

TABLE OF CONTENTS

Order for the prosecution to file an amended document containing the charges, Prosecutor v. Lubanga, Case No. ICC-01/04-01/06, T. Ch. I, 9 December 2008. Commentary Roman Graf. 2. Pre-trial detention Decision on the release of Thomas Lubanga Dyilo, Prosecutor v. Lubanga, Case No. ICC-01/04-01/06-1418, T. Ch. I, 2 July 2008. Review of the "Decision on the Conditions of the Pre-Trial Detention of Germain Katanga", Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch. I, 18 August 2008. Judgment on the appeal of the Prosecutor against the decision of Trial Chamber I entitled "Decision on the release of Thomas Lubanga Dyilo", Prosecutor v. Lubanga, Case No. ICC-01/04-01/06 OA 12, A. Ch., 21 October 2008. Dissenting Opinion of Judge Pikis Reasons for the decision on the request of the Prosecutor for suspensive effect of his appeal against the "Decision on the release of Thomas Lubanga Dyilo", Prosecutor v. Lubanga, Case No. ICC-01/04-01/06 OA 12, A. Ch., 22 July 2008 Separate Opinion of Judge Pikis Decision on Application for Interim Release, Prosecutor v. Bemba Gombo, Case No. ICC-01/05-	11 21 27
Decision on the Three Defences' Requests Regarding the Prosecution's Amended Charging document, Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch., 25 June 2008	21
Decision on the Three Defences' Requests Regarding the Prosecution's Amended Charging document, Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch., 25 June 2008 Order for the prosecution to file an amended document containing the charges, Prosecutor v. Lubanga, Case No. ICC-01/04-01/06, T. Ch. I, 9 December 2008 Commentary Roman Graf 2. Pre-trial detention Decision on the release of Thomas Lubanga Dyilo, Prosecutor v. Lubanga, Case No. ICC-01/04-01/06-1418, T. Ch. I, 2 July 2008 Review of the "Decision on the Conditions of the Pre-Trial Detention of Germain Katanga", Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch. I, 18 August 2008 Judgment on the appeal of the Prosecutor against the decision of Trial Chamber I entitled "Decision on the release of Thomas Lubanga Dyilo", Prosecutor v. Lubanga, Case No. ICC-01/04-01/06 OA 12, A. Ch., 21 October 2008 Dissenting Opinion of Judge Pikis Reasons for the decision on the request of the Prosecutor for suspensive effect of his appeal against the "Decision on the release of Thomas Lubanga Dyilo", Prosecutor v. Lubanga, Case No. ICC-01/04-01/06 OA 12, A. Ch., 22 July 2008. Separate Opinion of Judge Pikis Decision on Application for Interim Release, Prosecutor v. Bemba Gombo. Case No. ICC-01/05-	21
Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch., 25 June 2008	21
Case No. ICC-01/04-01/06, T. Ch. I, 9 December 2008 Commentary Roman Graf 2. Pre-trial detention Decision on the release of Thomas Lubanga Dyilo, Prosecutor v. Lubanga, Case No. ICC-01/04-01/06-1418, T. Ch. I, 2 July 2008 Review of the "Decision on the Conditions of the Pre-Trial Detention of Germain Katanga", Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch. I, 18 August 2008 Judgment on the appeal of the Prosecutor against the decision of Trial Chamber I entitled "Decision on the release of Thomas Lubanga Dyilo", Prosecutor v. Lubanga, Case No. ICC-01/04-01/06 OA 12, A. Ch., 21 October 2008. Dissenting Opinion of Judge Pikis Reasons for the decision on the request of the Prosecutor for suspensive effect of his appeal against the "Decision on the release of Thomas Lubanga Dyilo", Prosecutor v. Lubanga, Case No. ICC-01/04-01/06 OA 12, A. Ch., 22 July 2008 Separate Opinion of Judge Pikis Decision on Application for Interim Release, Prosecutor v. Bemba Gombo, Case No. ICC-01/05-	
