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BIBLIOGRAPHY

*We must never forget that the record on which we judge these defendants is the Record on which history will judge us tomorrow*⁷¹⁹.

Books

Albrecht Randelzhofer & Christian Tomuschat, *State Responsibility and the Individual: Reparation in Instances of Grave Violations of Human Rights*, Nijhoff, 1999.

Alfred P. Rubin, *The Law of Piracy*, Transnational Publishers, 1998.

Amartya Sen, "Global Justice: Beyond International Equity", in I. Kaul (ed.), *Global Public Goods: International Cooperation in the 21st Century*, New York, UNDP, 1999.

Anne Marie de Brouwer, *Supranational Criminal Prosecution of Sexual Violence: The ICC and the Practice of the ICTY and the ICTR*, Intersentia, 2005.

Antoine Buyse, *Post Conflict Housing Restitution: The European Human Rights Perspective with a Case Study on Bosnia and Herzegovina*, Intersentia, 2008.

Antônio Augusto Cançado Trindade, *International Law for Humankind: Towards a New Jus Gentium*, Nijhoff, 2010.

Arlette Lebigre, *Quelques Aspects de la Responsabilité Pénale en Droit Romain Classique*, Presses Universitaires de France, 1967.

Arthur T. von Mehren & Peter L. Murray, *Law in the United States*, Cambridge University Press, 2nd ed., 2007.

Bailleux, *La compétence universelle au carrefour de la pyramide et du réseau*, Bruxelles, Bruylant, 2005.

Beatrice I. Bonafè, *The Relationship Between State and Individual Responsibility for International Crimes*, Brill, 2009.

⁷¹⁹ Hersch Lauterpacht, "Règles générales du droit de la paix", 62 *Recueil des Cours* (1937) 95, p. 351 (translation).

Brianne McGonigle Eyh, *Procedural Justice? Victims Participation in International Criminal Proceedings*, Intersentia, 2011.

Carla Ferstman et al., *Reparations for Victims of Genocide, Crimes Against Humanity and War Crimes: Systems in Place and Systems in the Making*, Nijhoff, 2009.

Carlos M. Beristain, *Diálogos sobre la Reparación: Experiencias en el Sistema Interamericano de Derechos Humanos*, 2008.

Carsten Stahn & Mohamed M. El Zeidy, *The International Criminal Court and Complementarity: from Theory to Practice*, Cambridge University Press, 2011.

Cedric Ryngaert, *Jurisdiction in International Law*, Oxford University Press, 2nd ed., 2015.

Cesare Beccaria, *Dei Delliti e Delle Pene*, 1774, translation available at: http://www.constitution.org/cb/crim_pun.htm.

Cesare P. R. Romano et al., *Internationalized Criminal Courts – Sierra Leone, East Timor, Kosovo, and Cambodia*, Oxford University Press, 2004.

Chandra Lekha Sriram, *Globalizing Justice for Mass Atrocities*, Routledge, 2005.

Charles F. Abel & Frank H. Marsh, *Punishment and Restitution: A Restitutionary Approach to Crime and the Criminal*, Greenwood Press, 1984.

Christian Pross, *Paying for the Past: The Struggle over Reparations for Surviving Victims of the Nazi Terror*, Johns Hopkins University Press, 1998.

Conor McCarthy, *Reparations and Victim Support in the International Criminal Court*, Cambridge University Press, 2012.

C. Dominicé, *Observations sur les droits de l'Etat victime d'un fait internationalement illicite*, dans : *Droit international* 2, par C. Dominicé. Paris: Pedone, 1982.

D.D. Raphael, *Concepts of Justice*, Oxford University Press, 2003.

Daniel W. Van Ness & Karen Heetderks Strong, *Restoring Justice*, Routledge, 2nd ed., 2002.

David Chandler, *A History of Cambodia*, Westview Press, 4th ed., 2008.

Dinah Shelton, *Remedies in International Human Rights Law*, Oxford University Press, 3rd ed. 2015.

Douglas E. Beloof, *Victims in Criminal Procedure*, Carolina Academic Press, 1998.

Edwin Borchard, *Diplomatic Protection of Citizens Abroad of the Law of International Claims*, Banks Law Publishing, 1919.

Eric K. Yamamoto, *Interracial Justice: Conflict and Reconciliation in Post-civil Rights America*, New York University Press, 1999.

Ernesto Kiza, Corene Rathgeber, and Holger Rohne, *Victims of War: War-Victimization and Victims' Attitudes towards Addressing Atrocities*, Hamburger Edition, 2006.

Eva Dwertmann, *The Reparation System of the International Criminal Court: Its Implementation, Possibilities and Limitations*, Nijhoff, 2010.

Francisco V. García-Amador, *The Changing Law of International Claims*, Oceana, 1984.

Francisco V. García Amador, *Principios de derecho internacional que rigen la responsabilidad: análisis crítico de la concepción tradicional*, Escuela de funcionarios internacionales, 1963.

George Whitecross Patton, *A Textbook of Jurisprudence*, George Whitecross Patton & David P. Derham (4th ed.), Clarendon Press, 1972.

Gerry Johnstone, *Restorative Justice: Ideas, Values, Debates*, Willan, 2002.

Godfrey Musila, *Rethinking International Criminal Law: Restorative Justice and the Rights of Victims in the International Criminal Court*, Lambert Academic Publishing, 2010.

Heather Strang & John Braithwaite, *Restorative Justice And Civil Society*, Cambridge University Press, 2001.

Heidy Rombouts, *Victim Organizations and the Politics of Reparation: A Case-Study on Rwanda*, Intersentia, 2004.

H.L.A. Hart, *Punishment and Responsibility*, Clarendon Press, 1968.

Howard Holtzmann & Edda Kristjánsdóttir, *International Mass Claims Processes: Legal and Practical Perspectives*, Oxford University Press, 2007.

Hugo Grotius, *The Law of War and Peace*, translation by Francis W. Kelsey, Clarendon Press, 1925.

- Ilaria Bottigliero, *Redress for Victims of Crimes under International Law*, Nijhoff, 2004.
- Immanuel Kant, *The Metaphysics of Morals*, translation by Mary Gregor, Cambridge University Press, 1996.
- James Crawford, *The International Law Commission's Articles on State Responsibility: Introduction, Text and Commentaries*, Cambridge University Press, 2002.
- Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law: Volume 1: Rules*, Cambridge University Press, 2005.
- Jo-Anne M. Wemmers, *Reparation and the International Criminal Court: Meeting the Needs of Victims*, International Centre for Comparative Criminology, University of Montreal, 2006.
- John Rawls, *A Theory of Justice*, Harvard University Press, 1971.
- John Westlake, *The Collected Papers of John Westlake on Public International Law*, Lassa Oppenheim, Cambridge University Press, 1914.
- Judith N. Shklar, *The Faces of Injustice*, Yale University Press, 1992.
- Jean Personnaz, *La réparation du préjudice en Droit international public*, Paris, Libr. Rec. Sirey, 1939.
- Kai Ambos & Mohamed Othmann, *New Approaches in International Criminal Justice: Kosovo, East Timor, Sierra Leone and Cambodia*, Max Planck Institute for International Law, 2003.
- Lara J. Nettlefield, *Courting Democracy in Bosnia and Herzegovina, The Hague Tribunal's Impact in a Postwar State*, Cambridge University Press, 2010.
- Lassa Oppenheim, *International Law: A Treatise*, Longmans, Green and Co., 2nd ed., 1912.
- Lassa Oppenheim et al., *Oppenheim's International Law: Peace*, Longman, 9th ed., 1992.
- L. Reitzer, *La réparation comme conséquence de l'acte illicite en Droit international*, Paris, Libr. Rec. Sirey, 1938.
- Louise Chappell, *The Politics of Gender at the International Criminal Court: Legacies and Legitimacy*, Oxford University Press, 2015.
- Luc Reydam, *Universal Jurisdiction: International and Municipal Legal Perspectives*, Oxford University Press, 2003.
- Luke Moffett, "Justice for Victims before the International Criminal Court", Routledge, 2014.

Marion E. Brienen & Ernestine H. Hoegen, *Victims of Crime in 22 European Criminal Justice Systems*, Wolf Legal Productions, 2000.

Mark A. Drumbl, *Atrocity, Punishment, and International Law*, Cambridge University Press, 2007.

Mark Weston Janis, *An Introduction to International Law*, Aspen Publishers, 4th ed., 2003.

Markus Funk, *Victims' Rights and Advocacy at the International Criminal Court*, Oxford University Press, 2010.

Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*, Beacon Press, 1998.

Mireille Delmas-Marty & John Spencer, *European Criminal Proceedings*, Cambridge University Press, 2002.

Mitsue Inazumi, *Universal Jurisdiction in Modern International Law: Expansion of National Jurisdiction for Prosecuting Serious Crimes under International Law*, adapted version of dissertation defended at Utrecht University on 27 October 2004, Oxford University Press, 2005.

Neil Boister & Robert J. Currie, *Routledge Handbook of Transnational Criminal Law*, Routledge, 2014.

Nigel Biggar, *Burying The Past: Making Peace And Doing Justice After Civil Conflict*, Georgetown University Press, 2003.

Paul Fauchille, *Traité de Droit International Public*, Tome I, Rousseau & Cie.

Paul H. Lewis, *Authoritarian Regimes in Latin America: Dictators, Despots, and Tyrants*, Rowman & Littlefield Publishers, 2005.

Philip Reichel & Jay S. Albanese, *Handbook of Transnational Crime and Justice*, Sage Publications, 2nd ed., 2014.

Pierre d'Argent, *Les Réparations de Guerre en Droit International Public*, LGDJ, 2002.

Plato, "Protagoras", in *Works of Plato*, Irwin Edman, The Modern Library, 1956.

Paul Fauchille, *Traité de Droit international public*, vol. I-Part I, Paris, Libr. A. Rousseau Éd., 1922.

Richard H. Steinberg, *Assessing the Legacy of the ICTY*, Nijhoff, 2011.

Richard Lillich et al., *International Claims: Their Settlement by Lump-Sum Agreement*, University Press of Virginia, vol. 1, 1975.

R. Maison, *La responsabilité individuelle pour crime d'État en Droit international public*, Bruxelles, Bruylant/Éds. de l'Université de Bruxelles, 2004.

Robert Cryer et al., *An Introduction to International Criminal Law and Procedure*, Cambridge University Press, 2007.

Robert Cryer, *Prosecuting International Crimes: Selectivity and the International Criminal Law Regime*, Cambridge University Press, 2005.

Robert Elias, *The Politics of Victimization: Victims, Victimology and Human Rights*, Oxford University Press, 1986.

Robert Jackson, *The Case against the Nazi War Criminals*, Alfred A. Knopf, Inc., 1946.

Stephen Macedo, *Universal Jurisdiction: National Courts and the Prosecution of Serious Crimes under International Law*, University of Pennsylvania Press, 2003.

Steven R. Ratner et al., *Accountability for Human Rights Atrocities in International Law*, Oxford University Press, 1997.

Taru Kuosmanen, *Bringing Justice Closer: Hybrid Courts in Post-Conflict Societies*, Erik Castrén Institute of International Law and Human Rights, 2007.

The International Bureau of the Permanent Court of Arbitration, *Redressing Injustices Through Mass Claims Processes: Innovative Responses to Unique Challenges*, Oxford University Press, 2006.

