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## Cases and Developments in International Criminal Law, Summer Semester 2026

### I. Pre-Trial Phase (decisions on investigation, arrest, admissibility, charges and confirmation)

- 01 Preliminary Investigation **Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia**, AppC, Judgment on Pros. Appeal PTC I Decision for Judicial Review, 02.9.2019 (<https://www.legal-tools.org/doc/802549/>),
  - Separate and Partly Dissenting Opinion of Judge Luz del Carmen Ibáñez Carranza (<https://www.legal-tools.org/doc/7qo2ws/>), Partly Dissenting Opinion of Judge Eboe-Osuji (<https://www.legal-tools.org/doc/5f0b9c/>)
  - Decision on the 'Application for Judicial Review by the Government of the Comoros, PTC I, 16.9.2020 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/13-111>)
  - Decision on the Request for Leave to Appeal the 'Decision on the "Application for Judicial Review by the Government of the Comoros", PTC I, 21.12.2020 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/13-115>)
- 02 Situation in the People's Republic of **Bangladesh**/Republic of the Union of **Myanmar**, PTC III, Authorisation Decision, 14.11.2019 (<https://www.legal-tools.org/doc/kbo3hy/>)
  - → Also note: ICJ, Order, Request for the indication of provisional measures, 23.2.2020 (<https://www.icj-cij.org/sites/default/files/case-related/178/178-20200123-ORD-01-00-EN.pdf>), Separate opinion of Vice-President Xue (<https://www.icj-cij.org/index.php/node/142401>), Separate opinion of Judge Cançado Trindade (<https://www.icj-cij.org/index.php/node/142402>), Declaration of Judge ad hoc Kress (<https://www.icj-cij.org/sites/default/files/case-related/178/178-20220722-jud-01-02-en.pdf>)
- 03 Situation **Afghanistan**, AppC, Authorisation Decision, 05.3.2020 (<https://www.legal-tools.org/doc/x7kl12/>)
  - Separate opinion of Judge Luz del Carmen Ibáñez Carranza (<https://www.legal-tools.org/doc/bfdi78/>)
  - PTC II, Decision pursuant to article 18(2) of the Statute authorizing the Prosecution to resume investigation, 31.10.2022 ([https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2022\\_06500.PDF](https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2022_06500.PDF))
- 04 Situation **Palestine**
  - a) Jurisdiction

- PTC I, Decision on the Prosecution's Request pursuant to Art. 19(3) for a Ruling on the Court's Territorial Jurisdiction in Palestine, 05.2.2021 ([https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2021\\_01165.PDF](https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2021_01165.PDF))
  - Partly Separate Opinion of Judge Perrin de Brichambaut ([https://www.icc-cpi.int/RelatedRecords/CR2021\\_01166.PDF](https://www.icc-cpi.int/RelatedRecords/CR2021_01166.PDF)); Partly Dissenting Opinion of Judge Péter Kovács ([https://www.icc-cpi.int/RelatedRecords/CR2021\\_01167.PDF](https://www.icc-cpi.int/RelatedRecords/CR2021_01167.PDF))
- AppC, Judgment on the appeal of the State of Israel against PTC I's "Decision on Israel's challenge to the jurisdiction of the Court pursuant to article 19(2) of the Rome Statute", 24.04.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180b5913d.pdf>)
- b) Arrest Warrants**
- PTC I, Warrants of Arrest for Benjamin Netanyahu and Yoav Gallant, 21.11.2024 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180a0ebd8.pdf>)
  - PTC I, Decision on the State of Israel's request to have arrest warrants withdrawn, vacated, or declared of no force or effect and to suspend the Prosecutor's investigation, 16.7.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180c1587a.pdf>) → Warrant for Mohammed Deif cancelled February 2025 following confirmation of his death; warrants for Sinwar and Haniyeh were previously withdrawn following their killings
- c) Complementarity, Art. 18**
- AppC, Judgment on the appeal of the State of Israel against PTC I's "Decision on Israel's request for an order to the Prosecution to give an Article 18(1) notice", 15.12.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180d42b7d.pdf>)
  - Crit. *Shany/Cohen*, Just Security, 8.1.2026 (<https://www.justsecurity.org/128238/complementarity-icc-israels-admissibility-challenge/>)
- 06 **Said [Central African Republic II, CAR II]**, AppC, Judgment on the appeal of Mr Mahamat Said Abdel Kani against the decision of Trial Chamber VI entitled 'Decision on the Defence Application for Interim Release of Mahamat Said Abdel Kani and Contact Restrictions', 19.5.2022 (<https://www.legal-tools.org/doc/7i8bk5/>)
  - PTC II, Confirmation Decision, 09.12.2021 ([https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/14-01/21-218-Red#\\_blank](https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/14-01/21-218-Red#_blank)) → PTC only partially confirmed the charges
- 07 **Al Hassan [Mali]**, AppC, Judgment on the appeal of Mr Al Hassan against the decision of Trial Chamber X entitled 'Decision on application for notice of possibility of variation of legal characterisation pursuant to Regulation 55(2) of the Regulations of the Court', 1.7.2021 (<https://www.legal-tools.org/doc/oo9jv0/>)
  - PTC I, Rectificatif à la Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, 13.11.2019 (<http://www.legal-tools.org/doc/9lml5x/>)
  - Rectificatif de la Décision portant modification des charges confirmées, PTC I, 08.5.2020 (<https://www.legal-tools.org/doc/fsfp30/pdf>)
- 08 Situation **Ukraine**, OTP, Notification on receipt of referrals and on initiation of investigation, 07.3.2022 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/22-2>)
  - Further notification on receipt of referrals and of Article 18 letters, OTP, 18.3.2022 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/22-7>)
  - Statement of ICC Prosecutor, Karim A.A. Khan QC, on the Situation in Ukraine: Receipt of Referrals from 39 States Parties and the Opening of an Investigation, OTP, 02.3.2022 (<https://www.icc-cpi.int/Pages/item.aspx?name=2022-prosecutor-statement-referrals-ukraine>)
  - Statement of ICC Prosecutor, Karim A.A. Khan QC, on the Situation in Ukraine: "I have decided to proceed with opening an investigation.", OTP, 28.2.2022 (<https://www.icc-cpi.int/Pages/item.aspx?name=20220228-prosecutor-statement-ukraine>)
  - OTP Press Release, 17.3.2023, Arrest warrants for Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova (<https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and>)
- 09 Situation in the Republic of the **Philippines**, PTC I, Decision on the Prosecutor's request for authorisation of an investigation pursuant to Article 15(3) of the Statute, 15.9.2021 (<https://www.icc-cpi.int/court-record/icc-01/21-12>)

