TABLE OF CASES

International Court of Justice (ICJ)

Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo (Advisory Opinion) [2010] ICJ Rep 403; 78

- Declaration of Judge Tomka 454; 85-86
- Declaration of Judge Simma 478; 78
- Ahmadou Sadio Diallo (Republic of Guinea *v.* Democratic Republic of the Congo) (Preliminary Objections) [2007] ICJ Rep 582; 177, 182, 240, 246
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina ν. Serbia and Montenegro) (Judgment) [2007] ICJ Rep 43; 251, 361
 - Joint Declaration of Judges Shi and Koroma 279; 361
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia ν. Serbia) (Preliminary Objections) [2008] ICJ Rep 412; 252
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia *v.* Serbia) (Merits) [2015] ICJ Rep 3; 363–64
 - Separate Opinion of Judge ad hoc Kreća 450; 363-64
- Armed Activities on the Territory of the Congo (Democratic Republic of the Congo ν . Uganda) (Judgment) [2005] ICJ Rep 168; 242
- Barcelona Traction, Light and Power Company, Limited (Belgium ν. Spain) (Judgment) [1970] ICJ Rep 3; 221–25, 426–27, 434, 440, 445–46
- Case concerning the Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium) (Judgment) [2002] ICJ Rep 3; 257, 458
- Case Concerning the Gabčíkovo-Nagymaros Project (Hungary/Slovakia) (Judgment) [1997] ICJ Rep 7; 177, 250, 283–84, 292, 361–62, 364
 - Separate Opinion of Judge Bedjaoui 120; 292, 361–62, 364
- Case Concerning the Frontier Dispute (Burkina Faso/Republic of Mali) (Judgment) [1986] ICJ Rep 554; 74, 439, 458
- Case Concerning Pulp Mills on the River Uruguay (Argentina v. Uruguay) (Merits) [2010] ICJ Rep 14; 248, 397
- Case concerning the Temple of Preah Vihear (Cambodia ν . Thailand) (Preliminary Objections) [1962] ICJ Rep 17; 72–73

xxiii

- Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua) and Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica) (Judgment) [2015] ICJ Rep 665; 241, 248
 - Separate Opinion of Judge Donoghue 782; 248
- Colombian-Peruvian Asylum case (Colombia v. Peru) (Judgment) [1950] ICJ Reports 266; 73, 399
- Continental Shelf (Libyan Arab Jamahiriya/Malta) (Judgment) [1985] ICJ Rep 13; 45, 236, 240–42, 273
- Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada/USA) (Merits) [1984] ICJ Rep 246; 71, 100, 257, 334, 349, 358, 420
 - Dissenting Opinion of Judge Gros 360; 358, 420
- Difference Relating to Immunity from Legal Process of a Special Rapporteur of the Commission on Human Rights (Advisory Opinion) [1999] ICJ Rep 62; 250
- Fisheries Case (UK v. Norway) [1951] ICJ Rep 116; 75, 80-81, 248, 335, 359
- International Status of South West Africa (Advisory Opinion) [1950] ICJ Rep 128; 221–23, 484
 - Separate Opinion of Judge Mcnair 146; 484
- Jurisdictional Immunities of the State (Germany *ν*. Italy: Greece intervening) (Judgment) [2012] ICJ Rep 99; 33, 45, 125, 149, 156, 236, 242–43, 247, 273, 366–67, 401, 418, 425–26, 429, 499–501
- Jadhav (India v. Pakistan) (Judgment) [2019] ICJ Rep 418; 248-49
- Kasikili/Sedudu Island (Botswana/Namibia) (Judgment) [1999] ICJ Rep 1045; 362-63
 - Declaration of Judge Higgins 1113; 362-63
- Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening) (Judgment) [1992] ICJ Rep 351; 242, 427
- Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening) (Judgment) [2002] ICJ Rep 303; 252
- Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965 (Advisory Opinion) [2019] ICJ Rep 95; 236, 243–44, 269, 279, 428, 435–37, 440–45, 447–48
 - Separate opinion of Judge Cançado Trindade 156; 437, 447
- Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territories (Advisory Opinion) [2004] ICJ Rep 136; 74, 242, 252
- Legality of the Threat and Use of Nuclear Weapons (Advisory Opinion) [1996] ICJ Rep 241; 81, 96–97, 236, 244, 312, 336, 420–21, 426
 - Dissenting Opinion of Judge Shahabuddeen 375; 420-21
- Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar ν. Bahrain) (Merits) [2001] ICJ Rep 40; 240–41, 247, 334
- Military and Paramilitary Activities in and against Nicaragua (Nicaragua *v.* USA) (Merits) [1986] ICJ Rep 14; 33, 45, 58, 81, 125, 133, 151, 220, 236, 241–42, 244, 268, 271, 283–84, 310–11, 324, 357, 411, 423, 426, 458, 485
- North Sea Continental Shelf Cases (Federal Republic of Germany/Netherlands; Federal Republic of Germany/Denmark) (Judgment) [1969] ICJ Rep 3; 33, 44, 72, 80–81,

