THE RIGHT TO LIFE UNDER INTERNATIONAL LAW

The Right to Life under International Law offers the first-ever comprehensive treatment under international law of the foundational human right to life. It describes the history, content, and status of the right, considers jurisdictional issues, and discusses the application of the right to a wide range of groups, such as women, children, persons with disabilities, members of minorities, LGBTI persons, refugees, and journalists. It defines the responsibility of not only governments but also the private sector, armed groups, and non-governmental organisations to respect the prohibition on arbitrary deprivation of life. It also explains the nature and substance of the duty to investigate potentially unlawful death as well as the mechanisms at global and regional level to promote respect for the right to life.

Stuart Casey-Maslen is an international lawyer specialising in the use of force and the protection of civilians. He is an honorary Professor at the Centre for Human Rights at the University of Pretoria. He has written widely on international human rights and humanitarian law, arms control and disarmament law, and jus ad bellum.

The late Christof Heyns was a member of the UN Human Rights Committee (2017–2020), the former UN Special Rapporteur on extrajudicial, summary or arbitrary executions, and Director of the Institute for International and Comparative Law in Africa (ICLA) at the University of Pretoria. He was recognised internationally as a leading expert in the field of international human rights law, including right to life issues and regional human rights mechanisms, and published widely on these matters.
The Right to Life under International Law

AN INTERPRETATIVE MANUAL

STUART CASEY-MASLEN
University of Pretoria

WITH A FOREWORD BY CHRISTOF HEYNS
## Contents

**Foreword by Christof Heyns**  
page ix

**Acknowledgements**  
xi

**Table of Cases**  
xii

### An Historical Introduction to the Right to Life

1. **PART I  OVERVIEW OF THE RIGHT TO LIFE UNDER INTERNATIONAL LAW**  
   1. The Status of the Right to Life  
   2. The Content of the Right to Life  
   3. Jurisdiction and the Right to Life  
   4. The Relationship between the Right to Life and Other Human Rights  

5. **PART II  MAJOR THEMES**  
   5. Deaths as a Result of Armed Conflict  
   6. Jus ad Bellum, Aggression, and the Right to Life  
   7. The Use of Force in Law Enforcement  
   8. Counterterrorism  
   9. The Death Penalty  
   10. Deaths in Custody  
   11. Abortion  
   12. Euthanasia and Suicide  

© in this web service Cambridge University Press  
www.cambridge.org
### Contents

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Poverty and Starvation</td>
<td>291</td>
</tr>
<tr>
<td>14</td>
<td>Assemblies, Demonstrations, and Protests</td>
<td>308</td>
</tr>
<tr>
<td>15</td>
<td>Arms Control and Disarmament</td>
<td>334</td>
</tr>
<tr>
<td>16</td>
<td>Enforced Disappearance</td>
<td>357</td>
</tr>
<tr>
<td>17</td>
<td>Accidents, Disease, and Natural Disasters</td>
<td>374</td>
</tr>
<tr>
<td>18</td>
<td>Pollution and Climate Change</td>
<td>390</td>
</tr>
<tr>
<td>19</td>
<td>Autonomous Use of Force</td>
<td>400</td>
</tr>
<tr>
<td>20</td>
<td>Slavery</td>
<td>415</td>
</tr>
<tr>
<td></td>
<td><strong>PART III  THE PROTECTION OF AT-RISK GROUPS AND INDIVIDUALS</strong></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Women</td>
<td>429</td>
</tr>
<tr>
<td>22</td>
<td>Children</td>
<td>454</td>
</tr>
<tr>
<td>23</td>
<td>Racially Motivated Killings</td>
<td>493</td>
</tr>
<tr>
<td>24</td>
<td>LGBTI Persons</td>
<td>515</td>
</tr>
<tr>
<td>25</td>
<td>Persons with Disabilities</td>
<td>525</td>
</tr>
<tr>
<td>26</td>
<td>Older Persons</td>
<td>555</td>
</tr>
<tr>
<td>27</td>
<td>Journalists</td>
<td>565</td>
</tr>
<tr>
<td>28</td>
<td>Human Rights Defenders</td>
<td>577</td>
</tr>
<tr>
<td>29</td>
<td>International Migrants</td>
<td>586</td>
</tr>
<tr>
<td>30</td>
<td>Internally Displaced Persons</td>
<td>594</td>
</tr>
<tr>
<td>31</td>
<td>Refugees</td>
<td>601</td>
</tr>
<tr>
<td></td>
<td><strong>PART IV  ACCOUNTABILITY</strong></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>The Right to Life and State Responsibility</td>
<td>611</td>
</tr>
<tr>
<td>33</td>
<td>The Right to Life and the Responsibility of International Organisations</td>
<td>629</td>
</tr>
<tr>
<td>34</td>
<td>Corporate Responsibility and the Right to Life</td>
<td>647</td>
</tr>
<tr>
<td>35</td>
<td>The Right to Life and the Responsibility of Non-State Armed Groups</td>
<td>659</td>
</tr>
</tbody>
</table>
Contents

36 The Right to Life and Non-governmental Organisations 672
37 The Right to Life and the Responsibility of Individuals 680

PART V HUMAN RIGHTS MACHINERY PROTECTING THE RIGHT TO LIFE 689
38 The UN Human Rights Machinery and the Right to Life 691
39 Regional Human Rights Machinery and the Right to Life 712

PART VI OUTLOOK 733
40 Customary Rules Pertaining to the Right to Life 735
41 The Future of the Right to Life 739

Index 742
Foreword

The realisation of the right to life is a precondition for the protection of all other human rights. Violations of the right to life are total and irreversible. Deadly violence, even more so than other forms of violence, destroys individuals and communities. The United Nations Human Rights Committee, in its 2018 General Comment on the right to life, reiterated the position it had taken in its 1982 General Comment – that the right to life is ‘the supreme right’.

Over the millennia, in communities around the world, religious, ethical, and legal rules have developed aimed at protecting the value of life, and at restoring the value of life if this norm is or has been breached. The very existence of international human rights law can be seen as a global response to the carnage that took place in the middle of the last century. The local, regional, and global expressions of the human preoccupation with personal and collective security, and the elimination of arbitrary deprivations of life, have shaped the development of many branches of international law. In its purest form, this aspiration to ensure the security of the individual finds its expression in the protection provided to the right to life.

The modern focus on the individual has led to an emphasis on the recognition of the equal value of each individual life, and resistance against the idea that the life of any person can be sacrificed in the pursuit of any other social objectives. The guiding star of international law has indeed been called, by myself and others, the ‘protect life’ principle, namely the ideal – still far too often breached – that the only possible justification for the intentional deprivation of one person’s life lies in the protection of the life of another.

