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INTERNATIONAL CRIMINAL TRIBUNALS**

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André Klip and Steven Freeland (eds.); Anzinga Low (assistant editor)
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PREFACE

This is the fortieth volume in the series 'Annotated Leading Cases of International Criminal Tribunals' (ALC) and contains the most important decisions of the International Criminal Court (ICC) for the period from 13 June 2008 to 16 February 2009. It is the third volume containing decisions from the ICC, but still deals with decisions that characterise the relatively early judicial phase of that institution.

This volume is in its approach and structure similar to the previous volumes. Thus, the book contains the full text of each of the annotated decisions, *corrigendum*, and judgments, including any separate, concurring and dissenting opinions, as well as annexes to the decisions. As with the previous volumes, the Co-Editors have ensured that the decisions are fully identical to the *written* original text, as issued by the ICC Press and Information Office, and which bears the signatures of the judges, as only these can be considered as authoritative versions. In the course of our editorial work on this and previous volumes, we have discovered inconsistencies between the written original version of the decision and the any available internet versions.

Although we are only able to include the full text of the decisions by reducing their original format, we wanted the reader to be able to identify the page number of the original text, which is placed in brackets [] throughout the text.

We are very pleased that a number of distinguished international criminal law scholars were prepared to write interesting and stimulating commentaries regarding these decisions, and believe that their contributions will add to the breadth of knowledge and understanding about the work of the ICC.

A few words regarding the selection of decisions included in the ALC volumes are appropriate. In principle, we select all final judgments. In addition, we publish decisions taken at any stage of the procedure that are important for other reasons: because they deal with a specific legal question, because they are representative of a specific type of decision, or because they enter new legal waters. As a result, we may not publish decisions in which issues have been decided in a way similar or identical to a decision that has already been selected.

The decisions annotated in this volume are presented in various parts and under different headings:

Part 1, 'Preliminary matters', contains decisions relating to charges, and pre-trial detention.

Part 2, 'Procedural matters', contains decisions relating to the participation of victims, disclosure and access to evidence, stay of proceedings, counsel, and the cooperation of States.

Part 3, 'Confirmation stage', contains one lengthy decision relating to the confirmation of charges against Germain Katanga and Mathieu Ngudjolo Chui.

Once again, we gratefully acknowledge the assistance of many people without whom we could not have completed this volume. These include the Press and Information Office of the ICC, which offered generous assistance in obtaining the hard copies of decisions, our publisher Intersentia, in particular Hans Kluwer, Tom Scheirs and Isabelle Van Dongen, and our student assistant, Anzinga Low, who assisted with the coordination of all aspects of this volume. Of course, we would again like to thank the distinguished authors for their commentaries on the decisions, and their cooperation throughout the process.

We sincerely hope that this volume will be of interest to our readers and contribute to the further dissemination of the important work of the ICC, as well as providing stimulation and assistance to practitioners, academics and students.

We have made every effort to maintain the high standard of previous volumes, and the Co-Editors would welcome feedback and suggestions from readers as to how the ALC series can be continuously improved, so as to maximise its value to readers. The ALC is the largest case law series on international criminal jurisprudence in the world, and it is our on-going aim to make it as useful as possible to all persons interested in the work of the various institutions.

We therefore hope that you will find this volume to be a significant addition to your research resources in this ever more important area of international law.

André Klip and Steven Freeland

Maastricht/ Sydney, November 2012