June 2004.
- BBC News, *US Soldier Jailed for Prison Abuse*, 22 October 2004.
- BBC News, *Report Shows DR Congo Rape Horror*, 26 October 2004.
- BBC News, *Japan to End WWII Sex Slave Fund*, 24 January 2005.
- BBC News, *UN's Darfur Death Estimates Soars*, 14 March 2005.
- Coalition for Women's Human Rights in Conflict Situations News Release, *Rwanda: Akayesu Sentencing a Victory for Women's Rights*, 2 October 1998.
- Coalition for Women's Human Rights in Conflict Situations News Release, *Women's Group Congratulate ICTY on Charges of Sexual Violence Against Slobodan Milosevic*, 29 October 2001.
- Diplomatie Judiciaire, *Témoign Non Protégé*, No. 80, Décembre 2001, pp. 14-17.
- Diplomatie Judiciaire, *Compensating Victims with Guilty Money*, Interview with Carla del Ponte, The Hague, 9 June 2000.

List of Documents

- Hironnelle News Agency, *Rwanda Tribunal's Witness Protection in Question* (by Julia Crawford), 10 December 2001.
- Hironnelle News Agency, *Survivors Accused 14 Defence Investigators of Genocide Crimes*, 25 March 2002.
- Hironnelle News Agency, *Analysis: Confronting Genocide with Country's Regular Courts* (by Gabriel Gabiro), 17 September 2003.
- Hironnelle News Agency, *Silent Victims of Rwanda's Genocide* (by Gabriel Gabiro), 21 November 2003.
- Hironnelle News Agency, *Prosecution Witness Assassinated in Rwanda*, 20 October 2004.
- Hironnelle News Agency, *Plus De 1.600 Cas De Viol De Janvier A Septembre Selon La Police*, 1 décembre 2004.
- Hironnelle News Agency, *ICTR Spent US\$200,000 on HIV/AIDS Affected Witnesses in 2004*, 24 January 2005.
- Hironnelle News Agency, *ICTR Medical Support Programme Targets 2,300 Witnesses*, 28 January 2005.
- Hironnelle News Agency, *First Testimonies via Video Link from Kigali Next Week*, 9 February 2005.
- Hironnelle News Agency, *Alibi Witness Testifies via Video Conference from The Hague*, 21 February 2005.
- Hironnelle News Agency, *Witness Fearing for His Safety Gives Entire Testimony In Camera*, 22 February 2005.
- Hironnelle News Agency, *ICTR/Muvunyi – New Genocide Trial Opens in Arusha*, 2 March 2005.
- Hironnelle News Agency, *ICTR/Muvunyi – Prosecutor to Call 20 Witnesses on Rape Charges against Former Officer*, 5 March 2005.
- Hironnelle News Agency, *Simba Trial Hits Snag as Key Witnesses Refuse to Testify*, 7 March 2005.
- Hironnelle News Agency, *Over 80 People Flee Rwanda as Gacaca Trials Begin*, 14 March 2005.
- Hironnelle News Agency, *700 Hundred Gacaca Judges Accused of Taking Part in the Genocide*, 17 March 2005.
- Hironnelle News Agency, *On Day One of Trials, Gacaca Courts Deliver First Genocide Judgements*, 11 March 2005.
- Hironnelle News Agency, *A New Fund to Assist Rwanda Genocide Survivors*, 6 April 2005.
- Hironnelle News Agency, *The Limitations of Justice Without Compensation*, 18 April 2005.
- Hironnelle News Agency, *Six Hundred Flee to Burundi Over Gacaca*, 19 April 2005.
- Hironnelle News Agency, *Villagers Flee as Genocide Courts Press on*, 25 April 2005.

- Hironnelle News Agency, *Muhimana Gets Life Sentence for Multiple Rapes in Rwanda Genocide*, 28 April 2005.
- Hironnelle News Agency, *Investigations into Allegations of Interference of Witnesses Ordered*, 27 May 2005.
- Hironnelle News Agency, *ICTR/Muvunyi – Witness Describes Horror of Being Raped by Soldiers*, 9 June 2005.
- Hironnelle News Agency, *Rwandan Journalist Cleared of Contempt of Court Charges*, 13 June 2005.
- Hironnelle News Agency, *Judge Intervenes to Quell Heated Exchange in Soldiers' Trial*, 21 June 2005.
- Hironnelle News Agency, *Gacaca Tribunals Officially Launched in Rwanda*, 24 June 2004.
- ICC Newsletter, *Registry: VPRS – Gender Sensitivity*, June 2005, #4, p.6.
- ICC Press Release, *President of Uganda Refers Situation Concerning the Lord's Resistance Army (LRA) to the ICC*, The Hague, 29 January 2004.
- ICC Press Release, *Prosecutor Receives Referral of the Situation in the Democratic Republic of Congo*, The Hague, 19 April 2004.
- ICC Press Release, *First Meeting of the Board of Directors of the Trust Fund for Victims*, The Hague, 22 April 2004.
- ICC Press Release, *The Office of the Prosecutor of the International Criminal Court Opens its First Investigation*, The Hague, 23 June 2004.
- ICC Press Release, *Prosecutor of the International Criminal Court Opens an Investigation into Northern Uganda*, The Hague, 29 July 2004.
- ICC Press Release, *Prosecutor Receives Referral Concerning Central African Republic*, The Hague, 7 January 2005.
- ICC Press Release, *The Prosecutor of the ICC Opens Investigation in Darfur*, The Hague, 6 June 2005.
- ICTR Press Release, *Cooperation and Assistance of States Key to Success of ICTR*, ICTR/INFO-9-2-169, Arusha, 9 March 1999.
- ICTR Press Release, *ICTR Launches Victims Support Initiative in Rwanda*, ICTR/INFO-9-2-242.EN, Arusha, 26 September 2000.
- ICTR Press Release, *Statement of Judge Pillay, President of the Tribunal*, ICTR/INFO-9-3-07, Arusha, 14 December 2001.
- ICTR Press Release, *ICTR President Calls for Compensation for Victims*, ICTR/INFO-9-2-326.EN, Arusha, 31 October 2002.
- ICTR Press Release, *The President of the UN Human Rights Commission to Lead a Campaign to Support Victims*, ICTR/INFO-9-2-363.EN, Arusha, 7 October 2003.
- ICTR Press Release, *The European Commission to Fund Tribunal Projects*, ICTR/INFO-9-2-388.EN, Arusha, 10 May 2004.
- ICTR Newsletter, *ICTR Seminar on Gender Sensitivity*, June 2004, pp. 10-15.
- ICTR Newsletter, *ICTR Completion Strategy*, June 2004, pp. 4-6.

- ICTY Press Release, *The 22<sup>nd</sup> Plenary Session of the International Criminal Tribunal for the former Yugoslavia*, JL/P.I.S./518-e, The Hague, 17 July 2000.
-  ICTY Press Release, *The Judges of the ICTY Acknowledge the Right of Victims of Crimes Committed in the Former Yugoslavia to Seek Compensation*, JL/P.I.S./528-e, The Hague, 14 September 2000.
- ICTY Press Release, *Address to the Security Council by Carla del Ponte, Prosecutor of the International Criminal Tribunals for the Former Yugoslavia and Rwanda, to the UN Security Council*, JL/P.I.S./542-e, The Hague, 24 November 2000.
- ICTY Press Release, *Judgement of Trial Chamber II in the Kunarac, Kovac and Vukovic case*, JL/P.I.S./566-e, The Hague, 22 February 2001.
- ICTY Press Release, *The ICTY and the Truth and Reconciliation Commission in Bosnia and Herzegovina*, JL/P.I.S./591-e, The Hague, 17 May 2001.
- ICTY Press Release, *The President of the ICTY Orders Release of Milojica Kos*, R.C./P.I.S./692e, The Hague, 31 July 2002.
- ICTY Press Release, *First Conference Between Health Professionals from the Former Yugoslavia and the ICTY on Witness Welfare*, CC/P.I.S./805-e, The Hague, 2 December 2003.
- ICTY Press Release, *Second Conference Between Health Professionals from the Former Yugoslavia and the ICTY on Witness Welfare*, WL/P.I.S./850-e, The Hague, 21 May 2004.
- ICTY Press Release, *Conference Between Health Professionals from Croatia and the ICTY on Witness Welfare*, WL/P.I.S./855-e, The Hague, 4 June 2004.
- ICTY Press Release, *Tihomir Blaskic Granted Early Release*, CT/P.I.S./876-e, The Hague, 29 July 2004.
- ICTY Press Release, *Anto Furundzija Granted Early Release*, CT/P.I.S./877e, The Hague, 30 July 2004.
- ICTY Press Release, *Fourth Conference Between Health Professionals from the Former Yugoslavia and the ICTY on Witness Welfare*, WL/P.I.S./894-e, The Hague, 13 September 2004.
- ICTY Press Release, *Foca Conference: Bridging the Gap Between the ICTY and Communities in Bosnia and Herzegovina*, RC/P.I.S./901-e, The Hague, 13 October 2004.
- ICTY Press Release, *Completion of Sentence by Dragoljub Prcac*, CVO/MOW/941e, The Hague, 4 March 2005.
- ICTY Press Release, *Gojko Jankovic Transferred to ICTY Detention Unit*, JP/MOW/948e, The Hague, 14 March 2005.
- ICTY Press Release, *Initial Appearance of Gojko Jankovic Scheduled for 18 March 2005*, CVO/MOW/PA213e, The Hague, 16 March 2005.
- ICTY Press Release, *Miroslav Kvocka Granted Early Release*, CVO/MOW/955e, The Hague, 31 March 2005.
- ICTY Press Release, *Two Indictments for Contempt of the Tribunal Confirmed and Released to the Public*, CT/MOW/967e, The Hague, 27 April 2005.

- ICTY Press Release, *Judgement in the Case The Prosecutor v. Beqa Beqaj*, CT/MOW/968e, The Hague, 5 May 2005
- Institute for War & Peace Reporting, *Foca Rape Case* (by Mirko Klarin and Vjera Bogati), Issue 210, 28 February 2001.
- Internews, *When Justice Takes Too Long* (by Mary Kimani), Kigali, 1 September 2003.
- Internews, *Living a Death Sentence: Rape Victims of the Rwanda Genocide* (by Mary Kimani), Kigali, 1 September 2003.
- Irin News, *Rwanda: ICTR to Embark on Fund-raising for Trust Fund*, Nairobi, 28 March 2002.
- Irin News, *Rwanda: Traditional Courts Inaugurated*, Kigali, 24 June 2004.
- New York Times, *Court Rejects Any Liberty for Milosevic, Citing Threats* (by Marlise Simons), 7 March 2002.
- New York Times Magazine, *A Woman's Work* (by Peter Landesman), 15 September 2002.
- The Guardian, *Mass Rape Ruled a War Crime* (by Andrew Osborn), Brussels, 23 February 2001.
- The New Times, *Gacaca Witnesses Murdered*, Kigali, 25 April 2005.
- The New Times, *Survivors' Houses Burnt*, Kigali, 28-29 June 2004.
- UN Press Release, *Juan E. Mendez of Argentina Appointed Special Advisor on Prevention of Genocide*, SG/A/880/BIO/3580, 14 July 2004.
- UN Press Release, *United Nations Welcomes Establishment of International Fund for Rwanda*, AFR/1133 IHA/1031, 4 April 2005.
- UNAIDS/WHO Press Release, *Number of Women Living with HIV Increases in Each Region of the World*, 23 November 2004.
- Washington Square News, *Lawyer: Rwanda Rape Belittled* (by Kate Meyer), 23 March 2004.
- Women's Initiatives for Gender Justice Press Release, in Collaboration with Isis-WICCE and Ugandan Women Activists, without title, 23 November 2004.
- Women's Initiatives for Gender Justice Press Release, *ICC Must Demonstrate it Takes Gender Crimes Seriously*, 30 June 2005.
- World Health Organization Press Release, *Women and Girls Need Access to AIDS Treatment and Protection from Violence*, 30 November 2004.