Thorsten Bonacker and Christoph Johannes Maria Safferling, *Victims of International Crimes: An Interdisciplinary Discourse*, Intersentia, 2013.

Virginia Morris & Michael P. Scharf, *An Insider's Guide to the International Criminal Tribunals for the Former Yugoslavia*, Transnational Publishers, 1995.

Virginia Morris & Michael P. Scharf, *An Insider's Guide to the International Criminal Tribunals for the Former Yugoslavia*, Transnational Publishers, 1995.

W. Bourdon and E. Duverger, *La Cour Pénale Internationale: Le Statut de Rome* (Commentary on the Rome Statute) Olivier Duhamel, 2000.

William A. Schabas, *An Introduction to the International Criminal Court*, Cambridge University Press, 2nd ed., 2004.

William A. Schabas, *An Introduction to the International Criminal Court*, Cambridge University Press, 4th ed., 2011.

William A. Schabas, *The International Criminal Court: A Commentary on the Rome Statute*, Oxford University Press, 2010.

William Driscoll et al., *The International Criminal Court: Global Politics and the Quest for Justice*, International Debate Education Association, 2004.

Articles

Alain Pellet, “Le Tribunal Criminel International pour l’Ex-Yougoslavie”, *Revue Générale de Droit International Public* 98 (1994).

Alain Werner & Daniella Rudy, “Civil Party Representation at the ECCC: Sounding the Retreat in International Criminal Law”, *Northwestern University Journal of International Human Rights* 10(3) (2010).

André Noelkamper, “The Contribution of International Institutions to Domestic Reparation for International Crimes”, *Proceedings of the Annual Meeting (American Society of International Law)* 103 (2009).

André Nollkaemper, “Concurrence Between Individual Responsibility and State Responsibility in International Law”, *International and Comparative Law Quarterly* 52 (2003).

Andrea Durbach and Louise Chappell, “Leaving Behind the Age of Impunity: Victims of Gender Violence and the Promise of Reparations”, *International Feminist Journal of Politics*, 2014.

Anja Wiersing, “Lubanga and its Implications for Victims Seeking Reparations at the International Criminal Court”, *Amsterdam Law Forum* 4:3, 2012, p. 37.

Anne H. Geraghty, “Universal Jurisdiction and Drug Trafficking: a Tool for Fighting one of the World’s Most Pervasive Problems”, *Florida Journal of International Law* 16 (2004).

Anne-Marie De Brouwer, “Reparation to Victims of Sexual Violence: Possibilities at the International Criminal Court and at the Trust Fund for Victims and Their Families”, *Leiden Journal of International Law* 20 (2007).

Anthony J. Colangelo, “The New Universal Jurisdiction: In Absentia Signaling over Clearly Defined Crimes”, *Georgetown Journal of International Law* 36 (2004-2005).

- Anthony Platt, "The Meaning of Punishment", *Issues in Criminology* 2 (1966).
- Antonio Cassese, "Is the Bell Tolling for Universality? A Plea for a Sensible Notion of Universal Jurisdiction", *Journal of International Criminal Justice* 1 (2003).
- Antonio Cassese, "On the Current Trends towards Criminal Prosecution and Punishment of Breaches of International Humanitarian Law", *European Journal of International Law* 9 (1998).
- Benedetto Conforti, "The Judgment of the International Court of Justice on the Immunity of Foreign States: a Missed Opportunity", *Italian Yearbook of International Law* 21 (2011).
- Benjamin B. Ferencz, "International Criminal Courts: The Legacy of Nuremberg", *Pace International Law Review* 10 (1998).
- Beth Stephens, "Conceptualizing Violence Under International Law: Do Tort Remedies Fit the Crime?", *Albany Law Review* 60 (1996-1997).
- Beth Stephens, "Translating Filartiga: A Comparative and International Law Analysis of Domestic Remedies for International Human Rights Violations", *Yale Journal of International Law* 27 (2002).
- Beth Van Schaack, "In Defence of Civil Redress: The Domestic Enforcement of Human Rights Norms in the Context of the Proposed Hague Judgments Convention", *Harvard International Law Journal* 42 (2001).
- Beth Van Schaack, "Justice without Borders: Universal Civil Jurisdiction", *American Society of International Law Proceedings* 99 (2005).
- Bill Wringe, "Why Punish War Crimes? Victor's Justice and Expressive Justifications of Punishment", *Law and Philosophy* 25 (2006).
- Brent T. White, "Say You're Sorry: Court-Ordered Apologies as a Civil Rights Remedy", *Cornell Law Review* 91 (2006).
- Brian Kleinhaus, "Serving Two Masters: Evaluating the Criminal or Civil Nature of VWPA and MVRA Through the Lens of the Ex Post Facto Clause, the Abatement Doctrine and the Sixth Amendment", *Fordham Law Review* 73 (2005).
- Brianne N. McGonigle, "Bridging the Divides in International Criminal Proceedings: An Examination into the Victim Participation Endeavor of the International Criminal Court", *Florida Journal of International Law* 21 (2009).
- Brianne N. McGonigle, "Two for the Price of One: Attempts by the Extraordinary Chambers in the Courts of Cambodia to Combine Retributive and Restorative Justice Principles", *Leiden Journal of International Law* 22 (2009).

Carla Ferstman, “The Reparation Regime of the International Criminal Court: Practical Considerations”, *Leiden Journal of International Law* 15 (2002).

Carlos Espósito, “Jus Cogens and Jurisdictional Immunities of States at the International Court of Justice: A Conflict Does Exist”, *Italian Yearbook of International Law* 21 (2011).

Carsten Stahn, “Reparative Justice after the Lubanga Appeal Judgment New Prospects for Expressivism and Participatory Justice or ‘Juridified Victimhood’ by Other Means?”, *Journal of International Criminal Justice* 13(4) (2015), pp. 801-813.

Carsten Stahn, “Reparative Justice after the Lubanga Appeals Judgment on Principles and Procedures of Reparation”, *Ejil: Talk!*, 7 April 2015, available at: <http://Ibid.ejiltalk.org/reparative-justice-after-the-lubanga-appeals-judgment-on-principles-and-procedures-of-reparation/#more-13286>

C. Droege, “El derecho a interponer recursos y a obtener reparación por violaciones graves de los derechos humanos: guía para profesionales”, 2 Serie de guías para profesionales, 2007.

Cécile Aptel, “Some Innovations in the Statute of the Special Tribunal for Lebanon”, *Journal of International Criminal Justice* 5 (2007).

Cedric Ryngaert, “Universal Tort Jurisdiction Over Gross Human Rights Violations”, *Netherlands Yearbook of International Law* 38 (2007).

Celina Schocken, “The Special Court for Sierra Leone: Overview and Recommendations”, *Berkeley Journal of International Law* 20 (2002).

Cesare Beccaria cited in Elio Monachesi, “Pioneers in Criminology IX: Cesare Beccaria (1738-1794)”, *Journal of Criminal Law, Criminology & Political Science* 46 (1955).

Charles P. Trumbull, “The Victims of Victim Participation in International Criminal Proceedings”, *Michigan Journal of International Law* 29 (2007).

Charles Villa-Vicencio, “Why Perpetrators Should Not Always Be Prosecuted: Where the International Criminal Court and Truth Commissions Meet”, *Emory Law Journal* 49 (2000).

Cherif Bassiouni, “Assessing Conflict Outcomes: Accountability and Impunity”, in *The Pursuit of International Criminal Justice: A World Study on Conflicts, Victimization, and Post-Conflict Justice*, M. Cherif Bassiouni, Intersentia, 2010.

Cherif Bassiouni & Edward M. Wise, “Aut Dedere Aut Judicare: The Duty To Extradite Or Prosecute”, in *International Law* 68 (1995).

Cherif Bassiouni, “The History of Universal Jurisdiction and Its Place in International Law”, in *Universal Jurisdiction – National Courts and the Prosecution of Serious Crimes under International Law*, Stephen Macedo, University of Pennsylvania Press, 2004.

Cherif Bassiouni, "The Sources and Content of International Criminal Law: A Theoretical Framework", in *International Criminal Law*, M. Cherif Bassiouni (2d rev. ed., vol. 1), Transnational Publishers, 1999.

Choucri Sader, "A Lebanese Perspective on the Special Tribunal for Lebanon Hopes and Disillusions", *Journal of International Criminal Justice* 5 (2007).

Christian Tomuschat, "Darfur – Compensation for the Victims", *Journal of International Criminal Justice* 3 (2005).

Christian Tomuschat, "Reparation for Victims of Grave Human Rights Violations", *Tulane Journal of International and Comparative Law* 10 (2002).

Christian Tomuschat, "Reparation in Cases of Genocide", *Journal of International Criminal Justice* 5 (2007).

Christine Evans, "Reparations for Victims in International Criminal Law", *Raoul Wallenberg Institute of Human Rights and Humanitarian Law*, (2012).

Christine H. Chung, "Victim's Participation at the International Criminal Court: Are Concessions if the Court Clouding Promise", *Northwestern Journal of International Human Rights* 6 (2007).

Christoph Sperfeldt, "Collective Reparations at the Extraordinary Chambers in the Courts of Cambodia", *International Criminal Law Review* 12 (2012).

Colette Donadio, "Gender Based Violence: Justice and Reparation in Bosnia And Herzegovina", *Mediterranean Journal of Social Sciences* 5 (2014).

Conor McCarthy, "Reparations under the Rome Statute of the International Criminal Court and Reparative Justice Theory", *International Journal of Transitional Justice* 3 (2009).

Conor McCarthy, "Victim Redress and International Criminal Justice: Competing Paradigms, or Compatible Forms of Justice?", *Journal of International Criminal Justice* 10 (2012).

Courtney Ginn, "Ensuring the Effective Prosecution of Sexually Violent Crimes in the Bosnian War Crimes Chamber: Applying Lessons from the ICTY", *Emory International Law Review* 27 (2013).

Damien Vandermeersch, "Prosecuting International Crimes in Belgium", *Journal of International Criminal Justice* 3 (2005).

Daniel Ntanda Nsereko, "The International Criminal Court: Jurisdictional and Related Issues", *Criminal Law Forum* 10 (1999).

Darryl Robinson, "Serving the Interests of Justice: Amnesties, Truth Commissions, and the International Criminal Court", *European Journal of International Law* 14 (2003).

David Boyle, "The Rights of Victims Participation, Representation, Protection, Reparation", *Journal of International Criminal Justice* 4 (2006).

David Wippman, “Atrocities, Deterrence, and the Limits of International Justice”, *Fordham International Law Journal* 23 (1999).

David Yeager, “The Human Rights Chamber for Bosnia and Herzegovina: A Case Study in Transitional Justice”, *International Legal Perspectives* 14 (2004).

Dinah Shelton, “Righting Wrongs: Reparations in the Articles on State Responsibility”, *American Journal of International Law* 96 (2002).

Dinah L. Shelton & Thordis Ingadottir, “The International Criminal Court Reparations to Victims of Crimes (Article 75 of the Rome Statute) and the Trust Fund (Article 79): Recommendations for the Court Rules of Procedure and Evidence”, *Center on International Cooperation, New York University, Meeting of the Preparatory Commission for the International Criminal Court* (26 July – 13 August 1999).

Dionisio Anzilotti, “La responsabilité internationale des États a raison des dommages soufferts par des étrangers”, *Revue générale de droit international public*.