- 106, 120, 132, 216, 220, 236, 239, 242, 257, 259, 265–66, 273, 311, 336, 357, 376–77, 390, 399, 401, 409–10, 422–23, 426, 428, 442, 444, 458, 487, 498–99
- Dissenting Opinion of Judge Tanaka 172; 259, 357, 423, 487
- Dissenting Opinion of Judge Morelli 198; 357, 422, 428
- Dissenting Opinion of Judge Sørensen 242; 72, 80, 409–10
- Obligation to Negotiate Access to the Pacific Ocean (Bolivia *v.* Chile) (Judgment) [2018] ICJ Rep 507; 246
- Obligations Concerning Negotiations Relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands ν. UK) (Preliminary Objections) [2016] ICJ Rep 833; 397
 - Dissenting Opinion of Judge Trindade 907; 397
- Oil Platforms (Islamic Republic of Iran v. USA) (Judgment) [2003] ICJ Rep 161; 289, 294
- Questions Relating to the Obligation to Prosecute or Extradite (Belgium *v.* Senegal) (Merits) [2012] ICJ Rep 422; 180, 397
 - Declaration of Judge Donogue 584; 397
- Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide (Advisory Opinion) [1951] ICJ Rep 15; 321
 - Dissenting Opinion of Judge Alvarez 49; 321
- South West Africa (Liberia v. South Africa) (Preliminary Objections) [1962] ICJ Rep 319: 221
- South West Africa Cases (Second Phase) (Ethiopia v. South Africa; Liberia v. South Africa) (Judgment) [1966] ICJ Rep 6; 221, 361
 - Dissenting Opinion of Judge Tanaka 250; 361
- Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia/Singapore) (Judgment) [2008] ICJ Rep 12; 72
- Territorial and Maritime Dispute (Nicaragua ν . Colombia) (Judgment) [2012] ICJ Rep 624; 240, 247–48
- Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea (Nicaragua *v.* Honduras) [2007] ICJ Rep 659; 74
- United States Diplomatic and Consular Staff in Tehran (USA v. Iran) (Judgment) [1980] ICJ Rep 3; 242, 384
- Western Sahara (Advisory Opinion) [1975] ICJ Rep 12; 446

Permanent Court of International Justice (PCIJ)

- SS 'Lotus' (France v Turkey) (Judgment) [1927] PCIJ Series A No 10; 25, 68–69, 77–79, 81, 83–84, 130, 302, 388, 399
- Case Concerning the Factory at Chorzów (Germany v. Poland) (Merits) [1928] PCIJ Series A No 17; 291
 - Dissenting Opinion by M Ehrlich 75; 291
- The Mavrommatis Jerusalem Concessions (Greece ν. the United Kingdom) [1925] PCIJ Ser A No 5; 350

International Tribunal for the Law of the Sea (ITLOS)