UN COMMISSION ON HUMAN RIGHTS

- UN Commission on Human Rights, *Report on the Situation of Human Rights in the Territory of the Former Yugoslavia Prepared by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, Pursuant to Paragraph 15 of Commission Resolution 199/S-1/1 and Economic and Social Council Decision 1992/305, A/47/666*, 17 November 1992.
- UN Commission on Human Rights, *Report on the Situation of Human Rights in the Territory of the Former Yugoslavia, Submitted by Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, Pursuant to Paragraph 15 of Commission Resolution 1992/S-1/1 of 14 August 1992, E/CN.4/1993/50*, 10 February 1993 (UN Doc. E/CN.4/1993/50 (1993)).
- UN Commission on Human Rights, *Situation of Human Rights in the Territory of the Former Yugoslavia: 5<sup>th</sup> Periodic Report on the Situation of Human Rights in the Territory of the Former Yugoslavia, Submitted by Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, Pursuant to Paragraph 32 of Commission Resolution 1993/7 of 23 February 1993, E/CN.4/1994/47*, 17 November 1993.
- UN Commission on Human Rights, *Situation of Human Rights in the Territory of the Former Yugoslavia: 6<sup>th</sup> Periodic Report on the Situation of Human Rights in the Territory of the Former Yugoslavia, Submitted by Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, Pursuant to Paragraph 32 of Commission Resolution 1993/7 of 23 February 1993, E/CN.4/1994/110*, 21 February 1994.
- UN Commission on Human Rights, *Report on the Situation of Human Rights in Rwanda Prepared by the Special Rapporteur of the Commission on Human Rights, in Accordance with Commission Resolution S-3/1 and Economic and Social Council Decision 1994/223, S/1994/1157, Annexes I and II*, 13 October 1994.
- UN Commission on Human Rights, *Ninth Periodic Report on the Situation of Human Rights in the Territory of the Former Yugoslavia, Pursuant to Paragraph 37 of Commission Resolution 1994/72 of 9 March 1994 and Economic and Social Council Decision 1994/262 of 22 July 1994, A/49/641, Annex to Human Right Questions: Human Rights Situations and Reports of Special Rapporteurs and Representatives, A/49/641, S/1994/1252*, 4 November 1994.
- UN Commission on Human Rights, *Report on the Situation of Human Rights in Rwanda*, Submitted by Mr. René Degni-Segui, Special Rapporteur of the Commission on Human Rights, under Paragraph 20 of Resolution S-3/1 of 25 May 1994, E/CN.4/1996/68, 29 January 1996.
- UN Commission on Human Rights, *Systematic Rape, Sexual Slavery and Slavery-like Practices During Armed Conflict: Final Report Submitted by Gay J. McDougall, Special Rapporteur*, E/CN.4/Sub.2/1998/13, 22 June 1998.
- UN Commission on Human Rights, *Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences, Ms. Radhika Coomaraswamy, Addendum, Report of the Mission to Rwanda on the Issue of Violence Against Women in Situations of Armed Conflict, E/CN.4/1998/54/Add.1*, 4 February 1998.

- UN Commission on Human Rights, Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences, *Towards an Effective Implementation of International Norms to End Violence Against Women*, E/CN.4/2004/66, 26 December 2003.
- UN Commission on Human Rights, Resolution 2004/46, *Elimination of Violence Against Women*, E/CN.4/2004/L.11/Add.5, 21 April 2004.
- UN Commission on Human Rights, Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences, Yakin Ertürk, *Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women – Intersections of Violence Against Women and HIV/AIDS*, E/CN.4/2005/72, 17 January 2005.

#### UN GENERAL ASSEMBLY

- UN General Assembly, *Resolution 95(I) Affirmation of Principles of International Law Recognized by the Charter of the Nürnberg Tribunal*, UN Doc. A/64/Add.1, 11 December 1946.
- UN General Assembly, *Resolution 488 (V) Formulation of the Nürnberg Principles*, 12 December 1950.
- UN General Assembly, *Resolution 39/46 of 10 December 1984 on the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, A/RES/39/46, 10 December 1984.
- UN General Assembly, *Resolution 59/137 of 10 December 2004 on Assistance to Survivors of the 1994 Genocide in Rwanda, Particularly Orphans, Widows and Victims of Sexual Violence*, A/RES/59/137, 17 February 2005.

#### UN SECRETARY-GENERAL

- *Report of the Secretary-General on the Establishment of the Commission of Experts Pursuant to Paragraph 2 of Security Council Resolution 780 (1992)*, S/24657, 14 October 1992.
- *Report of the Secretary-General Pursuant to Paragraph 2 of Security Council Resolution 808 (1993)*, UN Doc. S/25704, 3 May 1993.
- *Report of the Secretary-General Pursuant to Paragraph 5 of Security Council Resolution 955 (1994)*, UN Doc. S/1995/134, 13 February 1995.
- *Outline of the Mandate for the Special Advisor on the Prevention of Genocide*, Annex to Letter dated 2004/07/12 from the Secretary-General addressed to the President of the Security Council, S/2004/567, 13 July 2004.



UN SECURITY COUNCIL

- *Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 780 (1992)*, S/1994/674, 27 May 1994.
- *Final Report of the United Nations Commission of Experts Established Pursuant to Security Council Resolution 780 (1992), Annex II – Rape and Sexual Assault: A Legal Study*, S/1994/674/Add.2 (Vol. 1), 28 December 1994.
- *Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 935 (1994)*, S/1994/1405, 9 December 1994.
- *Interim Report of the Commission of Experts Established Pursuant to Security Council Resolution 780 (1992)*, Annex to Letter Dated 93/02/09 from the Secretary-General Addressed to the President of the Security Council, S/25274, 11 February 1993.
- *Preliminary Report of the Independent Commission of Experts Established Pursuant to Security Council Resolution 935 (1994)*, S/1994/1125, 4 October 1994.
- Security Council Minutes from 4150<sup>th</sup> meeting, UN Doc. S/PV.4150, 2 June 2000.
- Security Council Resolution 764, *on Bosnia and Herzegovina*, S/RES/764, 13 July 1992.
- Security Council Resolution 771, *on the Former Yugoslavia*, S/RES/771, 13 August 1992.
- Security Council Resolution 780, *on the Establishment of a Commission of Experts for the former Yugoslavia*, S/RES/780 (1992), 6 October 1992.
- Security Council Resolution 808, *on the Establishment of the ICTY*, S/RES/808 (1993), 22 February 1993.
- Security Council Resolution 820, *Bosnia and Herzegovina*, S/RES/820, 17 April 1993.
- Security Council Resolution 827, *on the Establishment of the ICTY*, S/RES/827 (1993), 25 May 1993.
- Security Council Resolution 955, *on the Establishment of the ICTR*, S/RES/955, 8 November 1994.
- Security Council Resolution 1074, *on the Situation in the former Yugoslavia*, S/RES/1074 (1996), 1 October 1996.
- Security Council Resolution 1503, *on the International Criminal Tribunal for the former Yugoslavia and International Criminal Tribunal for Rwanda*, S/RES/1503 (2003), 28 August 2003.
- Security Council Resolution 1593, *Reports of the Secretary-General on Sudan*, S/RES/1593 (2005), 31 March 2005.

## MISCELLANEOUS

- Annual Report by the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organization (WHO), *AIDS Epidemic Update 2004*, December 2004.
- Center for Civil and Human Rights, Notre Dame Law School, *Amicus Curiae Brief on Protective Measures for Victims or Witnesses of Sexual Violence and Other Traumatic Event*, 6 November 1998.
- Coalition for Women's Human Rights in Conflict Situations, *Letter to Carla del Ponte, Prosecutor, Regarding the Urgent Need to Include Charges of Sexual Violence in the Indictment Against Milosevic*, 14 August 2001.
- Coalition for Women's Human Rights in Conflict Situations, Rights and Democracy, and International Centre for Human Rights and Democratic Development, *Letter to Carla del Ponte*, 12 March 2003.
- Coalition for Women's Human Rights in Conflict Situations, *Letter to Kofi Annan, Secretary General of the United Nations, Concerning the Reappointment of Carla Del Ponte as Prosecutor of the International Criminal Tribunal for Rwanda*, 24 July 2003.
- Coalition for Women's Human Rights in Conflict Situations, *Letter to Prosecutor Hassan Jallow*, 8 February 2005.
- Coalition for Women's Human Rights in Conflict Situations, *Sexual Violence in Cyangu: A Testimonial* (by Monique Kankera), undated.
- Council of Europe, *Legislation in the Member States of the Council of Europe in the Field of Violence Against Women*, EG (2001) 3 rev., Volumes I and II, Strasbourg, November 2002.
- Council of the European Union, *Council Directive 2004/80/EC of 29 April 2004 Relating to Compensation to Crime Victims*, Official Journal of the European Union, L 261/15, 6 August 2004.
- *General Comment adopted by the Human Rights Committee under Article 40, paragraph 4, of the ICCPR*, CCPR/C/21/Rev.1/Add.6, 11 November 1994.
- Netherlands Institute for War Documentation, *Srebrenica – A 'Safe' Area*, Part I, Chapter 9, 10 April 2002.
- Organization for Security and Co-operation in Europe, *War Crimes Trials before the Domestic Courts of Bosnia and Herzegovina: Progress and Obstacles*, March 2005.
- Organization of African Unity, International Panel of Eminent Personalities Report, *Rwanda: The Preventable Genocide*, 2000.
- *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary General: Pursuant to Security Council Resolution 1564 of 18 September 2004*, Geneva, 25 January 2005.
- *Report of the International Law Commission on the Work of Its Forty-Eight Session*, A/51/10 (SUPP), 1 January 1996.
- United Nations High Commissioner for Human Rights, *Access to Justice for Victims of Sexual Violence*, 29 July 2005.

List of Documents

- United Nations Division for the Advancement of Women, *Report of the Expert Group Meeting*, EGM/GBP/1997/Report, Toronto, Canada, 9-12 November 1997.
- United Nations Office for Drug Control and Crime Prevention, Center for International Crime Prevention, *Handbook on Justice for Victims: On the Use and Application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, New York, 1999.
- World Health Organization, *Violence Against Women and HIV/AIDS: Critical Intersections, Sexual Violence in Conflict Settings and the Risk of HIV*, Information Bulletin Series, Number 2, 2004.