Donald Francis Donovan & Anthea Roberts, “The Emerging Recognition of Universal Civil Jurisdiction”, *American Journal of International Law* 100 (2006).

Donald Francis Donovan, “Universal Jurisdiction - The Next Frontier?”, *American Society of International Law Proceedings* 99 (2005).

Donald Riznik, “Completing the ICTY-Project Without Sacrificing Its Main Goals: Security Council Resolution 1966: A Good Decision”, *Goettingen Journal of International Law* 3 (2011).

Edwin D. Dickinson, “Is the Crime of Piracy Obsolete?”, *Harvard Law Review* 38 (1925).

Emanuela-Chiarra Gillard, “Reparation for Violations of International Humanitarian Law”, *International Review of the Red Cross* 85 (2003).

Eleni Chaitidou, *Recent Developments in the Jurisprudence of the International Criminal Court*.

Eric David, “Le Tribunal International Pénal pour l’Ex-Yougoslavie”, *Revue Belge de Droit International* 25 (1992).

Eric Rosand, “The Right to Compensation in Bosnia: An Unfulfilled Promise and Challenge to International Law”, *Cornell Journal of International Law* 33 (2000).

Eugene Kontorovich, “Implementing *Sosa v. Alvarez-Machain*: What Piracy Reveals About the Limits of the Alien Tort Statute”, *Notre Dame Law Review* 80 (2004).

Eugene Kontorovich, “International Legal Responses to Piracy”, *American Society of International Law* 13 (2009).

Eugene Kontorovich, "The Piracy Analogy: Modern Universal Jurisdiction's Hollow Foundation", *Harvard International Law Journal* 45 (2004).

Farooq Hassan, "The Theoretical Basis of Punishment in International Criminal Law", *Case Western Reserve Journal of International Law* 15 (1983).

Frédéric Mégret, "Justifying Compensation by the International Criminal Court's Victims Trust Fund: Lessons from Domestic Compensation Schemes", *Brooklyn Journal of International Law* 36 (2010-2011).

Frédéric Mégret, *The Case for Collective Reparations before the ICC* (November 15, 2012). Available at SSRN: <http://ssrn.com/abstract=2196911>.

Frédéric Mégret, "The International Criminal Court Statute and the Failure to Mention Symbolic Reparation", *International Review of Victimology* 16 (2009).

Frédéric Mégret, "The Legacy of the ICTY as Seen Through Some of Its Actors and Observers", *Goettingen Journal of International Law* 3 (2011).

Friedrich Rosenfeld, "Collective Reparation for Victims of Armed Conflict", *International Review of the Red Cross* 92 (2010).

Frits Kalshoven, "State Responsibility for Warlike Acts of the Armed forces", *International and Comparative Law Quarterly* 40 (1991).

Geoffrey R. Watson, "The Passive Personality Principle", *Texas International Law Journal* 28 (1993).

Gerard J. Mekjian & Mathew C. Varughese, "Hearing the Victim's Voice: Analysis of Victims' advocate Participation in the Trial Proceeding of the International Criminal Court", *Pace International Law Review* 17 (2005).

Gianluca Serra, "Special Tribunal for Lebanon: A Commentary on its Major Legal Aspects", *International Criminal Justice Review* 18 (2008).

Gioia Greco, "Victims' Rights Overview under the ICC Legal Framework: A Jurisprudential Analysis", *International Criminal Law Review* 7 (2007).

Giovanna M. Frisso, "The Winding Down of the ICTY: the Impact of the Completion Strategy and the Residual Mechanism on Victims", *Goettingen Journal of International Law* 3 (2011).

Göran Sluiter, "Due Process and Criminal Procedure in the Cambodian Extraordinary Chambers", *Journal of International Criminal Justice* 4 (2006).

Hae Duy Phan, "Reparations to Victims of Gross Human Rights Violations: The Case of Cambodia", *East Asia Law Review* 4 (2009).

Hans Kelsen, "Collective and Individual Responsibility in International Law with Particular Regard to the Punishment of War Criminals", *California Law Review* 31 (1943).

Harvard Research in International Law, "Draft Convention on Jurisdiction with Respect to Crime", *American Journal of International Law* 29 (1935).

Hays Butler, "The Doctrine of Universal Jurisdiction: a Review of the Literature", *Criminal Law Forum* 11 (2000).

Henry Steiner, "Three Cheers for Universal Jurisdiction- Or Is it Only Two?", *Theoretical Inquiries in Law* 6 (2004).

Hersch Lauterpacht, "The Law of Nations and the Punishment of War Crimes", *British Yearbook of International Law* 21 (1944).

Hersch Lauterpacht, "Règles générales du droit de la paix", *Recueil des Cours* 62 (1937) (translation).

Hidelbrando Accioly, "Principes généraux de la responsabilité internationale d'après la doctrine et la jurisprudence", *Recueil des Cours de l'Académie de Droit International de La Haye* 96 (1953).

International Council on Human Rights Policy, *Hard Cases: Bringing Human Rights Violators to Justice Abroad- A Guide to Universal Jurisdiction* (1999).

Irene Scharf, "Kosovo's War Victims: Civil Compensation or Criminal Justice for Identity Elimination", *Emory International Law Review* 14 (2000).

James P. Bair, "From the Numbers Who Died to Those Who Survived: Victim Participation in the Extraordinary Chambers in the Courts of Cambodia", *University of Hawaii Law Review* 31 (2008).

Jan Erik Wetzel & Yvonne Mitri, "The Special Tribunal for Lebanon: A Court Off the Shelf for a Divided Country", *The Law and Practice of International Courts and Tribunals* 7 (2008).

Jann K. Kleffner & Liesbeth Zegveld, "Establishing an Individual Complaints Procedure for Violations of International Humanitarian Law", *Yearbook of International Humanitarian Law* 3 (2000).

Jean Paul Mugiraneza, "Rwanda genocide: why compensation would help the healing", *The Guardian*, 8 March 2014.

Jérôme De Hemptinne, “Challenges Raised by Victims’ Participation in the Proceedings of the Special Tribunal for Lebanon”, *Journal of International Criminal Justice* 8 (2010).

Jérôme De Hemptinne, “The Creation of Investigating Chambers at the International Criminal Court”, *Journal of International Criminal Justice* 5 (2007).

Jerome Hall, “Interrelations of Criminal Law and Torts”, *Columbia Law Review* 43 (1943).

J. J. Rojas Báez, “La Jurisprudencia de la Corte Interamericana de Derechos Humanos en Materia de Reparaciones y los Criterios del Proyecto de Artículos sobre Responsabilidad del Estado por Hechos Internacionalmente Ilícitos”, *American University International Law Review* 92 (2007-2008).

Jo-Anne M. Wemmers, “Victim Reparation and the International Criminal Court”, *International Review of Victimology* 16 (2009).

Johanna Herman, “Reaching for Justice: The Participation of Victims at the Extraordinary Chambers in the Courts of Cambodia”, *CHRC Policy Paper No. 5*, (2010).

John Braithwaite, “A Future Where Punishment Is Marginalized: Realistic or Utopian?”, *UCLA Law Review* 46 (1999).

John Braithwaite, “Restorative Justice and De-Professionalization”, *The Good Society* 13 (2004).

Jon B. Jordan, “Universal Jurisdiction in a Dangerous World: A Weapon for All Nations Against International Crimes”, *Michigan State University-DCL Journal of International Law* 9 (2000).

Joshua Michael Goodwin, “Universal Jurisdiction and the Pirate: Time for an Old Couple to Part”, *Vanderbilt Journal of Transnational Law* 39 (2006).

“Judgment of the Tribunal”, *American Journal of International Law* 41 (1947).

Katheryn M. Klein, “Bringing the Khmer Rouge to Justice: The Challenges and Risks Facing the Joint Tribunal in Cambodia”, *New Jersey International Human Rights* 4 (2006).

Kelisiana Thynne, “The International Criminal Court: A Failure of International Justice for Victims”, *Alberta Law Review*, Vol. 46, Issue 4 (August 2009), pp. 957-982.

Kelly D. Askin, “Sexual Violence in Decisions and Indictments of the Yugoslav and Rwandan Tribunals: Current Status”, *American Journal of International Law* 93 (1999).

Kenneth C. Randall, “Universal Jurisdiction Under International Law”, *Texas Law Review* 66 (1988).

- Kenneth Roth, "The Case for Universal Jurisdiction", *Foreign Affairs* 80 (2001).
- Laura A. Dickinson, "The Promise of Hybrid Courts", *American Journal of International Law* 97 (2003).
- Lee A. Casey, "The Case Against the International Criminal Court", *Fordham International Law Journal* 25 (2002).
- Lee A. Steven, "Genocide and the Duty to Extradite or Prosecute: Why the United States is in Breach of Its International Obligations", *Virginia Journal of International Law* 39 (1999).
- Liesbeth Zegveld, "Remedies for Victims of Violations of International Humanitarian Law", *International Review of the Red Cross* 85 (2003).
- Liesbeth Zegveld, "Victims' Reparations Claims and International Criminal Courts, Incompatible Values?", *Journal of International Criminal Justice* 8 (2010).
- Linda M. Keller, "Seeking Justice at the International Criminal Court: Victims' Reparations", *Thomas Jefferson Law Review* 29 (2006-2007).
- Lorna McGregor, "State Immunity and Jus Cogens", *The International and Comparative Law Quarterly* 55 (2006).
- Lucia Zedner, "Reparation and Retribution: Are they Reconcilable?", *The Modern Law Review* 57 (1994).
- Luc Reydams, "Belgium's First Application of Universal Jurisdiction: The Butare Four Case", *Journal of International Criminal Justice* 1(2003).
- Luc Reydams, "Universal Criminal Jurisdiction: The Belgian State of Affairs", *Criminal Law Forum* 11 (2000).
- Luc Reydams, "Universal Jurisdiction in Context", *American Society of International Law Proceedings* 99 (2005).
- Luc Walley, "Victimes et Témoins de Crimes Internationaux: du droit à une Protection au Droit à la Parole", *Revue Internationale de la Croix Rouge* 84 (2002).
- Luke Moffett, "Meaningful and Effective? Considering Victims Interests Through Participation at the International Criminal Court", *Criminal Law Forum*; vol. 26 (2), 2015, 255-289.
- Luke Moffett, "Elaborating Justice for Victims at the International Criminal Court : Beyond Rhetoric and The Hague", *Journal of International Criminal Justice*, vol. 13 (2), 2015, 281-311.

Luke Moffett, “Meaningful and effective? Considering victims’ interests through participation at the International Criminal Court”, *Queen’s University Belfast School of Law, Research Paper 2016–03*.

Luke Moffett, “Realising justice for victims before the International Criminal Court”, *International Crimes Database*, 2014.

Luke Moffett, “Reparative Complementarity : ensuring an Effective Remedy for Victims in the Reparation Regime of the International Criminal Court”, *International Journal of Human Rights*, vol. 17 (3), 2013, 368-390.

Luke Moffett, “Reparations for ‘Guilty Victims’: Navigating Complex Identities of Victim–Perpetrators in Reparation Mechanisms”, *International Journal of Transitional Justice*, (10), 2016, pp. 146-167.

Luke Moffett, “Navigating Complex Identities of Victim-Perpetrators in Reparation Mechanisms”, *Queen’s University Belfast, School of Law Research Paper No. 2014B13*.