2. Pre-trial detention Decision on the release of Thomas Lubanga Dyilo, Prosecutor v. Lubanga, Case No. ICC-01/04-01/06-1418, T. Ch. I, 2 July 2008. Review of the "Decision on the Conditions of the Pre-Trial Detention of Germain Katanga", Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch. I, 18 August 2008. Judgment on the appeal of the Prosecutor against the decision of Trial Chamber I entitled "Decision on the release of Thomas Lubanga Dyilo", Prosecutor v. Lubanga, Case No. ICC-01/04-01/06 OA 12, A. Ch., 21 October 2008. Dissenting Opinion of Judge Pikis Reasons for the decision on the request of the Prosecutor for suspensive effect of his appeal against the "Decision on the release of Thomas Lubanga Dyilo", Prosecutor v. Lubanga, Case No. ICC-01/04-01/06 OA 12, A. Ch., 22 July 2008 Separate Opinion of Judge Pikis Decision on Application for Interim Release, Prosecutor v. Bemba Gombo, Case No. ICC-01/05-	27
Decision on the release of Thomas Lubanga Dyilo, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06-1418, T. Ch. I, 2 July 2008. Review of the "Decision on the Conditions of the Pre-Trial Detention of Germain Katanga", <i>Prosecutor v. Katanga and Ngudjolo Chui</i> , Case No. ICC-01/04-01/07, P.T. Ch. I, 18 August 2008. Judgment on the appeal of the Prosecutor against the decision of Trial Chamber I entitled "Decision on the release of Thomas Lubanga Dyilo", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA 12, A. Ch., 21 October 2008. Dissenting Opinion of Judge Pikis Reasons for the decision on the request of the Prosecutor for suspensive effect of his appeal against the "Decision on the release of Thomas Lubanga Dyilo", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA 12, A. Ch., 22 July 2008 Separate Opinion of Judge Pikis Decision on Application for Interim Release, <i>Prosecutor v. Bemba Gombo</i> , Case No. ICC-01/05-	
Review of the "Decision on the Conditions of the Pre-Trial Detention of Germain Katanga", Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch. I, 18 August 2008	
Review of the "Decision on the Conditions of the Pre-Trial Detention of Germain Katanga", Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch. I, 18 August 2008	33
Judgment on the appeal of the Prosecutor against the decision of Trial Chamber I entitled "Decision on the release of Thomas Lubanga Dyilo", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA 12, A. Ch., 21 October 2008. Dissenting Opinion of Judge Pikis Reasons for the decision on the request of the Prosecutor for suspensive effect of his appeal against the "Decision on the release of Thomas Lubanga Dyilo", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA 12, A. Ch., 22 July 2008 Separate Opinion of Judge Pikis Decision on Application for Interim Release, <i>Prosecutor v. Bemba Gombo</i> , Case No. ICC-01/05-	43
Dissenting Opinion of Judge Pikis Reasons for the decision on the request of the Prosecutor for suspensive effect of his appeal against the "Decision on the release of Thomas Lubanga Dyilo", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA 12, A. Ch., 22 July 2008 Separate Opinion of Judge Pikis Decision on Application for Interim Release, <i>Prosecutor v. Bemba Gombo</i> , Case No. ICC-01/05-	51
Reasons for the decision on the request of the Prosecutor for suspensive effect of his appeal against the "Decision on the release of Thomas Lubanga Dyilo", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA 12, A. Ch., 22 July 2008	62
Separate Opinion of Judge Pikis	67
Decision on Application for Interim Release, Prosecutor v. Bemba Gombo, Case No. ICC-01/05-	73
01/08, P.T. Ch. III., 16 December 2008	79
Judgment on the appeal of Mr. Jean-Pierre Bemba Gombo against the decision of Pre-Trial Chamber III entitled "Decision on application for interim release, <i>Prosecutor v. Bemba Gombo</i> , Case No. ICC-01/05-01/08-3 OA, A. Ch., 16 December 2008	
Discepting Opinion of Judge Bilding	91
Commontowy Ocean are Nick and	11 20
12	20
Part 2/ Procedural matters	
3. Victim participation	