- 'ARA Libertad' (Argentina v. Ghana) (Provisional Measures, Order of 15 December 2012) [2012] ITLOS Rep 332; 397
 - Joint Separate Opinion of Judges Wolfrum and Cot 363; 397
- Delimitation of the Maritime Boundary in the Atlantic Ocean (Ghana/Côte d'Ivoire) (Judgment) [2017] ITLOS Rep 4; 240
- Request for Advisory Opinion submitted by the Sub-Regional Fisheries Commission (Advisory Opinion) [2015] ITLOS Rep 4; 248
- Responsibilities and Obligations of States with Respect to Activities in the Area (Advisory Opinion) [2011] ITLOS Rep 10; 240, 248
- The M/V 'Saiga' (No 2) (Saint Vincent and the Grenadines *ν*. Guinea) (Judgment) [1999] ITLOS Rep 10; 250–51

Arbitration

- A11Y Ltd v. Czech Republic (Decision on Jurisdiction of 9 February 2017) ICSID Case No UNCT/15/1; 178
- Cargill Incorporated v. Mexico (Award of 18 September 2009) ICSID Case No ARB (AF)/05/2; 239, 245
- Case Concerning a Boundary Dispute between Argentina and Chile Concerning the Frontier Line between Boundary Post 62 and Mount Fitzroy (Laguna del Desierto) (Argentina v. Chile) (1994) 22 UNRIAA 3; 362–63
- CEMEX Caracas Investments BV e CEMEX Caracas II Investments BV v. Venezuela (Decision on Jurisdiction of 30 December 2010) ICSID Case No ARB/08/15; 178
- Chevron Corporation and Texaco Petroleum Corporation v. The Republic of Ecuador (Second Partial Award of 30 August 2018) PCA Case No 2009–23; 178
- CME Czech Republic BV v. Czech Republic (Final Award of 14 March 2003) UNCITRAL: 245
- CMS Gas Transmission Company v. Argentina (Award of 12 May 2005) ICSID Case No ARB/01/8; 251
- Emilio Agustín Maffezini v. Kingdom of Spain (Award of 25 January 2000) ICSID Case No ARB/97/7: 178
- Enron Corporation and Ponderosa Assets ν . Argentina (Award of 22 May 2007) ICSID Case No ARB/01/3: 251
- Eurotunnel, Channel Tunnel Group Limited and France-Manche S A v. Secretary of Transport of the United Kingdom and Secretary of Transport of France (Partial Award of 30 January 2007) PCA Case No 2003–06; 423
- Generation Ukraine Inc v. Ukraine (Final Award of 16 September 2003) ICSID Case No ARB/00/9; 245
- Glamis Gold Ltd ν. USA (Final Award of 8 June 2009) UNCITRAL/NAFTA <www.italaw.com/sites/default/files/case-documents/ita0378.pdf>; 245
- Iran v. USA (Award of 2 July 2014) Award No 602-A15(IV)/A24-FT (IUSCT); 240

- Le Chèque Déjeuner and CD Holding Internationale *v.* Hungary (Decision on Preliminary Issues of Jurisdiction of 3 March 2016) ICSID Case No ARB/13/35; 178 Merrill & Ring Forestry LP *v.* Canada (Award of 31 March 2010) ICSID Case No
- Merrill & Ring Forestry LP v. Canada (Award of 31 March 2010) ICSID Case No UNCT/07/1; 235
- Mobil Corporation Venezuela et al ν . Venezuela (Decision on Jurisdiction of 10 June 2010) ICSID Case No ARB/07/27; 178
- Mondev International Ltd v. United States of America (Award of 11 October 2002) ICSID Case No ARB(AF)/99/2; 245, 358, 457
- Rainbow Warrior Affair (Decision of 30 April 1990) 20 RIAA 215; 250
- RREEF Infrastructure (GP) Limited and RREEF Pan-European Infrastructure Two Lux Sàrl v. Spain (Decision on Jurisdiction of 6 June 2016) ICSID Case No ARB/13/30; 179
- Serafín García Armas, Karina García Gruber v. Venezuela (Decision on Jurisdiction of 15 December 2014) PCA Case No 2013–3; 177
- Suez, Sociedad General de Aguas de Barcelona SA and Vivendi Universal SA v.