Mahnoush H. Arsanjani, “The Rome Statute of the International Criminal Court”, *American Journal of International Law* 93 (1999).

Manuel R. Garcia-Mora, “Criminal Jurisdiction over Foreigners for Treason and Offences Against the Safety of the State Committed Upon Foreign Territory”, *University of Pittsburgh Law Review* 19 (1958).

Marc Henzelin et al., “Reparations to Victims Before the International Criminal Court: Lessons from International Mass Claims Processes”, *Criminal Law Forum* 17 (2006).

Margaret Urban Walker, “Transformative Reparations? A Critical Look at a Current Trend in Thinking about Gender-Just Reparations”, *International Journal of Transitional Justice*, (10), 2016, 108–125.

Mark A. Drumbl, “Sclerosis Retributive Justice and the Rwandan Genocide”, *Punishment & Society* 2 (2000).

Maria Gavouneli, “War Reparation Claims and State Immunity”, *Revue Hellénique de droit international* 50 (1997).

Maria Swart, “Tadic Revisited: Some Critical Comments on the Legacy and the Legitimacy of the ICTY”, *Goettingen Journal of International Law* 3 (2011).

Marieke Wierda et al., “Early Reflections on Local Perceptions, Legitimacy and Legacy of the Special Tribunal for Lebanon”, *Journal of International Criminal Justice* 5 (2007).

Marina Spinedi, “State Responsibility v Individual Responsibility for International Crimes: *Tertium Non Datu*”, *European Journal of International Law* 13 (2002).

Mark A. Drumbl, “Sclerosis Retributive Justice and the Rwandan Genocide”, *Punishment & Society* 2 (2000).

Marko Milanović, “An Odd Couple Domestic Crimes and International Responsibility in the Special Tribunal for Lebanon”, *Journal of International Criminal Justice* 5 (2007).

Marko Milanovic, “From Compromise to Principles: Clarifying the Concept of State Jurisdiction in Human Rights Treaties”, *Human Rights Law Review* 8 (2008).

Marko Milanović, “State Responsibility for Genocide: A Follow-Up”, *European Journal of International Law* 18 (2007).

Máximo Langer & Joseph W. Doherty, “Managerial Judging Goes International, But Its Promise Remains Unfulfilled: An Empirical Assessment of the ICTY Reforms”, *Yale Journal of International Law* 36 (2011).

Menno T. Kamminga, “Lessons Learned from the Exercise of Universal Jurisdiction in Respect of Gross Human Rights Offenses”, *Human Rights Quarterly* 23 (2003).

Menno T. Kamminga, “Universal Civil Jurisdiction: Is it Legal? Is it Desirable?”, *American Society of International Law Proceedings* 99 (2005).

Michael Bachrach, “The Protection of Rights and Victims Under International Criminal Law”, *International Law* 34 (2000).

Michael G. Karnavas, “The ICTY Legacy: A Defense Counsel's Perspective”, *Goettingen Journal of International Law* 3 (2011).

Michael P. Scharf, “Application of Treaty-Based Universal Jurisdiction on Nationals of Non-Party States”, *New England Law Review* 35 (2000).

Mirko Sossai, “Are Italian Courts Directly Bound to Give Effect to the Jurisdictional Immunities Judgment?”, *Italian Yearbook of International Law* 21 (2011).

M. Itsouhou Mbadinga, “Le recours à la compétence universelle pour la répression des crimes internationaux: étude de quelques cas”, *Revue de Droit International et de Sciences Diplomatiques et Politiques* 81(2003).

Monica Moyo, “ICJ Delivers Decision on the Application of the Genocide Convention”, *AJIL International Law in Brief*, 3 February 2015.

Mugambi Jouet, “Reconciling the Conflicting Rights of Victims and Defendants at the International Criminal Court”, *St. Louis University Public Law Review* 26 (2007).

Naomi Roht-Arriaza “Reparations, Decisions, and Dilemmas”, *Hastings International and Comparative Law Review* 27 (2004).

Naom Schimmel, “A UN Trust Fund”, *Huffington Post*, 25 May 2012.

Nidal Nabil Jurdi, “The Subject-Matter Jurisdiction of the Special Tribunal for Lebanon”, *Journal of International Criminal Justice* 5 (2007).

Noora Arajärvi, “Looking Back from Nowhere: Is There a Future for Universal Jurisdiction over International Crimes?”, *Tilburg Law Review* 16 (2011).

Octavio Amezcua-Noriega, “Reparation Principles under International Law and their Possible Application by the International Criminal Court: Some Reflections”, *Reparations Unit, Briefing Paper No.1*, Dr. Clara Sandoval, University of Essex, 2011.

Otto Triffterer, “Prosecution of States for Crimes of State”, *Revue Internationale de Droit Penal* 67 (1996).

Padraic J. Glaspy, “Justice Delayed? Recent Developments at the Extraordinary Chambers in the Courts of Cambodia”, *Harvard Human Rights Journal* 21 (2008).

Paul R. Dubinsky, “Justice for the Collective – The Limits of the Human Rights Class Action”, *Michigan Law Review* 102 (2004).

Payam Akhavan, “Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities?”, *American Journal of International Law* 95 (2001).

Peter G. Fischer, “The Victims' Trust Fund of the International Criminal Court-Formation of a Functional Reparations Scheme”, *Emory International Law Review* 17 (2003).

Pierre d'Argent, “Le Fonds et la Commission de Compensation des Nations Unies”, *Revue Belge de Droit International* 25 (1992).

Philippe Weckel, “La justice internationale en le soixantième anniversaire de la Déclaration Universelle des Droits de l'Homme”, *Revue générale de Droit international public* 113 (2009).

Phuong Pham, et al., “After the First Trial: A Population-Based Survey on Knowledge and Perceptions of Justice and the Extraordinary Chambers in the Courts of Cambodia”, *Available at SSRN 1860963* (2011).

Ralph Zacklin, “The Failings of Ad Hoc International Tribunals”, *Journal of International Criminal Justice* 2 (2004).

Raphael Lemkin, “Genocide as a Crime under International Law”, *American Journal of International Law* 41 (1947).

Riccardo Pavoni, “An American Anomaly? On the ICJ’s Selective Reading of United States Practice in Jurisdictional Immunities of the State”, *Italian Yearbook of International Law* 21 (2011).

Richard J. Goldstone & Rebecca J. Hamilton, “Bosnia v. Serbia: Lessons from the Encounter of the International Court of Justice with the International Criminal Tribunal for the Former Yugoslavia”, *Leiden Journal of International Law* 21 (2008).

Ruben Carranza, “Imagining the Possibilities for Reparations in Cambodia”, *International Centre for Transitional Justice*, Briefing Paper (2005).

Rudolf Dolzer, “The Settlement of War-related Claims: Does International Law Recognize a Victim’s Private Right of Action? Lessons After 1945”, *Berkeley Journal of International Law* 20 (2002).

Ruth Rubio-Marín and Pablo de Greiff, “Women and Reparations”, *International Journal of Transitional Justice* 1(3), 2007, pp. 318– 337.

Ryan Rabinovitch, “Universal Jurisdiction *in Absentia*”, *Fordham International Law Journal* 28 (2004-2005).

Sam Garkawe, “Victims and the International Criminal Court: Three Major Issues”, *International Criminal Law Review* 3 (2003).

Salvatore Zapallà, “The Rights of Victims v. the Rights of the Accused”, *Journal of International Criminal Justice* 8 (2010).

Sarah Williams, “The Cambodian Extraordinary Chambers-A Dangerous Precedent for International Justice”, *International & Comparative Law Quarterly* 53 (2004).

Sara Kendall & Sarah Nouwen, “Representational Practices at the International Criminal Court: the Gap between Juridified and Abstract Victimhood”, *Law and Contemporary Problems* 75 (2013).

Saul Levmore, “Reparations in the Wake of Atrocities: A Plan for Encouraging Participation by Governments”, *Human Rights and International Criminal Law Online Forum*.

Shepard Forman, “The International Criminal Court Reparations to Victims of Crimes (Article 75 of the Rome Statute) and the Trust Fund (Article 79): Recommendations for the Court Rules of Procedure and Evidence”, Prologue, prepared by the *Center for International Cooperation, New York University*, for the 26 July – 13 August 1999 Meeting of the Preparatory Commission for the International Criminal Court.

Stephen Ratner, “Belgium’s War Crimes Statute: A Postmortem”, *American Journal of International Law* 97 (2003).

Suzannah Linton, “Cambodia, East Timor and Sierra Leone: Experiments in International Justice”, *Criminal Law Forum* 12 (2001).

Suzanne Kartenstein, “Hybrid Tribunals: Searching for Justice in East Timor”, *Harvard Human Rights Journal* 16 (2003).

Sylvia De Bertodano, “Problems Arising from the Mixed Composition and Structure of the Cambodian Extraordinary Chambers” *Journal of International Criminal Justice* 4 (2006).

Tessa V. Capeloto, “Reconciliation in the Wake of Tragedy: Cambodia’s Extraordinary Chambers Undermines the Cambodian Constitution”, *Pacific Rim Law & Policy Journal Association* 17 (2008).

The Hague Justice Portal, “No signs of victim compensation in Sierra Leone: Chief Prosecutor at the Special Court for Sierra Leone, Brenda Hollis deplors the lack of assistance for victims”, 18 November 2010.

Theodor Meron, “The Humanization of Humanitarian Law”, *American Journal of International Law* 94 (2000).

Thomas Antkowiak, “An Emerging Mandate for International Courts: Victim-Centered Remedies and Restorative Justice”, *Stanford Journal of International Law* 47 (2011).

Thomas M. Antkowiak, “Remedial Approaches to Human Rights Violations: The Inter-American Court of Human Rights and Beyond”, *Columbia Journal of Transnational Law* 46 (2008).

Thordis Ingadottir, “The International Criminal Court: The Trust Fund for Victims (Article 79 of the Rome Statute), A Discussion Paper”, ICC Discussion Paper #3, PICT, February 2001.

Timothy Cornell & Lance Salisbury, “The Importance of Civil Law in the Transition to Peace: Lessons from the Human Rights Chamber for Bosnia and Herzegovina”, *Cornell International Law Journal* 35 (2000-2001).

Tom Dannenbaum, “The International Criminal Court, Article 79, and Transitional Justice: The Case for an Independent Trust Fund for Victims”, *Wisconsin International Law Journal* 28 (2010).

Valérie Couillard, “The Nairobi Declaration: Redefining Reparations for Women Victims of Sexual Violence”, *International Journal of Transitional Justice* 1(3), 2007, pp. 444–453.

Veronika Bílková, “Victims of War and Their Right to Reparation for Violations of International Humanitarian Law”, *Mickolc Journal of International Law* 4 (2007).

W. Eric Beckett, “Criminal Jurisdiction over Foreigners”, *British Yearbook of International Law* 8 (1927).

Willard Cowles, “Universality of Jurisdiction over War Crimes”, *California Law Review* 33 (1945).

Won Soon Park, “Japanese Reparations Policies and the “Comfort Women” Question”, *positions* 5, no. 1 (1997).

Yael Danieli, “Reappraising the Nuremberg Trials and their Legacy: The Role of Victims in International Law”, *Cardozo Law Review* 27 (2005).

Yolanda S. WU, “Genocidal Rape in Bosnia: Redress in United States Courts Under the Alien Tort Claims Act”, *UCLA Women's Law Journal* 4 (1993).

