

BIBLIOGRAPHY

International Legal Instruments

7th Session of the Assembly of State Parties (Second Resumption), Report of Special Working Group on the Crime of Aggression, ICC-ASP/7/20/Add. 1, 2009.

Agreement for the Prosecution and Punishment of Major War Criminals of the European Axis, London, 8 August 1945, 8 U.N.T.S. 279, Annex, Charter of the Inter- national Military Tribunal.

Assembly of States Parties, Report of the Special Working Group on the Crime of Aggression, 7th Session of the Assembly of States Parties, (Second Resumption), ICC-ASP/7/SWGCA/2, ¶ 38-39 (Feb. 20, 2009).

International Law Reports. “Libman v. The Queen.” 84, 1991, pp. 672–700.
<https://doi.org/10.1017/CBO9781316152126.025>.

International Military Tribunal for the Far East, Proclaimed at Tokyo, 19 January 1946 and amended 26 April 1946, TIAS No. 1589, Annex, Charter of the International Military Tribunal for the Far East.

Organization for Economic Co-operation and Development Report, Fighting Hard-Core Cartels: Harm, Effective Sanctions and Leniency Programmes (2002).

Report of the Secretary-General, ‘Comments Received pursuant to Paragraph 4 of General Assembly Resolution 49/53 on the Establishment of an International Criminal Court’, UN Doc. A/AC.244/1/Add.2 (20 March 1995), 26–27.

UN General Assembly, Rome Statute of the International Criminal Court, 17 July 1998.

United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI.

United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, ‘Proposal Submitted by the United States of America’ UN Doc. A/CONF.183/C.1/L.70 (14 July 1998), for the earlier proposal dated 14 July 1998.

United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, ‘Summary Records of the 7th Meeting of the Committee of the Whole’, UN Doc. A/CONF.183/C.1/SR.7 (19 June 1998), Official Records, Vol. II, 182.

United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, ‘Summary Records of the 29th Meeting of the Committee of the Whole’, UN Doc. A/CONF.183/C.1/SR.29 (9 July 1998), Official Records, Vol. II, 296.

United Nations, Finalized draft text of the Rules of Procedure and Evidence, U.N. Doc. PCNICC/2000/1/Add.1 (Nov. 2, 2000).

United Nations, Report of the Ad Hoc Committee on the Establishment of an International Criminal Court, General Assembly Official Records Fiftieth Session Supplement No. 22 (A/50/22).

United Nations, Report of the Secretary-General, ‘Comments Received pursuant to Paragraph 4 of General Assembly Resolution 49/53 on the Establishment of an International Criminal Court’, UN Doc. A/AC.244/1/Add.2 (20 March 1995), 26–27

Vienna Convention on Law of Treaties 1969.

Cases

Animal Science Prods. Inc. v. China Minmetals Corp., No. 10-2288 (3d Cir. 2011).

Conseil de la Concurrence, décision n° 04-D-07 du 11 mars 2004 relative à des pratiques relevées dans le secteur de la boulangerie dans le département de la Marne, 11 March 2004.

Enterprise Act 2002.

Haladijan Freres SA v Commission, First Chamber, Case T-204/03, 27 September 2006.

ICC, Prosecutor v. Jean-Pierre Bemba Gombo, Decision Adjourning the Hearing pursuant to Article 67(7)(c)(ii) of the Rome Statute, ICC-01/05–01/08, 3 March 2009.

ICC, Prosecutor v. Laurent Gbagbo, Judgment on the Appeal of Mr Laurent Koudou Gbagbo against the Decision of Pre-Trial Chamber I on Jurisdiction and Stay of Proceedings, ICC-02/11–01/11 (OA 2) 12 December 2012.

ICC, Prosecutor v. Thomas Lubanga Dyilo, Decision on the Admissibility of the Appeal of Mr Thomas Lubanga Dyilo against the Decision of the Pre-Trial Chamber I entitled ‘Décision sur la Confirmation des Charges of 29 January 2007’, ICC-01/04–01/06 (OA 8) (13 June 2007).

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

ICC, Request Under Regulation 46(3) of the Regulations of the Court, Decision on the “Prosecution’s Request for a Ruling on Jurisdiction under Article 19(3) of the Statute”, ICC-RoC46(3)-01/18-37, 6 September 2018.

