

Rechtsprechungsverzeichnis

Europäischer Gerichtshof für Menschenrechte (EGMR)

- EGMR, Groppera Radio AG and Others v. Switzerland, Judgment, Application no. 10890/84, vom 28.03.1990.
- EGMR, Kokkinakis v. Greece, Judgment, Application no. 1407/88, vom 25.05.1993.
- EGMR, Margareta and Roger Andersson v. Sweden, Judgment, Application no. 12963/87, vom 25.02.1992.
- EGMR, Perna v. Italy, Judgment, Application no. 48898/99, vom 06.05.2003.
- EGMR, Republic of Ireland v. the United Kingdom, Judgment, Application no. 5310/71, vom 18.01.1987.
- EGMR, S.W. v. the United Kingdom, Judgment, Application no. 20166/92, vom 22.11.1995.
- EGMR, Willis v. the United Kingdom, Judgment, Application no. 36042/97, vom 11.06.2002.

Internationaler Gerichtshof (IGH)

- IGH, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina V. Serbia and Montenegro), Judgment, I.C.J. Reports 2007, S. 43 ff., vom 26.02.2007.
- IGH, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia V. Serbia), Judgment, I.C.J. Reports 2015, S. 3 ff., vom 03.02.2015.
- IGH, Armed Activities on the Territory of the Congo (New Application: 2002) (Democratic Republic of the Congo V. Rwanda), Jurisdiction and Admissibility, Judgment, I.C.J. Reports 2006, S. 6 ff., vom 03.02.2006.
- IGH, Military and Paramilitary Activities in and against Nicaragua (Nicaragua V. United States of America), Merits, Judgment, I.C.J. Reports 1986, S. 14 ff., vom 27.06.1986.
- IGH, Oil Platforms (Islamic Republic of Iran V. United States of America), Preliminary Objection, Judgment, I.C.J. Reports 1996, S. 803 ff., vom 12.12.1996.
- IGH, Reservations to the Convention on Genocide, Advisory Opinion, I.C.J. Reports 1951, S. 15 ff., vom 28.05.1951.

Internationaler Militärgerichtshof (IMT)

- IMT, Trial of the Major War Criminals, Judgment, in: Trial of the Major War Criminals before the International Military Tribunal "Blue Series", Vol. 1, S. 171-341 (Nürnberg, 1947), zitiert: IMT, Trial of the Major War Criminals (1947).

Internationaler Strafgerichtshof (IStGH)

Cases

Prosecutor v. Abd-Al-Rahmans

IStGH, PTC II, *Prosecutor v. Abd-Al-Rahman*, Decision on the Defence 'Exception d'incompétence' (ICC-02/05-01/20-302), ICC-02/05-01/20-391, vom 17.05.2021.

IStGH, AC, *Prosecutor v. Abd-Al-Rahman*, Judgment on the appeal of Mr Abd-Al-Rahman against the Pre-Trial Chamber II's "Decision on the Defence 'Exception d'incompétence' (ICC-02/05-01/20-302)", ICC-02/05-01/20-503, vom 01.11.2021.

Prosecutor v. Al Bashir

IStGH, PTC I, *Prosecutor v. Al Bashir*, Decision on the Prosecution's Application for a Warrant of Arrest against Omar Hassan Ahmad Al Bashir, ICC-02/05-01/09-3, vom 04.03.2009.

Prosecutor v. Al Hassan

Al Hassan Defence, *Prosecutor v. Al Hassan*, Public Redacted Version of „Submission for the Confirmation of Charges“, ICC-01/12-01/18, vom 04.06.2019.

OTP, *Prosecutor v. Al Hassan*, Version Publique Expurgée De La « Version Amendée Et Corrigée Du Document Contenant Les Charges Contre M. Al Hassan Ag Abdoul Aziz Ag Mohamed », ICC-01/12-01/18-335-Corr-Red, vom 02.07.2019.

IStGH, PTC I, *Prosecutor v. Al Hassan*, Version publique expurgée de la 'Rectificatif à la Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud', ICC-01/12-01/18-461-Corr-Red, vom 13.11.2019.