While the core values underlying the right to life as part of international law have deep roots in cultures around the world, the applicable standards became much more coherent, nuanced, and expressly stated during the decades since the Second World War. Nevertheless, in spite of great strides made at the outset, much uncertainty remains. Developments in technology and shifting social values require constant expansion, adjustment, and further development of the substantive as well as the procedural content of the right. And, given the political sensitivity of all matters perceived as affecting State security, while the outline of the right is widely accepted, the exact contours of the right are subject to constant contestation by States and other parties. As a result, countless developments, small and large, in the way in which the right to life is perceived today have occurred during the last couple of decades.
Yet, surprisingly, in an era when there are general treaties available on most human rights, no up-to-date, comprehensive textbook is available on this most fundamental of rights. Someone trying to come to grips with the nuances of this core area of human rights will seek fruitlessly for the benefit of a comprehensive textbook which can serve as a first port of call.

A comprehensive treatment of the right, which is general enough to provide the ‘big picture’ between its two covers but specialised enough to cover the details of the most important elements of the right, is necessary for a range of reasons. It provides a proposed conceptual framework within which scientific engagement with the topic can take place, and a starting point for the development of alternative frameworks in the future. Such a book can allow researchers who work on aspects of the right or related themes to get a sense of where their works fit in. It can give newcomers – including those from other disciplines – an entry point. And it will allow everyone who works in the field to take stock of where things are. It can never claim to be the final word, but it provides a framework within which a much more meaningful discussion can take place.

This is the void that Stuart Casey-Maslen’s new book so admirably fills. The book provides a comprehensive yet tightly constructed framework that identifies the main issues and arranges them in a logical structure. Then, one by one, in economical yet elegant prose, the author provides an in-depth discussion of each issue, which could stand on its own feet but also builds on what was said before. This is the beauty of this single-author treatise, as opposed to say an edited collection – a single, deft, and reassuring voice guides one through the vast and contested terrain where the realisation of the right to life is pursued.

Stuart is singularly well placed to be the one who writes the first comprehensive treatise on the right to life. He has a rich background and deep expertise not only in human rights law but also in the other areas of law which affect our understanding of the right: the laws of war, disarmament, international criminal law, and international law in general. In addition, he is highly qualified in the areas of ballistics and forensics. His expertise is on the one hand academic, and he is one of the most prolific authors on issues related to the right to life. On the other hand, he also had a deep involvement as a practitioner and has played a leading role in the development of many of the international standards concerning the right to life that have emerged during the last decade.

Anyone whose work relates to the protection of the right to life – as an academic or as a practitioner – will benefit greatly from reading and using this book. Its publication is a major contribution towards our understanding of the right to life, and the protection of the ‘supreme right’.

Christof Heyns
Professor of Human Rights Law and Director, Institute for International and Comparative Law in Africa (ICLA), University of Pretoria
Member of the UN Human Rights Committee (2017–2020)
UN Special Rapporteur on extrajudicial, summary or arbitrary executions (2010–2016)
In Loving Memory, 10 January 1959 to 28 March 2021
Acknowledgements

My thanks go to Dr Abi Dymond for her great contribution on less-lethal weapons in Chapter 7, ‘The Use of Force in Law Enforcement’. My thanks also to the students who contributed background research, especially Sanskriti Sanghi for her work on the right to life of children and Elizabeth Vincento for her work on violence against women. It has been a great pleasure to work with Dr Thomas Probert on the Freedom from Violence in Africa Project at the University of Pretoria over the last four years. I have drawn on that experience in this work. I am most grateful to the professionals at Cambridge University Press for their unstinting support of this work: to Laura Blake, Marianne Nield, and especially Finola O’Sullivan, with whom it was a great privilege to collaborate over the past two decades. Her departure from the press is a great loss. My thanks go also to Vigneswaran Viswanathan and his team, in particular to Rachel Paul for her excellent copy-editing. I greatly miss Jack Glattbach, a hugely talented editor, mentor, and good friend who passed away just as this manuscript was being completed.

This book could not have been written without the generous and insightful guidance and inspirational leadership of Professor Christof Heyns. Personally, I owe so much to Christof. He contributed the Foreword to this book in January 2021. His death in March 2021 was a devastating loss to the family he adored. The human rights community lost a deeply respected member, as the testimonies that came privately and publicly in the days following his passing so clearly demonstrated. Rare are those who have both vision and attention to detail. Rarest of all are those who combine intellectual brilliance with humility, kindness, and selflessness. Christof was such a man. The obituary on the website of the Law Faculty at the University of Pretoria justly referred to a legal giant who would be sorely missed by all. While I rage at the iniquity of someone who gave so much to others being taken so young, he would not have. Always the better man, Christof. Always the better man.
### Table of Cases

#### INTERNATIONAL AND REGIONAL BODIES

**African Commission on Human and Peoples’ Rights**

Interights & Ditshwanelo v. Botswana, Decision (Comm No 319/06), adopted in Banjul, during the fifty-seventh Ordinary Session of the African Commission, 4–18 November 2015, 226


Noah Kazingachire, John Chitsenga, Elias Chemvura, and Batanai Hadzisi (represented by Zimbabwe Human Rights NGO Forum) v. Zimbabwe, Decision, 2012, 152

Purohit and Moore v. The Gambia, Views (Comm No 241/2001), May 2003, 535

**African Committee of Experts on the Rights and Welfare of the Child**

Michelo Hunsungule and others (on Behalf of Children in Northern Uganda) v. The Government of Uganda, Decision (Comm n/2005), 15–19 April 2013, 469


**African Court of Human and Peoples’ Rights**


Ally Rajabu and others v. Tanzania, Decision (App No 007/2015), 28 November 2019, 226, 729

**Caribbean Court of Justice**

### Table of Cases

**Committee against Torture**


**Committee on the Elimination of Discrimination against Women**

Alyne da Silva Pimentel v. Brazil, Views (Comm No 17/2008), 27 September 2011, 451, 452  
Vienna Intervention Centre against Domestic Violence and the Association for Women’s Access to Justice on behalf of Banu Akbak, Gülten Khan, and Melissa Özdemir v. Turkey (Fatma Yıldırım v. Austria), Views (Comm No 6/2005), UN doc CEDAW/C/39/D/6/2005, 1 October 2007, 434

**Committee on the Rights of Persons with Disabilities**

Mr X v. Argentina, Views, UN doc CRPD/C/11/D/8/2012, 18 June 2014, 533

**Committee on the Rights of the Child**

W M C v. Denmark, Views (adopted on 28 September 2020), UN doc CRC/C/85/D/31/2017, 3 November 2020, 700

**Eastern Caribbean Court of Appeal**


**ECOWAS Court of Justice**

Dorothy Chioma Njemanze and three others v. Federal Republic of Nigeria, Judgment (Case No ECW/CCJ/APP/17/14), 12 October 2017, 455