ICC, Situation in the Central African Republic in the case of the Prosecutor v. Jean-Pierre Bemba Gombo, Decision on the Prosecutor’s Application for a Warrant of Arrest against Jean-Pierre Bemba Gombo, Pre-Trial Chamber III, ICC–01/05–01/08–14-tENG, 10 June 2008.

ICC, Situation in the Côte d'Ivoire in the Case of the Prosecutor v. Laurent Gbagbo, Decision on the “Corrigendum of the challenge to the jurisdiction of the International Criminal Court on the basis of articles 12(3), 19(2), 21(3), 55 and 59 of the Rome Statute filed by the Defence for President Gbagbo (ICC-02/11-01/11-129)”, ICC-02/11-01/11-212, 15 August 2012.

ICC, Situation in the Democratic Republic of Congo in the Case of the 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, Appeals Chamber, ICC–01/04–01/06 (OA4), 14 December 2006.

ICC, Situation in the People’s Republic of Bangladesh/Republic of the Union of Myanmar, Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in the People’s Republic of Bangladesh/Republic of the Union of Myanmar.

ICC, Situation in the Republic of Kenya, Decision pursuant to Article 15 of the Rome Statute on the Authorization of an Investigation into the Situation in the Republic of Kenya, ICC-01/09–19, 31 March 2010.

ICJ, Belgium v. Spain, Barcelona Traction Case, Separate Opinion (Judgment) [1970] ICJ Rep. 3, 105.

ICJ, Djibouti v. France, Certain Questions of Mutual Assistance in Criminal Matters, (Judgment), ICJ Rep. 177, 232, 2008.

ICJ, Nicaragua v. United States, Military and Paramilitary Activities in and against Nicaragua, Merits, Judgment of 27 June. r986, [r986] ICJ Rep. 14.

ICTY, Prosecutor v. Dusko Tadic, Decision on Defence Motion for Interlocutory Appeal on Jurisdiction, IT-94–1-I, 2 October 1995,, para. 328; A. Zahar and G. Sluiter. “International Criminal Law.” Oxford University Press, 2008.

International Law Commission, 'Report of the International Law Commission', UN Doc. A/CN.4/SER.A/1994, Yearbook of the International Law Commission, 2 (1994), 79, on Art. 21 of the Draft Statute for an International Criminal Court.

International Law Commission, 'Summary Records of the 2330th Meeting', Yearbook of the International Law Commission, 1 (1994), Doc. A/CN.4/SR.2330, 7.

International Law Commission, 'Summary Records of the 2331st Meeting', Yearbook of the International Law Commission, 1 (1994), Doc. A/CN.4/SR.2331, 15.

International Law Commission, 'Summary Records of the 2332nd Meeting', Yearbook of the International Law Commission, 1 (1994), Doc. A/CN.4/SR.2332, 28.

International Law Commission, 'Summary Records of the 2333rd Meeting', Yearbook of the International Law Commission, 1 (1994), Doc. A/CN.4/SR.2333, 36.

Laker Airways Ltd v. Sabena, 731 F.2d 909, 923 (DC Cir., 1984).

LICRA et Union des 'Etudiants Juifs de France v. Yahoo! Inc. et Yahoo!.Fr, Tribunal de Grande Instance de Paris, Ordonnance de référé du 22 mai 2000.

Nat. Bank of Canada v. Interbank Card Ass'n, 666 F.2d 6 (2d Cir. 1981).

Norris v. Government of the United States and Others [2008] UKHL 16.

Permanent Court of International Justice, The Case of the S.S. Lotus (France v. Turkey), Res Ser. A, No. 10 (1927).

Rio Tinto Zinc Corp v. Westinghouse [1977] EWCA Civ J0526-3.

Sherman Antitrust Act (1980).

Special Court of Sierra Leone, Taylor Judgement SCSL-03-01-A, Appeals Chamber,
26 September 2013.

United States Code, 2000 Edition, Supplement 1, Title 15 - COMMERCE AND
TRADE, 15 U.S. Code § 6a.

United States v. Aluminum Co. of America, 148 F.2d 416 (2d Cir. 1945).

United States v. General Electric Co., 272 U.S. 476 (1926).

United States v. Nippon Paper Industries Co. Ltd, 109 F.3d 1 (1997).

US District Court for the Central District of California - 331 F. Supp. 92 (C.D. Cal.
1971) March 17, 1971.

Yahoo!, Inc. v. La Ligue Contre Le Racisme et L'Antisemitisme, 145 F. Supp. 2d
1168 (N.D. Cal. 2001).