- AppC, Judgment on the appeal of the Republic of the Philippines against Pre-Trial Chamber I's "Authorisation pursuant to article 18(2) of the Statute to resume the investigation", 18.7.2023 (<https://www.icc-cpi.int/court-record/icc-01/21-77>)
- Warrant of Arrest for Mr Rodrigo Roa Duterte, 07.3.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180aeb09d.pdf>)
- 10 **Abd-Al-Rahman [Sudan, Darfur]**, AC, 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)", 1.11.2021 ([https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2021\\_09905.PDF](https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2021_09905.PDF))  
→ Definition of „Situation“
- 11 Situation in **Colombia**, Regulation 46(3) Request, PTC I, Decision on the 'Request for review of the Prosecutor's decision of 28 October 2021 to close the preliminary examination of the situation in **Colombia**' and related requests, 25.7.2022 (<https://www.legal-tools.org/doc/ww6fvt/> )
- 12 **Kony [Democratic Republic of Congo, DRC]**, AppC, Judgment on the appeal of Mr Joseph Kony against the decision of Pre-Trial Chamber III of 29 October 2024 entitled "Decision on the criteria for holding confirmation of charges proceedings *in absentia*", 3.6.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180badaa5.pdf>)
  - → Kony and Otti, OTP, Public Redacted Version of the 'Prosecution's Request to Hold a Hearing on the Confirmation of Charges against Joseph Kony in his Absence', 24.11.2022 (<https://www.legal-tools.org/doc/t03bbv/>)
  - → Kony, PTC II, Decision on the Prosecution's request to hold a confirmation of charges hearing in the Kony case in the suspect's absence, 23.11.2023 (<https://www.icc-cpi.int/court-record/icc-02/04-01/05-466>)
  - → Kony, PTC III, Decision on the criteria for holding confirmation of charges proceedings *in absentia*, 29.10.2024 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd1809dcd08.pdf>)
- 13 Situation in Bolivarian Republic of **Venezuela I**, Judgment on the appeal of the Bolivarian Republic of Venezuela against Pre-Trial Chamber I's "Decision authorising the resumption of the investigation pursuant to article 18(2) of the Statute", 1.3.2024 (<https://www.icc-cpi.int/court-record/icc-02/18-89>)
- 14 Preliminary examination Bolivarian Republic of **Venezuela II**
  - Referral by Venezuela, 24.2.2020 ([https://www.icc-cpi.int/sites/default/files/RelatedRecords/CR2020\\_00642.PDF](https://www.icc-cpi.int/sites/default/files/RelatedRecords/CR2020_00642.PDF))
  - Referral pursuant to Article 14 of the Rome Statute to the Prosecutor of the ICC by the Bolivarian Republic of Venezuela with respect to Unilateral Coercive Measures, 4.3.2020, ([https://www.icc-cpi.int/sites/default/files/RelatedRecords/CR2020\\_00802.PDF](https://www.icc-cpi.int/sites/default/files/RelatedRecords/CR2020_00802.PDF))