Prosecutor v. Al Mahdi

IStGH, Press Release, Situation in Mali: Ahmad Al Faqi Al Mahdi surrendered to the ICC on charges of war crimes regarding the destruction of historical and religious monuments in Timbuktu, ICC-CPI-20150926-PR1154, vom 26.09.2015.

OTP, *Prosecutor v. Al Mahdi*, Chef D'accusation Retenu Par L'accusation Contre Ahmad Al Faqi Al Mahdi, ICC-01/12-01/15-62, v. 17.12.2015.

IStGH, PTC I, *Prosecutor v. Al Mahdi*, Decision on the Confirmation of Charges against Ahmad Al Faqi Al Mahdi, ICC-01/12-01/15-84-Red, vom 24.03.2016.

OTP, Statement of the Prosecutor of the International Criminal Court, Fatou Bensouda, at the opening of Trial in the case against Mr Ahmad Al-Faqi Al Mahdi, vom 22.08.2016.

IStGH, TC VIII, *Prosecutor v. Al Mahdi*, Judgment and Sentence, ICC-01/12-01/15-171, vom 27.09.2016.

IStGH, TC VIII, Prosecutor v. Al Mahdi, Reparations Order, ICC-01/12-01/15-236, vom 17.08.2017.

Prosecutor v. Bemba Gombo et al.

IStGH, PTC II, Prosecutor v. Bemba Gombo, Decision Pursuant to Article 61(7)(a) and (b) of the Rome Statute on the Charges of the Prosecutor against Jean-Pierre Bemba Gombo, ICC-01/05-01/08-424, vom 15.06.2009.

IStGH, TC III, Prosecutor v. Bemba Gombo, Judgment Pursuant to Article 74 of the Statute, ICC-01/05-01/08-3343, vom 21.03.2016.

IStGH, AC, Prosecutor v. Bemba Gombo et al., Judgment on the Appeals of Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu and Mr Narcisse Arido against the Decision of Trial Chamber VII Entitled “Judgment Pursuant to Article 74 of the Statute”, ICC-01/05-01/13-2275-Red, vom 08.03.2018.

IStGH, AC, Prosecutor v. Bemba Gombo et al., Judgment on the Appeals of the Prosecutor, Mr Jean-Pierre Bemba Gombo, Mr Fidèle Babala and Mr 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, vom 08.03.2018.

IStGH, AC, Prosecutor v. Bemba Gombo, Judgment on the Appeal of Mr Jean-Pierre Bemba Gombo against Trial Chamber III’s “Judgment Pursuant to Article 74 of the Statute”, ICC-01/05-01/08-3636-Red, vom 08.06.2018.

Prosecutor v. Gaddafi and Al-Senussi

IStGH, AC, Prosecutor v. Gaddafi and Al-Senussi, Judgment on the Appeal of Mr Abdullah Al-Senussi against the Decision of Pre-Trial Chamber I of 11 October 2013 Entitled „Decision on the Admissibility of the Case against Abdullah Al-Senussi”, ICC-01/11-01/11-565, vom 24.07.2014.

Prosecutor v. Katanga

IStGH, TC II, Prosecutor v. Katanga, Judgment Pursuant to Article 74 of the Statute, ICC-01/04-01/07-3436-tENG, vom 07.03.2014.

Prosecutor v. Katanga and Chui

IStGH, PTC I, Prosecutor v. Katanga and Chui, Decision on the Confirmation of Charges, ICC-01/04-01/07-717, vom 30.09.2008.

IStGH, Prosecutor v. Katanga and Chui, Judgment on the Appeal of the Prosecutor against the Decision on Evidentiary Scope of the Confirmation Hearing, Preventive Relocation and Disclosure under Article 67(2) of the Statute an Rule 77 of the Rules` of Pre-Trial Chamber I, ICC-01/04-01/07-776, vom 26.11.2008.

Prosecutor v. Lubanga

IStGH, PTC I, Prosecutor v. Lubanga, Decision on the Practices of Witness Familiarisation and Witness Proofing, ICC-01/04-01/06-679, vom 08.11.2006.

IStGH, PTC I, Observations made during the confirmation hearing on behalf of the Victims a/0001/06, a/0002/06 and a/0003/06, ICC-01/04-01/06-750-tEN, vom 04.12.2006.

IStGH, PTC I, Prosecutor v. Lubanga, Decision on the Confirmation Charges, ICC-01/04-01/06-803-tEN, vom 29.01.2007.