Books, Journals, and Articles

Akehurst, Michael. 1972. Jurisdiction in International Law. Brit. YB Int'l L. 46.

Ardis Jr, Dennis Paul. 2015. How Much Is Enough-The ICC's Territorial Reach over
Cross-Border Crimes. NCJ Int'l L. 41.

Aust, Anthony. 2013. Modern Treaty Law and Practice. Cambridge University Press.

Bauer, Joseph P. 2012. The Foreign Trade Antitrust Improvements Act: Do We Really
Want to Return to American Banana. Me. L. Rev. 65.

Bassiouni, M. Cherif. 2000. Combating Impunity for International Crimes. U. Colo. 1. rev. 71.

Bergsmo, Morten. 1998. The Jurisdiction Regime of the International Criminal Court (Part II, Articles 11-19). Eur. J. Crime Crim. L. & Crim. Just. 6.

Branch, Jordan. 2012. Colonial Reflection and Territoriality: The Peripheral Origins of Sovereign Statehood. European Journal of International Relations 18, no. 2.

Brilmayer, L. and Norchi, C. 1992. Federal Extraterritoriality and Fifth Amendment Due Process. Harvard Law Review.

Cameron, Iain. 1994. The Protective Principle of International Criminal Jurisdiction. Aldershot: Dartmouth.

Capps, Patrick, Malcolm Evans, and Stratos V. Konstadinidis, eds. Asserting jurisdiction: international and European legal perspectives. Vol. 3. Hart publishing, 2003.

Cassese, Antonio, Paola Gaeta, and John RWD Jones, eds. 2002. The Rome Statute of the International Criminal Court: A Commentary. Vol. 1. Oxford: Oxford University Press.

Crawford, J. 1995. The ILC Adopts a Statute for an International Criminal Court. American Journal of International Law 89.

Cryer, Robert, Darryl Robinson, and Sergey Vasiliev. 2019. An Introduction to International Criminal Law and Procedure. Cambridge University Press.

Dörr, Oliver. 2018. Article 32. In Vienna Convention on the Law of Treaties: A commentary. Springer Berlin Heidelberg.

El Zeidy, Mohamed M. 2001. The Principle of Complementarity: A New Machinery to Implement International Criminal Law. Mich. J. Int'l L. 23.

Garrod, M. 2012. The Protective Principle of Jurisdiction Over War Crimes and the Hollow Concept of Universality. International Criminal Law Review Volume 12(5).

Gerhard Kegel; Ignaz Seidl-Hohenveldern. 1982. On the Territoriality Principle in Public International Law. Hastings International and Comparative Law Review 5, no. 2.

Haight, George Winthrop. 1954. International Law and Extraterritorial Application of the Antitrust Laws. The Yale Law Journal 63, no. 5.

Harvard Law School. 1935. Draft Convention on Jurisdiction with respect to Crime, 29 Am. J. Int'l. L. Supplement 435, 484.

Hawk, Barry E. 1979. United States, Common Market and International Antitrust: A Comparative Guide.

Hoffman, M., Rumsey, M. 2008. International and Foreign Legal Research: A Coursebook. Martinus Nijhoff Publishers.

H.-P. Kaul and C. Kreß. 1999. Jurisdiction and Co-operation in the Statute of the International Criminal Court: Principles and Compromises. 2 YIHL.

Jamnejad, Maziar, and Michael Wood. 2009. The Principle of Non-Intervention.

Leiden Journal of International Law 22, no. 2.

Jennings, R. Y. 1962. The Limits of State Jurisdiction. Nordic Journal of International

Law 32, no. 1-4.

Jennings, R.Y. 1957. Extraterritorial Jurisdiction and the United States Antitrust

Laws. Brit YB Int'l L. Volume 33.

Kirsch, P. and Holmes, J.T., 1999. The Rome Conference on an International

Criminal Court: the Negotiating Process. American Journal of International

Law, 93(1).

Kirsch, Philippe, and Darryl Robinson. 2002. Reaching Agreement at the Rome

Conference.” The Rome Statute of the International Criminal Court: a

Commentary 1.

Kontorovich, E., 2013. Israel/Palestine—the ICC’s Uncharted Territory. Journal of

International Criminal Justice”, 11(5).

Leeuw, Frans L., and Hans Schmeets. 2016. Empirical Legal Research: A Guidance

Book for Lawyers, Legislators and Regulators. Edward Elgar Publishing.

