

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA)

Plaintiff,)

v.)

SCOTT LIVELY, individually and as)

President of Abiding Truth Ministries,)

Defendant.)

Civil Action

3:12-CV-30051

EXPERT OPINION OF PROFESSOR M. CHERIF BASSIOUNI

I. Introduction

1. I have been asked by Plaintiff, Sexual Minorities Uganda, to provide an expert opinion addressing whether “Crimes Against Humanity” constitutes a category of crimes under international criminal law and is an international law norm binding upon all states, including the “persecution” of a civilian population carried out on a widespread or systematic basis. And, whether such persecution would include a civilian population on the basis of its sexual orientation and gender identity.

2. Plaintiff’s counsel made available to me the following documents, namely:

- a. “Memorandum of Law in Support of Defendant Scott Lively’s Motion to Dismiss Plaintiff’s First Amended Complaint”, and
- b. “Plaintiff’s Memorandum of Law in Opposition to Defendant’s Motion to Dismiss First Amended Complaint”
- c. “First Amended Complaint Pursuant to Fed. R. Civ. P. 15(a)(1)(B) for Crime Against Humanity of Persecution”
- d. “Memorandum and Order Regarding Defendant’s Motions to Dismiss”

3. I am providing this expert opinion and any testimony in this case on a *pro bono* basis. I will only be compensated by Plaintiff for actual expenses incurred.

4. I base my opinion about the legal status of “Crimes Against Humanity” on the basis of my knowledge, expertise and experience as a scholar studying, teaching, writing about and practicing international law for more than 50 years, and affirm, to the best of my knowledge and ability, that what follows is a true, accurate, and correct statement and interpretation of conventional and customary international law.¹



¹ “Conventional law” refers to the body of international norms contained in treaties.

II. Qualifications of Expert

5. My *Curriculum Vitae* is annexed hereto as Exhibit A.

6. I am currently Professor Emeritus of Law at DePaul University where I taught from 1964-2009. I am a founding member of the International Human Rights Law Institute at DePaul University, which was established in 1990. I am also one of the founders of the International Institute of Higher Studies in Criminal Sciences (ISISC) located in Siracusa, Italy, where I served as General-Secretary from 1972-74, Dean from 1974-88, and then as President to date. I also served as the Secretary General of the International Association of Penal Law from 1974-89 and as President for three five-year terms from 1989-2004, when I was elected Honorary President.

7. To date, I have authored 24 books and co-authored 4 more, edited 46 books, and authored 256 articles on International Criminal Law, Comparative Criminal Law, Human Rights, and U.S. Criminal Law that have been published in various law journals and books. More specifically in terms of expertise on the issue addressed in this report, I am the author of: *CRIMES AGAINST HUMANITY: HISTORICAL EVOLUTION and CONTEMPORARY APPLICATION* (Cambridge University Press 2011) and *CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW* (Martinus Nijhoff 2d ed. 1999) (1992).

8. I served as chair of the United Nations Diplomatic Conference on the Establishment of the International Criminal Court and was directly involved in the drafting of the statute's Article 7 on "Crimes Against Humanity". Previously, I was chair of the Security Council Commission to investigate war crimes in the former Yugoslavia, and in that capacity I contributed to the drafting of Article 5 of the Statute of the International Criminal Tribunal for the Former Yugoslavia on "Crimes Against Humanity".



9. Since 1975, I have been appointed to and served in 22 United Nations positions, including the following: Chair and then-member of the Commission of Inquiry for Libya (2011-12); Independent Expert on Human Rights for Afghanistan (2004-06); Independent Expert on the Rights to Restitution, Compensation, and Rehabilitation for Victims of Grave Violations of Human Rights and Fundamental Freedoms (1998-2000); Chair, Drafting Committee of the Diplomatic Conference on the Establishment of an International Criminal Court (1998); Vice-Chair of the General Assembly's Preparatory Committee on the Establishment of an International Criminal Court (1996-98); Vice-Chair of the General Assembly's *Ad Hoc* Committee on the Establishment of an International Criminal Court (1995); Chair of the Commission of Experts Established Pursuant to Security Council 780 to Investigate Violations of International Humanitarian Law in the Former Yugoslavia (1993-94) and the Commission's Special Rapporteur on Gathering and Analysis of the Facts (1992-93); Consultant to the Sixth and Seventh United Nations Congress on Crime Prevention (1983 and 1985); Consultant to the Committee on Southern African of the Commission on Human Rights (1980-81); Co-chair of the Independent Committee of Experts Drafting the Convention on the Prevention and Suppression of Torture (1978); and Honorary Vice-President at the Fifth United Nations Congress on Crime Prevention (1975).

