

BIBLIOGRAPHY

Book

Cryer, Robert, Håkan Friman, Darryl Robinson, and Elizabeth Wilmshurst. 2010. *An Introduction to International Criminal Law and Procedure*. Cambridge University Press. New York.

Donat-Cattin, David. "Protection of the Victims and Witnesses and Their Participation in the Proceedings", in Triffterer, Otto. 1999. *Commentary on the Rome Statute of the International Criminal Court*. C.H. Beck/Hart Publishing/Nomos Verlagsgesellschaft. Munich/Oxford/Baden-Baden.

Fedorova, Masha. "The Principle of Equality of Arms in International Criminal Proceedings" in Rohan, Colleen and Gentian Zyberi. 2017. *Defense Perspectives on International Criminal Justice*. Cambridge University Press. Cambridge.

Elias, Stephen and Susan Levinkind. 2007. *Legal Research: How to Find & Understand the Law*. Nolo. Berkeley.

Funk, T. Markus. 2015. *Victims' Rights and Advocacy at the International Criminal Court*. Oxford University Press. New York.

Gut, Till, Stefan Kirsch, Daryl Mundis, and Melinda Taylor. "Defence Issues" in Sluiter, Göran, Håkan Friman, Suzannah Linton, Sergey Vasiliev, Salvatore Zappalà. 2013. *International Criminal Procedure: Principles and Rules*. Oxford University Press. Oxford.

Hall, Stephen. "Researching International Law" in McConville, Mike and Wing Hong Chui. 2007. *Research Methods for Law*. Edinburgh University Press. Edinburgh.

Haslam, Emily. "Victim Participation at the International Criminal Court: A Triumph of Hope Over Experience?" in McGoldrick, Dominic, Peter Rowe

and Eric Donnelly. 2004. *The Permanent International Criminal Court Legal and Policy Issues*. Hart Publishing. Oxford.

Holtermann, Jakob V. H. 2009. *Everything You Always Wanted to Know about Restorative Justice (But were Afraid to Ask)*. Roskilde University.

Jorda, Claude and Jérôme de Hemptinne, "The Status and Role of the Victim" in Cassese, Antonio, Paola Gaeta, and John R.W.D. Jones. 2002. *The Rome Statute of The International Criminal Court: A Commentary*. Oxford University Press. Oxford.

Klamberg, Mark. 2017. *Commentary on the Law of the International Criminal Court*. Torkel Opsahl Academic EPublisher. Brussels.

Leanza, Piero and Ondrej Pridal. 2014. *The Right to a Fair Trial: Article 6 of the European Convention on Human Rights*. Kluwer Law International. Alphen aan den Rijn.

Leyh, B. McGonigle. 2011. *Procedural Justice? Victim Participation in International Criminal Proceedings*. Intersentia. Antwerp.

Marshall, Tony F. "Restorative justice: An Overview" in Johnstone, Gerry. 2003. *A Restorative Justice Reader: Texts, Sources, Context*. Willan Publishing. Cullompton.

Marshall, Tony F. 1999. *Restorative Justice: An Overview*. Home Office Research Development and Statistics Directorate. London.

McDermott, Yvonne. 2016. *Fairness in International Criminal Trials*. Oxford University Press. New York.

Nowak, Manfred. 2005. *UN Covenant on Civil and Political Rights: CCPR Commentary*. N P Engel Pub.