 Argentina (Decision on Liability, 30 July 2010) ICSID Case No ARB/03/19; 251
- The 'Enrica Lexie' Incident (Italy v. India) (Award of 21 May 2020) PCA Case No 2015–28; 243
- The Island of Palmas Case (or Miangas) (Netherlands ν. USA) (Award of 4 April 1928) 2 UNRIAA 829; 43
- The Loewen Group Inc and Raymond L Loewen v. United States (Final Award of 26 June 2003) ICSID Case No ARB(AF)/98/3; 241
- The South China Sea Arbitration (Philippines v. China) (Award of 12 July 2016) PCA Case No 2013–19: 249
- Total SA ν . Argentine Republic (Decision on Liability of 27 December 2010) ICSID Case No ARB/04/1; 178
- Tulip Real Estate and Development Netherlands BV v. Turkey (Decision on Annulment of 30 December 2015) ICSID Case No ARB/11/28; 179
- Venezuela US, SRL v. Venezuela (Interim Award on Jurisdiction on the Respondent Objection to Jurisdiction Ratione Voluntatis of 26 July 2016) PCA Case No 2013– 34: 179
 - Dissenting Opinion of Professor Marcelo G Kohen; 179
- Windstream Energy LLC v. Canada (Award of 27 September 2016) UNCITRAL/ NAFTA, PCA Case No 2013–22; 241

International Criminal Tribunal for the Former Yugoslavia (ICTY)

- Prosecutor v. Anto Furundzija (Judgment) IT-95–17/1-T (10 December 1998); 268, 270, 408–9, 463
- Prosecutor v. Anto Furundžija (Appeal Judgment) IT-95–17/1-A (21 July 2000); 266
 Declaration of Judge Patrick Robinson; 266
- Prosecutor v. Duško Tadić a/k/a/ 'Dule' (Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction) IT-94–1-T (2 October 1995); 300

- Prosecutor v. Duško Tadić a/k/a/ 'Dule' (Opinion and Judgment) IT-94-1-T (7 May 1997); 309
- Prosecutor v. Duško Tadić (Appeal Judgment) IT-94–1-A (15 July 1999); 50–51, 270–71, 359
- Prosecutor v. Enver Hadzihasanovic, Mehmed Alagic and Amir Kubura (Decision on Interlocutory Appeal challenging Jurisdiction in Relation to Command Responsibility) IT-01–47-AR72 (16 July 2003); 407–9, 458
- Prosecutor v. Erdemović (Judgment) IT-96-22-A (7 October 1997); 265, 267
- Prosecutor v. Hadžihasanović et al (Decision on Command Responsibility) IT-01-47-AR72 (16 July 2003); 271
- Prosecutor v. Hadžihasanović et al (Decision of Motions for Acquittal) IT-01-47-73.3 (11 March 2005); 271
- Prosecutor v. Kupreškic et al (Trial Judgment) IT-95–16 (14 January 2000); 54–55, 267, 312 Prosecutor v. Mićo Stanišić and Stojan Župljanin (Appeal Judgment) IT-08–91-A (30 June 2016); 51
- Prosecutor *v.* Milutinović et al (Decision on Dragoljub Ojdanić's Motion Challenging Jurisdiction Joint Criminal Enterprise) IT-99–37-AR72 (21 May 2003); 270
 Separate Opinion of Judge David Hunt; 270
- Prosecutor v. Momćilo Perišić (Appeal Judgment) IT-04-81-A (28 February 2013); 52
- Prosecutor ν . Naser Orić (Appeals Chamber Judgment) IT-03–68-A (3 July 2008); 408 Prosecutor ν . Šainović et al (Appeal Judgment) IT-05–87-A (23 January 2014); 53 Prosecutor v Vlastemir Đorðević (Judgment) IT-05–87/1-A (27 January 2014); 88

