# ANNEX 1 to

# **Prosecution Final Brief**

**Public** 

### **List of Authorities**

# I. KSC – Gucati and Haradinaj

1.	Decision on the Closing of the Evidentiary Proceedings and on Submissions Pursuant to Rules 134(b), (d) and 159(6) of the Rules, KSC-BC-2020-07/F00553, 3 February 2022 ('Closing Evidence Order')
2.	Decision on Prosecution Requests in Relation to Proposed Defence Witnesses, KSC-BC-2020-07/F00470, 3 December 2021
3.	Public Redacted Version of Decision on the Prosecution Challenges to Disclosure of Items in the Updated Rule 102(3) Notice, KSC-BC-2020-07/F00413/RED, 3 November 2021 (redacted version notified 16 December 2021)
4.	Decision on the Classification and Public Redacted Versions of Exhibits Admitted Through the Bar Table, KSC-BC-2020-07/F00350, 5 October 2021
5.	Decision on the Prosecution Request for Admission of Items Through the Bar Table, KSC-BC-2020-07/F00334, 29 September 2021 ('BTM Decision')
6.	Public Redacted Version of Decision on the Appeals Against Disclosure Decision, KSC-BC-2020-07/IA005/F00008/RED, 29 July 2021
7.	Lesser Redacted Version of Decision on the Non-Disclosure of Information Requested by the Defence, KSC-BC-2020-07/F00171/CONF/RED2, 1 April 2021 (lesser redacted version notified 22 June 2021)
8.	Public Redacted Version of Decision on Disclosure of Certain Documents Seized from the KLA War Veterans Association, KSC-BC-2020-07/F00141/RED, 23 February 2021 (public redacted version notified 15 July 2021)
9.	Public Redacted Version of the Decision on the Confirmation of the Indictment, KSC-BC-2020-07/F00074/RED, 11 December 2020 (public redacted version notified 22 December 2020) ('Confirmation Decision')
10.	Decision on Defence Challenges, KSC-BC-2020-07/F00057, 27 October 2020

#### II. KSC – Other cases

1. *Prosecutor v. Thaçi et al.*, <u>Decision on Specialist Prosecutor's Urgent Request</u>, KSC-BC-2020-06/F00009, 23 June 2020 (reclassified 20 November 2020)

### III. ECCC

1. ECCC, Prosecutor v. Khieu Samphan, Nuon Chea, Case 002/02 Judgement, 002/19-09-2007/ECCC/TC, 16 November 2018 (Khieu Samphan and Nuon Chea TJ)

### IV. ECtHR

1.	ECtHR, Yakhymovych v. Ukraine, <u>Judgment</u> , 23746/15, 16 December 2021 ('Yakhymovych')
2.	ECtHR, Kuzmina and others v Russia, Judgment, 66152/14 and 8 others, 20 July 2021 ('Kuzmina and others')
3.	ECtHR, Akbay and others v. Germany, Judgment, 40495/15 and 2 others, 15 January 2021
4.	ECtHR, Zhdanov and others v. Russia, Judgment, 12200/08 and others, 16 July 2019
5.	ECtHR, Tchokhonelidze v. Georgia, Judgment, 31536/07, 28 September 2018
6.	ECtHR, Matanović v. Croatia, Judgment, 2742/12, 4 July 2017 ('Matanović')
7.	ECtHR, Furcht v. Germany, Judgment, 54648/09, 23 January 2015
8.	ECtHR, Lagutin and others v. Russia, Judgment, 6228/09, 19123/09, 19678/07, 52340/08 and 7451/09, 24 July 2014
9.	ECtHR, <i>Petrović v. Serbia</i> , <u>Admissibility Decision</u> , 56551/11 and others, 18 October 2011
10.	ECtHR, Heinisch v. Germany, Judgment, 28274/08, 21 July 2011 ('Heinisch')
11.	ECtHR, Bannikova v. Russia, <u>Judgment</u> , 18757/06, 4 February 2011 ('Bannikova')
12.	ECtHR, Malininas v. Lithuania, <u>Judgment</u> , 10071/04, 1 October 2008
13.	ECtHR, Guja v. Moldova [GC], Judgment, 14277/04, 12 February 2008 ('Guja')
14.	ECtHR, Ramanauskas v. Lithuania [GC], <u>Judgment</u> , 74420/01, 5 February 2008 ('Ramanauskas')
15.	ECtHR, Eurofinacom v. France, Judgment, 58753/00, 24 June 2003
16.	ECtHR, Teixeira de Castro v. Portugal, <u>Judgment</u> , 25829/94, 9 June 1998