## II. Trial phase / Judgments

- 01 **Ntaganda [DRC]**, AppC, Judgment on the Appeals of Judgment, 30.3.2021 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/04-02/06-2666-Red>)
  - Ntaganda, TC VI, Judgment, 08.07.2019 (<https://www.legal-tools.org/doc/80578a/>)
- optional: Ntaganda, AppC, Judgment on the Appeal of Sentencing Judgment, 20.3.2021 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/04-02/06-2667-Red>)
  - Ntaganda, TC VI, Sentencing Judgment, 07.11.2019 (<https://www.legal-tools.org/doc/yw2ef/>)
- 02 **Ongwen [Uganda]**, AC, Judgment on the appeal of Mr Ongwen against the decision of Trial Chamber IX of 4 February 2021 entitled "Trial Judgment", 15.12.2022 (<https://www.legal-tools.org/doc/tf7alc/>)
  - Ongwen, TC IX, Judgment, 04.2.2021 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-02/04-01/15-1762-Red>)
  - Ongwen, TC IX, Sentencing Judgment, 06.5.2021 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-02/04-01/15-1819-Red>)
- 03 **Gbagbo and Blé Goudé [Ivory Coast]**, AppC, Judgment in the Appeal of the Prosecutor against Trial Chamber I's decision on the no case to answer motions, 31.3.2021 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-02/11-01/15-1400>)

- Dissenting Opinion Judge Ibáñez (<http://www.legal-tools.org/doc/0s2i3o/>) and Dissenting Opinion Judge Bossa (<http://www.legal-tools.org/doc/bpe3bm/>)
- Separate Concurring Opinion by Judge Eboe-Osuji (<https://www.legal-tools.org/doc/67yc1m/>)
- Separate Concurring Opinion of Judge Howard Morrison (<https://www.legal-tools.org/doc/fjzfk/>)
- Separate Concurring Opinion of Judge Piotr Hofmański (<https://www.legal-tools.org/doc/bnc5nf/>)
- Optional: Ruto and Sang, TC, Decision on Applications for Acquittal (No case to answer/discharge), 05.04.2016 (<https://www.legal-tools.org/doc/41dc5f/>)
- 04 **Bemba [CAR]**, AppC, Judgment on the appeal of Mr Jean-Pierre Bemba Gombo against Trial Chamber III's "Judgment pursuant to Article 74 of the Statute", 08.6.2018 ([https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2018\\_02984.PDF](https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2018_02984.PDF))
  - Dissenting Opinion of Judge Monageng and Judge Hofmański ([https://www.icc-cpi.int/sites/default/files/RelatedRecords/CR2018\\_02987.PDF](https://www.icc-cpi.int/sites/default/files/RelatedRecords/CR2018_02987.PDF))
  - Separate Opinion of Judge Van den Wyngaert and Judge Morrison ([https://www.icc-cpi.int/sites/default/files/RelatedRecords/CR2018\\_02989.PDF](https://www.icc-cpi.int/sites/default/files/RelatedRecords/CR2018_02989.PDF))
  - Bemba, TC III, Judgment pursuant to Article 74 of the Statute, 21.3.2016 ([https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2016\\_02238.PDF](https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2016_02238.PDF))
- 05 **Ali Abd-Al-Rahman ('Ali Kushayb') [Sudan, Darfur]**, TC I, Trial Judgment, 6.10.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180cb3b4e.pdf>)
  - Ali Abd-Al-Rahman ('Ali Kushayb'), TC I, Sentencing Judgment, 9.12.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180d3abdf.pdf>)

#### [Hybrid Tribunals]

- 06 STL, Merhi and Oneissi, AppC, Appeal Judgment, 10.3.2022 (<https://www.legal-tools.org/doc/kzzvxx/>)
- 07 ECCC, Khieu Samphan, Appeal Judgment, 23.12.2022 ([https://www.eccc.gov.kh/sites/default/files/documents/courtdoc/%5Bdate-in-tz%5D/F76\\_EN.pdf](https://www.eccc.gov.kh/sites/default/files/documents/courtdoc/%5Bdate-in-tz%5D/F76_EN.pdf))
- 08 KSC, Mustafa, AppC, Appeal Judgment, 14.12.2023 (<https://www.legal-tools.org/doc/ls2v0f/>)
  - KSC, Mustafa, TP I, Corrected version of Public redacted version of Trial Judgment, 16.12.2022 ([https://repository.scp-ks.org/details.php?doc\\_id=091ec6e981121952&doc\\_type=stl\\_filing&lang=eng](https://repository.scp-ks.org/details.php?doc_id=091ec6e981121952&doc_type=stl_filing&lang=eng))
- 09 KSC, Pjeter Shala, Appeal Judgment, 14.7.2025 (<https://repository.scp-ks.org/LW/Published/Filing/0b10c8e18045f0b4/Public%20Redacted%20Version%20of%20Appeal%20Judgment.pdf>)