International Criminal Tribunal for Rwanda (ICTR)

Kayishema & Ruzindana (Appeal Judgment) ICTR-95–1-A (4 December 2001); 270–71 Prosecutor *ν*. Nyiramasuhuko et al (Judgment) ICTR-98–42-A (14 December 2015); 260

Prosecutor v. Rwamakuba (Decision on Joint Criminal Enterprise) ICTR-98-44-AR72.4 (22 October 2004); 270

International Criminal Court (ICC)

Prosecutor v. Bemba (Trial Judgment) ICC01/05–01/08 (21 March 2016); 260 Prosecutor v. Jean-Pierre Bemba Gombo (Pre-Trial Chamber III, Fourth Decision on Victims' Participation) ICC-01/05–01/08–320 (12 December 2006); 354

The Prosecutor v Omar Hassan Ahmad Al Bashir (Decision under Article 87(7) of the Rome Statute on the Non-compliance by South Africa with the Request by the Court for the Arrest and Surrender of Omar Al-Bashir) ICC-02/05-01/09-302 (6 July 2017); 56

The Prosecutor v. Omar Hassan Ahmad Al Bashir (Judgment in the Jordan Referral re Al-Bashir Appeal) ICC-02/05-01/09-397-Corr (6 May 2019); 55-56

 Joint Dissenting Opinion of Judge Luz Del Carmen Ibáñez Carranza and Judge Solomy Balungi Bossa ICC-02/05-01/09-397-Anx2; 55

Extraordinary Chambers in the Courts of Cambodia (ECCC)

Prosecutor v. Ieng, Ieng and Khieu (Pre-Trial Chamber Decision Decision on the Appeals against the Co-Investigative Judges Order on Joint Criminal Enterprise) (D97/15/9) 002/19-09-2007-ECCC/OCIJ (PTC 35, 37, 38 & 39) (20 May 2010); 50-51

Special Tribunal for Lebanon (STL)

Appeal Chamber of the Special Tribunal for Lebanon (Decision on Appeal of Pre-Trial Judge's Order Regarding Jurisdiction and Standing) CH/AC/2010/2 (10 November 2010); 59

Special Court for Sierra Leone (SCSL)

Prosecutor v. Charles Taylor (Appeal Judgment) SCSL-03-01-A (26 September 2013); 52

Prosecutor v. Kallon et al (Decision on Challenge to Jurisdiction: Lomé Accord Amnesty) SCSL-2004–16-AR72(E) (13 March 2004); 301

European Court of Human Rights and European Commission of Human Rights

Bayatyan v. Armenia [GC] ECtHR App No 23459/03 (7 July 2011); 363

• Dissenting Opinion of Judge Gyulumyan; 363

Gäfgen v. Germany [GC] ECtHR App No 22978/05 (1 June 2010); 93 Jones et al v. the United Kingdom ECtHR App Nos 34356/06 and 40528/06 (14 January

2014); 247 Meftah and Others v. France [GC] ECtHR App No 32911/96 (26 July 2002); 363

• Concurring Opinion of Judge Lorenzen joined by Judge Hedigan; 363 Toniolo v. San Marino and Italy ECtHR App No 44853/10 (26 June 2012); 179

Tyrer v. UK ECtHR App No 5856/72 (25 April 1978); 337

Court of Justice of the European Union

Case C-104/16 P, Council of the European Union v. Front Populaire pour la libération de la saguia-el-hamra et du rio de oro (Front Polisario) (13 September 2016)

Opinion of Advocate General Wathelet ECLI:EU:C:2016:677; 53

Case C-641/18, LG and Others v. Rina SpA, Ente Registro Italiano Navale (7 May 2020) CJEUECLI:EU:C:2020:349; 53

Inter-American Court of Human Rights

Advisory Opinion on Juridical Condition and Human Rights of the Child, Advisory Opinion OC-17/2002, IACtHR (28 August 2002); 337