**Eritrea-Ethiopia Claims Commission**

Partial Award: Jus Ad Bellum – Ethiopia’s Claims 1-8, 19 December 2005, 127

**European Commission on Human Rights**

Kathleen Stewart v. United Kingdom, Decision on Admissibility, 10 July 1984, 177  
M D v. Turkey, Decision, 30 June 1997, 160  
Stewart v. United Kingdom, Report of the Commission, 2 July 1985, 317  
Tugar v. Italy (App No 22869/93), 18 October 1995, 353, 354, 355  
Y v. the Netherlands, Appl No 16531/90, 605
### Table of Cases

#### European Court of Human Rights

<table>
<thead>
<tr>
<th>Case</th>
<th>Date</th>
<th>Paragraphs</th>
</tr>
</thead>
<tbody>
<tr>
<td>A, B, and C v. Ireland, Judgment (Grand Chamber)</td>
<td>16 December 2010, 263, 264</td>
<td></td>
</tr>
<tr>
<td>Abdu v. Bulgaria, Judgment (Merits and Just Satisfaction) (Fourth Section)</td>
<td>11 March 2014, 503</td>
<td></td>
</tr>
<tr>
<td>Abdulaziz, Cabales and Balkandali v. United Kingdom, Judgment (Plenary of the Court), 28 May 1985</td>
<td>439</td>
<td></td>
</tr>
<tr>
<td>Abdulkhadziyeva and Abdulkhadziyev v. Russia Judgment (Third Section), 4 October 2016</td>
<td>27, 90</td>
<td></td>
</tr>
<tr>
<td>Abdullah Yaşa and others v. Turkey Judgment (Second Section), 16 July 2013, 145, 178, 319</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acar and others v. Turkey, Judgment (Fourth Section), 24 May 2005 (as rendered final on 12 October 2005)</td>
<td>27, 89, 91, 164, 723</td>
<td></td>
</tr>
<tr>
<td>Aghdgomelashvili and Japaridze v. Georgia, Judgment (Fifth Section), 8 October 2020</td>
<td>522</td>
<td></td>
</tr>
<tr>
<td>Ahmet Özkan v. Turkey, Judgment (Second Section), 6 April 2004</td>
<td>510</td>
<td></td>
</tr>
<tr>
<td>Akkum and others v. Turkey, Judgment (First Section), 24 March 2005</td>
<td>531</td>
<td></td>
</tr>
<tr>
<td>AL (XW) v. Russia Judgment (First Section), 29 October 2015 (rendered final on 29 January 2016)</td>
<td>605</td>
<td></td>
</tr>
<tr>
<td>Al Nashiri v. Poland, Judgment (Fourth Section), 24 July 2014</td>
<td>745</td>
<td></td>
</tr>
<tr>
<td>Albekov and others v. Russia Judgment (Third Section), 9 October 2008 (as rendered final on 6 April 2009)</td>
<td>356</td>
<td></td>
</tr>
<tr>
<td>Al-Jedd a v. United Kingdom, Judgment (Grand Chamber), 7 July 2011</td>
<td>79</td>
<td></td>
</tr>
<tr>
<td>Alkin v. Turkey, Judgment (Second Section), 13 October 2009</td>
<td>162</td>
<td></td>
</tr>
<tr>
<td>Al-Saadoon and Mufdhi v. United Kingdom, Decision on admissibility (Chamber), 30 June 2009</td>
<td>79</td>
<td></td>
</tr>
<tr>
<td>Al-Saadoon and Mufdhi v. United Kingdom, Judgment (Fourth Section), 2 March 2010</td>
<td>224, 432, 605, 717</td>
<td></td>
</tr>
<tr>
<td>Al-Skeini and others v. United Kingdom, Judgment (Grand Chamber), 7 July 2011</td>
<td>110, 252</td>
<td></td>
</tr>
<tr>
<td>Andreea-Marusia Dumitru v. Romania, Judgment (Fourth Section), 31 March 2020</td>
<td>34, 177</td>
<td></td>
</tr>
<tr>
<td>Andronicou and Constantinou v. Cyprus, Judgment (Chamber), 9 October 1997</td>
<td>163</td>
<td></td>
</tr>
<tr>
<td>Anzhelo Georgiev and others v. Bulgaria, Judgment (Fourth Section), 30 September 2014</td>
<td>148</td>
<td></td>
</tr>
<tr>
<td>Armani da Silva v. United Kingdom (App No 5878/08), application lodged on 21 January 2008</td>
<td>164</td>
<td></td>
</tr>
<tr>
<td>Armani da Silva v. United Kingdom, Judgment (Grand Chamber), 30 March 2016, 150, 164, 192–93, 716</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Askhananova and others v. Russian Federation, Judgment (First Section), 18 December 2012</td>
<td>368</td>
<td></td>
</tr>
<tr>
<td>Association for European Integration and Human Rights and Ekimdzhiev v. Bulgaria, Judgment (Fifth Section), 28 June 2007 (as rendered final on 30 January 2008)</td>
<td>583</td>
<td></td>
</tr>
<tr>
<td>Ataykaya v. Turkey, Judgment (Second Section), 22 July 2014</td>
<td>318–19</td>
<td></td>
</tr>
</tbody>
</table>
Table of Cases

Austin and others v. United Kingdom, Judgment (Grand Chamber), 15 March 2012, 327
B S v. Spain, Judgment, 24 July 2012, 496
Bakan v. Turkey, Judgment (Second Section), 12 June 2007, 169
Bankovic and others v. Belgium and others, Decision on Admissibility (Grand Chamber), 12 December 2001, 77, 78, 82
Bazorkina v. Russian Federation, Judgment (First Section), 27 July 2006, 367
Behrami and Behrami v. France, and Saramati v. France, Germany and Norway, Decision on Admissibility (Grand Chamber), 2 May 2007, 632, 637
Benzer v. Turkey, Judgment (Former Second Section), 12 November 2013 (as rendered final on 24 March 2014), 116, 120, 156, 202, 258, 511
Bouyid v. Belgium, Judgment (Grand Chamber), 28 September 2015, 148, 504
Buturugă v. Romania, Judgment (Fourth Section), 11 February 2020 (rendered final on 11 June 2020), 94
Cangöz and others v. Turkey, Judgment (Second Section), 26 April 2016, 191
Cantaragiu v. Moldova, Judgment (Second Section), 24 March 2020, 241
Case of Centre for Legal Resources on Behalf of Valentin Câmpeanu v. Romania, Judgment (Grand Chamber), 17 July 2014, 544
Catan and others v. Moldova and Russian Federation, Judgment (Grand Chamber), 19 October 2012, 66, 77, 622
Ciorcan and others v. Romania, Judgment (Third Section), 27 January 2015 (rendered final on 27 April 2015), 144
Çoşelav v. Turkey, Judgment (Second Section), 9 October 2012 (as rendered final on 18 March 2013), 242
Călăiniceanu and Frumușanu v. Romania, Judgment (Third Section), 24 April 2012 (rendered final on 24 July 2012), 84
D H and others v. Czech Republic, Judgment (Grand Chamber), 13 November 2007, 597
Dink v. Turkey, Judgment (Second Section), 14 September 2010 (rendered final on 14 December 2010), 569
Djavit An v. Turkey, Judgment (Third Section), 20 February 2003 (as rendered final on 9 July 2003), 308
Dodov v. Bulgaria (App No 59548/00), 47 EHRR 41 (2008), 561
Douet v. France, Judgment (Fifth Section), 3 October 2013 (rendered final on 3 January 2014), 33, 143
Dudchenko v. Russian Federation, Judgment (Third Section), 7 November 2017 (as rendered final on 5 March 2018), 300, 301
Er v. Turkey, Judgment (Second Section), 31 July 2012, 372
Esmukhambetov and others v. Russian Federation, Judgment (First Section), 29 March 2011, 201
Esref Yasa v. Turkey, Report, adopted on 8 April 1997, 88
Evans v. United Kingdom, Judgment (Grand Chamber), 10 April 2007, 262
Fabris and Parziale v. Italy, Judgment (First Section), 19 March 2020 (rendered final on 12 October 2020), 37, 242, 281
Fernandes de Oliveira v. Portugal, Judgment (Grand Chamber), 31 January 2019, 41
Table of Cases

