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**Title:** Prosecuting environmental harm before the International Criminal Court  
**Date:** 2018-06-19
VIII. ANNEXES

A. Bibliography

Books and Book Chapters


**Journal Articles**


Peat, Daniel, “The Use of Court-Appointed Experts by the International Court of Justice” 84 *British Yearbook of International Law* 271 (2013).


United Nations Resolutions (Security Council and General Assembly)


**Reports and Documents**

*United Nations Reports and Documents*


International Criminal Court reports
Assembly of States Parties, “Draft resolution proposed by the Vice-Presidents of the Assembly
Activation of the jurisdiction of the Court over the crime of aggression” (14 December 2017) ICC-
ASP/16/L.10.

Assembly of States Parties, “Report of the Committee on Budget and Finance on the work of its
twenty-sixth session” (12 July 2016) ICC-ASP/15/5.

Delegations of New Zealand and Switzerland, “Working Paper for the Preparatory Committee on the
Establishment of an International Criminal Court” (14 February 1997),

Dillon, M.P., Head of the Information and Evidence Unit of the OTP Letter to R. Doak Bishop,
Partner of King & Spalding LLP, Reference No. OTP2014/036752, 16 March 2015 (available at

Global Diligence LLP, “Communication under Article 15 of the Rome Statute of the International
Criminal Court. The Commission of Crimes Against Humanity in Cambodia”, executive summary.


ICC, “Office of the Prosecutor’s Policy Paper on Case Selection and Prioritisation”, 15 September
2016.

ICC, “Regulations of the Trust Fund for Victims” (3 December 2005).

ICC, “Situation in Uganda, Warrant of Arrest for Joseph Kony issued on 8 July 2005 as Amended on
27 September 2005”, ICC-02/04-01/05.


ICC, The Office of the Prosecutor, “Public redacted version of “Second Prosecution application to the Pre-Trial Chamber to preserve evidence and take measures under article 56 of the Rome Statute”, (2 October 2015) ICC-02/04-01/15-310-Conf.


ICC, Office of the Prosecutor, “Regulations of the Office of the Prosecutor” (23 April 2009) ICC-BD/05-01-09.


Other reports and documents


Colonel MacMahon, “Arbitral Award” (10 April 1905).


Edenhofer, O. et al. (eds), Working Group III Contribution to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, Climate Change 2014: Mitigation of Climate Change.


Lostal, Marina. “The first of its kind: the ICC opens a case against Ahmad Al Faqi Al Mahdi for the destruction of cultural heritage in Mali”, *Global Policy* 2 October 2015 (available at


War Crimes Research Office, “The Case-Based Reparations Scheme at the International Criminal Court” (International Criminal Court Legal Analysis and Education Project, June 2010).


Newspaper articles and periodicals


**Theses**


**National Legal Instruments**


Cambodia, Law on the Establishment of the Extraordinary Chambers, with inclusion of amendments as promulgated on 27 October 2004 (NS/RKM/1004/006).


Colombia, Law No. 1252 of 2008.


Environment Protection Act of Victoria, Australia, (1970) (available at [link])

Te Awa Tupua (Whanganui River Claims Settlement) Act 2017.

Te Urewera Act 2014.

**Websites**


Chart of Human Rights corresponding to Sustainable Development Goals: (available at [http://www.ohchr.org/Documents/Issues/MDGs/Post2015/SDG_HR_Table.pdf](http://www.ohchr.org/Documents/Issues/MDGs/Post2015/SDG_HR_Table.pdf)).

CITES, “Countries currently subject to a recommendation to suspend trade” (available at [https://cites.org/eng/resources/ref/suspend.php](https://cites.org/eng/resources/ref/suspend.php)).


TRW, “Natural resources, plunder and reparations in the DRC, how the ICJ is setting precedents” United Nations Mechanism for the International Criminal Tribunals,” Key Figures” (available at http://unictr.unmict.org/en/cases/key-figures-cases).


B. Table of Cases

**International Criminal Courts and Tribunals**

**ICC**

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’ of 2 February 2007, (13 June 2007) ICC-01/04-01/06-925.


ICC, *Situation in the Democratic Republic of Congo in the Case of the Prosecutor v. Thomas Lubanga Dyilo*, Decision on the admissibility of four documents (13 June 2008) ICC-01/04-01/06.


ICC, *Prosecutor v. Thomas Lubanga Dyilo*, Instructions to the Court’s Expert on Names and other Social Connections to the DRC (5 June 2009), ICC-01/04-01/06.


ICC, *Prosecutor v. Thomas Lubanga Dyilo*, Decision establishing the principles and procedures to be applied to reparations, (7 August 2012) ICC-01/04-01/06-2904.


ICC, *Prosecutor v. Bosco Ntaganda*, Decision Pursuant to Article 61(7)(a) and (b) of the Rome Statute on the Charges of the Prosecutor Against Bosco Ntaganda, (14 June 2014) ICC-01/04-02/06-309.