IStGH, TC I, Prosecutor v. Lubanga, Decision on Sentence Pursuant to Article 76 of the Statute, ICC-01/01-01/06-2901, vom 10.07.2012.

IStGH, AC, Prosecutor v. Lubanga, Judgment on the Appeals against the “Decision Establishing the Principles and Procedures to Be Applied to Reparations” of 7 August 2012, ICC-01/04-01/06-3129, vom 03.03.2015.

Prosecutor v. Mbarushimana

IStGH, PTC I, Prosecutor v. Mbarushimana, Decision on the Confirmation of Charges, ICC-01/04-01/10-465-Red, vom 16.12.2011.

Prosecutor v. Muthaura and Kenyatta

IStGH, TC V, Prosecutor v. Muthaura and Kenyatta, Decision on Witness Preparation, ICC-01/09-02/11-588, vom 02.01.2013.

IStGH, AC, Prosecutor v. Muthaura Et Al, Decision on the “Request to Make Oral Submissions on Jurisdiction under Rule 156(3)”, ICC-01/09-02/11-421, vom 01.05.2012.

Prosecutor v. Nourain and Jamus

IStGH, AC, Prosecutor v. Nourain and Jamus, Judgment on the Appeal of the Prosecutor against the Decision of Trial Chamber IV of 30 June 2011 Entitled “Decision on the Prosecution's Request to Invalidate the Appointment of Counsel to the Defence”, ICC-02/05-03/09-252, vom 11.11.2011.

Prosecutor v. Ntaganda

IStGH, TC VI, Prosecutor v. Ntaganda, Judgment, ICC-01/04-02/06-2359, vom 8.7.2019.

IStGH, AC, 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’, Partly Concurring Opinion of Judge Chile Eboe-Osuji, ICC-01/04-02/06-2666-Anx5-Corr, vom 30.03.2021.

Prosecutor v. Ongwen

- IStGH*, PTC II, Prosecutor v. Ongwen, Decision on the confirmation of charges against Dominic Ongwen, ICC-02/04-01/15-422-Red, vom 23.03.2016.
- Ongwen Defence*, Prosecutor v. Ongwen, Defence Request for Leave to Appeal Issues in Confirmation of Charges Decision, ICC-02/04-01/15-423, vom 29.03.2016.
- Ongwen Defence*, Prosecutor v. Ongwen, Public Redacted Version of ‘Corrected Version of „Defence Closing Brief“, filed on 24 February 2020’, ICC-02/04-01/15-1722-Corr-Red, vom 13.03.2020.
- Ongwen Defence*, Prosecutor v. Ongwen, Fourth Public Redacted Version of „Defence Brief for the Confirmation of Charges Hearing“, filed on 18 January 2016, ICC-02/04-01/15-404-Red4, vom 07.08.2020.
- IStGH*, TC IX, Prosecutor v. Ongwen, Trial Judgment, ICC-02-04-01/15-1762-Red, vom 04.02.2021.
- IStGH*, TC IX, Prosecutor v. Ongwen, Sentence, ICC-02/04-01/15-1819-Red, vom 06.05.2021.
- Allain, Jean*, Prosecutor v. Ongwen, Amicus Curiae Observations on the Issue of Sexual and Gender-Based Crimes: Sexual Slavery & Forced Marriage, ICC-02/04-01/15-1927, vom 19.12.2021.
- Zakerhossein, Mohammad Hadi*, Prosecutor v. Ongwen, Amicus Curiae Pursuant to Rule 103(1) of the Rules of Procedure and Evidence, ICC-02/04-01/15-1928, vom 20.12.2021.
- Baines, Erin et al.*, Prosecutor v. Ongwen, Amici Curiae Brief on Forced Marriage, ICC-02/04-01/15-1935, vom 22.12.2021.
- Behrens, Paul*, Prosecutor v. Ongwen, Amicus Curiae Observations on Issues Raised in the Appeals Chamber Order of 25 October 2021 Inviting Expressions of Interest as Amici Curiae in Judicial Proceedings (Pursuant to Rule 103 of the Rules of Procedure and Evidence), ICC-02/04-01/15-1943, vom 23.12.2021.
- IStGH*, AC, Prosecutor v. Ongwen, Judgment on the appeal of Mr Ongwen against the decision of Trial Chamber IX of 4 February 2021 entitled “Trial Judgment”, ICC-02/04-01/15-2022-Red, vom 15.12.2022.