# V. ICC

2.	ICC, Prosecutor v. Ntaganda, Public redacted version of Judgment on the appeal of Mr Bosco Ntaganda against the decision of Trial Chamber VI of 7 November 2019 entitled 'Sentencing judgment', ICC-01/04-02/06-2667-Red, 30 March 2021.  ICC, Prosecutor v. Ntaganda, Public redacted version of Judgment on the appeals
	of Mr Bosco Ntaganda and the Prosecutor against the decision of Trial Chamber VI of 8 July 2019 entitled 'Judgment', ICC-01/04-02/06-2666-Red, 30 March 2021 ('Ntaganda AJ')
3.	ICC, Prosecutor v. Ongwen, <u>Trial Judgment</u> , ICC-02/04-01/15-1762-Red, 4 February 2021 ('Ongwen TJ')
4.	ICC, Prosecutor v. Bemba et al, Decision Re-sentencing Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba and Mr Jean-Jacques Mangenda Kabongo, ICC-01/05-01/13-2312, 17 September 2018 ('Bemba et al. Second Sentencing Decision')
5.	ICC, Prosecutor v. Bemba et al, Public Redacted Judgment on the appeals of the Prosecutor, Mr Jean-Pierre Bemba Gombo, Mr Fidèle Babala Wandu and Narcisse Arido against the decision of Trial Chamber VII entitled "Decision on Sentence pursuant to Article 76 of the Statute", ICC-01/05-01/13-2276-Red, 8 March 2018
6.	ICC, Prosecutor v. Bemba et al., Decision on Sentence pursuant to Article 76 of the Statute, ICC-01/05-01/13-2123-Corr, 22 March 2017 ('Bemba et al. Sentencing Decision')
7.	ICC, Prosecutor v. Al Mahdi, Judgment and Sentence, ICC-01/12-01/15-171, 27 September 2016
8.	ICC, Prosecutor v. Thomas Lubanga Dyilo, Decision on the confirmation of charges, ICC-01/04-01/06-803-tEN, 29 January 2007

# VI. ICTY

1.	ICTY, In the matter of Vojislav Šešelj, <u>Public Redacted Version of Judgement Issued on 28 June 2012, IT-03-67-R77.4</u> , 28 June 2012 ('2012 Šešelj Contempt TJ')
2.	ICTY, <i>Prosecutor v. Rašić</i> , <u>Written reasons for Oral Sentencing Judgement</u> , IT-98-32/1-R77.2, 6 March 2012 (' <i>Rašić</i> SJ')

3.	ICTY, In the Contempt Case of Milan Tupajić, Public Redacted Version of "Judgement on Allegations of Contempt issued on 24 February 2012", IT-95-5/18-R77.2, 24 February 2012 ('Tupajić TJ')
4.	ICTY, In the Contempt Case of Dragomir Pećanac, (Public Redacted) Judgement on Allegations of Contempt, IT-05-88/R77.2, 9 December 2011 ('Pećanac TJ')
5.	ICTY, Prosecutor v. Šešelj, <u>Public Redacted Version of "Judgement" Issued on</u> 31 October 2011, IT-03-67-R77.3, 31 October 2011 ('2011 Šešelj Contempt TJ')
6.	ICTY, Prosecutor v. Kabashi, Sentencing Judgement, IT-04-84-R77.1, 16 September 2011 ('Kabashi SJ')
7.	ICTY, Prosecutor v. Tabaković, Sentencing Judgement, IT-98-32/1-R77.1, 18 March 2010
8.	ICTY, Prosecutor v. Dragomir Milošević, Judgement, IT-95-29/1-A, 12 November 2009
9.	ICTY, In the case against Florence Hartmann, <u>Judgement on Allegations of Contempt</u> , IT-02-54-R77.5, 14 September 2009 ('Hartmann TJ')
10.	ICTY, <i>Prosecutor v. Šešelj</i> , <u>Public Edited Version of "Judgement on Allegations of Contempt" Issued on 24 July 2009</u> , IT-03-67-R77.2, 24 July 2009. ('2009 Šešelj Contempt TJ')
11.	ICTY, Contempt Proceedings Against Dragan Jokić, <u>Judgement on Allegations of Contempt</u> , IT-05-88-R77.1-A, 25 June 2009 ('Jokić AJ')
12.	ICTY, <i>Prosecutor v. Haxhiu</i> , <u>Judgement on Allegations of Contempt</u> , IT-04-84-R77.5, 24 July 2008 ( <i>'Haxhiu TJ'</i> )
13.	ICTY, Prosecutor v. Strugar, Judgement, IT-01-42-A, 17 July 2008 ('Strugar AJ')
14.	ICTY, Prosecutor v. Josip Jović, Judgement, IT-95-14 & 14/2-R77-A, 15 March 2007 (Jović AJ)
15.	ICTY, <i>Prosecutor v. Margetić</i> , <u>Judgement on Allegations of Contempt</u> , IT-95-14-R77.6, 7 February 2007 (' <i>Margetić</i> TJ')
16.	ICTY, Prosecutor v. Josip Jović, Judgement, IT-95-14 & 14/2-R77, 30 August 2006 ('Jović TJ')
17.	ICTY, Prosecutor v. Marijačić and Rebić, <u>Judgement</u> , IT-95-14-R77.2, 10 March 2006 ('Marijačić and Rebić TJ')
18.	ICTY, Prosecutor v. Slobodan Milosević, Decision on Interlocutory Appeal on Kosta Bulatović Contempt Proceedings, IT-02-54-A-R77.4, 29 August 2005 ('Bulatović Appeal Decision').
19.	ICTY, <i>Prosecutor v. Beqaj</i> , <u>Judgement on Contempt Allegations</u> , IT-03-66-T-R77, 27 May 2005 ('Beqaj TJ')