Chapters in books

Anthony D'Amato, “National Prosecution for International Crimes”, in *International Criminal Law*, M. Cherif Bassiouni, Nijhoff, 2008. 3rd edn, Vol. III 285 (1987).

Anthony Duff, “Authority and Responsibility in International Criminal Law”, in *The Philosophy of International Law*, Samantha Besson & John Tasioulas, Oxford University Press, 2010.

Antônio Augusto Cançado Trindade, “Complementarity between State Responsibility and Individual Responsibility for Grave Violations of Human Rights: The Crime of State Revisited”, in *International Responsibility Today - Essays in Memory of Oscar Schachter*, Maurizio Ragazzi, Nijhoff, 2005.

Antônio Augusto Cançado Trindade, “State Responsibility in Cases of Massacres: Contemporary Advances in International Justice”, Inaugural Address as Honorary Professor to the Chair in *International and Regional Human Rights Courts*, 10 November 2011 at Utrecht University.

Antônio Augusto Cançado Trindade, “The Inter-American System of Protection of Human Rights (1948-2009): Evolution, Present State and Perspectives”, in *Dossier Documentaires/Documentary File- XL Session d'Enseignement*, Tome II, Strasbourg, IIDH, 2009.

Antonio Buti, “The Notion of Reparations as a Restorative Justice Measure”, in *One Country, Two Systems, Three Legal Orders – Perspectives of Evolution: Essays on Macau's Autonomy after the Resumption of Sovereignty by China*, Jorge Costa Oliveira & Paulo Cardinal, Springer, 2009.

Ariel Colonomos & Andrea Armstrong, “German Reparations to the Jews after World War II: A Turning Point in the History of Reparations”, in *Handbook of Reparations*, Pablo de Greiff, Oxford University Press, 2006.

Birte Timm, “The Legal Position of Victims in the Rule of Procedure and Evidence”, in *International and National Prosecution of Crimes under International Law*, Horst Fischer et al., Bochumer Schriften zur Friedenssicherung und zum Humanitären Völkerrecht, Berlin, Arno Spitz, 2001.

Brigitte Stern, “Vers une limitation de ‘l’irresponsabilité souveraine’ des Etats et chefs d’Etat en cas de crime de droit international?”, in *Promoting Justice, Human Rights and Conflict Resolution through International Law: Liber Amicorum Lucius Caflisch*, Marcelo Kohen, Nijhoff, 2007.

Carla del Ponte, “Compensating Victims with Guilty Money”, interview with Carla del Ponte, Chief Prosecutor of the ad hoc international criminal tribunals for the former Yugoslavia and Rwanda, in *Judicial Diplomacy: Chronicles and Reports on International Criminal Justice*, The Hague, 9 June 2000.

Carla Ferstman & Mariana Goetz, “Reparations before the International Criminal Court: the Early Jurisprudence on Victim Participation and its Impact on Future Reparations Proceedings”, in *Reparations for Victims of Genocide, War Crimes and Crimes Against Humanity: Systems in Place and Systems in the Making*, Carla Ferstman et al., Nijhoff, 2009.

Carla Ferstman & Sheri P. Rosenberg, “Reparations in Dayton’s Bosnia and Herzegovina”, in *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity: Systems in Place and Systems in the Making*, Carla Ferstman et al., Nijhoff, 2009.

Cherif Bassiouni, “Assessing Conflict Outcomes: Accountability and Impunity”, in *The Pursuit of International Criminal Justice: A World Study on Conflicts, Victimization, and Post-Conflict Justice*, M. Cherif Bassiouni, Intersentia, 2010.

Cherif Bassiouni & Edward M. Wise, “Aut Dedere Aut Judicare: The Duty To Extradite Or Prosecute”, in *International Law* 68 (1995).

Cherif Bassiouni, “The History of Universal Jurisdiction and Its Place in International Law”, in *Universal Jurisdiction – National Courts and the Prosecution of Serious Crimes under International Law*, Stephen Macedo, University of Pennsylvania Press, 2004.

Cherif Bassiouni, “The Sources and Content of International Criminal Law: A Theoretical Framework”, in *International Criminal Law*, M. Cherif Bassiouni (2d rev. ed., vol. 1), Transnational Publishers, 1999.

Christian Tomuschat, “Reparation in Favour of Individual Victims of Gross Violations of Human Rights and International Humanitarian Law”, in *Promoting Justice, Human Rights and Conflict Resolution through International Law*, Marcelo G. Kohen, Nijhoff, 2007.

Christopher Greenwood, “International Humanitarian Law (Laws of War)”, in *The Centennial of the First International Peace Conference*, Frits Kalshoven, Kluwer Law International, 2000.

Christopher Keith Hall, “Universal jurisdiction: New Uses for an Old Tool”, in *Justice for Crimes Against Humanity*, Mark Lattimer & Philippe Sands, Hart, 2007.

Christopher Muttukumaru, “Reparations to Victims”, in *The International Criminal Court: The Making of the Rome Statute, Issues, Negotiations, Results*, Roy S. K. Lee, Kluwer Law International, 1999.

Claude Jorda & Jerome de Hamptonne, “The Status and Role of the Victims”, in *The Rome Statute of the International Criminal Court: A Commentary*, Antonio Cassese et al., Oxford University Press, 2002.

Colleen Duggan and Adila Abusharaf, “Reparation of Sexual Violence in Democratic Transitions: The Search for Gender Justice”, in *The Handbook of Reparations*, ed. Pablo de Greiff, New York, Oxford University Press, 2006.

David Dolinko, “Punishment”, in *The Oxford Handbook of Philosophy of Criminal Law*, John Deigh & David Dolinko, Oxford University Press, 2011.

David Donat-Cattin, “Article 75 – Reparations to Victims”, in *Commentary on the Rome Statute of the International Criminal Court – Observers’ Notes, Article by Article*, Otto Triffterer, Baden-Baden, 1999.

David Watson et al., “Reparation for Retributivists”, in *Mediation and Criminal Justice: Victims, Offenders and Community*, Martin Wright & Burt Galaway, Sage Publications, 1989, cited in Lucia Zedner, “Reparation and Retribution: Are they Reconcilable?”, *Modern Law Review* 57 (1994).

Dino Abazovic, “Reconciliation, Ethopolitics and Religion in Bosnia and Herzegovina”, in *Post-Yugoslavia: New Cultural and Political Perspectives*, Dino Abazovic & Mitja Velikonja, Palgrave Macmillan, 2014.

Edda Kristjánsdóttir, “International Mass Claims Processes and the ICC Trust Fund for Victims”, in *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity*, Carla Ferstman et al., Nijhoff, 2009.

Elizabeth Odio Benito, “Development and Interpretation of Principles of Reparation: the Case Law of the IACHR and its Possible Contributions to the Jurisprudence of the ICC”, in *Protecting Humanity: Essays in International Law and Policy in Honour of Navanethem Pillay*, Chile Eboe-Osuji, Nijhoff, 2010.

Elizabeth Odio-Benito, “Foreword”, in *Reparations for Victims of Genocide, War Crimes and Crimes Against Humanity: Systems in Place and Systems in the Making*, Carla Ferstman et al., Nijhoff, 2009.

Emily Haslam, “Victim Participation at the International Criminal Court: A Triumph of Hope Over Experience”, in D. McGoldrick (ed.), *The Permanent International Criminal Court*, Hart, 2004, 315-334

Eric A. Posner, “A Minimalist Reparations Regime for the International Criminal Court”, in *Human Rights and International Criminal Law Online Forum*, February 1, 2012.

Ezzat A. Fattah, “From a Guilt Orientation to a Consequence Orientation: A Proposed New Paradigm for the Criminal Law in the 21st Century”, in *Beitraege zur Rechtswissenschaft*, Wilfried Küper & Jürgen Welp, C.F. Mueller Juristischer Verlag, 1993.

Flaviane de Magalhães Barros Pellegrini, “Os direitos das vítimas de crimes no Estado Democrático de Direito – uma análise do Projeto de Lei nº 269/2003 – Senado Federal”.

Frederiek de Vlaming & Kate Clark, “War Reparations in Bosnia and Herzegovina: Individual Stories and Collective Interests”, in *Narratives of Justice In and Out of the Courtroom*, Zarkov Dubravka & Glasius Marlies, Springer International Publishing, 2014.

Georges Abi-Saab, “The Specificities of Humanitarian Law”, in *Studies and Essays of International Humanitarian Law and the Red Cross Principles in Honour of Jean Pictet*, Christophe Swinarski, Nijhoff, 1984.

Gilbert Bitti, “Article 21 of the International Criminal Law Statute and the Treatment of Sources of Law in the Jurisprudence of the ICC”, in *The Emerging Practice of the International Criminal Court*, Carsten Stahn & Göran Sluiter, Nijhoff, 2008, cited in Elizabeth Odio Benito, *op. cit.*, note 21, p. 592.

Gilbert Bitti & Gabriela Gonzalez Rivas, “The Reparations Provisions for Victims under the Rome Statute of the International Criminal Court”, in *Redressing Injustices through Mass Claims Processes, Innovative Responses to Unique Challenges*, The International Bureau of the Permanent Court of Arbitration, Oxford University Press, 2006.

Hazel Fox, “The International Court of Justice's Treatment of Acts of the State and in Particular the Attribution of Acts of Individuals to States”, in *Liber Amicorum Judge Shigeru Oda*, Nisuke Ando et al., Kluwer Law International, 2002.

Heidy Rombouts et al., “The Right to Reparation for Victims of Gross and Systematic Human Rights Violations of Human Rights”, in *Out of the Ashes: Reparation for Victims of Gross and Systematic Violations of Human Rights*, Koen de Feyter et al., Intersentia, 2005.

I. Scomparin, “La Victime du Crime et la Juridiction Pénale Internationale”, in *La Justice Pénale Internationale entre Passé et Avenir*, M. Chiavario, 2003.

Jaykumar A. Menon, “The Low Road: Promoting Civil Redress for International Wrongs”, in *Realizing Utopia: The Future of International Law*, Antonio Cassese, Oxford University Press, 2012.

John Authers, “Making Good Again: German Compensation for Forced and Slave Laborers”, in *The Handbook of Reparations*, Pablo de Greiff, Oxford University Press, 2006.

Laurel Fletcher, “Refracted Justice: the Imagined Victim and the International Criminal Court”, in *Contested Justice: The Politics and Practice of International Criminal Court Interventions*, Carsten Stahn et al., Cambridge University Press, 2015.

Linda Malone, “Enforcing International Criminal Law Violations with Civil Remedies: The U.S. Alien Tort Claims Act,” in *International Criminal Law*, M. Cherif Bassiouni, Brill Publishers, 2008.

Lucia Zedner, “England”, in *Reparation in Criminal Law: International Perspectives*, Albin Eser & Susanne Walther (vol. 1), Iuscrim, Max-Planck Institute Für Ausländisches und International Strafrecht, 1996.

Malcolm Evans, “International Wrongs and National Jurisdiction”, in *Remedies in International Law: The Institutional Dilemma*, Malcolm Evans, Hart Publishing, 1998.

Manfred Nowak, “Reparation by the Human Rights Chamber for Bosnia and Herzegovina”, in *Out of the Ashes: Reparations for Victims of Gross and Systematic Human Rights Violations*, Koen de Feyter et al., Intersentia, 2005.