## OVERVIEW OF CASES

### INTERNATIONAL COURTS AND TRIBUNALS

#### EUROPEAN COURT OF HUMAN RIGHTS

- *Doorson v. The Netherlands*, Judgment, Publications of the European Court of Human Rights, Series A: Judgments and Decisions, Vol. 330, 26 March 1996.
- *Kostovski v. The Netherlands*, Judgment, Publications of the European Court of Human Rights, Series A: Judgments and Decisions, Vol. 166, 20 November 1989.
- *Ludi v. Switzerland*, Judgment, Publications of the European Court of Human Rights, Series A: Judgments and Decisions, Vol. 330, 15 June 1992.
- *Van Mechelen v. The Netherlands*, Judgment, Publications of the European Court of Human Rights, Series A: Judgments and Decisions, Vol. 674, 23 April 1997.

#### INTERNATIONAL COURT OF JUSTICE

- *Reservations to the Convention on the Prevention and the Punishment of the Crime of Genocide*, Advisory Opinion, ICJ Reports 1951, 28 May 1951.
- *North Sea Continental Shelf Cases (Federal Republic of Germany v. Denmark; Federal Republic of Germany v. The Netherlands)*, Judgment, ICJ Reports 1969, 20 February 1969.
- *Case Concerning the Continental Shelf (Libyan Arab Jamahiriya/Malta)*, Judgment, ICJ Reports 1985, 3 June 1985.
- *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. US)*, Judgment, ICJ Reports 1986, 27 June 1986.
- *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Further Requests for the Indication of Provisional Measures, ICJ Reports 1993, 13 September 1993.

## INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

### Aleksovski

- *Prosecutor v. Zlatko Aleksovski*, Décision Portant Condamnation Pour Outrage Au Tribunal, Case N<sup>o</sup> IT-95-14/1-T, 11 décembre 1998.
- *Prosecutor v. Zlatko Aleksovski*, Judgment, Case No. IT-95-14/1-A, 24 March 2000 (Aleksovski Appeal Judgment).
- *Prosecutor v. Zlatko Aleksovski*, Judgment on Appeal by Anto Nobile against Finding of Contempt, Case No. IT-95-14/1-AR77, 30 May 2001.

### Banović, Banović, Fustar and Knežević

- *Prosecutor v. Nenad Banović, Predrag Banović, Dusan Fustar and Dusko Knežević*, Decision on Motion by the Prosecution for Withdrawal of Indictment against Nenad Banović, Case No. IT-95-8/1-PT, 10 April 2002.
- *Prosecutor v. Predrag Banović*, Sentencing Judgment, Case No. IT-02-65/1-S, 28 October 2003 (Banović Sentencing Judgment).

### Blagojević and Jokić

- *Prosecutor v. Vidoje Blagojević and Dragan Jokić*, Transcripts, Case No. IT-02-60, 22 July 2003.

### Blaškić

- *Prosecutor v. Tihomir Blaškić*, Decision on the Application of the Prosecutor dated 17 October 1996 Requesting Protective Measures for Victims and Witnesses, Case No. IT-95-14-T, 5 November 1996.
- *Prosecutor v. Tihomir Blaškić*, Decision of Trial Chamber I on the Requests of the Prosecutor of 12 and 14 May 1997 in Respect of the Protection of Witnesses, Case No. IT-95-14, 6 June 1997.
- *Prosecutor v. Tihomir Blaškić*, Judgment on the Request of the Republic of Croatia for Review of the Decision of Trial Chamber II of 18 July 1997, Case No. IT-95-14-AR108bis, 29 October 1997.
- *Prosecutor v. Tihomir Blaškić*, Judgment, Case No. IT-95-14-T, 3 March 2000 (Blaškić Judgment).
- *Prosecutor v. Tihomir Blaškić*, Judgment, Case No. IT-95-14-A, 29 July 2004 (Blaškić Appeal Judgment).

**Brđanin**

- *Prosecutor v. Radislav Brđanin and Momir Talić*, Decision on Form of Further Amended Indictment and Prosecution Application to Amend, Case No. IT-99-36, 26 June 2001.
- *Prosecutor v. Radoslav Brđanin*, Decision on Motion of Acquittal Pursuant to Rule 98bis, Case No. IT-99-36-T, 28 November 2003.
- *Prosecutor v. Radoslav Brđanin*, Sixth Amended Indictment, Case No. IT-99-36-T, 9 December 2003.
- *Prosecutor v. Radoslav Brđanin*, Prosecution's Appeal from Trial Chamber's Decision Pursuant to 98bis, Case No. IT-99-36-T, 10 December 2003.
- *Prosecutor v. Radoslav Brđanin*, Decision on Interlocutory Appeal, Case No. IT-99-36-T, 19 March 2004.
- *Prosecutor v. Radoslav Brđanin*, Judgment, Case No. IT-99-36-T, 1 September 2004 (Brđanin Judgment).

**Češić**

- *Prosecutor v. Ranko Češić*, Sentencing Judgment, Case No. IT-95-10/1-S, 11 March 2004 (Češić Sentencing Judgment).

**Delalić, Mucić, Delić and Landžo (Čelebići)**

- *Prosecutor v. Zejnil Delalić, Zdravko Mucić, Hazim Delić and Esad Landžo*, Decision on the Motions by the Prosecution for Protective Measures for Prosecution Witnesses pseudonymed "B" through to "M", Case No. IT-96-21-T, 28 April 1997.
- *Prosecutor v. Zejnil Delalić, Zdravko Mucić, Hazim Delić and Esad Landžo*, Decision on the Motion to Allow Witnesses K, L and M to give Their Testimony by Means of Video-Link Conference, Case No. IT-96-21-T, 28 May 1997.
- *Prosecutor v. Zejnil Delalić, Zdravko Mucić, Hazim Delić and Esad Landžo*, Decision on the Prosecution's Motion for Redaction of the Public Record, Case No. IT-96-21-T, 5 June 1997.
- *Prosecutor v. Zejnil Delalić, Zdravko Mucić, Hazim Delić and Esad Landžo*, Judgment, Case No. IT-96-21-T, 16 November 1998 (Čelebići Judgment).
- *Prosecutor v. Zejnil Delalić, Zdravko Mucić, Hazim Delić and Esad Landžo*, Judgment, Case No. IT-96-21-A, 20 February 2001 (Čelebići Appeal Judgment).
  - *Prosecutor v. Zejnil Delalić, Zdravko Mucić, Hazim Delić and Esad Landžo*, Separate and dissenting Opinion of Judge David Hunt and Judge Mohamed Bennouna, Case No. IT-96-21-A, 20 February 2001.
- *Prosecutor v. Zejnil Delalić, Zdravko Mucić, Hazim Delić and Esad Landžo*, Sentencing Judgment, Case No. IT-96-21-Tbis-R117, 9 October 2001 (Čelebići Sentencing Judgment).

- *Prosecutor v. Zdravko Mucić, Hazim Delić and Esad Landžo*, Judgment on Sentence Appeal, Case No. IT-96-21-Abis, 8 April 2003 (Čelebići Judgment on Sentence Appeal).

#### **Delić**

- *Prosecutor v. Rasim Delić*, Indictment, Case No. IT-04-83-PT, 17 March 2005.

#### **Erdemović**

- *Prosecutor v. Drazen Erdemović*, Judgment, Case No. IT-96-22-A, 7 October 1997 (Erdemović Appeal Judgment).
  - *Prosecutor v. Drazen Erdemović*, Separate and Dissenting Opinion of Judge Cassese, Case No. IT-96-22-A, 7 October 1997.
- *Prosecutor v. Drazen Erdemović*, Decision on the Defendant's Motion to Dismiss Counts 13 and 14 of the Indictment (Lack of Subject Matter Jurisdiction), Case No. IT-95-17/1, 29 May 1998.
- *Prosecutor v. Drazen Erdemović*, Sentencing Judgment, Case No. IT-96-22-A, 5 March 1998 (Erdemović Sentencing Judgment).

#### **Furundžija**

- *Prosecutor v. Anto Furundžija*, Prosecutor's Pre-Trial Brief, Case No. IT-95-17/1-PT, 22 May 1998.
- *Prosecutor v. Anto Furundžija*, Decision on the Defendant's Motion to Dismiss Counts 13 and 14 of the Indictment (Lack of Subject Matter Jurisdiction), Case No. IT-95-17/1, 29 May 1998.
- *Prosecutor v. Anto Furundžija*, Decision on Prosecutor's Motion Requesting Protective Measures for Witnesses "A" and "D" at Trial, Case No. IT-95-17/1-T, 11 June 1998.
- *Prosecutor v. Anto Furundžija*, Order Granting Leave to File *Amicus Curiae* Brief, Case No. IT-95-17/1-T, 10 November 1998.
- *Prosecutor v. Anto Furundžija*, Corrigendum to Order Granting Leave to File *Amicus Curiae* Brief, Case No. IT-95-17/1-T, 11 November 1998.
- *Prosecutor v. Anto Furundžija*, Order Granting Leave to File *Amicus Curiae* Brief, Case No. IT-95-17/1-T, 11 November 1998.
- *Prosecutor v. Anto Furundžija*, Judgment, Case No. IT-95-17/1-T, 10 December 1998 (Furundžija Judgment).
- *Prosecutor v. Anto Furundžija*, Respondent's Brief of the Prosecution (Public Version), Case No. IT-95-17/1-A, 30 September 1999.
- *Prosecutor v. Anto Furundžija*, Judgment, Case No. IT-95-17/1-A, 21 July 2000 (Furundžija Appeal Judgment).

**Haradinaj, Balaj and Brahimaj**

- *Prosecutor v. Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj*, Indictment, Case No. IT-04-84-I, 4 March 2005.

**Jelisić**

- *Prosecutor v. Goran Jelisić*, Pre-Trial Brief, Case No. IT-95-10-T, 19 November 1998 (Jelisić Pre-Trial Brief).
- *Prosecutor v. Goran Jelisić*, Judgment, Case No. IT-95-10-T, 14 December 1999 (Jelisić Judgment).
- *Prosecutor v. Goran Jelisić*, Prosecution's Appeal Brief (Public Redacted Version), Case No. IT-95-10-A, 14 July 2000.
- *Prosecutor v. Goran Jelisić*, Judgment, Case No. IT-95-10-A, 5 July 2001 (Jelisić Appeal Judgment).

**Karadžić and Mladić**

- *Prosecutor v. Radovan Karadžić and Ratko Mladić*, Transcripts, Case No. IT-95-18-R61 and Case No. IT-95-5-R61, 2 July 1996.
- *Prosecutor v. Radovan Karadžić and Ratko Mladić*, Review of the Indictments Pursuant to Rule 61 of the Rules of Procedure and Evidence, Case No. IT-95-5-R16 and IT-95-18-R61, 11 July 1996 (Karadžić and Mladić Rule 61 Decision).
- *Prosecutor v. Radovan Karadžić*, Amended Indictment, Case No. IT-95-5/18-I, 28 April 2000.
- *Prosecutor v. Ratko Mladić*, Amended Indictment, Case No. IT-95-5/18-I, 10 October 2002.