Finogenov and others v. Russian Federation, Judgment (First Section), 20 December 2011, 147, 191, 204, 205, 639
Gagiu v. Romania, Judgment (Third Section), 24 February 2009 (rendered final on 24 May 2009), 243
Georgia v. Russia (II), Judgment (Grand Chamber), 21 January 2021, 79
Giuliani and Gaggio v. Italy, Judgment (Grand Chamber), 24 March 2011, 156, 169, 315–16, 317
Gongadze v. Ukraine, Judgment (Second Section), 8 November 2005 (rendered final on 8 February 2006), 369, 569–70
Guerdner v. France, Judgment (Fifth Section), 17 April 2014, 508
Guızelyurtlu and others v. Cyprus and Turkey, Judgment (Grand Chamber), 29 January 2019, 623
Haas v. Switzerland, Judgment (First Section), 20 January 2011, 280
Hassan v. United Kingdom, Judgment (Grand Chamber), 16 September 2014, 80, 82
Heinisch v. Germany, Judgment (Fifth Section), 21 July 2011, 561
Herrmann v. Germany, Judgment (Grand Chamber), 26 June 2012, 714
Ilăcu and others v. Moldova and Russian Federation, Judgment (Grand Chamber), 8 July 2004, 554
Ilhan v. Turkey, Judgment (Grand Chamber), 27 June 2000, 27, 87, 717
Iordachi and others v. Moldova, Judgment (Fourth Section), 10 February 2009 (as rendered final on 14 September 2009), 583
Isayeva v. Russian Federation, Judgment (App No 57950/00) (First Section), 24 February 2005, 200, 202
Issa and others v. Turkey, Judgment (Second Section), 30 March 2005, 513–14
Jabari v. Turkey, Judgment (Fourth Section), 11 July 2000, 229
Jaloud v. The Netherlands, Judgment (Grand Chamber), 20 November 2014, 69, 120, 252–53
Janowiec and others v. Russian Federation, Judgment (Grand Chamber), 21 October 2013, 57, 58, 48
Jasinskis v. Latvia, Judgment (Third Section), 21 December 2010 (rendered final on 21 March 2011), 542, 544
Jeanty v. Belgium, Judgment (Third Section), 31 March 2020, 242, 281
Kadikis v. Latvia (No 2), Judgment (Third Section), 4 May 2006, 301
Kakoulli v. Turkey, Judgment (Fourth Section), 22 November 2005, 160
Kalashnikov v. Russian Federation, Judgment (Third Section), 15 July 2002 (rendered final on 15 October 2002), 242–43
Kallis and Androutoula Panayi v. Turkey, Judgment (Fourth Section), 27 October 2009, 169
Karataş and others v. Turkey, Judgment (Second Section), 12 September 2017, 153
Keller v. Russian Federation, Judgment (First Section), 17 October 2013 (rendered final on 17 February 2014), 236
Kılıcı v. Turkey, Judgment (Second Section), 27 November 2018, 318
Kitanovski v. North Macedonia, Judgment (First Section), 26 January 2015, 27, 89, 90, 166
Koch v. Germany, Judgment (Fifth Section), 10 July 2012, 279–80
Koku v. Turkey, Judgment (Second Section), 31 May 2005, 369
Table of Cases

Kontrová v. Slovakia, Judgment (Fourth Section), 31 May 2007, 440, 441
Kotilainen and others v. Finland, Judgment (First Section), 17 September 2020, 716
Ksenz and others v. Russian Federation, Judgment (Third Section), 12 December 2017, 150
Kudrevičius and others v. Lithuania, Judgment (Grand Chamber), 15 October 2015, 308
Kukhalashvili v. Georgia, Judgment (Fifth Section), 2 April 2020, 150, 166
Kurt v. Austria, Judgment (Fifth Section), 4 July 2019, 440, 441, 442, 463, 464, 486
Kurt v. Turkey, Judgment (Chamber), 25 May 1998, 367–68
Lăcătuș and others v. Romania, Judgment (Third Section), 13 November 2012, 507
Lapunov v. Russian Federation (Appl no 2884/19), Communicated on 14 November 2019, 523–24
Loizidou v. Turkey, Judgment (Preliminary Objections) (Grand Chamber), 23 March 1995, 77
M C and C A v. Romania, Judgment (Fourth Section), 12 April 2016 (as rendered final on 12 July 2016), 522
Macaratzis v. Greece, Judgment (Grand Chamber), 20 December 2004, 14, 88, 164
Mammadov and others v. Azerbaijan, Judgment (Fifth Section), 21 February 2019 (rendered final on 21 May 2019), 241
Marius Alexandru and Marinela Ștefan v. Romania, Judgment (Fourth Section), 24 March 2020 (rendered final on 24 July 2020), 44, 383, 384
Mastromatteo v. Italy, Judgment (Grand Chamber), 24 October 2002, 57, 247
Mazepa and others v. Russian Federation, Judgment (Third Section), 17 July 2018, 569
McCann and others v. United Kingdom, Judgment (Grand Chamber), 27 September 1995, 57, 146, 149, 163, 190–91, 191, 192, 247, 316, 714, 715, 716, 722
Mentes v. Turkey, Judgment (Grand Chamber), 28 November 1997, 510
Mîzigirová v. Slovakia, Judgment (Merits and Just Satisfaction) (Fourth Section), 14 December 2010 (rendered final on 14 March 2011), 236, 500
Mocanu and others v. Romania, Judgment (Grand Chamber), 17 September 2014, 83, 84
Moldovan and others v. Romania, Judgment No 2 (Former Second Section), 12 July 2005, 507
Molla Sali v. Greece, Judgment (Merits) (Grand Chamber), 19 December 2018, 500
Mortier v. Belgium, Judgment (Second Section), 3 December 2018, 280–81
Mozer v. Moldova and Russian Federation, Judgment (Grand Chamber), 23 February 2016, 77, 622
Mufaramelov v. Russian Federation, Judgment (Third Section), 31 March 2020, 29
Mustafayev v. Azerbaijan, Judgment (Fifth Section), 4 May 2017 (rendered final on 4 August 2017), 241
Nachova v. Bulgaria, Judgment (Grand Chamber), 6 July 2005, 34, 145, 166, 238, 240, 496, 500, 716, 717
Nagmetov v. Russian Federation, Judgment (First Section), 5 November 2015, 25
Nagmetov v. Russian Federation, Judgment (Grand Chamber), 30 March 2017, 26
Navalnyy and Gunko v. Russian Federation, Judgment (First Section), 10 November 2020, 148
Nencheva and others v. Bulgaria, Judgment (Fourth Section), 18 June 2013 (as rendered final on 16 December 2013), 300, 543, 544
### Table of Cases