Marc Groenhuijsen, “Victims’ Rights and Restorative Justice: Piecemeal Reform of the Criminal Justice System or a Change of Paradigm?”, in *Crime, Victims and Justice: Essays on Principles and Practice*, Hendrik Kaptein & Marijke Malsch, Ashgate Publishing, 2004.

Mariana Goetz, “Reparative Justice at the International Criminal Court: Best Practice or Tokenism?”, in *Reparation for Victims of Crimes against Humanity: The Healing Role of Reparation: the Healing Role of Reparations*, Jo-Anne M. Webbers (ed.), Routledge, 2014, pp. 53-71.

Naomi Roht-Arriaza & Katharine Orlovsky, “A Complementary Relationship: Reparations and Development”, in *Transitional Justice and Development: Making Connections*, Pablo de Greiff & Roger Duthie, Social Science Research Council, 2009.

Pablo De Greiff & Marieke Wierda, “The Trust Fund for Victims of the International Criminal Court: Between Possibilities and Constraints”, in *Out of the Ashes: Reparation for Victims of Gross and Systematic Violations of Human Rights*, Koen de Feyter et al., Intersentia, 2005.

Pascale Chifflet, “The Roles and Status of the Victims”, in *International Criminal Law and Developments in the Case Law of the ICTY*, Gideon Boas & William A. Schabas, Nijhoff, 2003.

Pemmaraju Sreenivasa Rao, “International Crimes and State Responsibility”, in *International Responsibility Today - Essays in Memory of Oscar Schachter*, Maurizio Ragazzi, Nijhoff, 2005.

Peter J. Dixon, “Reparations and the Politics of Recognition”, in *Contested Justice: The Politics and Practice of International Criminal Court Interventions*, Carsten Stahn et al., Cambridge University Press, 2015.

Pierre-Marie Dupuy, “International Criminal Responsibility of the Individual and International Responsibility of the State”, in *The Rome Statute of the International Criminal Court: A Commentary*, Antonio Cassese et al., Oxford University Press, 2002.

Rainer Hofmann, “Victims of Violations of International Humanitarian Law: do they have an Individual Right to Reparation against States under International Law?”, in *Common Values in International Law: Essays in Honour of Christian Tomuschat*, Pierre-Marie Dupuy et al., Kehl Engel, 2006.

Riccardo Pisillo Mazzeschi, “International Obligations to Provide for Reparation Claims”, in *State Responsibility and the Individual – Reparations in Instances of Grave Violations of Human Rights*, Albrecht Randelzhofer & Christian Tomuschat, Kluwer Law International, 1999.

Sam Garkawe, “The Role and Rights of Victims at the Nuremberg International Military Tribunal”, in *The Nuremberg Trials: International Criminal Law since 1945*, Reginbogin, C. Safferling, and Hippel (eds.), Kluwer, 2006, pp. 86-94

Selma Boracic, “Bosnia War Victims’ Compensation Struggle”, *International War and Peace Reporting (IWPR)* 3 August 2011.

Serge Vasiliev, “Victim Participation Revisited: What the ICC is learning about itself”, in *The Law and Practice of the International Criminal Court*, Carsten Stahn (ed.), Oxford University Press, 2015.

Sergey Vasiliev, “Article 68 (3) and personal interests of victims in the emerging practice of the ICC”, in *The Emerging Practice of the International Criminal Court*, Carsten Stahn and Göran Sluiter (eds.) Brill, 2008, pp. 635-690.

Sergey Vasiliev, “Victim Participation Revisited: What the ICC is Learning About Itself”, in *The Law and Practice of the International Criminal Court Carsten Stahn (ed.)*, Oxford University Press, 2015.

Sergey Vasiliev, “Trial Process at the ECCC: The Rise and Fall of the Inquisitorial Paradigm in International Criminal Law?” in *The Extraordinary Chambers in the Courts of Cambodia: Assessing their Contribution to International Criminal Law*, S Meisenberg & I Stegmiller (eds.), T.M.C. Asser Press, 2016.

S.G. Ramírez, “Las reparaciones en el sistema interamericano de protección de los derechos humanos”, in *El sistema interamericano de protección de los derechos humanos en el umbral del siglo XXI: tomo I* (San José: Corte Interamericana de Derechos Humanos, 2001).

Silke Studzinsky, “Participation Rights of Victims as Civil Parties and the Challenges of Their Implementation Before the Extraordinary Chambers in the Courts of Cambodia”, in *Victims of International Crimes: An Interdisciplinary Discourse*, Thorsten Bonacker & Christoph Safferling, TMC Asser Press, 2013.

Susanne Malmström, “Restitution of Property and Compensation to Victims”, in *Essays on ICTY Procedure and Evidence in Honour of Gabrielle Kirk McDonald*, Richard May et al., Kluwer Law International, 2001.

Theo van Boven, “The Perspective of the Victim”, in *The Universal Declaration of Human Rights: Fifty Years and Beyond*, Yael Danieli et al., Baywood Publishing Company, 1999.

Theo Van Boven, “The Position of the Victim in the Statute of the International Criminal Court”, in *Reflections on the International Criminal Court: Essays in Honour of Adrian Bos*, Herman A.M. von Hebel et al., TMS Asser Press, 1999.

Thordis Ingadottir, “The Trust Fund of the ICC”, in *International Crimes, Peace, and Human Rights: The Role of the International Criminal Court*, Dinah Shelton, Transnational Publishers, 2000.

Thordis Ingadottir, “The Trust Fund for Victims (Article 79 of the Rome Statute)”, in *The International Criminal Court – Recommendations on Policy and Practice – Financing, Victims, Judges, and Immunities*, Thordis Ingadottir, Ardsley, 2003.

Toni Holness & Jaya Ramji-Nogales, “Participation as Reparations: The ECCC and Healing in Cambodia”, in *Cambodia's Hidden Scars: Trauma Psychology In The Wake Of The Khmer Rouge*, Documentation Center of Cambodia, 2012.

Cases

ADC Affiliate Limited and ADC & ADMC Management Limited v. Republic of Hungary, Case No. ARB/03/16, Award of 2 October 2006, I.C.S.I.D.

Amoco International Finance Corporation v. The Islamic Republic of Iran et al., Partial Award No. 310-56-3 of 14 July 1987, 15 Iran-United States Claims Tribunal Reports.

Aydin v. Turkey, Merits, Grand Chamber, 25 September 1997, 25 EHRR 251.

Baldeón-García v. Peru, Merits, Reparations and Costs, 6 April 2006, Series C No. 147.

Bautista de Arellana v. Columbia (563/93), CCPR/C/55/D/563/1993 (1995); 3 IHRR 315 (1996).

Blancov v. Nicaragua (328/88), CCPR/C/51/D/328/1988 (1994); 2 IHRR 123 (1995).

Bridge of Varvarin case, Landgericht (LG) Bonn, 1 O 361/02, NJW 2004, 525, HuV-I 2/2004, 111-113, confirmed by *Oberlandesgericht* (OLG) Köln, 7 U 8/04.

E. Ct. H. R. *Kalougeropoulou and Others v. Greece and Germany*, Admissibility, 12 December 2002, Application No. 59021/00.

E. Ct. H. R. *Khatsiyeva et al. v. Russia*, Merits, 17 January 2008, Unreported, Application No. 5108/02.

E. Ct. H. R. *Papamichalopoulos and Others v. Greece*, Judgment, 31 October 1995, Application No. 14556/89, Series A, No. 330-B.

E. Ct. H. R. *Varnava et al. v. Turkey*, Merits, Grand Chamber, 18 September 2009, Unreported, Application No. 16064/90.

Factory at Chorzów, Jurisdiction, Judgment No. 8, 1927, *P.C.I.J.*, Series A, no. 17.

Ferida Selimović et al. v. the Republika Srpska, Decision on Admissibility and the Merits, 7 March 2003, CH/01/8365 et.al.

Ferrini v. Federal Republic of Germany, Corte di Cassazione (Sezioni Unite), 11 March 2004, 87 *Rivista di diritto internazionale* 539.

Final Award, *Eritrea's Damages Claims Between the State of Eritrea and the Federal Democratic Republic of Ethiopia*, 17 August 2009, Eritrea-Ethiopia Claims Commission.

Final Award, *Ethiopia's Damages Claims Between the State of Eritrea and the Federal Democratic Republic of Ethiopia*, 17 August 2009, Eritrea-Ethiopia Claims Commission.

Fitfield v. Ins. Co. of Pa., 47 Pa. 166, 187 (1864).

Human Rights Chamber, *Ferida Selimović et al. v. the Republika Srpska*, Decision on Admissibility and Merits, 7 March 2003.

IACtHR, *Aloeboetoe v. Suriname*, Reparations Judgment, 10 September 1993.

IACtHR, *Amparo v. Venezuela*, Reparations Judgment, 14 September 1996.

IACtHR, *Bámaca Velásquez v. Guatemala*, Reparations Judgment, 22 February 2002.

IACtHR, *Blake v. Guatemala*, Reparations Judgment, 22 January 1999.

IACtHR, *Bulacio v. Argentina*, Merits, Reparations and Costs Judgment, 18 September 2003.

IACtHR, *Case of Acevedo Jaramillo and others v. Peru*, Judgment, 7 February 2006.

IACtHR, *Case of Acosta Calderon v. Ecuador*, Judgment, 24 June 2005.

IACtHR, *Case of Bámaca Velásquez v. Guatemala*, Judgment, 25 November 2000.

IACtHR, *Case of Barrios Alto v. Peru*, Judgment, 14 March 2001.

IACtHR, *Case of Barrios Altos v. Peru*, Reparations Judgment, 30 November 2001.

IACtHR, *Case of Cantoral Benavides v. Peru*, Reparations Judgment, 3 December 2001.

IACtHR, *Case of Caracazo v. Venezuela*, Reparations Judgment, 29 August 2002.

IACtHR, *Case of Cesti Hurtado Case*, Reparations Judgment, 31 May 2001.

IACtHR, *Case of Durand and Ugarte v. Peru*, Reparations Judgment, 3 December 2001.

IACtHR, *Case of El Amparo v. Venezuela*, Reparations Judgment, 14 September 1996.

IACtHR, *Case of Goiburú et al. v. Paraguay*, Merits, Reparations and Costs Judgment, 22 September 2006.

IACtHR, *Case of Ituango Massacre v. Colombia*, Merits, Reparations and Costs Judgment, 1 July 2006.

IACtHR, *Case of La Cantuta v. Peru*, Judgment, 29 November 2006.

IACtHR, *Case of La Rochela Massacre v. Colombia*, Judgment, 11 May 2007.

IACtHR, *Case of Mapiripan Massacre v. Colombia*, Judgment, 15 September 2005.

IACtHR, *Case of Maritza Urrutia v. Guatemala*, Judgment, 27 November, 2003.

IACtHR, *Case of Massacre of Plan de Sanchez v. Guatemala*, Reparations Judgment, 19 November 2004.

IACtHR, *Case of Miguel Castro Castro Prison v. Peru*, Judgment, 25 November 2006.

IACtHR, *Case of Moiwana v. Suriname*, Judgment, 15 June 2005.

IACtHR, *Case of Molina Theissen v. Guatemala*, Reparations Judgment, 3 July 2004.

IACtHR, *Case of Neira Alegria et al. v. Peru*, Reparations Judgment, 19 September 1996.