**Kordić and Čerkez**

- *Prosecutor v. Dario Kordić and Mario Čerkez*, Judgment, Case No. IT-95-14/2-T, 26 February 2001 (Kordić and Čerkez Judgment).

**Kovačević**

- *Prosecutor v. Milan Kovačević*, First Amended Indictment, Case No. IT-97-24-I, 28 January 1998.

**Krajisnik**

- *Prosecutor v. Momcilo Krajisnik and Biljana Plavšić*, Amended Consolidated Indictment, Case No. IT-00-39 and 40-PT, 7 March 2002.



### **Krnojelac**

- *Prosecutor v. Milorad Krnojelac*, Judgment, Case No. IT-97-25-T, 15 March 2002 (Krnojelac Judgment).
- *Prosecutor v. Milorad Krnojelac*, Judgment, Case No. IT-97-25-A, 17 September 2003 (Krnojelac Appeal Judgment).

### **Krstić**

- *Prosecutor v. Radislav Krstić*, Judgment, Case No. IT-98-33-T, 2 August 2001 (Krstić Judgment).
- *Prosecutor v. Radislav Krstić*, Judgment, Case No. IT-98-33-A, 19 April 2004 (Krstić Appeal Judgment).

### **Kunarac, Kovač and Vuković (Foča)**

- *Prosecutor v. Dragan Gagović, Gojko Janković, Janko Janjić, Radomir Kovač, Zoran Vuković, Dragan Zelenović, Dragoljub Kunarac and Radovan Stanković*, Decision on Prosecution Motion to Protect Victims and Witnesses, Case No. IT-96-23 and 23/1, 29 April 1998.
- *Prosecutor v. Dragoljub Kunarac and Radomir Kovač*, Amended Indictment, Case No. IT-96-23-PT, 8 November 1999.
- *Prosecutor v. Dragoljub Kunarac and Radomir Kovač*, Prosecutor's Pre-Trial Brief, Case No. IT-96-23-PT, 9 December 1999.
- *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, Transcripts, Case No. IT-96-23-T and IT-96-23/1-T, 19 April 2000.
- *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, Transcripts, Case No. IT-96-23-T and IT-96-23/1-T, 25 April 2000.
- *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, Transcripts, Case No. IT-96-23-T and IT-96-23/1-T, 18 May 2000.
- *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, Prosecutor's Final Trial Brief, Case No. IT-96-23-T and IT-96-23/1-T, 8 November 2000.
- *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, Transcripts, Case No. IT-96-23-T and IT-96-23/1-T, 20 November 2000.
- *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, Judgment, Case No. IT-96-23 and IT-96-23/1, 22 February 2001 (Kunarac, Kovač and Vuković Judgment).
- *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, Judgment, Case No. IT-96-23-A and IT-96-23/1-A, 12 June 2002 (Kunarac, Kovač and Vuković Appeal Judgment).

**Kupreškić, Kupreškić, Kupreškić, Josipović, Papić and Santić (Kupreškić et al.)**

- *Prosecutor v. Zoran Kupreškić, Mirjan Kupreškić, Vlatko Kupreškić, Drago Josipović, Dragan Papić and Vladimir Santić*, Judgment, Case No. IT-95-16-T, 14 January 2000 (Kupreškić, Kupreškić, Kupreškić, Josipović, Papić and Santić Judgment).
- *Prosecutor v. Zoran Kupreškić, Mirjan Kupreškić, Vlatko Kupreškić, Drago Josipović and Vladimir Santić*, Appeal Judgment, Case No. IT-95-16-A, 23 October 2001 (Kupreškić, Kupreškić, Kupreškić, Josipović and Santić Appeal Judgment).

**Kvočka, Kos, Radić, Žigić and Prcać (Kvočka et al.)**

- *Prosecutor v. Miroslav Kvočka, Milojica Kos, Mlado Radić, Zoran Žigić and Dragoljub Prcać*, Judgment, Case No. IT-98-30/1-T, 2 November 2001 (Kvočka et al. Judgment).
- *Prosecutor v. Miroslav Kvočka, Mlado Radić, Zoran Žigić and Dragoljub Prcać*, Judgment, Case No. IT-98-30/1-A, 28 February 2005 (Kvočka et al. Appeal Judgment).

**Limaj, Bala, and Musliu (Limaj et al.)**

- *Prosecutor v. Beqa Beqaj*, Indictment, Case No. IT-03-66-R77, 21 October 2004.

**Martić**

- *Prosecutor v. Milan Martić*, Amended Indictment, Case No. IT-95-11, 18 December 2002.

**Milosević**

- *Prosecutor v. Slobodan Milosević*, Indictment (Croatia), Case No. IT-01-50-I, 8 October 2001.
- *Prosecutor v. Slobodan Milosević*, Indictment (Bosnia), Case No. IT-01-51-I, 22 November 2001.

**Milutinović, Šainović and Ojdanić**

- *Prosecutor v. Slobodan Milosević, Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić and Vlajko Stojiljković*, Second Amended Indictment, Case No. IT-99-37-PT, 29 October 2001.
- *Prosecutor v. Milan Milutinović, Nikola Šainović and Dragoljub Ojdanić*, Decision on Dragoljub Ojdanić's Motion Challenging Jurisdiction – Joint Criminal Enterprise, Case No. IT-99-37-AR72, 21 May 2003.

### **Mrkšić, Radić, Šljivančanin and Dokmanović**

- *Prosecutor v. Mile Mrkšić, Miroslav Radić, Veselin Šljivančanin and Slavko Dokmanović*, Decision on the Prosecutor's Motion for Deposition Evidence, Case No. IT-95-13a, 11 March 1998.
- *Prosecutor v. Mile Mrkšić, Miroslav Radić, Veselin Šljivančanin and Slavko Dokmanović*, Decision on the Defence Motions for Video-Conference Link, Case No. IT-95-13a, 29 April 1998.
- *Prosecutor v. Mile Mrkšić, Miroslav Radić, Veselin Šljivančanin and Slavko Dokmanović*, Decision on Defence Motion for Video Link Conference, Case No. IT-95-13a, 18 May 1998.
- *Prosecutor v. Mile Mrkšić, Miroslav Radić, Veselin Šljivančanin and Slavko Dokmanović*, Scheduling Order, Case No. IT-95-13a, 8 June 1998.

### **Naletilić and Martinović**

- *Prosecutor v. Mladen Naletilić and Vinko Martinović*, Judgment, Case No. IT-98-34-T, 31 March 2003 (Naletilić and Martinović Judgment).

### **Nikolić**

- *Prosecutor v. Dragan Nikolić*, Sentencing Judgment, Case No. IT-94-2-S, 18 December 2003 (Nikolić Sentencing Judgment).
- *Prosecutor v. Dragan Nikolić*, Judgment on Sentencing Appeal, Case No. 94-2-A, 4 February 2005 (Nikolić Judgment on Sentencing Appeal).

### **Plavšić**

- *Prosecutor v. Momcilo Krajisnik and Biljana Plavšić*, Amended Consolidated Indictment, Case No. IT-00-39 and 40-PT, 7 March 2002.
- *Prosecutor v. Biljana Plavšić*, Sentencing Judgment, Case No. IT-00-39 and 40/1-S, 27 February 2003 (Plavšić Sentencing Judgment).

### **Sikirica, Došen and Kolundžija**

- *Prosecutor v. Duško Sikirica, Damir Došen and Dragan Kolundžija*, Prosecutor's Second Revised Pre-Trial Brief, Case No. IT-95-8-PT, 13 October 2000 (Sikirica Pre-Trial Brief).
- *Prosecutor v. Duško Sikirica, Damir Došen and Dragan Kolundžija*, Sentencing Judgment, Case No. IT-95-8-S, 13 November 2001 (Sikirica Sentencing Judgment).

### **Simić**

- *Prosecutor v. Milan Simić*, Sentencing Judgment, Case No. IT-95-9/2-S, 17 October 2002 (Simić Sentencing Judgment).

### Stakić

- *Prosecutor v. Milomir Stakić*, Decision on Rule 98bis Motion for Judgment of Acquittal, Case No. IT-97-24-T, 31 October 2002.
- *Prosecutor v. Milomir Stakić*, Fourth Amended Indictment, Case No. IT-97-24-PT, 10 April 2002.
- *Prosecutor v. Milomir Stakić*, Judgment, Case No. IT-97-24-T, 31 July 2003 (Stakić Judgment).

### Stanković

- *Prosecutor v. Radovan Stanković*, Decision of Referral of Case Under Rule 11bis, Case No. IT-96-23/2-PT, 17 May 2005.

### Tadić

- *Prosecutor v. Duško Tadić*, Decision on the Defense Motion on Jurisdiction, Case No. IT-94-1, 10 August 1995 (Tadić Jurisdiction Decision).
- *Prosecutor v. Duško Tadić*, Decision on the Prosecutor's Motion Requesting Protective Measures for Victims and Witnesses, Case No. IT-94-1, 10 August 1995 (Tadić Protective Measures Decision).
- *Prosecutor v. Duško Tadić*, Separate Opinion of Judge Stephen on the Prosecutor's Motion Requesting Protective Measures for Victims and Witnesses, Case No. IT-94-1, 10 August 1995.
- *Prosecutor v. Duško Tadić*, Decision on the Defence Motion to Summon and Protect Defence Witnesses, and on the Giving of Evidence by Video-Link, Case No. IT-94-1-T, 25 June 1996.
- *Prosecutor v. Duško Tadić*, Decision on Prosecutor's Motion Requesting Protective Measures for Witness R, Case No. IT-94-1-T, 31 July 1996.
- *Prosecutor v. Duško Tadić*, Decision on the Defence Motion Requesting Video-Link for Defence Witnesses, Case No. IT-94-1-T, 16 October 1996.
- *Prosecutor v. Duško Tadić*, Decision on the Defence Motion Requesting Video-Link for Defence Witness Jelena Gajić, Case No. IT-94-1-T, 17 October 1996.
- *Prosecutor v. Duško Tadić*, Decision on Prosecution Motion to Withdraw Protective Measures for Witness L, Case No. IT-94-1-T, 5 December 1996.
- *Prosecutor v. Duško Tadić*, Opinion and Judgment, Case No. IT-94-1-T, 7 May 1997 (Tadić Opinion and Judgment).
- *Prosecutor v. Duško Tadić*, Sentencing Judgment, Case No. IT-94-1-T, 14 July 1997 (Tadić Sentencing Judgment).
- *Prosecutor v. Duško Tadić*, Decision on Appellant's Motion for the Extension of the Time-limit and Admission of Additional Evidence, Case No. IT-94-1-A, 15 October 1998.
- *Prosecutor v. Duško Tadić*, Judgment, Case No. IT-94-1-A, 15 July 1999 (Tadić Appeal Judgment).

- *Prosecutor v. Duško Tadić*, Sentencing Judgment, Case No. IT-94-1-Tbis-R117, 11 November 1999.
- *Prosecutor v. Duško Tadić*, Judgment in Sentencing Appeals, Case No. IT-94-1, 26 January 2000 (Tadić Judgment in Sentencing Appeals).

#### **Talić**

- *Prosecutor v. Radislav Brđanin and Momir Talić*, Decision on Form of Further Amended Indictment and Prosecution Application to Amend, Case No. IT-99-36, 26 June 2001.