- Schabas, William A. and Yvonne McDermott. "Article 67. Rights of the accused" in Triffterer, Otto and Kai Ambos. 2015. *Commentary on the Rome Statute of the International Criminal Court, Observers' Notes, Article by Article*. C.H. Beck/Hart Publishing/Nomos Verlagsgesellschaft. Munich/Oxford/Baden Baden.
- Sherman, Lawrence and Heather Strang. 2007. *Restorative Justice: The Evidence*. Smith Institute. London.
- Soekanto, Soerjono. 1981. *Pengantar Penelitian Hukum*. UI Press. Jakarta.
- Soekanto, Soerjono and Sri Mamudji. 2010. *Penelitian Hukum Normatif Suatu Tinjauan Singkat*. Raja Grafindo Persada. Jakarta.
- Trechsel, Stefan. 2005. *Human Rights in Criminal Proceedings*. Oxford University Press. New York.
- Van Ness, Daniel W. "The Shape of Things to Come: A Framework for Thinking about a Restorative Justice System" in Weitekamp, Elmar G. M. and Hans-Jürgen Kerner. 2002. *Restorative Justice Theoretical Foundations*. Willan Publishing. Cullompton.
- Van Ness, Daniel W. and Karen Heetderks Strong. 2015. *Restoring Justice: An Introduction to Restorative Justice*. Anderson Publishing.
- Vriend, Koen. 2016, *Avoiding a Full Criminal Trial: Fair Trial Rights, Diversions and Shortcuts in Dutch and International Criminal Proceedings*, Springer.
- Weissbrodt, David and Rüdiger Wolfrum. 1997. *The Right to a Fair Trial*. Springer. Berlin.
- Zappala, Salvatore. 2003. *Human Rights in International Criminal Proceedings*. Oxford University Press.

Zehr, Howard. 1990. *Changing Lenses: A New Focus for Crime and Justice*. Herald Press. Scottsdale.

Journal Articles and Papers

Aldana-Pindell, Raquel. "In Vindication of Justiciable Victims' Rights to Truth and Justice for State-Sponsored Crimes", *Vanderbilt Journal of Transnational Law*. Vol. 35, No. 5. 2002.

Bachrach, Michael. "The Protection and Rights of Victims under International Criminal Law". *The International Lawyer*, Vol. 34, No. 1. 2000.

Bassiouni, M. Cherif. "International Recognition of Victims' Rights". *Human Rights Law Review*, Vol. 6, Issue 2. 2006.

Cardenas, Juan. "The Crime Victim in the Prosecutorial Process," *Harvard Journal of Law and Public Policy*, Vol. 9. 1986.

Cohen, Miriam. "Victims' Participation Rights within the International Criminal Court: A critical Overview". *Denver Journal of International Law and Policy*, Vol. 37, No. 3. 2008.

Jouet, Mugambi, "Reconciling the Conflicting Rights of Victims and Defendants at the International Criminal Courts". *St. Louis University Public Law Review*, Vol. 26, No. 2. 2007.

Kamatali, Jean-Marie. "From the ICTR to ICC: Learning from the ICTR Experience in Bringing Justice to Rwandans". *New England Journal of International Law and Comparative Law*. Vol. 12, No. 1. 2005.

Mahfud. "The Roles of Victims in the ICC: Victims' Protection or the Accused's Fair Trial Right Violation?". *Hasanuddin Law Review*, Vol. 5, No. 1. 2019.

Mekjian, Gerard J. and 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*, Vol. 17, No. 1. 2005.

Packer, Herbert L. "Two Models of the Criminal Process", *University of Pennsylvania Law Review*, Vol. 113, No. 1. 1968.

Stahn, Carsten, Héctor Olásolo and Kate Gibson. "Participation of Victims in Pre-Trial Proceedings of the ICC". *Journal of International Criminal Justice*, Vol. 4, No. 2. 2006.

Trechsel, Stefan. "Why Must Trials Be Fair?", *Israel Law Review*, Volume 31, No. 1-3. 1997.

Trumbull IV, Charles P. "The Victims of Victim Participation in International Criminal Proceedings". *Michigan Journal of International Law*. Volume 29, No. 4. 2008.

Van Ness, Daniel W. "Perspectives on Achieving Satisfying Justice: Values and Principles of Restorative Justice". *Achieving Satisfying Justice Symposium*. Vancouver, British Columbia, March 21, 1997.

Weissbrodt, David. "The Administration of Justice and Human Rights", *City University of Hong Kong Law Review*, Vol. 1. 2009.

Zegveld, Liesbeth. "Victims' Reparations Claims and International Criminal Courts, Incompatible Values?". *Journal of International Criminal Justice*, Volume 8, No. 1. 2010.

Case Matrix

Klamberg, Mark and Jonas Nilsson (Eds.). *Commentary on the Law of the International Criminal Court – Rules of Procedure and Evidence*, Chapter 4 –

Provisions relating to various stages of the proceedings. <https://cilrap-lexsitus.org/rpe/clicc/ch4>

Case Laws

Laukkanen and Manninen v. Finland, no. 50230/99, 3 February 2004.