IACtHR, *Case of Plan de Sánchez Massacre*, Reparations Judgment, 19 November 2004.

IACtHR, *Case of Prison Miguel Castro Castro v. Peru*, Judgment, 25 November 2006.

IACtHR, *Case of Street Children v. Guatemala*, Reparations Judgment, 26 May 2001.

IACtHR, *Case of Suárez Rosero v. Ecuador*, Reparations Judgment, 20 January 1999.

IACtHR, *Case of Trujillo Oroza v. Bolivia*, Reparations Judgment, 27 February 2002.

IACtHR, *Case of Velazquez Rodriguez v. Honduras*, Reparations Judgment, 21 July 1989.

IACtHR, *Case of Villagrán Morales et al v. Guatemala, Street Children Case*, Reparations Judgment, 26 May 2001.

IACtHR, *Case of Villagrán Morales et al v. Guatemala, Street Children Case*, Reparations Judgment, 26 May 2001, Separate Opinion of Judge Cançado Trindade.

IACtHR, *Case of YakyeAxa v. Paraguay*, Judgment, 17 June 2005.

IACtHR, *Case of Yvon Neptune v. Haiti*, Judgment, 6 May 2008.

IACtHR, *Castillo Páez v. Peru*, Reparations Judgment, 27 November 1998.

IACtHR, *Gangaram Panday v. Suriname*, Merits, Reparations and Costs Judgment, 21 January 1994.

IACtHR, *Garrido Baigorria v. Argentina*, Reparations Judgment, 27 August 1998.

IACtHR, *Juan Humberto Sanchez v. Honduras*, Judgment, 7 June 2003.

IACtHR, *Loayza Tamayo v. Peru*, Reparations Judgment, 27 November 1998.

IACtHR, *Lopez Alvarez v. Honduras*, Judgment, 1 February 2006.

IACtHR, *Panel Banca v. Guatemala*, Reparations Judgment, 25 May 2001.

IACtHR, *Velásquez-Rodríguez v. Honduras*, Merits Judgment, 29 July 1988.

ICC, Appeals Chamber, Judgment on the appeals against the “Decision establishing the Principles and Procedures to be applied to Reparations”, 7 August 2012 with AMENDED order for reparations (Annex A) and public annexes 1 and 2, 3 March 2015.

ICC Bemba, “Fourth Decision on Victims' Participation”, 12 December 2008, ICC-01/05-01/08-320, Pre-Trial Chamber III.

ICC, “Decision on the Applications for Participation in the Proceedings of Applicants a/0327/07 to a/00337/07 and a/0001/08”, 2 April 2008, ICC-01/04-01/07-357.

ICC, “Decision on the Applications for Participation in the Proceedings of VPRS1, VPRS2, VPRS3, VPRS4, VPRS5, and VPRS6”, 17 January 2006, ICC-01-04-101-t-ENG-Corr (situation phase).

ICC, “Decision on Applications for Participation in Proceedings a/0004/06 to a/0009/06, a/001606, a/0063/06, a/0071/06 to a/0080/06 and a/01/05/06”, in the case of *The Prosecutor v. Thomas Lubanga Dyilo*, 20 October 2006, ICC-01/04-01/06-601.

ICC, “Decision on Victims’ Application for Participation a/0010/06, a/0064/06 to a/0/0070/06, a/0081/06, a/0082/06, a/0084/06 to a/0089/06, a/0091/06 to a/0097/06, a/0099/06, a/0100/06, a/0102/06 to a/0104/06, a/0111/06, a/0113/06 to a/0117/06, a/0120/06, a/0121/06 and a/0123/06 to a/0127/06”, in the case of *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo, Dominic Ongwen*, 14 March 2008, ICC-02/04-01/05-282, Pre-Trial Phase.

ICC, “Decision on Victims’ Participation”, in the case of *The Prosecutor v. Thomas Lubanga Dyilo*, 18 January 2008, ICC-01/04-01/06-1119

ICC, *Kony, Otti, Odhiambo & Ongwen*, “Decision on Victims' Applications for Participation a/0014/07 to a/0020/07 and a/0076/07 to a/0125/07”, 21 November 2008, ICC 02/04-01/05-356, Pre-Trial Chamber II.

ICC, *Muthaura, Kenyatta and Ali*, “Decision on Victims' Participation at the Confirmation of Charges Hearing and in the Related Proceedings”, 26 August 2011, ICC-01/09-02/11-267, Pre-Trial Chamber II.

ICC, “Corrigendum of Decision on the Prosecutor’s Application for a Warrant of Arrest, Article 58”, 10 February 2006, ICC-01/04-01/06-I-US-Exp-Con, Pre-Trial Chamber I.

ICC, *Prosecutor v. Lubanga*, “Observations on the Sentence and Reparations by Victims”, (‘V01 Group’), 18 April 2012, ICC- 01/04-01/06.

ICC, *Prosecutor v. Lubanga*, “Observations of the V02 Group of Victims on Sentencing and Reparations”, (‘V02 Group’), 18 April 2012, ICC-01/04-01/06.

ICC, *Prosecutor v. Thomas Lubanga Dyilo*, “Decision of the Appeals Chamber on the Joint Application of Victims a/0001/06 to a/0003/06 and a/0105/06 concerning the Directions and Decision of the Appeals Chamber”, 2 February 2007, ICC-01/04-01/06-925, Separate opinion of Judge Pikis.

ICC, *Prosecutor v. Thomas Lubanga Dyilo*, “Judgment on the Appeal of Mr. Thomas Lubanga Dyilo against the Decision on the Defence Challenge to the Jurisdiction of the Court pursuant to article 19 (2) (a) of the Statute of 3 October 2006”, 14 December 2006, ICC-01/04-01/06-772.

ICC, *Prosecutor v Thomas Lubanga*, “Judgment on the Appeals of the Prosecutor and The Defence against Trial Chamber I’s Decision on Victims’ Participation”, 18 January 2008, ICC-01/04-01/06-1432.

ICC, *Prosecutor v .Thomas Lubanga Dyilo*, “Scheduling Order Concerning Timetable for Sentencing and Reparations”, 14 March 2012, ICC-01/04-01/06-2844.

ICC, *Prosecutor v. Thomas Lubanga Dyilo*, “Decision Establishing the Principles and Procedures to be applied to Reparations”, 7 August 2012, ICC-01/04-01/06, Trial Chamber I.

ICC, *Situation in the Democratic Republic of Congo*, “Decision on the Application for Participation in the Proceedings of VPRS1, VPRS2, VPRS3, VPRS4, VPRS5 and VPRS6”, 17 January 2006, ICC-01/04-101-tEN-Corr.

ICC, *Situation in the Democratic Republic of the Congo*, “Judgment on the Prosecutor's Application for Extraordinary Review of Pre-Trial Chamber I’s 31 March 2006 Decision Denying Leave to Appeal”, 13 July 2006, ICC-01/04-168.

ICC, *Situation in Kenya*, “Decision on Victims' Participation in Proceedings”, 3 November 2010, ICC-01/09-24, Pre-Trial Chamber II.

ICC, *Statement of the ICC Deputy Prosecutor in the opening of the Prosecutor’s case in Katanga and Chui*, “ICC Cases and Opportunity for Communities in Ituri to Come Together and Move Forward”, ICC-OTP-20080627-PR332), 27 June 2008.

ICC, Trial Chamber II, *Prosecutor v. Thomas Lubanga Dyilo*, “Order approving the proposed plan of the Trust Fund for Victims in relation to symbolic collective reparations”, ICC-01/04-01/06, 21 October 2016.

ICC, *Prosecutor v. Germain Katanga*, “Order instructing the parties and participants to file observations in respect of the reparations proceedings”, 1 October 2015, ICC-01/04-01/07-3532-tENG.

ICC, *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang*, “Decision on the Requests regarding Reparations” ICC-01/09-01/11, 1 July 2016

ICJ, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide, (Croatia v. Serbia)*, Judgment, 5 February 2015.

ICJ, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide, (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, 26 February 2007.

ICJ, *Arrest Warrant Case (Democratic Republic of Congo v. Belgium)*, ICJ Reports 3 (2002), Opinions of Judges Guillaume and Rezek.

ICJ, *Case concerning Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)*, Judgment, 30 November 2010.

ICJ, *Case concerning Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)*, Judgment, 30 November 2010, Separate Opinion of Judge Cançado Trindade.

ICJ, *Case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, I.C.J. Reports 2007.

ICJ, *Case concerning Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Judgment, I.C.J. Reports 2005.

ICJ, *Case concerning Avena and Other Mexican Nationals (Mexico v. United States of America)*, Judgment, 31 March 2004.

ICJ, *Case concerning Gabčíkovo-Nagymaros Project (Hungary v. Slovakia)*, Judgment, I.C.J. Reports 1997.

ICJ, *Case concerning the Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening)*, Judgment, 3 February 2012.

ICJ, *Case concerning the Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening)*, Judgment, 3 February 2012, Dissenting Opinion of Judge Cançado Trindade.

ICJ, *Case concerning Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, I.C.J. Reports 136, 2004.

ICJ, *Case concerning Pulp Mills on the River Uruguay (Argentina v. Uruguay)*, Judgment, 20 April 2010.

ICJ, *Reparation for Injuries Suffered in the Service of the United Nations*, Advisory Opinion, I.C.J. Reports 1949.

ICJ, *The S.S. Lotus Case P.C.I.J. Ser. A, No. 10, p. 4 (1927)*.

ICTR, *Prosecutor v. Jean-Paul Akayesu*, Judgment, 2 September 1998, Case No. ICTR-96-4-T,

ICTY, *Prosecutor v. Furundžija*, Trial Chamber, Judgment, 10 December 1998, IT-95-17/1-T.

ICTY, *Prosecutor v. Obrenović*, Trial Chamber, “Sentencing Judgment”, 10 December 2003, IT-02-60/2-S.

ICTY, *Prosecutor v. Radislav Krstić*, IT-98-33-T.

Ivica Kevesevic v. the Federation of Bosnia and Herzegovina, 10 September 1998, Case No. CH/97/46.

Jones v. Whalley [2006] 2 Criminal Law Review 67, Divisional Court, on appeal to the House of Lords, *Jones v. Whalley* [2006] 4 All.E.R 11.

Josip, Bozana and Tomislav Matanovic v. the Republika Srpska, Decision on Admissibility, 13 September 1996, Decision on the Merits, 6 August 1997, Decisions on Admissibility and Merits, March 1996–December 1997, Case No. CH/96/01.

LG&E Energy Corp., LG&E Capital Corp., LG&E International Inc. v. Argentine Republic, Case No. ARB/02/1, Award of 25 July 2007, I.C.S.I.D.

M/V “Saiga” (No. 2) (Saint Vincent and the Grenadines v. Guinea), Judgment, I.T.L.O.S. Reports 1999.

Palic v. Republika Srpska, Decision on Admissibility and Merits, 11 January 2001, Case No. CH/99/3196.

Prefecture Voiotia v. Federal Republic of Germany, Hellenic Supreme Court, 4 May 2000, Case no. 11/2000.

Prosecutor v. Charles Ghankay Taylor, Judgment, Special Court for Sierra Leone, 18 May 2012, SCSL, 03-01-T.

Prosecutor v. Charles Ghankay Taylor, Appeals Judgment, Special Court for Sierra Leone, 26 September 2013, SCSL, 03-01-A.