#### **Todorović**

- *Prosecutor v. Blagoje Simić, Milan Simić, Miroslav Tadić, Stevan Todorović and Simo Zarić*, Second Amended Indictment, Case No. IT-95-9, 25 March 1999.
- *Prosecutor v. Stevan Todorović*, Sentencing Judgment, Case No. IT-95-9/1-S, 31 July 2001 (Todorović Sentencing Judgment).

### **INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**

#### **Akayesu**

- *The Prosecutor v. Jean-Paul Akayesu*, Judgment, Case No. ICTR-96-4-T, 2 September 1998 (Akayesu Judgment).
- *The Prosecutor v. Jean-Paul Akayesu*, Sentencing Judgment, Case No. ICTR-96-4-T, 2 October 1998 (Akayesu Sentencing Judgment).
- *The Prosecutor v. Jean-Paul Akayesu*, Judgment, Case No. ICTR-96-4-A, 1 June 2001 (Akayesu Appeal Judgment).

#### **Bagosora, Kabiligi, Ntabakuze, Nsengiyumva (Military I)**

- *The Prosecutor v. Théoneste Bagosora*, Amicus Curiae: Letter from Geert Muylle to Mr. Agwu Ukiwe Okali, Case No. ICTR-96-7-T, 10 February 1998.
- *The Prosecutor v. Théoneste Bagosora*, Prosecutor's Memorial (In Response to the Motion Filed by the Kingdom of Belgium on 10 February 1998 to Appear at the Trial and Lead Evidence as *Amicus Curiae*), Case No. ICTR-96-7-T, 10 February 1998.
- *The Prosecutor v. Théoneste Bagosora*, Withdrawal of Prosecutor's Memorial (In Response to the Motion Filed by the Kingdom of Belgium on 10 February 1998 to Appear at the Trial and Lead Evidence as *Amicus Curiae*), Case No. ICTR-96-7-T, 9 March 1998.
- *The Prosecutor v. Théoneste Bagosora*, Request to Appear Before the Tribunal and to Testify as Amicus Curiae in the Case of Théoneste Bagosora and Others, Case No. ICTR-96-7-T, 20 April 1998.

- *The Prosecutor v. Théoneste Bagosora*, Decision on the Amicus Curiae Application by the Government of the Kingdom of Belgium, Case No. ICTR-96-7-T, 6 June 1998.
- *The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva*, Decision on Prosecutor's Motion for Deposition of Witness OW, Case No. ICTR-98-41-I, 5 December 2001.
- *The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva*, Decision on the Prosecution Motion Ex Parte in the Matter of Violation of the Trial Chamber's Witness Protection Orders, and Contempt of Court, Case No. ICTR-98-41-T, 5 July 2002.
- *Le Procureur c. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze et Anatole Nsengiyumva*, Transcription Caviardee, Affaire N<sup>o</sup> ICTR-98-41-T, 20 janvier 2004.
- *The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva*, Transcripts, Case No. ICTR-98-41-T, 3 February 2004.
- *The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva*, Decision on Amicus Curiae Request by African Concern, Case No. ICTR-98-41-T, 23 March 2004.
- *The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva*, Transcripts, Case No. ICTR-98-41-T, 12 July 2004.
- *The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva*, Decision on Amicus Curiae Request by the Rwandan Government, Case No. ICTR-98-41-T, 13 October 2004.

#### **Bagilishema**

- *The Prosecutor v. Ignace Bagilishema*, Judgment, Case No. ICTR-95-1A-T, 7 June 2001 (Bagilishema Judgment).

#### **Bizimungu, Mugenzi, Bicumumpaka, Mugiraneza (Government II)**

- *The Prosecutor v. Casimir Bizimungu, Justin Mugenzi, Jérôme-Clément Bicumumpaka and Prosper Mugiraneza*, Decision on the Prosecutor's Motion and Notice Pursuant to Rule 92bis(E), Case No. ICTR-99-50-T, 17 November 2004.

#### **Gacumbitsi**

- *The Prosecutor v. Sylvestre Gacumbitsi*, Transcripts, Case No. ICTR-2001-64, 3 April 2002.
- *Le Procureur c. Sylvestre Gacumbitsi*, Transcription Caviardee, Affaire N<sup>o</sup> ICTR-2001-64-T, 6 août 2003.
- *The Prosecutor v. Sylvestre Gacumbitsi*, The Prosecutor's Closing Brief, Case No. ICTR-2001-64-I, 22 December 2003.
- *The Prosecutor v. Sylvestre Gacumbitsi*, Judgment, Case No. ICTR-2001-64-T, 17 June 2004 (Gacumbitsi Judgment).

- *The Prosecutor v. Sylvestre Gacumbitsi*, Appellant's Brief, Case No. ICTR-2001-64-A, 28 September 2004.

#### **Kajelijeli**

- *The Prosecutor v. Juvénal Kajelijeli*, Closing Brief, Case No. ICTR-98-44A-T, 16 June 2003.
- *The Prosecutor v. Juvénal Kajelijeli*, Judgment and Sentence, Case No. ICTR-98-44A-T, 1 December 2003 (Kajelijeli Judgment and Sentence).

#### **Kambanda**

- *The Prosecutor v. Jean Kambanda*, Judgment and Sentence, Case No. ICTR 97-23-S, 4 September 1998 (Kambanda Judgment and Sentence).
- *Jean Kambanda v. The Prosecutor*, Judgment, Case No. ICTR-97-23-A, 19 October 2000 (Kambanda Appeal Judgment).

#### **Kamuhanda**

- *The Prosecutor v. Jean de Dieu Kamuhanda*, Judgment, Case No. ICTR-95-54A-T, 22 January 2004 (Kamuhanda Judgment).

#### **Karemera, Ngirumpatse and Nzirorera (Government I)**

- *The Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse, Joseph Nzirorera and André Rwamakuba*, Decision on the Preliminary Motions by the Defence of Joseph Nzirorera, Edouard Karemera, André Rwamakuba and Mathieu Ngirumpatse Challenging Jurisdiction in relation to Joint Criminal Enterprise, Case No. ICTR-98-44-T, 11 May 2004.
- *The Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera*, Amended Indictment, Case No. ICTR-98-44-I, 23 February 2005.

#### **Kayishema and Ruzindana**

- *The Prosecutor v. Obed Ruzindana*, Decision on the Motion filed by the Prosecutor on the Protection of Victims and Witnesses, 4 March 1997.
- *The Prosecutor v. Clément Kayishema and Obed Ruzindana*, Judgment, Case No. ICTR-95-1-T, 21 May 1999 (Kayishema and Ruzindana Judgment).
- *The Prosecutor v. Clément Kayishema and Obed Ruzindana*, Judgment (Reasons), Case No. ICTR-95-1-A, 1 June 2001 (Kayishema and Ruzindana Appeal Judgment).

**Muhimana**

- *The Prosecutor v. Mika Muhimana*, The Prosecutor's Closing Brief, Case No. ICTR-95-1B-T, 25 October 2004.
- *The Prosecutor v. Mikaeli Muhimana*, Judgment and Sentence, Case No. ICTR-95-1B-T, 28 April 2005 (Muhimana Judgment and Sentence).

**Musema**

- *The Prosecutor v. Alfred Musema*, Decision on an Application by African Concern for Leave to Appear as Amicus Curiae, Case No. ICTR-96-13-T, 17 March 1999.
- *The Prosecutor v. Alfred Musema*, Judgment and Sentence, Case No. ICTR-96-13-T, 27 January 2000 (Musema Judgment and Sentence).
- *Alfred Musema v. The Prosecutor*, Judgment, Case No. ICTR-96-13-A, 16 November 2001 (Musema Appeal Judgment).

**Muvunyi**

- *The Prosecutor v. Tharcisse Muvunyi*, Decision on the Prosecutor's Motion for Leave to File an Amended Indictment, Case No. ICTR-2000-55A-PT, 23 February 2005.

**Nahimana, Barayagwiza and Ngeze (Media)**

- *The Prosecutor v. Ferdinand Nahimana, Jean-Bosco Barayagwiza and Hassan Ngeze*, Decision on the Prosecutor's Application to Add Witness X to its List of Witnesses and for Protective Measures, Case No. ICTR-99-52-I, 14 September 2001.
- *The Prosecutor v. Ferdinand Nahimana, Jean-Bosco Barayagwiza and Hassan Ngeze*, Judgment, Case No. ICTR-99-52-T, 3 December 2003 (Media Judgment).

**Niyitegeka**

- *The Prosecutor v. Eliézer Niyitegeka*, Judgment and Sentence, Case No. ICTR-96-14-T, 16 May 2003 (Niyitegeka Judgment and Sentence).
- *The Prosecutor v. Eliézer Niyitegeka*, Prosecutor's Final Trial Brief, Case No. ICTR-96-14-T, 13 December 2003.
- *Eliézer Niyitegeka v. The Prosecutor*, Judgment, Case No. ICTR-96-14-A, 9 July 2004 (Niyitegeka Appeal Judgment).

**Ntagerura, Bagambiki and Imanishimwe (Cyangugu)**

- *The Prosecutor v. André Ntagerura, Emmanuel Bagambiki, Samuel Imanishimwe and Yussuf Munyakazi*, Notice of the Prosecutor to Withdraw All Pending Motions, Case No. ICTR-99-46-T, 14 February 2000.



- *The Prosecutor v. André Ntagerura, Emmanuel Bagambiki and Samuel Imanishimwe*, Transcripts, Case Nos. ICTR-99-10A-T, ICTR-97-36-T, ICTR-99-46-T, 13 February 2001.
- *The Prosecutor v. André Ntagerura, Emmanuel Bagambiki and Samuel Imanishimwe*, Transcripts, Case Nos. ICTR-99-10A-T, ICTR-97-36-T, ICTR-99-46-T, 14 February 2001.
- *The Prosecutor v. André Ntagerura, Emmanuel Bagambiki and Samuel Imanishimwe*, Prosecutor's Response to Application for Leave to File an Amicus Brief, Case No. ICTR-99-46-T, 8 May 2001.
- *The Prosecutor v. André Ntagerura, Emmanuel Bagambiki and Samuel Imanishimwe*, Decision on the Application to File an Amicus Curiae Brief According to Rule 74 of the Rules of Procedure and Evidence Filed on Behalf of the NGO Coalition for Women's Human Rights in Conflict Situations, Case No. ICTR-99-46-T, 24 May 2001.
- *The Prosecutor v. André Ntagerura, Emmanuel Bagambiki and Samuel Imanishimwe*, Prosecutor's Response to a Request for Reconsideration of the Decision of the Application to File an Amicus Curiae Brief by Coalition for Women's Human Rights in Conflict Situations, Case No. ICTR-99-46-T, 7 September 2001.
- *The Prosecutor v. Samuel Imanishimwe, Emmanuel Bagambiki and André Ntagerura*, Decision on the Coalition for Women's Human Rights in Conflict Situation's Motion for Reconsideration of the Decision on Application to File an Amicus Curiae Brief, Case No. ICTR-99-46-T, 24 September 2001.
- *The Prosecutor v. André Ntagerura, Emmanuel Bagambiki and Samuel Imanishimwe*, Judgment, Case No. ICTR-99-46-T, 25 February 2004 (Cyangu Judgment).