Prosecutor v. Ruto and Sang

- IStGH*, TC V, Prosecutor v. Ruto and Sang, Decision on Witness Preparation, ICC-01/09-01/11-524, vom 02.01.2013.
- IStGH*, Prosecutor v. Ruto and Sang, Reasons for the Decision on Excusal from Presence at Trial under Rule 134quater, Dissenting Opinion of Judge Herrera Carbuca, ICC-01/09-01/11-777-Anx2, vom 18.06.2013.
- IStGH*, TC V, Prosecutor v. Ruto and Sang, Reasons for the Decision on Excusal from Presence at Trial under Rule 134quater, ICC-01/09-01/11-1186, vom 28.02.2014.

Situations

Darfur

IStGH, PTC I, Situation in Darfur, Sudan, Decision on Application under Rule 103, ICC-02/05-185, vom 04.02.2009.

Democratic Republic of Congo

IStGH, PTC I, Situation in the Democratic Republic of Congo, Decision on the Prosecutor's Application for Warrants of Arrest, Article 58, ICC-01/04-520-Anx2, vom 10.02.2006.

IStGH, AC, Situation in the Democratic Republic of Congo, Judgment on the Prosecutor's Appeal against the Decision of the Pre-Trial Chamber I Entitled "Decision on the Prosecutor's Application for Warrants of Arrest, Article 58", ICC-01/04-169-US-Exp, vom 13.07.2006.

IStGH, AC, Situation in the Democratic Republic of the Congo, Judgment on the Prosecutor's Application for Extraordinary Review of Pre-Trial Chamber I's 31 March 2006 Decision Denying Leave to Appeal, ICC-01/04-168, vom 13.07.2006.

Islamic Republic of Afghanistan

OTP, Situation in the Republic of Afghanistan, Public Redacted Version of "Request for Authorisation of an Investigation Pursuant to Article 15", 20 November 2017, ICC-02/17-7-Conf-Exp, ICC-02/17-7-Red, vom 20.11.2017.

IStGH, PTC II, Situation in the Islamic Republic of Afghanistan, Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in the Islamic Republic of Afghanistan, ICC-02/17-33, vom 12.04.2019.

IStGH, AC, Situation in the Islamic Republic of Afghanistan, Judgment on the Appeal against the Decision on the Authorisation of an Investigation into the Situation in the Islamic Republic of Afghanistan, ICC-02/17-138, vom 05.03.2020.

Mali

OTP, Situation in Mali, Article 53(1) Report, vom 16.01.2013.

Nigeria

OTP, Statement of the Prosecutor, Fatou Bensouda, on the Conclusion of the Preliminary Examination of the Situation in Nigeria, vom 11.12.2020.

Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia

IStGH, PTC I, Situation on Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia, Decision on the Request of the Union of the Comoros to Review the Prosecutor's Decision Not to Initiate an Investigation, ICC-01/13-34, vom 16.07.2015.

IStGH, AC, Situation on Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia, Judgment on the Appeal of the Prosecutor against Pre-Trial Chamber I's 'Decision on the "Application for Judicial Review by the Government of the Union of the Comoros"', ICC-01/13-98, vom 02.09.2019.

Republic of Burundi

IStGH, PTC III, Situation in the Republic of Burundi, Public Redacted Version of "Decision Pursuant to Article 15 of the Rome Statute on the Authorization of an Investigation into the Situation in the Republic of Burundi", ICC-01/17-X-9-Us-Exp, 25 October 2017, ICC-01/17-9-Red, vom 9.11.2017.

Republic of Kenya

IStGH, PTC II, Situation in the Republic of Kenya, Dissenting Opinion of Judge Hans-Peter Kaul to the "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-Corr, vom 31.03.2010.

OTP Policy Papers, Reports and Statements

OTP, Policy Paper on the Interests of Justice, September 2007.

OTP, Policy Paper on Sexual and Gender Based Crimes, vom 20.06.2014.