Prosecutor v. Al Mahdi, ICC T. Ch. VIII, 8 June 2016.

Prosecutor v. Abu Garda, ICC PT. Ch. I, 25 September 2009.

Prosecutor v. Abu Garda, ICC PT. Ch. I, 6 October 2009.

Prosecutor v. Abu Garda, ICC PT. Ch. I, 19 March 2010.

Prosecutor v. Abu Garda, ICC PT. Ch. I, 19 October 2009.

Prosecutor v. Banda, ICC PT. Ch. I, 29 October 2010.

Prosecutor v. Banda, ICC PT. Ch. I, 8 December 2010.

Prosecutor v. Bemba, ICC PT. Ch. III, 4 December 2008.

Prosecutor v. Bemba, ICC PT. Ch. III, 12 December 2008.

Prosecutor v. Bemba, ICC PT. Ch. III, 15 December 2008.

Prosecutor v. Bemba, ICC T. Ch. III, 22 November 2010.

Prosecutor v. Bemba, ICC T. Ch. III, 12 July 2010.

Prosecutor v. Bemba, ICC T. Ch. III, 21 July 2011.

Prosecutor v. Bemba, ICC T. Ch. III, 21 November 2011.

Prosecutor v. Bemba, ICC T. Ch. III, 22 February 2012,

Prosecutor v. Bemba, ICC T. Ch. III, 9 February 2012

Prosecutor v. Bemba, ICC T. Ch. III, 21 March 2016.

Prosecutor vs. Blaškić, Decision on the Objection of the Republic of Croatia to the
Issuance of Subpoena Duces Tecum, Case No. IT-95-14, 18 July 1997.

Prosecutor v. Blé Goudé, ICC PT. Ch. I, 1 August 2014.

Prosecutor v. Delalic et al., IT-96-21-A, Judgment, 20 February 2001.

Prosecutor v. Katanga and Ngudjolo, ICC PT. Ch. I, 27 February 2008.

Prosecutor v. Katanga and Ngudjolo, ICC PT. Ch. I, 13 May 2008.

Prosecutor v. Katanga and Ngudjolo, ICC A. Ch., 27 May 2008.

Prosecutor v. Katanga and Ngudjolo, ICC A. Ch., 9 June 2008.

Prosecutor v. Katanga and Ngudjolo, ICC PT. Ch. I, 10 June 2008.

Prosecutor v. Katanga and Ngudjolo, ICC PT. Ch. I, 23 June 2008.

Prosecutor v. Katanga and Ngudjolo, ICC T. Ch. II, 23 September 2009.

Prosecutor v. Katanga and Ngudjolo, ICC T. Ch. II, 20 November 2009.

Prosecutor v. Katanga and Ngudjolo, ICC T. Ch. II, 1 December 2009.

Prosecutor v. Katanga and Ngudjolo, ICC T. Ch. II, 9 December 2009.

Prosecutor v. Katanga and Ngudjolo, ICC T. Ch. I, 22 Jan 2010.

Prosecutor v. Katanga and Ngudjolo, ICC T. Ch. II, 9 November 2010.

Prosecutor v. Kenyatta, ICC T. Ch. V(B), 2 December 2013.

Prosecutor v. Kenyatta, ICC T. Ch. V(B), 31 March 2014.