20. ICTY, Prosecutor v. Delalić et al., <u>Judgement</u>, IT-96-21-A, 20 February 2001 ('Delalić et al. AJ')

#### VII. ICTR

1.	ICTR, Prosecutor v. Nyiramasuhuko et al, <u>Judgement (Volume I)</u> , ICTR-98-42-A, 14 December 2015 ('Nyiramasuhuko et al. AJ')
2.	ICTR, Prosecutor v. Nyiramasuhuko et al, <u>Judgement (Volume II)</u> , ICTR-98-42-A, 14 December 2015 ('Nyiramasuhuko et al. AJ')
3.	ICTR, Prosecutor v. Ngirabatware, <u>Judgement and Sentence</u> , ICTR-99-54-T, 20 December 2012 ('Ngirabatware TJ')
4.	ICTR, Prosecutor v. Nshogoza, Judgement, ICTR-07-91-A, 15 March 2010
5.	ICTR, Prosecutor v. Nshogoza, Judgement, ICTR-07-91-T, 7 July 2009 ('Nshogoza TJ')
6.	ICTR, Prosecutor v. GAA, <u>Judgement and Sentence</u> , ICTR-07-90-R77-I, 4 December 2007 ('GAA TJ')
7.	ICTR, Nahimana et al v. Prosecutor, Judgement, ICTR-99-52-A, 28 November 2007 ('Nahimana et al AJ')
8.	ICTR, Rutaganda v. Prosecutor, <u>Judgement</u> , ICTR-96-3-A, 26 May 2003 ('Rutaganda AJ')
9.	ICTR, Prosecutor v. Musema, <u>Judgement and Sentence</u> , ICTR-96-13-T, 27 January 2000 ('Musema TJ')

### VIII. IRMCT/MICT

1.	MICT, Prosecutor v. Stanišić and Simatović, <u>Judgement</u> , MICT-15-96-T, 30 June 2021 ('Stanišić and Simatović TJ')
2.	MICT, Prosecutor v. Nzabonimpa et al., Judgement, MICT-18-116-T, 25 June 2021
	('Nzabonimpa et al. TJ')

#### IX. SCSL

1.	SCSL, Prosecutor v. Taylor, Appeals Judgment, SCSL-03-01-A, 26 September 2013 ('Taylor AJ')
2.	SCSL, Independent Counsel v. Bangura et al., Sentencing Judgment in Contempt Proceedings, SCSL-2011-02-T, 16 October 2012 ('Bangura et al. SJ')

	SCSL, <i>Prosecutor v. Eric Senessie</i> , Sentencing Judgment, SCSL-2011-01-T, 12 July 2012 ('Senessie SJ')
4.	SCSL, Prosecutor v. Taylor, Judgment, SCSL-03-01-T, 18 May 2012 ('Taylor TJ')

# X. STL

1.	STL, In the Case against Akhbar Beirut S.A.L. and Al Amin, Reasons for Sentencing Judgment, STL-14-06/S/CJ, 5 September 2016 ('Akhbar Beirut SJ')
2.	STL, Al Jadeed [CO.] S.A.L./New T.V. S.A.L. (N.T.V.) and Karma Mohamed Tahsin Al Khayat, Public Redacted Version of Judgment on Appeal, STL-14-05/A/AP, 8 March 2016 ('Al Jadeed AJ')
3.	STL, Case against Al Khayat, Reasons for Sentencing Judgment, STL-14-05/S/CJ, 6 October 2015