Decision on Victim Participation in the appeal of the Office of Public Counsel for the Defence against Pre-Trial Chamber I's Decision of 3 December 2007 and in the appeals of the Prosecutor and the Office of Public Counsel for the Defence against Pre-Trial Chamber I's Decision of 6 December 2007, Situation in Darfur, Case No. ICC-02/05 OA OA2 OA3, A. Ch., 18 June 2008	77

Partly Dissenting Opinion of Judge Song	140
Decision on Victim Participation in the appeal of the Office of Public Counsel for the Defence against Pre-Trial Chamber I's Decision of 7 December 2007 and in the appeals of the Prosecutor and the Office of Public Counsel for the Defence against Pre-Trial Chamber I's Decision of 24 December 2007, Situation in DRC, Case No. ICC-01/04 OA4 OA5 OA6, A. Ch., 30 June 2008	143
Partly Dissenting Opinion of Judge Song	162
Judgment on the appeals of The Prosecutor and The Defence against Trial Chamber I's Decision on Victims' Participation of 18 January 2008, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA9 OAIO, A. Ch., 11 July 2008	165
Partly Dissenting Opinion of Judge Pikis	186
Partly Dissenting Opinion of Judge Kirsch	191
Decision on the participation of victims in the appeal, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA13, A. Ch., 6 August 2008	199
Separate Opinion of Judge Song	204
Dissenting Opinion of Judge Pikis	205
Decision on the participation of victims in the appeal, <i>Prosecutor v. Kony et al.</i> , Case No. ICC-02/04-01/05 OA2, A. Ch., 27 October 2008	211
Separate Opinion of Judge Song	216
Dissenting Opinion of Judge Pikis	217
Decision on the participation of victims in the appeal, Situation in Uganda, Case No. ICC-02/04 OA, A. Ch., 27 October 2008.	221
Separate Opinion of Judge Song	226
Dissenting Opinion of Judge Pikis	227
Judgment on victim participation in the investigation stage of the proceedings in the appeal of the OPCD against the decision of Pre-Trial Chamber I of 7 December 2007 and in the appeals of the OPCD and the Prosecutor against the decision of Pre-Trial Chamber I of 24 December 2007, Situation in DRC, Case No. ICC-01/04 OA4 OA5 OA6, A. Ch., 19 December 2008	229
Decision on the applications by victims to participate in the proceedings, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06, T. Ch. I, 15 December 2008	245
Decision on the defence application for disclosure of victims applications, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06, T. Ch. I, 21 January 2009	267
Judgment on victim participation in the investigation stage of the proceedings in the appeal of the OPCD against the decision of Pre-Trial Chamber 1 of 3 December 2007 and in the appeals of the OPCD and the Prosecutor against the decision of Pre-Trial Chamber 1 of 6 December 2007, Situation in Darfur, Case No. ICC-02/05 OA OA2 OA3, A. Ch., 2 February 2009	273
Commentary Stefanie Bock	283
4. Disclosure, access to evidence	
Decision on the consequences of non-disclosure of exculpatory materials covered by Article 54(3)(e) agreements and the application to stay the prosecution of the accused, together with certain other issues raised at the Status Conference on 10 June 2008, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06, T. Ch. 1, 13 June 2008	295

Decision on Article 54(3)(e) Documents Identified as Potentially Exculpatory or Otherwise Material to the Defence's Preparation for the Confirmation Hearing, <i>Prosecutor v. Katanga and Ngudjolo Chui</i> , Case No. ICC-01/04-01/07, P.T. Ch. I, 20 June 2008.	317
Decision on the 19 June 2008 Prosecution Information and other Matters concerning Articles 54(3)(e) and 67 (2) of the Statute and rule 77 of the Rules, <i>Prosecutor v. Katanga and Ngudjolo Chui</i> , Case No. ICC-01/04-01/07, P.T. Ch. 1, 25 June 2008	347
Judgment on the appeal of Mr. Lubanga Dyilo against the Oral Decision of Trial Chamber 1 of 18 January 2008, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA 11, A. Ch., 11 July 2008	
Partly Dissenting Opinion of Judge Pikis	357
	374
Partly Dissenting Opinion of Judge Song	378