ICC, *Prosecutor v. Thomas Lubanga Dyilo*, Judgment on the appeal of Mr Thomas Lubanga Dyilo against his conviction, (1 December 2014) ICC-01/04-01/06 A5.

ICC, *Prosecutor v. Thomas Lubanga Dyilo*, Judgment on the appeals against the “Decision establishing the principles and procedures to be applied to reparations”, 7 August 2012 (3 March 2015) ICC-01/04-01/06-3129.


ICC, “Decision on the request of the Union of the Comoros to review the Prosecutor's decision not to initiate an investigation”, (16 July 2015) ICC-01/13-34.


**ICTR**


ICTR, *Prosecutor v. George Rutaganda* Trial Judgment and Sentence (6 December 1999) ICTR-96-3-T.


**ICTY**


ICTY, *Prosecutor v. Dario Kordić and Mario Čerkez*, Decision on Prosecution Application to Admit the Tulica Report and Dossier into Evidence (29 July 1999) IT-95-14/2-T.


ICTY, *Prosecutor v. Dario Kordić and Mario Čerkez*, Trial Chamber Judgment (26 February 2001), IT-95-14/2-T.


ICTY, *Prosecutor v. Radovan Karadžić*, Decision on the Accused’s Motion to exclude DNA Evidence (16 April 2013) IT-95-13/1.


ICTY, *Prosecutor v. Goran Hadžić*, Decision on Prosecution Bar Table Motion (28 November 2013) IT-04-75-T.

ICTY, *Prosecutor v. Ratko Mladić*, Decision on Prosecution Motion to Re-Open its Case-in-Chief (23 October 2014) IT-09-92-T.


**Other International Courts and institutions**


ECtHR, Kyrtatos v. Greece, App No. 41666/98 (22 May 2003).

ECtHR, Taşkin and others v. Turkey App No. 46117/99 (10 November 2004).

ECtHR, Öner yıldız v. Turkey, Grand Chamber, App no 48939/99) (30 November 2004).

ECtHR, Fadeyeva v. Russia App No. 55723/00 (9 June 2005).

ECtHR, Giacomelli v. Italy, Judgment, App No. 59909/00 (2 November 2006).

ECtHR, Khatsiyeva and Others v. Russia (Merits) App No. 5108/02 (17 January 2008).


ECtHR, Varnava and Others v. Turkey (Merits) App No. 16064/90 (18 September 2009).


International Court of Justice, North Sea Continental Shelf Cases (Federal Republic of Germany v. Denmark and The Netherlands) ICJ Reports 1969, 3.
International Court of Justice, *Case Concerning Military and Paramilitary Activities In and Against Nicaragua (Nicaragua v. United States of America) (Merits)* ICJ Rep 1986, 14.


Nuremberg, *The Roechling Trial (France v. Roechling et al.)* Trials of War Criminals Before the Nuremberg Military Tribunals Under Control Council Law No. 10 (1952) Vol XIV, Appendix B.


**Other**


France, *CA Bordeaux* (13 January 2006) n8 05/00567.


New Zealand, *Hawke's Bay Regional Investment Company Limited v Royal Forest and Bird Protection Society of New Zealand Incorporated* [2017] NZSC 106.


United Kingdom, *Trial of Heinrick Gerike and Seven Others*, British Military Court, Brunswick, 20th March-3rd April, 1946, UNWCC, vol. VII.


United Kingdom, Court of Appeal, *R v Blaue* (1975) 61 Cr App R 271.


United Kingdom, Court of Appeal *Harris* [2006] 1 Cr App R 55.

United Kingdom, Court of Appeal, *Meadow v General Medical Council* [2007] 1 All ER 1.


USA, Court for the Second Circuit, *Vietnam Association for Victims of Agent Orange v. Dow Chemical Co.*, Case Opinion (22 February 2008).

C. Conventions and Protocols


Charter of the United Nations (adopted 26 June 1945, entered into force 24 October 1945) 1 UNTS XVI.


Convention Concerning the Protection of the World Cultural and Natural Heritage (adopted 16 November 1972, entered into force 17 December 1975) 1037 UNTS 151.

Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. (18 October 1907) 187 CTS 227, 1 Bevans 631.


Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects 1342 UNTS 137.

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, 1342 UNTS 137.


Convention on wetlands of international importance especially as waterfowl habitat (adopted 2 February 1971, entered into force 21 December 1975) 996 UNTS 245.
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 31.


Geneva Convention (III) relative to the Treatment of Prisoners of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 135.


Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of international Armed Conflicts (AP I) (8 June 1977) 1125 UNTS 3.
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (AP II) (7 December 1978) 1125 UNTS 609.


Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (adopted 17 June 1925, entered into force 8 February 1928) 1974 UNTS 45.


Protocol to the Statute of the African Court of Justice and Human Rights (1 July 2008).


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 (1994) 1994 UNTS.


Statute of the Special Tribunal for Lebanon (29 March 2006).