OTP, Statement of the Prosecutor of the International Criminal Court, Fatou Bensouda, on the Alleged Crimes Committed by Isis, vom 08.04.2015.

OTP, Report on Preliminary Examination Activities 2018, vom 05.12.2018.

Internationaler Strafgerichtshof für das ehemalige Jugoslawien (JStGH)

Prosecutor v. Aleksovski

JStGH, TC, Prosecutor v. Aleksovski, Judgment, IT-95-14/1-T, vom 25.06.1999.

JStGH, AC, Prosecutor v. Aleksovski, Appeal Judgment, IT-95-14/1-A, vom 24.03.2000.

Prosecutor v. Blaškić

JStGH, TC, Prosecutor v. Blaškić, Judgement, IT-95-14-T, vom 03.03.2000.

JStGH, AC, Prosecutor v. Blaškić, Appeal Judgement, IT-95-14-A, vom 29.07.2004.

Prosecutor v. Brdanin

JStGH, TC II, Prosecutor v. Brdanin, Judgement, IT-99-36-T, vom 01.09.2004.

Prosecutor v. Delalić et al.

JStGH, TC, Prosecutor v. Delalić et al., Judgement, IT-96-21-T, vom 16.11.1998.

JStGH, AC, Prosecutor v. Delalić et al, Appeal Judgement, IT-96-21-A, vom 20.02.2001.

Prosecutor v. Erdemović

JStGH, AC, Prosecutor v. Erdemović, Judgement, IT-96-22-A, vom 7.10.1997.

JStGH, AC, Prosecutor v. Erdemović, Separate and Dissenting Opinion of Judge Cassese on Judgement of 7 October 2007, IT-96-22-A, vom 7.10.1997.

JStGH, TC, Prosecutor v. Erdemović, Sentencing Judgment, IT-96-22Tbis, vom 05.03.1998.

Prosecutor v. Furundžija

JStGH, TC, Prosecutor v. Furundžija, Judgement, Case No. IT-05-17/1-T, vom 10.12.1998.

Prosecutor v. Hadzihasanovic et al.

JStGH, AC, Prosecutor v. Hadzihasanovic et al., Decision on Interlocutory Appeal Challenging Jurisdiction in Relation to Command Responsibility, IT-01-47-AR72, vom 16.07.2003.

JStGH, TC III, Prosecutor v. Hadzihasanovic and Kubura, Judgement, IT-01-47-T, vom 15.03.2006.

Prosecutor v. Jokić

JStGH, TC I, Prosecutor v. Jokić, Sentencing Judgement, IT-01-42/1-S, vom 18.03.2004.

Prosecutor v. Krstić

JStGH, TC, Prosecutor v. Krstić, Trial Chamber Judgement, IT-98-33-T, vom 02.08.2001.

JStGH, AC, Prosecutor v. Krstić, Appeals Chamber Judgement, IT-98-33-A, vom 19.04.2004.

Prosecutor v. Kunarac, Kovač, and Vuković

JStGH, TC, Prosecutor v. Kunarac, Kovač, and Vuković, Judgement, Case No. IT-96-23-T & IT-96-23/1-T, vom 22.02.2001.

Prosecutor v. Kupreškić et al.

JStGH, TC, Prosecutor v. Kupreškić et al., Judgement, IT-95-16-T, vom 14.01.2000.

Prosecutor v. Milutinović et al.

JStGH, AC, Prosecutor v. Milutinović et al., Decision on Dragoljub Ojdanić's Motion Challenging Jurisdiction - Joint Criminal Enterprise, IT-99-37-AR72, vom 21.05.2003.

JStGH, TC III, Prosecutor V. Milutinovic et al., Decision on Ojdanić's Motion Challenging Jurisdiction - Indirect Co-Perpetration, IT-05-87-PT, vom 22.03.2006.

Prosecutor v. Orić

JStGH, TC II, Prosecutor v. Orić, Judgement, IT-03-68-T, vom 30.06.2006.

Prosecutor v. Tadić

JStGH, AC, Prosecutor v. Tadić, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, IT-94-1, vom 02.10.1995.

JStGH, TC, Prosecutor v. Tadić, Opinion and Judgement, IT-94-1-T, vom 07.05.1997.

JStGH, AC, Prosecutor v. Tadić, Appeal Judgement, IT-94-I-A, vom 15.07.1999.