#### **Ntakirutimana and Ntakirutimana**

- *The Prosecutor v. Elizaphan Ntakirutimana and Gérard Ntakirutimana*, Judgment and Sentence, Case No. ICTR-96-10-T & ICTR-96-17-T, 21 February 2003 (Ntakirutimana and Ntakirutimana Judgment and Sentence).

#### **Nyiramasuhuko, Ntahobali, Nteziryayo, Nsabimana, Ndayambaje, Kanyabashi (Butare)**

- *The Prosecutor v. Pauline Nyiramasuhuko and Shalom Ntahobali*, Amended Indictment, Case No. ICTR-97-21-I, 1 March 2001.
- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Transcripts, Case No. ICTR-98-42-T, 24 October 2001.
- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Transcripts, Case No. ICTR-98-42-T, 25 October 2001.

- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Transcripts, Case No. ICTR-98-42-T, 29 October 2001.
- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Transcripts, Case No. ICTR-98-42-T, 31 October 2001.
- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Transcripts, Case No. ICTR-98-42-T, 1 November 2001.
- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Transcripts, Case No. ICTR-98-42-T, 3 April 2002.
- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Transcripts, Case No. ICTR-98-42-T, 24 October 2002.
- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Transcripts, Case No. ICTR-98-42-T, 11 March 2003.
- *The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Alphonse Nteziryayo, Sylvain Nsabimana, Elie Ndayambaje and Joseph Kanyabashi*, Decision on Prosecutor's Motion for Leave to Be Authorised to Have Admitted the Affidavits Regarding the Chain of Custody of the Diary of Pauline Nyiramasuhuko Under Rule 92bis, Case No. ICTR-98-42-T, 14 October 2004.

### **Ruggiu**

- *The Prosecutor v. Georges Ruggiu*, Judgment and Sentence, Case No. ICTR-97-32-I, 1 June 2000 (Ruggiu Judgment and Sentence).

### **Rutaganda**

- *The Prosecutor v. Georges Anderson Nderubumwe Rutaganda*, Judgment and Sentence, Case No. ICTR 96-3-T, 6 December 1999 (Rutaganda Judgment and Sentence).

### **Rwamakuba**

- *The Prosecutor v. Édouard Karemera, Mathieu Ndirumpatse, Joseph Nzirorera and André Rwamakuba*, Decision on the Preliminary Motions by the Defence of Joseph Nzirorera, Édouard Karemera, André Rwamakuba and Mathieu Ndirumpatse Challenging Jurisdiction in relation to Joint Criminal Enterprise, Case No. ICTR-98-44-T, 11 May 2004.
- *André Rwamakuba v. The Prosecutor*, Decision on Interlocutory Appeal Regarding Application of Joint Criminal Enterprise to the Crime of Genocide, Case No. ICTR-98-44-AR72.4, 22 October 2004.

### **Semanza**

- *The Prosecutor v. Laurent Semanza*, Judgment and Sentence, Case No. ICTR-97-20-T, 15 May 2003 (Semanza Judgment and Sentence).
- *The Prosecutor v. Laurent Semanza*, Prosecution Appeal Brief, Case No. ICTR-97-20-A, 1 September 2003.
- *Laurent Semanza v. The Prosecutor*, Judgment, Case No. ICTR-97-20-A, 20 May 2005 (Semanza Appeal Judgment).

### **Serushago**

- *The Prosecutor v. Omar Serushago*, Sentence, Case No. ICTR 98-39-S, 5 February 1999 (Serushago Sentence).

### **WOMEN'S INTERNATIONAL WAR CRIMES TRIBUNAL ON JAPAN'S MILITARY SEXUAL SLAVERY**

- The Women's International War Crimes Tribunal 2000 for the Trial of Japanese Military Sexual Slavery' in the matter of THE PROSECUTORS AND THE PEOPLES OF THE ASIA-PACIFIC REGION V. EMPEROR HIROHITO et al. AND THE GOVERNMENT OF JAPAN, Summary of Findings, 12 December 2000 (on file with the author).
- Transcript of Oral Judgment delivered on 4 December 2001 by the Judges of the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery, Tokyo, Japan (on file with the author).

### **NATIONAL COURTS**

#### **United Kingdom**

- *Islam (A.P.) v. Secretary of State for the Home Department, Regina v. Immigration Appeal Tribunal and Another Ex Parte Shah (A.P.) (Conjoined Appeals)*, 25 March 1999, House of Lords.
- *R. v. Watford Magistrates* (1993), TLR 285.
- *R. v. Taylor* (1994), TLR 484.

#### **The Netherlands**

- Hoge Raad, Staat der Nederlanden v. T.J., 21 april 1998, *NJ* 1998, 781 ('Tongzoen-arrest')
- Hoge Raad, Staat der Nederlanden v. D. Bouterse, 18 september 2001, 00749/01 CW 2323.

**Australia**

- *Jarvie and Another v. The Magistrates' Court of Victoria at Brunswick and Others* (1994), VR 88.

## OVERVIEW OF LEGISLATION

### INTERNATIONAL TREATIES AND OTHER LEGISLATION

- 1863** Instructions for the Government of Armies of the United States in the Field by Order of the Secretary of War, 24 April 1863, reprinted in Schindler and Toman (1988) (Lieber Code).
- 1899** Hague Convention (II) with Respect to the Laws and Customs of War on Land, 29 July 1899, 32 Stat. 1803, TS No. 403, reprinted in Schindler and Toman (1988), p. 63 (1899 Hague Convention (II) with Respect to the Laws and Customs of War on Land).
- 1904** International Convention for the Suppression of the White Slave Traffic, 18 May 1904, 35 Stat. 426, 1 LNTS 83, as amended by the Protocol of 4 May 1949, 92 UNTS 19.
- 1907** Hague Convention (IV) Respecting the Laws and Customs of War on Land (and Annex Regulations Concerning the Laws and Customs of War on Land), 18 October 1907, 36 Stat. 2277, TS No. 539, reprinted in Roberts and Guelff (2000), p. 67 (1907 Hague Convention (IV) Respecting the Laws and Customs of War on Land).
- 1910** International Convention for the Suppression of White Slave Traffic, 4 May 1910, III LNTS 278.
- 1921** International Convention for the Suppression of the Traffic in Women and Children, 30 September 1921, 9 LNTS 416, as amended by Protocol, 93 UNTS 43.
- 1926** Slavery Convention, 25 September 1926, 60 LNTS 253 (1926 Slavery Convention).
- 1930** Convention Concerning Forced or Compulsory Labour (ILO No. 29), 28 June 1930, 39 UNTS 55 (1930 Forced or Compulsory Labour Convention).
- 1933** International Convention on the Suppression of the Traffic in Women of Full Age, 11 October 1933, 150 LNTS 431, as amended by the Protocol of 12 November 1947, 53 UNTS 39.
- 1945** - Charter of the United Nations, San Francisco, 26 June 1945.  
- Statute of the International Court of Justice, San Francisco, 26 June 1945.  
- Charter of the International Military Tribunal for the Trial of the Major War Criminals, appended to the Agreement for the Prosecution and Punishment of Major War Criminals of the European Axis, 8 August 1945, London, as amended, Protocol to Agreement and Charter, 6 October 1945, 82 UNTS 279 (Nuremberg Charter).

- 1946** - Nuremberg Trials Final Report Appendix D: Allied Control Council Law No. 10, Punishment of Persons Guilty of War Crimes, Crimes Against Peace and Humanity, 20 December 1945, published in Official Gazette of the Control Council for Germany, No. 3, Berlin, 31 January 1946 (Control Council Law No. 10 or CCL 10).
- Charter of the International Military Tribunal for the Far East, 19 January 1946 (General Orders No. 1), Tokyo, as amended, General Orders No. 20, 26 April 1946, TIAS No. 1589, 4 Bevans 20 (Tokyo Charter).
- 1947** First Draft of the Genocide Convention, prepared by the UN Secretariat, May 1947, UN Doc. E/447.
- 1948** - Convention on the Prevention and Punishment of the Crime of Genocide, UN General Assembly Res. 260 A (III) (9 December 1948), 78 UNTS 277 (Genocide Convention).
- Universal Declaration of Human Rights, UN General Assembly Res. 217 (A) (10 December 1948), UN GAOR, Third Session, UN Doc. A/RES/3/217 (1948) (1948 Universal Declaration of Human Rights).
- 1949** - Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 12 August 1949, 75 UNTS 31 (1949 Geneva Convention I).
- Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 12 August 1949, 75 UNTS 85 (1949 Geneva Convention II).
  - Convention Relative to the Treatment of Prisoners of War, 12 August 1949, 75 UNTS 135 (1949 Geneva Convention III).
  - Convention Relative to the Protection of Civilian Persons in Time of War, 12 August 1949, 75 UNTS 287 (1949 Geneva Convention IV).
  - Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 2 December 1949, 96 UNTS 272.
- 1950** European Convention for the Protection of Human Rights and Fundamental Freedoms, Rome, 4 November 1950, ETS No. 5 (1950 European Convention on Human Rights or ECHR).
- 1951** Convention Relating to the Status of Refugee, Geneva, 28 July 1951, 189 UNTS 137.
- 1956** Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 7 September 1956, 266 UNTS 3 (1956 Supplementary Slavery Convention).
- 1957** Convention Concerning the Abolition of Forced Labour (ILO No. 105), 25 June 1957, 320 UNTS 291 (1957 Convention Concerning the Abolition of Forced Labour).
- 1965** International Convention on the Elimination of All Forms of Racial Discrimination, UN General Assembly Resolution 2106 A (XX) (21 December 1965), 660 UNTS 195.