Leigh, Monroe. 1984. Laker Airways Limited v. Sabena, Belgian World Airlines. 731

F.2d 909. The American Journal of International Law 78, no. 3.

Mann, F.A. 1964. The Concept of Jurisdiction in International Law. 111 Recueil des

cours.

McGoldrick, Dominic, Peter Rowe, and Eric Donnelly, eds. 2004. *The Permanent International Criminal Court: Legal and Policy Issues*. Bloomsbury Publishing.

Mohamed El Zeidy. 2002. *The Principle of Complementarity: A New Machinery to Implement International Criminal Law*.

Morris, Madeline. 2000. *High Crimes and Misconceptions: the ICC and non-Party States.* In *International Crimes, Peace, and Human Rights: The Role of the International Criminal Court*. Brill Nijhoff.

O'keefe, R. 2004. *Universal Jurisdiction: Clarifying the Basic Concept*. *Journal of International Criminal Justice*.

P. Kirsch and J.T. Holmes. 1999. *The Rome Conference on an International Criminal Court, The Negotiating Process*. 93 *AJIL*.

Reydams, L., 2003. *Belgium's First Application of Universal Jurisdiction: The Butare Four Case*. *J. Int'l Crim. Just.*, 1.

Ryngaert, Cedric. *Jurisdiction in international law*. OUP Oxford, 2015. Ryngaert, Cedric. *Jurisdiction in international law*. OUP Oxford, 2015.

Ryngaert, Cedric. 2013. *Jurisdiction: Towards a Reasonableness Test*. in Malcolm Langford, ed. *Global Justice, State Duties: the Extraterritorial Scope of Economic, Social, and Cultural Rights in International Law*. Cambridge University Press, 2013.

- Ryngaert, Cedric. 2015. The Concept of Jurisdiction in International Law. In Research handbook on jurisdiction and immunities in international law, pp. 50-75. Edward Elgar Publishing, 2015
- Ryngaert, Cedric. 2015. Jurisdiction in International Law. OUP Oxford.
- Samie, N. 1982. The Doctrine of Effects and the Extraterritorial Application of Antitrust Laws. Lawyer of the Americas Volume 14(1).
- Schabas, Williams. 1999. Article 12. in Triffterer, Otto. "Commentary on the Rome Statute of the International Criminal Court." Baden-Baden: Nomos 7.
- Schabas, Williams. 2011. An Introduction to the International Criminal Court. Cambridge University Press.
- Scharf, Michael P. 2001. The ICC's Jurisdiction Over the Nationals of Non-Party States: a Critique of the US Position. Law and Contemp. Probs. 64.
- Shaw, Malcolm N. 1982. Territory in International Law. Netherlands Yearbook of International Law 13.
- Shaw, Malcolm N. 2017. International Law. Cambridge University Press.
- Struett, Michael. 2008. The Politics of Constructing the International Criminal Court: NGOs, Discourse, and Agency." Springer.
- Szigeti, Péter D. 2019. The Futile Quest to Distinguish Territoriality From Extraterritoriality. The Extraterritoriality of Law: History, Theory, Politics.
- Tolib Effendi, S. H. 2014. Hukum Pidana Internasional. Media Pressindo.

- Triffterer, Otto. 1999. Commentary on the Rome Statute of the International Criminal Court.” Baden-Baden: Nomos 7.
- Vagias, Michail. 2011. The Territorial Jurisdiction of the International Criminal Court: Certain Contested Issues. PhD diss., Leiden University.
- Vagias, Michail. 2012. The Territorial Jurisdiction of the International Criminal Court—A Jurisdictional Rule of Reason for the ICC? Netherlands International Law Review 59, no. 1.
- Vagias, Michail. and Dugard, John. 2014. The Territorial Jurisdiction of the International Criminal Court. The American Journal of International Law. Cambridge University Press. Volume 61, No. 4.
- Villiger, Mark Eugen. 2009. Commentary on the 1969 Vienna Convention on the Law of Treaties. Brill.
- Wagner, Markus. 2003. The ICC and its Jurisdiction—Myths, Misperceptions and Realities.” Max Planck Yearbook of United Nations Law Online 7, no. 1.
- Wolswijk, Hein D. 199. Locus Delicti and Criminal Jurisdiction. Netherlands International Law Review 46, no. 3.