<table>
<thead>
<tr>
<th>Case Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nicolae Virgiliu Tănase v. Romania, Judgment (Grand Chamber), 25 June 2019, 27, 87, 94</td>
</tr>
<tr>
<td>O'Keeffe v. Ireland, Judgment (Grand Chamber), 28 January 2014, 463</td>
</tr>
<tr>
<td>Ėcalan v. Turkey, Judgment (Grand Chamber), 12 May 2005, 79, 224</td>
</tr>
<tr>
<td>Öner Yıldız v. Turkey, Judgment (Grand Chamber), 30 November 2004, 43, 135, 393</td>
</tr>
<tr>
<td>Opuz v. Turkey, Judgment (Third Section), rendered final on 9 September 2009, 439, 440, 441</td>
</tr>
<tr>
<td>Pad and others v. Turkey, Judgment (Decision on admissibility) (Third Section), 28 June 2007, 78</td>
</tr>
<tr>
<td>Paposhvili v. Belgium, Judgment (Grand Chamber), 13 December 2016, 54</td>
</tr>
<tr>
<td>Pasa and Erkan Erol v. Turkey, Judgment (Second Section), 12 December 2006 (as rendered final on 25 May 2007), 355</td>
</tr>
<tr>
<td>Perișan and others v. Turkey, Judgment (Second Section), 20 May 2010, 173</td>
</tr>
<tr>
<td>Peto Popov v. Bulgaria, Judgment (Fifth Section), 22 January 2009, 33</td>
</tr>
<tr>
<td>Pocasovski and Mihaila v. Moldova and Russia Judgment (Second Section), 29 May 2018 (rendered final on 29 August 2018), 243</td>
</tr>
<tr>
<td>Poede v. Romania, Judgment (Fifth Section), 15 September 2015, 522</td>
</tr>
<tr>
<td>Pretty v. United Kingdom, Judgment (Fourth Section), 29 April 2002, 279</td>
</tr>
<tr>
<td>Rachwalski and Ferene v. Poland, Judgment (Fourth Section), 28 July 2009, 149</td>
</tr>
<tr>
<td>Sabanchiyeva v. Russian Federation, Judgment (First Section), 6 June 2013, 61–62</td>
</tr>
<tr>
<td>Satybalova v. Russian Federation, Judgment (Third Section), 30 June 2020, 194–95</td>
</tr>
<tr>
<td>Shavadze v. Georgia, Judgment (Fifth Section), 19 November 2020, 717</td>
</tr>
<tr>
<td>Shchebetov v. Russian Federation, Judgment (First Section), 10 April 2012, 717</td>
</tr>
<tr>
<td>Shchiborsch v. Russian Federation, Judgment (First Section), 16 January 2014 (as rendered final on 2 June 2014), 147, 541–42</td>
</tr>
<tr>
<td>Shuriyia Zeynalov v. Azerbaijan, Judgment (Fifth Section), 10 September 2020, 90, 717</td>
</tr>
<tr>
<td>Silih v. Slovenia, Judgment (Grand Chamber), 9 April 2009, 58, 248</td>
</tr>
<tr>
<td>Soering v. United Kingdom, Judgment (Plenary of the Court), 7 July 1989, 54, 353, 604</td>
</tr>
<tr>
<td>Solomou and others v. Turkey, Judgment (Fourth Section), 24 June 2008, 160</td>
</tr>
<tr>
<td>Streletz, Kessler, and Krenz v. Germany, Judgment (Grand Chamber), 22 March 2001, 14</td>
</tr>
<tr>
<td>Suleyman Celebi and others v. Turkey, Judgment (Second Section), 24 May 2016, 320</td>
</tr>
<tr>
<td>Tagayeva and others v. Russian Federation, Judgment (First Section), 13 April 2017, 179, 186, 193–94, 316, 716</td>
</tr>
<tr>
<td>Talpis v. Italy, Judgment (First Section), 2 March 2017, 442, 464</td>
</tr>
<tr>
<td>Tanış and others v. Turkey, Judgment (Fourth Section), 2 August 2005, 369</td>
</tr>
<tr>
<td>Tēnšhana v. Albania, Judgment (Second Section), 4 August 2020, 440, 716</td>
</tr>
<tr>
<td>Timurtas v. Turkey, Judgment (First Section), 13 June 2000, 368</td>
</tr>
<tr>
<td>Toğņu v. Turkey, Judgment (Second Section), 31 May 2005, 368</td>
</tr>
<tr>
<td>Tsechoyev v. Russian Federation, Judgment (First Section), 15 March 2011, 717</td>
</tr>
<tr>
<td>Ukraine v. Russian Federation (App No 20958/14) (Grand Chamber hearing), 11 September 2019, 137</td>
</tr>
</tbody>
</table>
Table of Cases

Varnava and others v. Turkey, Judgment (Grand Chamber), 18 September 2009, 203, 369, 372, 623
Vasil Sashov Petrow v. Bulgaria, Judgment (Fifth Section), 10 June 2010, 509
Vo v. France, Judgment (Grand Chamber), 8 July 2004, 262
Volintiru v. Italy, Communicated Case (Appl No 8530/08), 19 March 2013, 562
Volodina v. Russian Federation, Judgment, 9 July 2019, 442, 464
Yaşa v. Turkey, Judgment (Chamber), 2 September 1998, 88, 512
Yuriy Illarionovich Shchokin v. Ukraine, Judgment (Fifth Section), 5 October 2013 (rendered final on 5 January 2014), 241–42
Z and others v. United Kingdom, Judgment (Grand Chamber), 10 May 2001, 301