- 1966** International Covenant on Civil and Political Rights, UN General Assembly Resolution 2200 (XXI) (16 December 1966), 999 UNTS 171 (1979) (1966 International Covenant on Civil and Political Rights or ICCPR).
- 1969** - Vienna Convention on the Law of Treaties, 23 May 1969, 1155 UNTS 331 (1969 Vienna Convention on the Law of Treaties).  
 - American Convention on Human Rights, San José, 22 November 1969, OAS Treaty Ser. No. 36, OAS Off. Rec. OEA/Ser.L/V/II.23 doc. 21 rev. 6 (1979) (1969 American Convention on Human Rights or ACHR).
- 1977** - Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts, 8 June 1977, 1125 UNTS 3 (1977 Additional Protocol I).  
 - Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts, 8 June 1977, 1125 UNTS 609 (1977 Additional Protocol II).
- 1979** - Statute of the Inter-American Commission on Human Rights, General Assembly Res. No. 447, La Paz, Bolivia, October 1979.  
 - Convention on the Elimination of All Forms of Discrimination Against Women, UN General Assembly Res. 34/180 (18 December 1979), reprinted in United Nations, *A Compilation of International Instruments*, UN Doc. ST/HR/1/Rev. 5 (Vol.1/Part 1) (1994), p. 150 (1979 Convention on the Elimination of All Forms of Discrimination Against Women).
- 1981** African Charter on Human and Peoples' Rights, Banjul, 26 June 1981, OAU Doc. CAB/LEG/67/3 Rev. 5 (1981 African Charter on Human and Peoples' Rights).
- 1984** Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, UN General Assembly Res. 39/46 (10 December 1984), 1465 UNTS 85 (1984 Torture Convention).
- 1985** - Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, UN General Assembly Res. 40/34, 29 November 1985, UN Doc. A/RES/40/34 (1985 Victims Declaration).  
 - Recommendation No. R (85) 11 of the Committee of Ministers to Member States of the Council of Europe on the Position of Victims in the Framework of Criminal Law and Procedure, 28 June 1985, Rec. 85(11) E.
- 1989** Convention on the Rights of the Child, UN General Assembly Res. 44/25 (20 November 1989) reprinted in 28 *ILM* 1448 (1989 Convention on the Rights of the Child).
- 1991** Draft Code of Crimes Against Peace and Security of Mankind, Report of the International Law Commission, 43rd Session, 29 April – 19 July 1991, 46th Session, Supp. No. 10, UN Doc. A/46/10 (1991) (1991 Draft Code of Crimes Against Peace and Security of Mankind 1991).
- 1993** - Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established by the Security Council acting under Chapter VII of the United Nations Charter, 25 May 1993,

- Security Council Resolution 827 (1993), United Nations Security Council Official Records, Forty-eight Session, 3217<sup>th</sup> Meeting, UN Doc. S/RES/827 (1993) (ICTY Statute).
- Draft Principles on the Right to Restitution, Compensation and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms, annexed to the Final Report Submitted by Mr. Theo van Boven, Special Rapporteur, *Study Concerning the Right to Restitution, Compensation and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms* (2 July 1993), UN Doc. E/CN.4/Sub.2/1993/8.
  - Vienna Declaration and Programme of Action, 12 July 1993, UN Doc. A/Conf.157/23.
- 1994** - Statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, Between 1 January 1994 and 31 December 1994, Established by the Security Council Acting Under Chapter VII of the United Nations Charter, 8 November 1994, Security Council Resolution 955 (1994), United Nations Security Council Official Records, Forty-Ninth Session, 3453<sup>rd</sup> Meeting, UN Doc. S/RES/955 (1994) (ICTR Statute).
- International Criminal Tribunal for the former Yugoslavia, Rules of Procedure and Evidence, adopted on 11 February 1994 and amended up to 11 March 2005, UN Doc. IT/32/Rev. 36.
- 1995** - International Criminal Tribunal for Rwanda, Rules of Procedure and Evidence as adopted on 29 June 1995, as amended up to 21 May 2005.
- Beijing Declaration and Platform for Action, Fourth World Conference on Women, 15 September 1995, UN Doc. A/Conf.177/20.
- 1996** - The Administration of Justice and the Human Rights of Detainees: *Revised Set of Basic Principles and Guidelines on the Right to Reparation for Victims of Gross Violations of Human Rights and Humanitarian Law*, Prepared by Mr. Theo van Boven Pursuant to Sub-Commission Decision 1995/117, 24 May 1996, UN Doc. E/CN.4/Sub.2/1996/17.
- Titles and Texts of Draft Articles on the Draft Code of Crimes Against the Peace and Security of Mankind, adopted by the Drafting Committee on 2<sup>nd</sup> Reading at its 47<sup>th</sup> and 48<sup>th</sup> Sessions, 31 May 1996, UN Doc. A/CN.4/L.522 (1996) (1996 Draft Code of Crimes Against Peace and Security of Mankind 1996).
- 1997** - Question of the Human Rights of All Persons Subjected to Any Form of Detention or Imprisonment, *Basic Principles and Guidelines on the Right to Reparation for Victims of Violations of Human Rights and International Humanitarian Law*, 16 January 1997, UN Doc. E/CN.4/1997/104.
- Recommendation No. R (97) 13 of the European Council's Committee of Ministers to Member States Concerning Intimidation of Witnesses and the Rights of the Defence, 10 September 1997.



- 1998** Statute of the International Criminal Court, Rome 17 July 1998, UN Doc. A/CONF.183/9\*, as corrected by the *procès-verbaux* of 10 November 1998 and 12 July 1999.
- 1999** - International Criminal Tribunal for the former Yugoslavia, *Practice Direction on the Procedure for the Determination of Applications for Pardon, Commutation of Sentence and Early Release of Persons Convicted by the International Tribunal*, 7 April 1999, IT/146.
- Resolution of the International Association of Penal Law, adopted by the International Association of Penal Law at its Budapest session 'The Criminal Justice Systems Facing the Challenge of Organized Crime', 1999.
- 2000** Basic Principles and Guidelines on the Rights to a Remedy and Reparation for Victims of Violations of International Human Rights and Humanitarian Law, annexed to the Final Report of the Special Rapporteur, Mr. M. Cherif Bassiouni, *The Right to Restitution, Compensation and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms*, 18 January 2000, UN Doc. E/CN.4/2000/62.
- 2002** - Assembly of States Parties, *Rules of Procedure and Evidence*, adopted by the Assembly of States Parties, First Session, New York, 3-10 September 2002, Official Records, 9 September 2002, ICC-ASP/1/3.
- Assembly of States Parties, *Elements of Crimes*, adopted by the Assembly of States Parties, First Session, New York, 3-10 September 2002, Official Records, 9 September 2002, ICC-ASP/1/3.
- 2004** *Regulations of the Court*, Adopted by the Judges of the Court on 26 May 2004, Fifth Plenary Session, The Hague, 17-28 May 2004, ICC BD/01-01-04.
- 2005** Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, 13 April 2005, UN Doc. E/CN.4/2005/L.48.

#### NATIONAL LAWS

- 1879** French Penal Code, as amended up to 15 September 2003. Available at <http://www.preventgenocide.org>
- 1881** Dutch Penal Code, 3 March 1881, as amended up to 9 December 2004, *Staatsblad* 645.
- 1889** The Penal Code of Finland, 39/1889, as amended up to 650/2003. Available at <http://www.preventgenocide.org>
- 1921** Dutch Code of Criminal Procedure, 15 January 1921, as amended up to 9 December 2004, *Staatsblad* 645.
- 1976** Criminal Code of Socialist Republic of Yugoslavia, *Official Gazette of SFRJ*, No. 44, 8 October 1976.
- 1977** Criminal Code of the Socialist Republic of Bosnia and Herzegovina, *Official Gazette of the Socialist Republic of Bosnia and Herzegovina*, No. 16/77.

- 1978** Rwandan Penal Code, Decree-Law No. 21/77 (18 August 1977), *Journal Officiel de la République Rwandaise*, 1 July 1978.
- 1987** German Code of Criminal Procedure, 7 April 1987, BGBl. I, S. 1074, 1319.
- 1988** Criminal Justice Act 1988 (England). Available at [http://www.opsi.gov.uk/acts/acts1988/Ukpga19880033\\_en\\_1.htm](http://www.opsi.gov.uk/acts/acts1988/Ukpga19880033_en_1.htm)
- 1993** Wet van 11 november 1993 tot wijziging van het Wetboek van Strafvordering, het Wetboek van Strafrecht en enige andere wetten (getuigenbescherming), 11 November 1993, *Staatsblad* 603 (Witness Protection Act); and Memorie van Toelichting (Explanatory Memorandum), Tweede Kamer, vergaderjaar 1991-1992, 22 483, nr. 3.
- 1995** Spanish Penal Code (del Código Penal), Jefatura del Estado, Organic Law (Ley Organica) 10/1995, 23 November 1995. Available at <http://www.preventgenocide.org>
- 1996** Organic Law No. 08/96 of 30 August 1996 on the Organization of Prosecutions for Offences Constituting the Crime of Genocide or Crimes against Humanity Committed Since 1 October 1990, published in the Gazette of the Republic of Rwanda, 35<sup>th</sup> year, No. 17, 1 September 1996 (Rwandan Organic Law No. 08/96).
- 1997** - Evidence (Witness Anonymity) Amendment Act 1997 (NZ) (New Zealand).  
- Polish Code of Criminal Procedure, Act of 6 June 1997, Dz.U.97.89.555.
- 1998** Law No. 02/98 of 22/01/1998 Establishing a National Assistance Fund for Needy Victims of Genocide and Massacres Committed in Rwanda Between October 1, 1990 and December 31, 1994.
- 2000** Canada's Crimes Against Humanity and War Crimes Act, 2000, C.24, 24 June 2000.
- 2001** - The International Criminal Court Act 2001 (Enforcement of Fines, Forfeiture and Reparation Orders), England and Wales and Northern Ireland, Regulations 2001, No. 2379, 29 June 2001.  
- Organic Law No. 40/2000 of 26/01/2001 Setting Up 'Gacaca Jurisdictions' and Organizing Prosecutions for Offences Constituting the Crime of Genocide or Crimes against Humanity Committed Between October 1, 1990, and December 31, 1994 (Gacaca Organic Law No. 40/2000).  
- Organic Law No. 33/2001 of 22/6/2001 Modifying and Completing Organic Law No. 40/2000 Setting Up 'Gacaca Jurisdictions' and Organizing Prosecutions for Offences Constituting the Crime of Genocide or Crimes against Humanity Committed Between October 1, 1990, and December 31, 1994.
- 2004** Organic Law No. 16/2004 of 19/6/2004 Establishing the Organisation, Competence and Functioning of Gacaca Courts Charged with Prosecuting and Trying the Perpetrators of the Crime of Genocide and Other Crimes Against Humanity Committed Between October 1, 1990, and December 31, 1994, *Official Gazette of the Republic of Rwanda*, Year No. 43, Special of 19 June 2004 (Gacaca Organic Law No. 16/2004).