- Prosecutor v. Kenyatta et al.*, ICC PT. Ch. II, 30 March 2011.
- Prosecutor v. Kenyatta et al.*, ICC PT. Ch. II, 01 July 2011.
- Prosecutor v. Kenyatta et al.*, ICC PT. Ch. II, 26 August 2011
- Prosecutor v. Kenyatta et al.*, ICC PT. Ch. II, 14 September 2011.
- Prosecutor v. Kenyatta and Muthaura*, ICC T. Ch. V, 3 October 2012.
- Prosecutor v. Kenyatta and Muthaura*, ICC PT. Ch. II, 29 January 2013.
- Prosecutor v. Kony et al.*, ICC PT. Ch. II, 1 February 2007.
- Prosecutor v. Kony et al.*, ICC PT. Ch. II, 10 August 2007.
- Prosecutor v. Kony et al.*, ICC PT. Ch. II, 14 March 2008.
- Prosecutor v. Kony et al.*, ICC A. Ch, 23 February 2009.
- Prosecutor v. L. Gbagbo*, ICC PT. Ch. I, 04 June 2012.
- Prosecutor v. L. Gbagbo*, ICC PT. Ch. I, 15 August 2012.
- Prosecutor v. L. Gbagbo*, ICC PT. Ch. I, 2 November 2012.
- Prosecutor v. L. Gbagbo*, ICC PT. Ch. I, 6 February 2013.
- Prosecutor v. L. Gbagbo*, ICC A. Ch., 27 August 2013.
- Prosecutor v. L. Gbagbo*, ICC A. Ch., 29 August 2013.
- Prosecutor v. L. Gbagbo*, ICC T. Ch. I, 19 January 2015.
- Prosecutor v. L. Gbagbo and Blé Goudé*, ICC A. Ch., 31 July 2015.
- Prosecutor v. Lubanga*, ICC PT. Ch. I, 24 February 2006.
- Prosecutor v. Lubanga*, ICC PT. Ch. I, 17 May 2006.

Prosecutor v. Lubanga, ICC PT. Ch. I, 29 June 2006.

Prosecutor v. Lubanga, ICC PT. Ch. I, 28 July 2006.

Prosecutor v. Lubanga, ICC PT. Ch. I, 22 September 2006.

Prosecutor v. Lubanga, ICC PT. Ch. I, 20 October 2006.

Prosecutor v. Lubanga, ICC A. Ch., 13 February 2007.

Prosecutor v. Lubanga, ICC T. Ch. I, 5 September 2007.

Prosecutor v. Lubanga, ICC A. Ch., 13 June 2007.

Prosecutor v. Lubanga, ICC T. Ch. I, 18 January 2008.

Prosecutor v. Lubanga, ICC T. Ch. I, 29 January 2008.

Prosecutor v. Lubanga, ICC A. Ch., 16 May 2008.

Prosecutor v. Lubanga, ICC T. Ch. I, 13 June 2008.

Prosecutor v. Lubanga, ICC A. Ch, 11 July 2008.

Prosecutor v. Lubanga, ICC A. Ch., 6 August 2008.

Prosecutor v. Lubanga, ICC T. Ch. I, Transcripts, 16 January 2009.

Prosecutor v. Lubanga, ICC T. Ch. I, 26 January 2009.

Prosecutor v. Lubanga, ICC T. Ch. I, 26 June 2009.

Prosecutor v. Lubanga, ICC T. Ch. I, 16 September 2009.

Prosecutor v. Lubanga, ICC T. Ch. I, 27 January 2012.

Prosecutor v. Lubanga, ICC T. Ch. I, 14 March 2012.

Prosecutor v. Lubanga, ICC T. Ch. I, 07 August 2012.

Prosecutor v. Lubanga, ICC A. Ch. 6 May 2013.

Prosecutor v. Lubanga, ICC A. Ch., 27 August 2013.

Prosecutor v. Mbarushimana, ICC PT. Ch. I, 11 August 2011.

Prosecutor v. Mbarushimana, ICC PT. Ch. I, 16 September 2011.

Prosecutor v. Mbarushimana, ICC PT. Ch. I, 21 September 2011.

Prosecutor v. Mbarushimana, ICC A. Ch., 2 April 2012.

Prosecutor v. Momir Nikolic (Sentencing Judgement), IT-02-60/1-S, International
Criminal Tribunal for the former Yugoslavia (ICTY), 2 December 2003.

Prosecutor v. Ngudjolo, ICC A. Ch., 6 March 2013.

Prosecutor v. Ngudjolo, ICC A. Ch., 23 September 2013.

Prosecutor v. Ngudjolo, ICC A. Ch., 17 October 2014.

Prosecutor v. Ntaganda, ICC PT. Ch. II, 28 May 2013.

Prosecutor v. Ntaganda, ICC T. Ch. VI, 6 February 2015.

Prosecutor v. Ntaganda, ICC T. Ch. VI, 2 June 2015.