Human Rights Committee

Baboeram Adhin v. Suriname (Comm No 146/1983), 4 April 1985, 13
Ioane Teitiota v. New Zealand, Views (Comm No 2728/2016), UN doc CCPR/C/127/D/2728/2016, 7 January 2020, 396, 397, 398, 603
Joaquin David Herrera Rubio and others v. Colombia, Views (UN doc CCPR/C/OP/2), 2 November 1987, 362
Johnson v. Ghana, Views, 27 March 2014, 32
Judge v. Canada, Views, 2003, 55–56
Khadzhiev v. Turkmenistan, Views (UN doc CCPR/C/122/D/2252/2013), 6 April 2018, 236
Kindler v. Canada, Views, 30 July 1993, 31, 32
Lovelace v. Canada, Views, 30 July 1981, 69–70
xx Table of Cases

Mellet v. Ireland, Views (UN doc CCPR/C/116/D/2324/2013), 17 November 2016, 40, 258, 259, 462
Patrick Coleman v. Australia, Views (Comm No 1157/2003), UN doc CCPR/C/87/D/1157/2003, 10 August 2006, 309
R S v. Trinidad and Tobago, Views (UN doc CCPR/C/74/D/684/1996), 2 April 2002, 220
Sanjeevan v. Sri Lanka, Views (Communication No 1436/05), 8 July 2008, 38, 729
Suarez de Guerrero v. Colombia (Comm No 81/45), 31 March 1982, 13
Yassin and others v. Canada, Views, 26 July 2017, 67

Inter-American Commission on Human Rights

Case of Disabled Peoples’ International and others v. United States, Report on Admissibility (Case No 9,213), 75
Clarence Allen Lackey and others v. United States, Merits (Case Nos 11,575, 12,333, and 12,541), Report No 52/13, 15 July 2013, 546
Coard and others v. United States, Report No 109/99 (Case 10,951), 29 September 1999, 80, 81
Community of Rio Negro of the Maya Indigenous People and Its Members v. Guatemala, Report No 13/2008 of 5 March 2008, 80, 83
Eduardo Nicolas Cruz Sanchez and Herma Luz Melendez Cueva v. Peru, Report No 13/04 (Case 136/03), OAS doc OEA/SerL/V/II/122 Doc 5 rev 1 (2004), 197
Eduardo Nicolas Cruz Sanchez and others v. Peru, Report No 68/10 (Case 12,444) (Merits), 31 March 2011, 107
Family Members of Anastasio Hernández-Rojas, Petitioners v. United States, Complaint, March 2016, 175
Table of Cases

Franklin Guillermo Aisalla Molina (Ecuador v. Colombia), Admissibility Report No 112, 10, 21 October 2011, 75
Matter of Julio César Cano Molina Concerning Cuba, Resolution 24/2014 (Precautionary Measure No 307-14), 10 September 2014, 539–40
Michael Domingues v. United States, Decision (Case 12,283), Report 62/02, 308, 468, 472
Paola del Rosario Guzmán Albarracín and Relatives v. Ecuador, Report No 110/18 (Case 12,678), Merits, 5 October 2018, 281
Patients at the Neuropsychiatric Hospital v. Paraguay, Decision on Precautionary Measures (Case No PM 277-07), 29 July 2008, 539
Víctor Rosario Congo v. Ecuador, Report 63/99 (Case No 11,427), 13 April 1999, 537–38

Inter-American Court of Human Rights

Almonacid-Arellano and others v. Chile, Judgment (Preliminary Objections, Merits, Reparations and Costs), 26 September 2006, 668, 681, 682
Aloeboetoe and others case, Judgment (Reparations), 10 September 1993, 502
Artavia Murillo and others (‘In Vitro Fertilization’) v. Costa Rica, Judgment (Preliminary objections, merits, reparations and costs), 28 November 2012, 264, 465, 721
Atala Riff and Daughters v. Chile, Judgment (Merits, Reparations and Costs), 4 February 2012, 521
Blake v. Guatemala, Judgment (Merits), 24 January 1998, 83
Case of Furlan and Family v. Argentina, Judgment (Preliminary Objections, Merits, Reparations and Costs), 31 August 2012, 465
Case of Goiburú et al v. Paraguay, Judgment (Merits, Reparations and Costs), 22 September 2006, 361
Case of the Ituango Massacres v. Colombia, Judgment (Preliminary Objections, Merits, Reparations and Costs), 1 July 2006, 203, 723
Cruz Sánchez and others v. Peru, Judgment (Preliminary Objections, Merits, Reparation, and Costs), 17 April 2015, 15, 153, 156, 196, 238, 722
García Lucero and others v. Chile, Judgment, 28 August 2013, 83
Godínez Cruz v. Honduras, Judgment (Merits), 20 January 1989, 58, 722
González Lluy and others v. Ecuador, Judgment (Preliminary Objections, Merits, Reparations and Costs), 1 September 2015, 297, 298, 723–24
Table of Cases

Hacienda Brasil Verde Workers v. Brazil, Judgment (Preliminary Objections, Merits, Reparations and Costs), 20 October 2016, 418
Huilca Tecese v. Peru, Judgment (Merits, Reparations and Costs), 3 March 2005, 581
Kawas-Fernández v. Honduras, Judgment (Merits, Reparations and Costs), 3 April 2009, 581
López Soto and others v. Venezuela, Judgment (Merits, Reparation, and Costs), 26 September 2018, 420
Moiwana Village v. Suriname, Judgment (Preliminary Objections, Merits, Reparations and Costs), 15 June 2005, 59, 61, 91
Montero-Aranguren and others (Detention Centre of Catia) v. Venezuela, Judgment (Preliminary Objection, Merits, Reparations, and Costs), 5 July 2006, 58, 133, 141, 146, 153, 162, 244, 245, 248, 722
Myrna Mack-Chang v. Guatemala, Judgment (Merits, Reparations, and Costs), Separate Opinion of Judge García Ramírez, 25 November 2003, 18
Nadege Dorzema and others v. Dominican Republic, Judgment (Merits, Reparations, and Costs), 24 October 2012, 153, 159, 722
Rochela Massacre v. Colombia, Judgment (Merits, Reparations, and Costs), 11 May 2007, 27, 89, 91, 164, 723
Santo Domingo massacre v. Colombia, Judgment (Preliminary Objections, Merits and Reparations), 30 November 2012, 118, 203, 722
Sawhoyamaxa Indigenous Community v. Paraguay, Judgment (Merits, Reparations and Costs), 20 March 2006, 298, 299, 724
The Environment and Human Rights (State Obligations in Relation to the Environment in the Context of the Protection and Guarantee of the Rights to Life and to Personal Integrity: Interpretation and Scope of Articles 4(1) and 5(1) in Relation to Articles 1(1) and 2 of the American Convention on Human Rights), Advisory Opinion OC-23/17, 15 November 2017, Requested by the Republic of Colombia, 74
Velásquez Rodríguez v. Honduras, Judgment (Merits), 29 July 1988, 58, 618, 721
Vélez Restrepo and Family v. Colombia, Judgment (Preliminary Objections, Merits, Reparations and Costs), 3 September 2012, 571
Veliz Franco and others v. Guatemala, Judgment (Preliminary Objections, Merits, Reparations and Costs), 19 May 2014, 59
Ximenes-Lopes v. Brazil, Judgment (Merits, Reparations and Costs), 4 July 2006, 540
Yakye Axa Indigenous Community v. Paraguay, Judgment (Merits, Reparations and Costs), 17 June 2005, 298, 299, 560, 724
Table of Cases