Domingues v. United States (Merits) (2002) IACmHR Report No 62/02; 335

Human Rights Committee

Toonen v. Australia (1994) UN Doc CCPR/C/50/D/488/1992; 325

WTO

- WTO, Brazil Desiccated Coconut, Panel Report (17 October 1996) WT/DS22/R 75; 281 WTO, Chile Price Band System, Appellate Body Report (23 September 2002) WT/DS207/AB/R; 280
- WTO, China Publications and Audiovisual Products, Appellate Body Report (21 December 2009) WT/DS363/AB/R 166; 282
- WTO, EC Approval and Marketing of Biotech Products, Panel Report (29 September 2006) WT/DS291/R; 458
- WTO, EC Hormones, Appellate Body Report (16 January 1998) WT/DS26/AB/R; 249, 279–80, 282, 286, 293
- WTO, EC and Certain Member States Large Civil Aircraft, Appellate Body Report (18 May 2011) WT/DS316/AB/R; 282, 285
- WTO, EC—Measures Affecting the Approval and Marketing of Biotech Products (EC Biotech), Panel Report (21 November 2006) WT/DS291/R, WT/DS292/R, WT/DS293/R: 249, 358
- WTO, Japan Alcoholic Beverages, Appellate Body Report (4 October 1996) WT/DS8/AB/R; 280
- WTO, Japan Alcoholic Beverages II, Appellate Body Report (4 October 1996) WT/ DS8/AB/R; 282
- WTO, US 1916 Act (EC), Appellate Body Report (28 August 2000) WT/DS136/AB/R WT/DS162/AB/R; 279
- WTO, US AD and CVD (China), Appellate Body Report (11 March 2011) WT/DS379/AB/R; 284–86
- WTO, US Carbon Steel, Appellate Body Report (28 November 2002) WT/DS213/AB/R; 281
- WTO, US Cotton Yarn, Appellate Body Report (8 October 2001) WT/DS192/AB/R; 283, 287–88, 294
- WTO, US Cotton Yarn, Panel Report (31 May 2001) WT/DS192/R; 294
- WTO, US Gasoline, Appellate Body Report (29 April 1996) WT/DS2/AB/R; 280, 282
- WTO, US Gasoline, Panel Report (29 January 1996) WT/DS2/R; 280
- WTO, US Line Pipe, Appellate Body Report (15 February 2002) WT/DS202/AB/R; 283, 294–95

- WTO, US Shirts and Blouses, Appellate Body Report (25 April 1997) WT/DS33/AB/ R: 279
- WTO, US Shrimp, Appellate Body Report (12 October 1998) WT/DS58/AB/R; 279, 282
- WTO, US Softwood Lumber IV, Appellate Body Report (19 January 2004) WT/ DS257/AB/R; 281
- WTO, US Definitive Anti-Dumping and Countervailing Duties on Certain Products from China, Appellate Body Report (11 March 2011) WT/DS379/AB/R; 248–49, 284
- WTO, US Definitive Safeguard Measures on Imports of Circular Welded Carbon Quality Line Pipe from Korea, Appellate Body Report (15 February 2002) WT/ DS202/AB/R; 247