Rasim Jusufović v. the Republika Srpska, Decision on Admissibility and Merits, 9 June 2000, Case no. CH/98/698.

R (on the application of Gladstone Pic) v Manchester City Magistrates [2005] All.E.R. 56, *Queen's Bench Division*

Rodriquez v. Uruguay (322/88), CCPR/C/51/D/322/1988 (1994); 2 IHRR 12 (1995).

Sosa v Alvarez-Machain, 124 US 2739, 2775 (2004).

Sosa v. Alvarez-Machain, Supreme Court, 542 U.S. 692 (2004).

Trial of Major War Criminals before the International Military Tribunal, Nuremberg, 14 November 1945-1 October 1946 (Nuremberg: International Military Tribunal, 1947).

Ttofinis v. Theochandes (1983) 2 Cyprus Law Reports, 363, Cyprus Supreme Court.

Unkovic v. Federation of Bosnia and Herzegovina, Decision on Admissibility and Merits, 9 November 2001, Case No. CH/99/2150.

Reports

Africa Legal Aid, *The Cairo-Arusha Principles on Universal Jurisdiction in Respect of Gross Human Rights Offences* (2002).

Amnesty International, *Bosnia-Herzegovina: Rape and Sexual Abuse by Armed Forces*, (1993).

Amnesty International, *International Criminal Court: Ensuring an Effective Trust Fund for Victims*, IOR 40/005/2001, (1 September 2001).

Amnesty International, *Old Crimes, Same Suffering: No justice for Survivors of Wartime Rape in North-East Bosnia and Herzegovina*, (2012).

Amnesty International, *Public Statement - Bosnia and Herzegovina: Amnesty International Calls for Justice and Reparation for Survivors of War Crimes of Sexual Violence*, (2010).

Amnesty International, *'Whose Justice?' - The Women of Bosnia and Herzegovina Are Still Waiting*, (2009).

Amnesty International, *Universal Jurisdiction: The Duty of States to Enact and Implement Legislation*, (September 2001).

Amnesty International, *Universal Jurisdiction: 14 Principles on Effective Exercise of Universal Jurisdiction* (1999).

Annual Report of the European Court of Human Rights, Foreword by Jean Paul Costa, President of the European Court of Human Rights (2006).

Basic Principles and Guidelines on the Right to Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, General Assembly Resolution 60/147 U.N. Doc. A/RES/60/147 (March 21, 2006).

FIDH, "Enhancing Victims' Rights Before the ICC: A View from Situation Countries on Victims' Rights at the International Criminal Court", November 2013, pp. 27-28, available at: https://Ibid.fidh.org/IMG/pdf/fidh_victimsrights_621a_nov2013_ld.pdf

Helsinki Watch, Human Rights Watch, *War Crimes in Bosnia-Herzegovina*, (1992).

Human Rights Center, University of California, Berkely School of Law, "The Victims' Court: A Study of 622 Victim Participants at the International Criminal Court", p. 3,

available at: https://Ibid..law.berkeley.edu/wp-content/uploads/2015/04/VP_report_2015_final_full2.pdf.

International Council on Human Rights Policy, *Hard Cases: Bringing Human Rights Violators to Justice Abroad- A Guide to Universal Jurisdiction*, (1999).

International Law Association, *Final Report on the Exercise of Universal Jurisdiction in Respect of Gross Human Rights Offences*, Committee on International Human Rights Law and Practice, London Conference (2000).

International Law Association, *Remedies for Victims of Armed Conflict*, 74 International Law Association Report Conference 291, (2010).

Liesbeth Zegveld & Jeff Handmaker, *Universal Jurisdiction: State of Affairs and Ways Ahead: A Policy Paper*, International Institute of Social Studies Working Paper 532, (January 2012).

Linda Popic & Belma Panjeta, *Compensation, Transitional Justice and Conditional International Credit in Bosnia and Herzegovina*, Independent Research Publication, (2010).

Letter of the President of the ICTR to the United Nations Secretary-General, annex to a letter of 14 December 2000 by the United Nations Secretary-General, Kofi Annan, to the United Nations Security Council, UN Doc. S/2000/1198 (15 December 2000).

Mandate, United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, Office of the High Commissioner for Human Rights.

Mohamad Suma and Cristián Correa, *Report and Proposals for the Implementation of Reparations in Sierra Leone*, International Center for Transitional Justice, (December 2009).

Princeton Project on Universal Jurisdiction, *The Princeton Principles on Universal Jurisdiction* (2001).

Redress, *The International Criminal Court's Trust Fund for Victims Analysis and Options for the Development of Further Criteria for the Operation of the Trust Fund for Victims*, Discussion Document, (December 2003).

Redress, *Universal Jurisdiction in Europe: Criminal Prosecutions in Europe since 1990 for War Crimes, Crimes against Humanity, Torture and Genocide*, (1999).

Reparations before the International Criminal Court: Issues and Challenges, Conference Report, Peace Palace, The Hague, (12 May 2011).

Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General.

Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General, citing a letter dated 12 October 2000 of Judge C. Jorda to the United Nations Secretary General.

Report of the Working Group on Procedural Matters of 13 July 1998 (UN Doc. A/CONF.183/C.1/WGPM/L2/Add.7).

Report on the Establishment of an International Criminal Court, Draft Statute and Draft Final Act, U.N. Doc. A/Conf.183/2/Add.1, (1998).

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, U.N. ESCOR, 49th Sess., Annex, Agenda Item 27, U.N. Doc. E/CN.4/1993/50 (1993).

Report 21/00, Case 12.059, Carmen Aguiar de Lapacó (Argentina), (29 February 2000).
Revised final report of the Special Rapporteur on the question of impunity of perpetrators of human rights violations (civil and political), E/CN.4/Sub.2/1997/20/Re v.1, (2 October 1997).

Report to the President by Mr. Justice Jackson, International Conference on Military Trials, (6 June 1945).

Rodri C. Williams, *Post Conflict Property Restitution in Bosnia: Balancing Reparations and Durable Solutions in the Aftermath of Displacement*, TESEV International Symposium on 'Internal Displacement in Turkey and Abroad', Istanbul, (5 December 2006).

The Group of Experts for Cambodia, *Report of the Group of Experts for Cambodia Pursuant to General Assembly Resolution 52/135, 1, U.N. Doc. S/1999/231, A/53/850 (16 March 1999).*

Victims' Compensation and Participation, Appendix to a letter dated 12 October 2000 from the President of the ICTY addressed to the Secretary-General, ANNEX to UN Doc. S/2000/1063 (3 November 2000).

Resolutions

Basic Principles and Guidelines on the Right to a Remedy and Reparation For Victims of Gross Violations of International Human Rights Law and International Humanitarian Law, General Assembly Resolution A/RES/60/147, (December 16, 2005).

Resolution ICC-ASP/1/Res.6 and Annex to same, (9 September 2002).

Resolution ICC-ASP/3/Res.7, Establishment of the Secretariat of the Trust Fund for Victims (10 September 2004).

Resolution on the Establishment of a Fund for the Benefit of Victims of Crimes within the Jurisdiction of the Court, and the Families of such Victims, ICC-ASP/1/Res.6 (2002).

Resolution of the Establishment of the Secretariat of the Trust Fund for Victims, ICC-ASP/3/Res.7 (2004).

Resolution on the Procedure for the Nomination and Election of Members of the Board of Directors of the Trust Fund for the Benefit of Victims, ICC-ASP/1/Res.7 (2002), (9 September 2002).

Security Council Resolution 1757 (2007), Adopted by the Security Council at its 5685th meeting, on 30 May 2007.

Situation in Uganda, Notification of the Board of Directors of the Trust Fund for Victims in accordance with Regulation 50 of the Regulations of the Trust Fund for Victims, 25 January 2008, ICC-02/04.

“The Situation in the Middle East”, Security Council Resolution 1644 (2005), 15 December 2005, S/RES/1644.

United Nations Guidance Note of the Secretary General: Reparations for Conflict-Related Sexual Violence of June, 2014.

United Nations Voluntary Fund for Victims of Torture, G.A. Res 36/151, U.N. Doc A/RES/36/151 (Dec. 16, 1981).

United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, G.A. Res. 46/122, U.N. Doc A/RES/46/122 (Dec. 17, 1991).

Treaties and domestic legislation

Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea, 12 December 2000, 40 ILM 260 (2001).

American Convention on Human Rights, 22 November 1969, entry into force 18 July 1978, 114 UNTS 123.

Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis, and Charter of the International Military Tribunal, London, 8 August 1945 (London Charter).

American Law Institute, Restatement (Third), *The Foreign Relations Law of the United States* (1987).

Charter for the International Military tribunal for the Far East, Tokyo, 19 January 1946 (Tokyo Charter).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, United Nations, Treaty Series, vol. 1465.

Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, General Assembly Resolution 40/34, 29 November 1985.

Draft Agreement between the United Nations and the Royal Government of Cambodia Concerning the Prosecution under Cambodian Law of Crimes Committed During the Period of Democratic Kampuchea, 17 March 2003, approved by GA Res. 57/228B, 13 May 2003.

European Convention for the Protection of Human Rights and Fundamental Freedoms, 4 November 1950, entry into force 3 September 1953, CETS No. 5, as amended by Protocol 11 CETS No. 155, 11 May 1994, entry into force 1 November 1998.

European Convention on the Compensation of Victims of Violent Crimes, European Treaty Series, European Treaty Series No, 116, Strasbourg, 24.XI.1983.

European Convention on Non-Applicability of Statutes of Limitations for Crimes against Humanity and War Crimes (Inter-European), Europe. T.S. No. 82.

French Code of Criminal Procedure.

General Framework Agreement for Peace in Bosnia and Herzegovina, 35 ILM 75 (1996), "Dayton Agreement".

Hague Convention (IV) Respecting the Laws and Customs of War on Land, 18 October 1907, entry into force 26 January 1910, 9 UKTS (1910).

Inter-American Convention on Human Rights of 1979 (Pact of San José), adopted at the Inter-American Specialized Conference on Human Rights, San José, Costa Rica, 22 November 1969.

Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts, 8 June 1977, entry into force 7 December 1978, 1125 UNTS (1979).

Protocol to the African Charter on Human and Peoples' rights on the Establishment of an African Court on Human and Peoples' Rights, 9 June 1998, entry into force 25 January 2004, OAU/LEG/MIN/AFCHPR/PROT.1 rev.2 (1997).

Rome Statute of the International Criminal Court, U.N. Doc. A/CONF.183/9.

Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, 26 March 1999, entry into force 9 March 2004, 38 ILM (1999).

United Nations Convention on the Non-Applicability of Statutes of Limitations for War Crimes and Crimes Against Humanity, 26 November 1968, 754 U.N.T.S. 73.

Universal Declaration of Human Rights, General Assembly Resolution 217A (III), 10 December 1948.

UN Transitional Administration in East Timor (UNTAET): Reg. 2000/15, *On the Establishment of Panels with Exclusive Jurisdiction over Serious Criminal Offences*, 6 June 2000.

United Nations Trust Fund for Chile, G.A. Res. 33/174, U.N. Doc A/RES/33/174 (Dec. 20, 1978).

United Nations, *Vienna Convention on the Law of Treaties*, 23 May 1969, United Nations, Treaty Series, vol. 1155.

Victims of Terrorism Compensation Act, Title VIII of the Omnibus Diplomatic Security and Antiterrorism Act, 22 U.S.C. 4801 (1986).