#### III. Administration of Justice Offences

- **Bemba et. al. [CAR]**, AppC, Judgment on the Appeals of Judgment pursuant to Article 74 of the Statute, 08.3.2018 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/05-01/13-2275-Red>)
  - Bemba et. al., TC VII, Judgment pursuant to Article 74 of the Statute, 19.10.2016 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/05-01/13-1989-Red>)

#### IV. Reparations

- 01 **Lubanga [DRC]**, AppC, Judgment on the Appeals on Reparations Decision, 18.7.2019 (<https://www.legal-tools.org/doc/7ec94f/>)
- 02 **Ongwen [Uganda]**, TC IX, Reparations Order, 28.2.2024 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd18078e195.pdf>)
- 03 **Ongwen [Uganda]**, AppC, Judgment on the Appeals on Reparations Decision, 06.4.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180b2e203.pdf>)

#### V. Specific Procedural Topics

- 01 **Al Hassan [Mali]**, TC X, Witness Preparation and Familiarisation Decision, 17.3.2020 (<https://www.legal-tools.org/doc/uivabu/>), incl. Protocol (<https://www.legal-tools.org/doc/9ybzef/>)
- 02 Situation in **Afghanistan**, AppC, Decision on Victims' Appeal Authorisation, 04.3.2020 (<https://www.legal-tools.org/doc/r4nib0/>),

- Dissenting Opinion Judge Ibáñez Carranza (<https://www.legal-tools.org/doc/ks0e86/>)
- 03 **Bemba [CAR]**, PTC II, Decision on claim for compensation, 18.5.2020 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/05-01/08-3694>)
  - Rejection of Appeal, PTC II, 01.10.2020 (<https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/05-01/08-3697>)
- 04 **Gbagbo and Blé Goudé [Ivory Coast]**, AppC, 28.5.2020, paras. 68 ff. (<https://www.legal-tools.org/doc/pda4l9>) → Release from pre-trial detention and presence requirement (Art. 63 ICC Statute)
- 05 **Said [CAR II]**, AppC, Decision on the admissibility of the appeal, 25.10.2022 (<https://www.icc-cpi.int/court-record/icc-01/14-01/21-514>) → What constitutes an ‘issue’ on appeal?
  - Said, AppC, Judgment on the appeal of Mr Mahamat Said Abdel Kani against the decision of Pre-Trial Chamber II of 16 April 2021 entitled “Decision establishing the principles applicable to victims’ applications for participation”, 14.9.2021 (<https://www.icc-cpi.int/court-record/icc-01/14-01/21-171>)
- 06 **Duterte [Philippines]**, PTC I, Public redacted version of “Decision on the ‘Defence Request for an Indefinite Adjournment’ and Mr Duterte’s fitness to take part in the pre-trial proceedings”, 26.1.2026, <https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180d93da9.pdf>)
- 07 **Duterte [Philippines]**, AC, “Decision on the Defence Request to Disqualify the Prosecutor”, 2.10.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180cc2b03.pdf>)
- 08 **Situation in Venezuela I**, The Presidency, Decision on the ‘Prosecutor’s Request to be Excused from the Venezuela I Situation’, 2.9.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180c768ad.pdf>)

#### [Hybrid Tribunals]

- 09 **ECCC**, Nuon and Khieu, TC, Decision on evidence obtained through torture, 5.2.2016 (<https://www.legal-tools.org/doc/314ba0/>) → Disclosure, admissibility of evidence obtained through torture and case management
- 10 **ECCC**, Meas Muth, Office of the Co-Investigating Judges, Decision to Charge Meas Muth In Absentia, 3.3.2015 (<https://www.legal-tools.org/doc/345f63/>)
- 11 **Mokom**, Art. 85 Chamber, Decision on Mr. Mokom’s request for compensation, 31.1.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180aa1709.pdf>)

#### VI. Cooperation

- 01 **Al Bashir**, AppC, Judgment in the Jordan Referral re Al-Bashir Appeal, 06.5.2019 (<https://www.legal-tools.org/doc/0c5307/>)
- 02 **Situation in Libya**, PTC I, Decision on Italy’s non-compliance with a request for cooperation, 17.10.2025 (<https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180ccfde4.pdf>)