Internationaler Strafgerichtshof für Ruanda (RStGH)

Prosecutor v. Kambanda

RStGH, TC I, Prosecutor v. Kambanda, Judgement and Sentence, ICTR-97-23-S, vom 04.09.1998.

Prosecutor v. Nahimana et al.

RStGH, AC, Prosecutor v. Nahimana et al., Appeals Chamber Judgement, ICTR-99-52-A, vom 28.11.2007.

Prosecutor v. Ruggiu

RStGH, TC, Prosecutor v. Ruggiu, Judgement and Sentence, ICTR-97-32-I, vom 01.06.2000.

Prosecutor v. Serushago

RStGH, TC I, Prosecutor v. Serushago, Sentence, ICTR-98-39-S, vom 05.02.1999.

RStGH, AC, Prosecutor v. Serushago, Reasons for Judgment, ICTR-98-39-A, vom 06.04.2000.

Khmer Rouge Tribunal (ECCC)

Case 001

ECCC, TC, KAING Guek Eav Judgement, 001/18-07-2007/ECCC/TC, vom 26.10.2010.

ECCC, Supreme Court Chamber, KAING Guek Eav Appeal Judgement, 001/18-07-2007-ECCC/SC, vom 03.02.2012.

Case 002

ECCC, PTC, Decision on the Appeals against the Co-Investigative Judges Order on Joint Criminal Enterprise (JCE), Ieng Sary, Ieng Thirith and Khie Samphan, 002/19-09-2007-ECCC/OCIJ (PTC38), vom 20.05.2010.

ECCC, PTC, Decision on Appeals by Nuon Chea and Ieng Thirith against the Closing Order, 002/19-09-2007-ECCC/OCIJ (PTC 145 & 146), vom 15.02.2011.

ECCC, PTC, Decision on IENG Sary's Appeal against the Closing Order, 002/19-09-2007-ECCC/OCIJ (PTC75), vom 11.04.2011.

ECCC, TC, Decision on the Applicability of Joint Criminal Enterprise, 002/19-09-2007/ECCC/TC, vom 12.09.2011.

ECCC, TC, Case 002/01 Judgement, Nuon Chea and Khieu Samphan, 002/19-09-2007/ECCC/TC, vom 07.08.2014.

Sondergerichtshof für Sierra Leone (SLSGH)

Prosecutor v. Brima, Kamara and Kanu

Kanu Defence, Prosecutor v. Brima, Kamara and Kanu, Kanu Defence Trial Brief, SCSL-04-16-T, vom 08.12.2006.

SLSGH, TC II, Prosecutor v. Brima, Kamara and Kanu, Judgement, SCSL-04-16-T, vom 20.06.2007.

Prosecutor v. Norman, Fofana and Kondewa

University of Toronto International Human Rights Clinic and Interested International Human Rights Organizations, Prosecutor v. Norman, Amicus Curiae Brief on Fourth Defence Preliminary Motion Based on Lack of Jurisdiction (Child Recruitment), SCSL-2003-08-PT, vom 29.10.2003.

SLSGH, AC, Prosecutor v. Norman, Decision on Preliminary Motion Based on Lack of Jurisdiction (Child Recruitment), SCSL-04-14-AR72(E), vom 31.05.2004.

SLSGH, AC, Prosecutor v. Norman, Dissenting Opinion of Justice Robertson on Decision on Preliminary Motion Based on Lack of Jurisdiction (Child Recruitment), SCSL-04-14-AR72(E), vom 31.05.2004.

SLSGH, TC I, Prosecutor v. Norman, Fofana and Kondewa, Motion for Judgment of Acquittal of the Third Accused Allieu Kondewa, SCSL-2004-14-T, vom 04.08.2005.

SLSGH, Prosecutor v. Norman, Fofana and Kondewa, Trial Transcripts, SCSL-2004-14-T, vom 21.02.2006.

SLSGH, Prosecutor v. Norman, Fofana and Kondewa, Trial Transcripts, SCSL-2004-14-T, vom 30.11.2006.

SLSGH, TC I, Prosecutor v. Norman, Fofana and Kondewa, Decision on Registrar's Submission of Evidence of Death of Accused Samuel Hinga Norman and Consequential Issues, SCSL-2004-14-T, vom 21.05.2007.