International Court of Justice

Ahmadou Sadio Diallo (Guinea v. Democratic Republic of Congo), Judgment (Admissibility), 24 May 2007, 615, 707


Barcelona Traction, Light and Power Company Ltd (Belgium v. Spain), Judgment, 5 February 1970, 311, 617, 635, 661, 706

Case Concerning Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda), Judgment, 19 December 2005, 70, 74, 76, 106, 706


Case Concerning Oil Platforms (Islamic Republic of Iran v. United States of America), Judgment (Merits), 6 November 2003, 125


Case Concerning the Arbitral Award of 31 July 1989 (Guinea-Bissau v. Senegal), Judgment, 12 November 1991, 24

Case Concerning the Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium), Judgment, 14 February 2002, 68

Corfu Channel Case (United Kingdom v. Albania), Judgment (Merits), 9 April 1949, 1089

Difference Relating to Immunity from Legal Process of a Special Rapporteur of the Commission on Human Rights, Advisory Opinion, 29 April 1999, 636

Fisheries Case (United Kingdom v. Norway), Judgment, 18 December 1951, 17

Interpretation of the Agreement of 25 March 1951 between the WHO and Egypt, Advisory Opinion, 20 December 1980, 634


Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 9 July 2004, 67, 70, 71, 74, 106, 706

Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, 8 July 1996, 12, 14, 36, 70, 81, 104, 115, 134, 135, 206, 394, 707

North Sea Continental Shelf Cases (Germany v. Denmark; Germany v. The Netherlands), Judgment, 20 February 1969, 16


United States Diplomatic and Consular Staff in Tehran Case (United States v. Iran), Judgment, 24 May 1980, 614

Western Sahara, Advisory Opinion, 16 October 1975, 129
Table of Cases

International Criminal Court

Prosecutor v. Alfred Yekatom, 490
Prosecutor v. Bosco Ntaganda, Judgment (Case No ICC-01/04-02/06) (Trial Chamber VI), 8 July 2019, 425, 499
Prosecutor v. Germain Katanga, Decision on the Confirmation of Charges (Pre-Trial Chamber I) (Case No ICC 01/04 01/07), 30 September 2008, 667
Prosecutor v. Germain Katanga, Decision on Sentence (Case No ICC-01/04-01/07) (Trial Chamber II), 23 May 2014, 499–500
Prosecutor v. Patrice-Edouard Ngaissona, 490
Prosecutor v. Ruto, Decision on the Confirmation of Charges (Pre-Trial Chamber II) (Case No ICC 01/09 01/11), 23 January 2012, 668
Prosecutor v. Thomas Lubanga Dyilo, Judgment (Trial Chamber I), 14 March 2012, 110

International Criminal Tribunal for Rwanda


International Criminal Tribunal for the former Yugoslavia

Prosecutor v. Ante Gotovina and Mladen Markač, Judgment (Trial Chamber I) (Case No IT-06-90-T), 15 April 2011, 410
Prosecutor v. Ante Gotovina and Mladen Markač, Judgment (Appeals Chamber) (Case No IT-06-90-A), 20 November 2012, 410
Prosecutor v. Anto Furundžija, Judgment (Case No IT-95-17/1-T) (Trial Chamber), 10 December 1998, 124, 735
Prosecutor v. Boškoski and Tarčulovski, Judgment (Trial Chamber II) (Case No IT-04-82-T), 10 July 2008, 112
Prosecutor v. Dragomir Milosjević, Judgment (Trial Chamber III) (Case No IT-98-29/1-T), 12 December 2007, 339
Prosecutor v. Galić, Judgment (Trial Chamber) (Case No IT-98-29-T), 5 December 2003, 409
Prosecutor v. Krstić, Judgment (Case No IT-98-35-T) (Trial Chamber), 2 August 2001, 499, 499, 708
Prosecutor v. Kunarac, Judgment (Trial Chamber) (Case No IT-96-23-T & IT-96-23/1-T), 22 February 2001, 422
Prosecutor v. Milorad Knjazevac, Judgment (Trial Chamber) (Case No IT-97-25-T), 15 March 2002, 422
Prosecutor v. Prlić, Judgment (Trial Chamber) (Case No IT-04-74-T), Vol 4, 29 May 2013, 305
Prosecutor v. Tadić, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction (Appeals Chamber) (Case No IT-94-1), 2 October 1995, 111, 306
Prosecutor v. Tadić, Judgment (Trial Chamber) (Case No IT-94-1-T), 7 May 1997, 111
Prosecutor v. Zoran Kupreškić and others, Judgment (Case No IT-95-16-T) (Trial Chamber), 14 January 2000, 333
### Table of Cases

**Permanent Court of International Justice**

- Factory at Chorzów, Judgment (Jurisdiction), No 8, 1927, PCIJ, Series A, No 9, 616
- German Settlers in Poland, Advisory Opinion, 1923, PCIJ, Series B, No 6, p 22, 617
- Phosphates in Morocco Case, 1937, PCIJ, Series C, No 84, p 494, 612, 613
- Rights of Minorities in Upper Silesia (Minority Schools), Germany v. Poland, Judgment (No 12), 26 April 1928, 4

**Special Court for Sierra Leone**

- Prosecutor v. Morris Kallon and Brima Buzzy Kamara, Decision on Challenge to Jurisdiction: Lomé Accord Amnesty (Appeals Chamber) (Case Nos SCSL-2004-15-AR72(E) and SCSL-2004-16-AR72(E)), 13 March 2004, 664, 665
- Prosecutor v. Sam Hinga Norman, Decision on Preliminary Motion Based on Lack of Jurisdiction (Appeals Chamber) (Case No SCSL-2004-14-AR72(E)), 31 May 2004, 649, 661