Decision on the evidence disclosure system and setting a timetable for disclosure between the parties, <i>Prosecutor v. Bemba Gombo</i> , Case No. ICC-01/05-01/08, P.T. Ch. III, 31 July 2008	381
Judgment on the appeal of the Prosecutor against the decision of Trial Chamber I entitled "Decision on the consequences of non-disclosure of exculpatory materials covered by Article 54(3)(e) agreements and the application to stay the prosecution of the accused, together with certain other issues raised at the Status Conference on 10 June 2008", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA 13, A. Ch., 21 October 2008.	202
	393
Separate Opinion of Judge Pikis	414
Commentary Koen Vriend	426
5. Stay of Proceedings	
Redacted Version of "Decision on the Prosecution's Application to Lift the Stay of Proceedings", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06, T. Ch. I, 3 September 2008	439
Decision on the "Prosecution's Application under Regulation 28 to provide Clarification or Additional Details which Impact on the Appeals against the Decisions to Stay the Proceedings and Release the Accused", <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06 OA12 OA13, A. Ch., 13 October 2008	
13 October 2008	453
Separate Opinion of Judge Pikis	457
Decision on the Redaction Process, <i>Prosecutor v. Katanga and Ngudjolo Chui</i> , Case No. ICC-01/04-01/07, T. Ch. II, 12 January 2009.	459
Reasons for Oral Decision lifting the stay of proceedings, <i>Prosecutor v. Lubanga</i> , Case No. 1CC-01/04-01/06, T. Ch. I, 23 January 2009	467
Commentary Gerhard Kemp	483
6. Presentation and admissibility of evidence	
Decision on the admissibility of four documents, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06, T. Ch. I, 13 June 2008	503
Decision on the Submission of an Updated, Consolidated Version of the In-depth Analysis Chart of Incriminatory Evidence, <i>Prosecutor v. Bemba Gombo</i> , Case No. 1CC-01/05-01/08, P. T. Ch. 111	
10 November 2008	515

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 and Rule 77 of the Rules" of Pre-Trial Chamber I, <i>Prosecutor v. Katanga and Ngudjolo Chui</i> , Case No. ICC-01/04-01/07 OA 7, A. Ch., 26 November 2008	519
Dissenting Opinion of Judge Pikis and Judge Ntanda Nsereko	540
Decision on the prosecution's application for the admission of the prior recorded statements of two witnesses, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06, T. Ch. I, 15 January 2009	549
Instructions to the Court's expert on child soldiers and trauma, <i>Prosecutor v. Lubanga</i> , Case No. ICC-01/04-01/06, T. Ch. I, 6 February 2009	557
Commentary Ana Maria Torres Chedraui	563
7. Counsel	
Decision on the Apparent Conflict of Interest in relation to the Legal Representative of Victims a/0015/08a/0035/08, Prosecutor v. Katanga and Ngudjolo Chui, Case No. ICC-01/04-01/07, P.T. Ch. I, 16 July 2008	579
Decision on Application under Rule 103, Situation in Darfur, Case No. ICC-02/05, P.T. Ch. I, 4 February 2009	587
Commentary Christoffer Wong	595
8. Cooperation of states	
Decision on the Second Defence's Application for Lifting the Seizure of Assets and Request for Cooperation to the Competent Authorities of the Republic of Portugal, <i>Prosecutor v. Bemba Gombo</i> , Case No. ICC-01/05-01/08, P.T. Ch. III, 14 November 2008	599
Request for Cooperation to Initiate an Investigation Addressed to the Competent Authorities of the Republic of Portugal, <i>Prosecutor v. Bemba Gombo</i> , Case No. ICC-01/05-01/08, P.T. Ch. 1II, 17 November 2008	607
Commentary Pedro Caeiro and Miguel Âgelo Lemos	611
Part 3/ Confirmation stage	
9. Confirmation decision	
Decision on the confirmation of charges, <i>Prosecutor v. Katanga and Ngudjolo Chui</i> , Case No. ICC-01/04-01/07, P.T. Ch. I, 30 September 2008.	615
Partly Dissenting Opinion of Judge Ušacka	732
Commentary Nicholas Koumjian	739
Index	745
Contributors and editors	749