SLSGH, TC I, Prosecutor v. Fofana and Kondewa, Trial Judgement, SCSL-04-14-T, vom 02.08.2007.

Kondewa Defence, Prosecutor v. Fofana and Kondewa, Kondewa Appeal Brief, SCSL-04-14-A-811, vom 11.12.2007.

SLSGH, AC, Prosecutor v. Fofana and Kondewa, Appeal Judgement, SCSL-04-14-A, vom 28.05.2008.

Special Panels for Serious Crimes, East Timor (SPSC)

SPSC, Prosecutor v. Carmona, Case No.03 C.G.2000, vom 08.03.-25.04.2001.

Sondertribunal für den Libanon (STL)

STL, AC, Interlocutory Decision of the Applicable Law: Terrorism, Conspiracy, Homicide, Perpetration, Cumulative Charging, STL-11-01/I/AC/R176bis, vom 16.02.2011.

U.S. Military Tribunal

U.S. Military Tribunal, United States V. Altstoetter (Justice Case), Opinion and Judgment, in: Trials of war criminals before the Nuernberg Military Tribunals under Control Council law no. 10 Nuernberg, October 1946-April 1949 "Green Series", Vol. 3, S. 954-1177 (Washington, D.C.: U.S. G.P.O., 1949-1953), zitiert: *U.S. Military Tribunal*, United States V. Altstoetter, Justice Case (1947).

U.S. Military Tribunal, United States V. Ohlendorf (Einsatzgruppen-Case), Opinion and Judgment, in: Trials of war criminals before the Nuernberg Military Tribunals under Control Council law no. 10 Nuernberg, October 1946-April 1949 "Green Series", Vol. 4, S. 411-589 (Washington, D.C.: U.S. G.P.O., 1949-1953), zitiert: *U.S. Military Tribunal, United States V. Ohlendorf, Einsatzgruppen-Case* (1948).

U.S. Military Tribunal, The Hostages Trial, Judgment, in: Trials of war criminals before the Nuernberg Military Tribunals under Control Council law no. 10 Nuernberg, October 1946-April 1949 "Green Series", Vol. 11, S. 1230-1319 (Washington, D.C.: U.S. G.P.O., 1949-1953), zitiert: *U.S. Military Tribunal, The Hostages Trial* (1948).

Rechtsprechung deutscher Gerichte

BGH, Urteil vom 11.12.2014 – 3 StR 265/14, zitiert nach juris.

BGH, Urteil vom 21.05.2015 – 3 Str 575/14, zitiert nach juris.

BVerfG, Urteil vom 21.06.1977 – 1 BvL 14/76 –, BVerfGE 45, zitiert nach juris.

LG München II, Urteil vom 12.05.2011 – 1 Ks 115 Js 12496/08, zitiert nach juris.

OLG Frankfurt, Urteil vom 18.02.2014 – 5 - 3 Ste 4/10 - 4 - 3/10, zitiert nach juris.

OLG Koblenz, Urteil vom 13.01.2022 – 1 Ste 9/19, zitiert nach juris.

Sonstige Rechtsprechung und Entscheidungen

Australian Military Court (Rabaul), T. Chuichi and Others, Case No. 65, vom 12.07.1946, in: *United Nations War Crimes Commission (Hrsg.)*, Law Reports of Trials of War Criminals, Vol. XI (London 1949), S. 62-63.

British Military Court (Hamburg), The Peleus Trial, vom 17.-20.10.1945, in: *United Nations War Crimes Commission (Hrsg.)*, Law Reports of Trials of War Criminals, Vol. I (London 1947), S. 1-21.

Eritrea-Ethiopia Claims Commission, Partial Award: Prisoners of War - Eritrea's Claim 17, in: Reports on International Arbitral Awards, Vol. XXVI (2003), S. 23-72, vom 01.07.2003.

Inter-American Commission on Human Rights, Domingues v. United States, Case 12.285, Report No. 62/02, vom 22.10.2002.

Supreme Court of South Africa, The State V. Netshiyavha (366/1987), ZASCA 101, vom 25.09.1990.

US Supreme Court, Hamdan V. Rumsfeld, 548 U.S. 557, 05-184, vom 29.06.2006.