

**BEFORE THE OFFICE OF THE CO-INVESTIGATING JUDGES
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

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***AMICUS CURIAE* BRIEF FILED BY DRS WILLIAMS AND GREY IN
 RESPONSE TO CALL FOR *AMICUS CURIAE* BRIEFS IN CASES 003 AND
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Table of Authorities

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AMICUS CURIAE

DR SARAH WILLIAMS AND DR ROSEMARY GREY

CAMBODIAN LAW

1. Law on the ECCC. *Not included – ECCC Legal Compendium.*

INTERNATIONAL LAW**Treaties**

2. First Additional Protocol to the 1949 Geneva Conventions. *Not included – ECCC Legal Compendium.*
3. Rome Statute of the International Criminal Court. *Not included – ECCC Legal Compendium.*
4. Charter of the International Military Tribunal - Annex to the Agreement for the prosecution and punishment of the major war criminals of the European Axis, 8 August 1945. *Not included – ECCC Legal Compendium.*

Case law

5. *Prosecutor v Milan Martić*, Prosecution's Appeal Brief, Case No. IT-95-11-A.
6. *Prosecutor v. Blaškić*, Case No. IT-95-14-A, Appeal Judgment, 29 July 2004.
7. *Prosecutor v. Milan Martić*, Case No. IT-95-11-A, Appeal Judgment, 2 October 2008.
8. *Prosecutor v. Bosco Ntaganda*, Case No. , ICC-01/04-02/06-309, Decision Pursuant to Article 61(7)(a) and (b) of the Rome Statute on the Charges of the Prosecutor Against Bosco Ntaganda, 9 June 2009.
9. *Prosecutor v. Prlić et al* , Case No. IT-04-74, Judgment, 29 May 2013.
10. *Prosecutor v. Prlić et al* , Case No. IT-04-74, 'Notice of filing the corrigendum to the public redacted version of Bruno Stojić's Appellant's brief, 28 July 2015.
11. *Prosecutor v Barbie*, Case No. 78 ILR 124, Judgment, 20 December 1985.
12. *Prosecution v Touvier*, Case No. 100 ILR 337, Judgment, 13 April 1992.
13. *Case 003*, ECCC-003-D87/2/1.7/1, Decision on Meas Muth's Request for Clarification concerning Crimes Against Humanity and the Nexus with Armed Conflict, 5 April 2016.
14. *Prosecutor v Tadić*, Case No. IT-94-I-A, Judgement, 15 July 1999.
15. *Prosecutor v. Blagojević and Jokić*, Case No. IT-02-60, Trial Judgment, 17 January 2005.
16. *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5/18, Trial Judgment, 24 March 2016.
17. *Prosecutor v. Kunarac et al.* Case No. T-96-23 & 23/1, Trial Judgment, 22 February 2001.
18. *Prosecutor v. Jean-Pierre Bemba Gombo*, Case No. ICC-01/05-01/08-334, Judgment pursuant to article 74 of the Statute, 21 March 2016.
19. ECCC, Case 001, Judgment, Trial Chamber, 26 July 2010.
20. ECCC, Case 002/01, Judgment, Trial Chamber, 7 August 2014.

Commentaries

21. International Committee of the Red Cross, *Commentary of 1987: Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 8 June 1977

22. *Complete History of the United Nations War Crimes Commission and the Development of the Laws of War*. Compiled by the United Nations War Crimes Commission (UNWCC). Published for the UNWCC by His Majesty's Stationery Office (London 1948)
23. Robert Cyrer, Håkan Friman, Darryl Robinson and Elizabeth Wilmshurst, *An Introduction to International Criminal Law and Procedure (3d edition)* (Cambridge University Press, Cambridge, 2014).
24. Rodney Dixon and Christopher Hall, 'Article 7', in Otto Triffterer (ed), *Commentary on the Rome Statute of the International Criminal Court: Observers' Notes, Article by Article (2nd edition)* (CH Beck, Hart and Nomos, 2008).
25. Antonio Cassese and Paola Gaeta, *Cassese's International Criminal Law, 3d edition*, 2013.