Domestic Cases

- 'Abu Omar' case, General Prosecutor at the Court of Appeals of Milan v. Adler (29 November 2012) Court of Cassation of Italy, No 46340/2012; 496
- A v. Swiss Federal Public Prosecutor (25 July 2012) Swiss Federal Criminal Court, BB.2011.140; 360, 494
- Abbott v. Republic of South Africa (1 July 1992) Spanish Constitutional Court, 44 Revista española de derecho internacional 565; 501
- Alcom Ltd v. Republic of Colombia (12 April 1984) UK House of Lords, 1 AC 580; 501 Alessi and ors v. Germany and Presidency of the Council of Ministers of the Italian Republic (intervening) (21 January 2014) Florence, Italy, Court of First Instance, Order No 85/2014; 500
- Al-M (3 November 2003) German Constitutional Court, 2 BvR 1506/03; 254
- Al-Saadoon & Ors v. Secretary of State for Defence (17 March 2015) High Court of England & Wales, [2015] EWHC 715 (Admin); 254
- Attorney-General v. Zaoui and Inspector-General of Intelligence and Security and Human Rights Commission (intervening) (21 June 2005) Supreme Court of New Zealand [2005] NZSC 38; 359
- Case No 2016 Ga-Hap 505092 (8 January 2021) Central District Court of Seoul; 359, 365, 367
- Castle John v. NV Mabeco (19 December 1986) Court of Cassation of Belgium, 77 ILR 537: 503
- Chile v. Arancibia Clavel (24 August 2004) Supreme Court of Justice of the Argentine Nation, Case No 259; 147
- Edwards v. Attorney-General for Canada (18 October 1929) Judicial Committee of the Imperial Privy Council [1930] AC 124; 362
- Ferrini v. Germany (Appeal Decision of 11 March 2004) Supreme Court of Cassation of Italy, Case No 5044/04; 358–59
- Filartiga v. Pena-Irala, 630 F.2d 876 (2d Cir 1980); 147, 490
- Flores v. Southern Peru Copper Corp, 414 F.3d 233 (2d Cir 2003) 247-9; 489

- Freedom and Justice Party & Ors R (on the Application of) v. The Secretary of State for Foreign and Commonwealth Affairs & Anor [2018] Court of Appeal of England & Wales, EWCA Civ 1719; 255
- Greece v. A (25 June 2014) Federal Court of Justice of Germany, BGH Urteil vom 25.06.2014 VII ZB 24/13; 500
- Handelskwekerij GJ Bier BV & Stichting Reinwater v. Mines de Potasse d'Alsace SA Handelskwekerij Firma Gebr Strik BV & Handelskwekerij Jac Valstar BV v. Mines de Potasse d'Alsace SA (8 January 1979) District Court of Rotterdam, [1979] ECC 206; 147
- Her Majesty the Queen in Right of Canada v. Edelson (3 June 1997) Supreme Court of Israel, PLA 7092/94; 359, 365–67, 491, 505
- Her Majesty the Queen in Right of Canada v. Edelson and others (3 June 1997) Supreme Court of Israel PLA 7092/94, 51(1) PD 625; 359–60
- Institute of Cetacean Research ν . Sea Shepherd Conservation Soc, 725 F.3d 940 (9th Cir 2013); 358, 502–3
- Institute of Cetacean Research v. Sea Shepherd Conservation Society, 153 F.Supp.3d 1291 (WD Wash 2015) 1319; 360
- Israel v. 'Estelle' (31 August 2014) Haifa, Israel, District Court, Claim In Rem 26861–08–13; 503
- Joined cases C-402/05 P and C-415/05 P, Yassin Abdullah Kadi and Al Barakaat International Foundation ν. Council of the European Union and Commission of the European Communities (3 September 2008) CJEU [GC] [2008] ECR I-06351; 367
- Judgment 7/2006 (23 February 2006) Areios Pagos, Greece, Oλ.ΑΠ 7/2006; 356
- Judgment 4/2005 (21 April 2005) Areios Pagos, Greece, Oλ.AΠ 4/2005; 356
- Julio Simón et al v. Public Prosecutor (14 June 2005) Supreme Court of Justice of the Argentine Nation, Case No 17.768; 147
- Katet Nchoe & Another v. Republic (11 February 2011) High Court of Kenya, Criminal Appeal No 115 of 2010; 473–74
- Kazemi Estate v. Islamic Republic of Iran (10 October 2014) Supreme Court of Canada, Case No 35034, 2014 SCC 62; 491
- Kingdom of Spain v. Société X (30 April 1986) Swiss Federal Tribunal, 43 Annuaire suisse de droit international 158; 501
- Kiobel v. Royal Dutch Petroleum Co, 621 F.3d 111 (2d Cir 2010); 489
- Kuroda v. Jalandoni (26 March 1949) Republic of the Philippines Supreme Court, GR No L-2662; 220
- Lauritzen et al v. Government of Chile (19 December 1955) Supreme Court of Chile, 52 (9–10) RD 444; 147
- Law 27 of 2004 on the Truth and Reconciliation Commission (2 August 2006)