**Special Tribunal for Lebanon**

- Interlocutory Decision on the Applicable Law: Terrorism, Conspiracy, Homicide, Perpetration, Cumulative Charging (Case No STL-11-01/I), 16 February 2011, 184
- Prosecutor v. Salim Jamil Ayyash and others, Judgment (Case No STL-11-01/T/TC), 18 August 2020, 184

**National Courts**

**Australia**

- R v. Tang, [2008] HCA 418, 419

**Belize**

- Lauriano v. Attorney General of Belize (1995) 3 Bz LR 77 (Court of Appeal), 211

**Botswana**

- Makwati v. State 1996 BLR 682 (Court of Appeal), 166

**Canada**

- Carter v. Canada (Attorney General), 2015 SCC 5, decided 6 February 2015, 288
- Lamb v. Canada (Attorney General), 2018 BCCA 266, decided 6 February 2019, 290
- Nevsun Resources Ltd v. Araya, 2020 SCC 5, Judgment rendered on 28 February 2020 (Supreme Court of Canada), 655, 678
xxvi

Table of Cases

India

Mithu v. State of Punjab, Judgment (Criminal Appeal No 745 of 1980), 7 April 1983 (Supreme Court), 210

Ireland

Attorney General v. X [1992] 1 IR 1 (Supreme Court), 40, 462

Malawi

Kafantayeni v. Attorney General, Constitutional Case No 12 of 2005 [2007] MWHC 1 (High Court), 210

Netherlands

Mothers of Srebrenica Association and others v. The Netherlands, Judgment (Case No ECLI:NL:HR:2019:1223), 19 July 2019, 639, 640

Nuhanović v. The Netherlands, Judgment (Case ECLI:NL:HR:2013:BZ9225), 6 September 2013 (Supreme Court of the Netherlands), 639

Rwanda

Igohozo v. Prosecution [2016] 3 RLR (High Court), 266, 470

South Africa

State v. T Makwanyane and M Mchunu, [1995] CCT/5/94, ZACC3 (Constitutional Court), 209

Switzerland

Nada v. State Secretariat for Economic Affairs and Federal Department of Economic Affairs, Federal Supreme Court, No 1A 45/2007, ILDC 461, 18

Uganda


United Kingdom

Adan v. Secretary of State for the Home Department, Judgment, 6 April 1998, [1999] 1 AC 293 (HL), 603

# Table of Cases

Attorney-General’s Reference (No 3, 1994), 262

## United States

Altony Brooks v. Lieutenant Johnson and others, Judgment (Case No 17-7448), 10 May 2019 (US Court of Appeals, Fourth Circuit), 150
Anthony Piazza and other v. Jefferson County, Alabama, and Mike Hale and others, Judgment (No 18-10487), 9 May 2019 (US Court of Appeals, Eleventh Circuit), 152
Armstrong v. Village of Pinehurst, Judgment (Case No 15-1191), 11 January 2016 (US Court of Appeals, Fourth Circuit), 153, 174
Arnold v. Buck, Judgment (Case No 3:11-cv-1343 (VLB)), 2 August 2015 (US District Court for Connecticut), 175
Atkins v. Virginia, 556 US 304 (2002), Certiorari to the Supreme Court of Virginia, Case No 00-8452, 20 June 2002 (US Supreme Court), 547
Baxter v. Montana, Opinion of the Court (Case DA 09-0051), decided 31 December 2009 (Supreme Court of Montana), 286–87
Betty Lou Heston and others v. City of Salinas and others, Judgment (Case No C 05-03658 JW), 30 January 2009 (US District Court for the Northern District of California, San Jose Division), 175
Bobby James Moore v. Texas, Petition for Writ of Certiorari to the Court of Criminal Appeals of Texas, Case No 18-443, 586 US ____ (2019), 19 February 2019 (US Supreme Court), 548
Buck v. Bell, 274 US 200 (1927), decided 2 May 1927 (US Supreme Court), 274
Hall v. Florida, 572 US 701 (2014), Case No 12-10882, 27 May 2014 (US Supreme Court), 548
Jane Roe and others v. Henry Wade, District Attorney of Dallas County, 410 US 113, Decided 22 January 1973 (US Supreme Court), 267
Kiobel and others v. Royal Dutch Petroleum Co and others, Amicus Curiae of the United States supporting the Petitioners, December 2011 (US Supreme Court), 656, 685
Madison v. Alabama, Judgment (Docket No 17-7505), 27 February 2019 (US Supreme Court), 227, 563
Nestle v. John Doe I and others, Amicus Curiae of the United States, May 2020 (US Supreme Court), 657
Planned Parenthood of Southeastern Pennsylvania and others v. Robert P Casey and others, 505 US 833, Decided 29 June 1992 (US Supreme Court), 267
Presbyterian Church of Sudan and others v. Talisman Energy, Inc, 582 F3d 244 (2009) (US Court of Appeals, Second Circuit), 656
### Table of Cases

<table>
<thead>
<tr>
<th>Case</th>
<th>Volume and Citation</th>
<th>Court or Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roper v. Simmons, No 03-633</td>
<td>213, 472</td>
<td>US Supreme Court, 1 March 2005</td>
</tr>
<tr>
<td>Sherman v. Sherman</td>
<td>638</td>
<td>New Jersey Superior Court, 1999</td>
</tr>
<tr>
<td>Siderman de Blake v. Argentina</td>
<td>699</td>
<td>US Court of Appeal, Ninth Circuit, 1992</td>
</tr>
<tr>
<td>Sosa v. Alvarez-Machain</td>
<td>692</td>
<td>US Supreme Court, 2004</td>
</tr>
<tr>
<td>Summer v. Shuman</td>
<td>626</td>
<td>US Supreme Court, 1987</td>
</tr>
<tr>
<td>Tel-Oren v. Libyan Arab Republic</td>
<td>774</td>
<td>US Court of Appeals, District of Colombia, 1984</td>
</tr>
<tr>
<td>United States v. Matthew Dean Moore and Melvin Williams</td>
<td>173</td>
<td>US Court of Appeals, Fifth Circuit, 1977</td>
</tr>
<tr>
<td>United States v. Otto Ohlendorf and others</td>
<td>681</td>
<td>Trial of the Major War Criminals, Vol IV, 1947</td>
</tr>
<tr>
<td>Verizon Communications v. Law Offices of Curtis V Trinko</td>
<td>540</td>
<td>US Supreme Court, 2004</td>
</tr>
<tr>
<td>West v. Atkins</td>
<td>42</td>
<td>US Supreme Court, 1988</td>
</tr>
<tr>
<td>Wilkerson v. Utah</td>
<td>130</td>
<td>US Supreme Court, 1879</td>
</tr>
<tr>
<td>Wolf v. Rose Hill Cemetery Association</td>
<td>1007</td>
<td>Colorado Court of Appeal, 1991</td>
</tr>
</tbody>
</table>