## INDEX

- Aggravating Circumstances 362-371  
    Discrimination on Gender Basis 364, 369, 371, 379, 446  
    Effect on Third Parties 370-371  
    Multiple Perpetrators 369, 371, 379  
    Repeated Nature of the Rapes 369, 371, 423, 445  
    Trauma Victims 370, 379
- Amicus Curiae 291-298, 397, 399  
    Coalition for Women's Human Rights in Conflict Situations 291-298
- Anonymity 248-256
- Any Other Form of Sexual Violence of Comparable Gravity 147-152
- Comfort Women 8-9, 117, 172
- Commission of Experts 16-17  
    Former Yugoslavia 16  
    Rwanda 17
- Common Article 3: 202-215
- Common Elements  
    Crimes Against Humanity 166-168  
    Genocide 60-61, 72-75  
    War Crimes 201-202, 220
- Compensation 385, 398-400  
    Former Yugoslavia 388  
    ICTY/R 398-400  
    Proposals to Include  
        Compensation ICTY/R 406-409  
        Rwanda 392-394
- Confidentiality Measures 238-248  
    Electronic or Other Special Means 244-248  
    *In Camera* 242-244  
    Non-disclosure Third Party 239-242  
    Video Conferencing 244-248
- Confinement of a woman 9, 138-140, 144-146, 172, 429-430
- Consent (lack of) 94, 120-123, 134, 142, 148  
    *See also* Rape
- Contempt of Court 240-241
- Control Council Law No. 10: 6, 8, 85, 95, 103, 152, 162
- Cruel Treatment 205-206
- Enforced Prostitution 141-143
- Enforced Sterilisation 146-147
- Enslavement 86-94
- Expertise on Gender-Crimes, Sexual Violence, Trauma 21, 277-278, 421, 452-453
- Fellatio 115
- Forced Nudity 136, 149-150, 171, 428
- Forced Pregnancy 143-146
- Former Yugoslavia  
    Criminal Codes 347-350  
    Prosecution of Sexual Violence 350  
    Sexual Violence 9-11
- Gender (definition) 20
- Geneva Conventions 179-197, 202-215  
*See also* Grave Breaches and Common Article 3
- Genocide 41-84  
    Akayesu Judgment 44-45  
    Gender (adding) 83-84  
    Genocidal Acts 48-60  
    Intent and Proof of Intent 60-61, 76-79  
    Specific Sexual Violence (adding) 80, 83-84
- Grave Breaches 179-197

- Guidelines on Treatment in Court 275-277
  - Code of Conduct ICC Counsel 276-277
- HIV/AIDS 55, 57, 81-84
  - ARV Medication ICTR 403-404, 447
  - (Intentional) Infection Through Sexual Violence 81-82, 387, 390-391
  - Need for ARV Medication 391
- In camera* Procedure 242-244
- Inhuman Treatment 193-196
- Inhumane Acts 162-166
- Jus Cogens* 83-84, 434
- Modes of Liability 61-72
  - Joint Criminal Enterprise (3<sup>rd</sup> Variant) 67-72
  - Superior Responsibility 63-65, 168-169
- Non-Specific Sexual Violence Crimes
  - See* Cruel Treatment, Enslavement, Inhuman Treatment, Torture, Other Inhumane Acts, Outrages Upon Personal Dignity, Persecution, Wilfully Causing Great Suffering
  - Nullem Crimen Sine Lege* 113, 150-51, 165
  - Nuremberg Tribunal 5-9
- Outrages Upon Personal Dignity 198, 211-215
- Participation of Victims of Sexual Violence at the ICC 301-308, 441-442
  - Gender Sensitive Arrangements 308, 309, 442
- Persecution 152-162
  - Gender as Discrimination Ground 160
  - Media Case 158
- Post-Trial 256-257
  - Relocation 256-257
  - Witness Protection Programmes 249-250, 257
  - Support Measures 401, 405
- Protective Measures
  - Demeanour of Witnesses 247-249, 258-259
  - Tadić Protective Measures Decision* 249, 251, 254, 438
  - See also* Anonymity, Confidentiality, Special Evidentiary Rules
- Protection from Retraumatization 257-277
  - Avoiding Face-to-Face Confrontation 258-259
  - See also* Confidentiality Measures, Special Evidentiary Rules, Special Measures
- Rape 103-137
  - Akayesu* Judgment 105-111
  - Coercion 107-110, 115-116
  - Conceptual definition 105-111
  - Furundžija* Judgment 111-116
  - ICC Elements of Crimes 129-135
  - Kunarac, Kovač and Vuković* Judgment 116-126
  - Lack of Consent 120-123, 134
  - Mechanical definition 111-126
  - National laws 111, 114, 117
  - Reality of the crime 84, 123, 171, 428
  - Rule 96: 121-122, 260, 267, 493
- Reparation
  - Restitution of Property or Proceeds 385-386, 395-398
  - Compensation 385-386, 398-400
  - Rehabilitation 400-406
- Residual Category
  - Any Other Form of Sexual Violence also Constituting a Grave Breach 200-201
  - Any Other Form of Sexual Violence also Constituting a Serious Violation of Common Article 3: 217

- Any Other Form of Sexual Violence of Comparable Gravity 147-152
- Rights of the Accused 235-239, 248-254, 258, 270, 277, 438, 439
- Rwanda
  - AVEGA-AGAHOZO 272, 297, 389, 392
  - Criminal Code 356-357
  - Gacaca 352-353
  - Gacaca Organic Law 351-353
  - HIV/AIDS 57, 390
  - Prosecution of Sexual Violence 351-352
  - Sexual Violence 11-14
  - Security Tribunal Witnesses 231, 233
- Sentencing 319-381, 443-447
  - Chart on Sentencing in Cases of Sexual Violence 336-337
  - Determinants 345-375
  - Gravity of the Crime 358-362
  - Substantiated 381, 447
  - See also* Aggravating Circumstances
- Sexual Mutilation 58, 132, 150, 187, 213
- Sexual Slavery 137- 141
- Sexual Violence 26-27
- Special Evidentiary Rules 260-269
  - Consent 263-269
  - Corroboration 261-263
  - Prior or Subsequent Sexual Conduct 268-269
- Special Measures
  - Anonymity 252-254
  - Attendance of Supports Person 271
  - Manner and Length of Questioning 272-275
  - Prior Recorded Testimony 269-271
  - See also* Guidelines on Treatment in Court
- Specific Sexual Violence Crimes
  - See* Rape, Sexual Slavery, Enforced Prostitution, Forced Pregnancy, Enforced Sterilisation, and Any Other Form of Sexual Violence
- Support Measures 278, 394-395
- Support Programme for Witnesses 401
- Ten Commandments 12, 158
- Tokyo Tribunal 6, 8
- Torture
  - Crime Against Humanity 95-102
  - Prohibited Purposes (including gender discrimination) 187-189, 221
  - War Crime 181-193, 206-211
- Treatment in Court 272-277
  - Cross-Examination 274-277, 440
  - Inappropriate Questioning 273, 276, 281
  - See also* Guidelines on Treatment in Court
- Trust Fund for Victims and their Families 416-420
  - Collective Projects 419-420
  - Interim Relief 418
- Van Boven/Bassiouni Principles 384-386, 412
- Victim Impact Statements 286-291
- Victims
  - Isolation 14, 55, 233, 437
  - Stigmatisation 14, 55, 234, 238, 279
  - Threats, Intimidation 232-233
  - Victims and Witnesses Unit 277-278
  - Rule 34 18, 401-403
  - Support during Trial 277, 420
- Victims Participation and Reparation Section 303-304, 413-414, 442
  - Cooperation with Organisations 304, 414
  - Victim Notification 303
- Video Conferencing 244-248
- Violations of the Laws and Customs of War 197-201
- Voluntary Trust Fund 404-405
- Wilfully Causing Great Suffering 196-197

| Index

Women's Caucus for Gender Justice  
304, 149, 410  
Women's International War Crimes  
Tribunal (Tokyo) 9, 139  
World War I and II 4-5

## CURRICULUM VITAE

Anne-Marie de Brouwer (1975) studied law at Tilburg University (The Netherlands) and La Sapienza (Italy). She graduated in International Law at Tilburg University in 1998. In 1998/1999 she did an LL.M. in International Human Rights Law at the University of Essex (United Kingdom). In 2000 she was employed as a PhD researcher and lecturer in international law and supranational criminal law at the Department of European and International Law at Tilburg University. Since then, she has been a member of the School of Human Rights Research. Currently, she works as a University Lecturer in supranational criminal law and international law at Tilburg University.

## SCHOOL OF HUMAN RIGHTS RESEARCH SERIES

The School of Human Rights Research is a joint effort by human rights researchers in the Netherlands. Its central research theme is the nature and meaning of international standards in the field of human rights, their application and promotion in the national legal order, their interplay with national standards, and the international supervision of such application. The School of Human Rights Research Series only includes English titles that contribute to a better understanding of the different aspects of human rights.

Editorial Board of the Series: Prof. dr C. Flinterman (Utrecht University), Prof. dr W.J.M. van Genugten (Tilburg University), Prof. dr A.P. van Goudoever (Utrecht University), Prof. dr M.T. Kamminga (Maastricht University), Prof. dr P.A.M. Mevis (Erasmus University Rotterdam) and dr H. Werdmölder (Utrecht University)

Published titles within the Series:

- 1 Brigit C.A. Toebes, *The Right to Health as a Human Right in International Law*  
ISBN 90-5095-057-4
- 2 Ineke Boerefijn, *The Reporting Procedure under the Covenant on Civil and Political Rights. Practice and Procedures of the Human Rights Committee*  
ISBN 90-5095-074-4
- 3 Kitty Arambulo, *Strengthening the Supervision of the International Covenant on Economic, Social and Cultural Rights. Theoretical and Procedural Aspects*  
ISBN 90-5095-058-2
- 4 Marlies Glasius, *Foreign Policy on Human Rights. Its Influence on Indonesia under Soeharto*  
ISBN 90-5095-089-2
- 5 Cornelis D. de Jong, *The Freedom of Thought, Conscience and Religion or Belief in the United Nations (1946-1992)*  
ISBN 90-5095-137-6
- 6 Heleen Bosma, *Freedom of Expression in England and under the ECHR: in Search of a Common Ground. A Foundation for the Application of the Human Rights Act 1998 in English Law*  
ISBN 90-5095-136-8
- 7 Mielle Bulterman, *Human Rights in the External Relations of the European Union*  
ISBN 90-5095-164-3



- 8 Esther M. van den Berg, *The Influence of Domestic NGOs on Dutch Human Rights Policy. Case Studies on South Africa, Namibia, Indonesia and East Timor*  
ISBN 90-5095-159-7
- 9 Ian Seiderman, *Hierarchy in International Law: the Human Rights Dimension*  
ISBN 90-5095-165-1
- 10 Anna Meijknecht, *Towards International Personality: the Position of Minorities and Indigenous Peoples in International Law*  
ISBN 90-5095-166-X
- 11 Mohamed Eltayeb, *A Human Rights Approach to Combating Religious Persecution. Cases from Pakistan, Saudi Arabia and Sudan*  
ISBN 90-5095-170-8
- 12 Machteld Boot, *Genocide, Crimes Against Humanity, War Crimes: Nullum Crimen Sine Lege and the Subject Matter Jurisdiction of the International Criminal Court*  
ISBN 90-5095-216-X
- 13 Corinne Packer, *Using Human Rights to Change Tradition. Traditional Practices Harmful to Women's Reproductive Health in sub-Saharan Africa*  
ISBN 90-5095-226-7
- 14 Theo R.G. van Banning, *The Human Right to Property*  
ISBN 90-5095-203-8
- 15 Yvonne M. Donders, *Towards a Right to Cultural Identity?*  
ISBN 90-5095-238-0
- 16 Göran K. Sluiter, *International Criminal Adjudication and the Collection of Evidence: Obligations of States*  
ISBN 90-5095-227-5
- 17 Nicola Jägers, *Corporate Human Rights Obligations: in Search of Accountability*  
ISBN 90-5095-240-2
- 18 Magdalena Sepúlveda, *The Nature of the Obligations under the International Covenant on Economic, Social and Cultural Rights*  
ISBN 90-5095-260-7
- 19 Mitsue Inazumi, *Universal Jurisdiction in Modern International Law: Expansion of National Jurisdiction for Prosecuting Serious Crimes under International Law*  
ISBN 90-5095-366-2
- 20 Anne-Marie L.M. de Brouwer, *Supranational Criminal Prosecution of Sexual Violence: The ICC and the Practice of the ICTY and the ICTR*  
ISBN 90-5095-533-9