Prosecutor v. Ntakirutimana et al., ICTR-96-10 & ICTR-96-17-T, Judgment, 21
February 2003.

Prosecutor v. Ongwen, ICC A. Ch., 18 June 2008.

Prosecutor v. Ongwen, ICC PT. Ch. II, 3 September 2015.

Prosecutor v. Ongwen, ICC PT. Ch. II, 27 November 2015.

Prosecutor vs. Prlić et al, Transcript, Case No. IT-04-74, 29 March 2007.

Prosecutor v. Ruto et al., ICC PT. Ch. II, 5 August 2011.

Prosecutor v. Ruto et al., ICC PT. Ch. II, 30 March 2011.

Prosecutor v. Ruto et al., ICC PT. Ch. II, 28 June 2011.

Prosecutor v. Ruto et al., ICC PT. Ch. II, 5 August 2011.

Prosecutor v. Ruto et al., ICC PT. Ch. II, 9 September 2011.

Prosecutor v. Ruto et al., ICC PT. Ch. II, 30 September 2011.

Prosecutor v. Ruto and Sang, ICC T. Ch. V, 3 October 2012.

Prosecutor v. Ruto and Sang, ICC T. Ch. V(A), 9 August 2013.

Prosecutor vs. Šešelj, IT-03-67-PT, Decision on Prosecution Motion for Order
Appointing Counsel to Assist Vojislav Šešelj with his Defence, 9 May 2003.

Situation in Central African Republic, ICC PT. Ch. II, 3 Feb. 2014.

Situation in Darfur, ICC PT. Ch. I, 3 December 2007.

Situation in Darfur, ICC PT. Ch. I, 14 December 2007.

Situation in Darfur, ICC PT. Ch. I, 6 February 2008.

Situation in Darfur, ICC A. Ch., 18 June 2008.

Situation in Darfur, ICC PT. Ch. I, 6 October 2009.

Situation in Darfur, ICC PT. Ch. I, 29 October 2010.

Situation in Darfur, ICC PT. Ch. I, 17 November 2010.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 17 January 2006.

Situation in the Democratic Republic of the Congo, ICC A. Ch., 13 July 2006.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 28 July 2006.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 22 September
2006.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 17 August 2007.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 20 August 2007.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 26 September
2007.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 7 December
2007.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 18 January 2008.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 21 January 2008.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 31 January 2008.

Situation in the Democratic Republic of the Congo, ICC A. Ch., 14 February 2008.

Situation in the Democratic Republic of the Congo, ICC A. Ch., 30 June 2008.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 3 July 2008.

Situation in the Democratic Republic of the Congo, ICC PT. Ch. I, 4 November
2008.

Situation in Kenya, ICC PT. Ch. II, 11 February 2011.

Situation in Uganda, ICC PT. Ch. II, 19 August 2005.

Situation in Uganda, ICC PT. Ch. II, 10 August 2007.

Situation in Uganda, ICC PT. Ch. II, 28 August 2007.

United States of America v. Alstotter et al, 1948, 3 TWC 1, 6 LRTWC 1, 14 I.L.R. 278.

Report

International Federation for Human Rights. *Victims in the Balance Challenges ahead for the International Criminal Tribunal for Rwanda*. November 2002. <http://iccnow.org/documents/FIDHrwVictimsBalanceNov2003.pdf>

New Zealand Ministry of Justice. *Reoffending Analysis for Restorative Justice Cases: 2008 and 2009—A Summary*. June 2011. <https://www.justice.govt.nz/assets/Documents/Publications/rj-Reoffending-Analysis-for-RJ-Cases.pdf>

Redress Trust. *The Participation of Victims in International Criminal Court Proceedings*. October 2012. <http://www.refworld.org/pdfid/50a3a8682.pdf>

War Crimes Research Office. *Obtaining Victim Status for Purposes of Participating in Proceedings at the International Criminal Court*. December 2013. <https://www.wcl.american.edu/impact/initiatives-programs/warcrimes/our-projects/icc-legal-analysis-and-education-project/reports/report-18-obtaining-victim-status-for-purposes-of-participating-in-proceedings-at-the-international-criminal-court/>