 Constitutional Court of the Republic of Indonesia, Perkara No 006/PUU-IV/2006; 148
- Martha Wanjiru Kimata & another ν. Dorcas Wanjiru & Another (24 February 2015) High Court of Kenya, Civil Appeal No 94 of 2014; 474
- Mary Rono v. Jane Rono & Another (29 April 2005) Kenyan Court of Appeal at Eldoret, Civil Appeal No 66 of 2002; 471–72

Most Rev Pedro D Arigo, et al *v*. Scott H Swift, et al (16 September 2014) Republic of the Philippines Supreme Court, GR No 206510; 491

Murray v. The Schooner Charming Betsy, 6 US 64 (1804); 490

NML Capital Ltd v. République d'Argentine (11 December 2014) Court of Cassation of Belgium, C.13.0537; 497

Palladyne International Asset Management BV v. Upper Brook (I) Limited (18 January 2019) Supreme Court of the Netherlands, 17/03964; 482

AG Advisory Opinion, 17/03964 (12 October 2018); 482

Philippine Embassy Bank Account Case (14 December 1977) German Constitutional Court, 46 BVerfGE 342; 501

Presbyterian Church of Sudan v. Talisman Energy, Inc, 244 F.Supp.2d 289 (SDNY 2003); 146–47, 490

Public Committee against Torture in Israel and Palestinian Society for the Protection of Human Rights and the Environment *v.* Israel and ors (13 December 2006) Supreme Court of Israel, HCJ 769/02; 360, 467–68

Public Prosecutor at the Tribunal of Brescia v. Elvis and el Mahdi (9 October 2015) Supreme Court of Cassation of Italy, No 40699, ILDC 2565; 490

Re Víctor Raúl Pinto, Re, Pinto (Víctor Raúl) v. Relatives of Tomás Rojas (13 March 2007) Supreme Court of Chile, Case No 3125–04; 504

République d'Argentine v. NML Capital LTD (22 November 2012) Court of Cassation of Belgium, C.11.0688.F; 498–99

Samantar v. Yousuf, 560 US 305 (2010); 495

Sentenza No 238/2014 (22 October 2014) Italian Constitutional Court; 366-67

Simoncioni and ors *v*. Germany and President of the Council of Ministers of the Italian Republic (intervening) (22 October 2014) Constitutional Court of Italy, Judgment No 238/2014; 499–500

Solange I (29 May 1974) BVerfG, 37 BverfGE 291; 367

SRYYY v. Minister for Immigration and Multicultural and Indigenous Affairs (17 March 2005) Federal Court of Australia, [2005] FCAFC 42; 503

State of the Netherlands *v.* [respondent] et al (14 December 2012) Supreme Court of the Netherlands, 11/03521; 482

AG Advisory Opinion, 11/03521 (21 September 2012); 482

TC1.6p.7613 (2013) Veles Court of First Instance, North Macedonia; 470-71

The Minister of Justice and Constitutional Development v. The Southern African Litigation Centre (867/15) (15 March 2016) South African Supreme Court of Appeal, ZASCA 17; 490

The Paquete Habana, 175 US 677 (1900); 441

The Queen v. Alqudsi (Motion to Quash Indictment and Summons for Declaratory Relief of 27 August 2015) Supreme Court of New South Wales, Australia [2015] NSWSC 1222; 358

United States v. Smith, 18 US 153 (1820); 490

US v. Bellaizac-Hurtado, 700 F.3d 1245 (11th Cir 2012) 1253; 489

US v. Beyle, 782 F.3d 159 (4th Cir 2015) 169; 502

Yousuf v. Samantar, 699 F.3d 763 (4th Cir 2012); 494–95