10. My writings on International Criminal Law have been cited numerous times by the United States Supreme Court, U.S. Courts of Appeals, and Federal District courts, as well as in a number of the decisions of the world's highest courts as indicated in the attached C.V.

11. I have been qualified as an expert on questions of International Criminal Law, more particularly on extradition, in a number of U.S. District Courts as well as before foreign courts. I

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have not, however, been deposed or testified in connection with any case in a U.S. Court since 2010.

III – Opinion

A. Crimes Against Humanity Are Prohibited Under Customary and Conventional International Law and Constitute a *Jus Cogens* Norm.

12. “Crimes Against Humanity” [hereinafter referred to as “CAH”] is an established category of international crimes. As recently stated by the International Law Commission’s Report on Crimes Against Humanity, dated 12 February 2015,

The crime [CAH] is an international crime; it matters not whether the national law of the territory in which the act was committed has criminalized the conduct. The crime is directed against a civilian population and hence has a certain scale or systematic nature that generally extends beyond isolated incidents of violence or crimes committed for purely private purposes. The crime can be committed within the territory of a single State or can be committed across borders. Finally, the crime concerns the most heinous acts of violence and persecution known to humankind. A wide range of scholarship has analyzed these various elements.²

13. As is the case with almost all international crimes, there is an evolutionary course that varies from crime to crime.³ With respect to CAH, that evolution started in 1919 after the end of World War I until its universal recognition today.⁴

² Special Rapporteur on Crimes Against Humanity, *First Rep. on Crimes Against Humanity*, Int’l Law Comm’n, 67th Sess., May 4-June 5, July 6-Aug 7, 2015, U.N. Doc. A/CN.4/680 ¶ 28 (by Sean D. Murphy), [hereinafter *Murphy Report*].

³ See M. CHERIF BASSIOUNI, *INTRODUCTION TO INTERNATIONAL CRIMINAL LAW: SECOND REVISED EDITION* 137-45 (2d ed. 2013). (describing the evolution of 27 categories of international crimes).

⁴ See M. CHERIF BASSIOUNI, *CRIMES AGAINST HUMANITY: HISTORICAL EVOLUTION AND CONTEMPORARY APPLICATION* 88-358 (2011).



14. The prohibition of CAH is evidenced in its inclusion in conventions and treaties and other instruments of international criminal law, judicial decisions rendered by international tribunals applying those instruments as well as by national courts applying domestic and international law.⁵ CAH has also been included in the statutes of international criminal tribunals established by the Security Council as well as by agreement between the United Nations and a number of states, namely the mixed-model tribunals. The statutes of these tribunals that have included CAH have done so on the basis that this crime is recognized in customary international law. In addition, national legislation has also included CAH as a crime under domestic criminal law. The combination of conventional, customary and state practice as well as the writing of the “Most Distinguished Publicists” (Article 38, Statute of the International Court of Justice, attached to the U.N. Charter) evidences the principle that CAH has risen to the level of *jus cogens*. Consequently, its prohibition is a peremptory and non-derogable norm of international law.⁶

15. In conventional international law, CAH has been defined as an international crime in all the statutes that have established international criminal tribunals, namely: the International

⁵ Article 38 of the Statute of the International Court of Justice is the authoritative statement on the sources of international law and directs reference to: (a) international conventions, whether general or particular, establishing rules expressly recognized by contesting states; (b) international custom, as evidence of a general practice accepted as law; (c) the general principles of law recognized by civilized nations; (d) judicial decisions and the teachings of the most highly qualified publicists of the various nations, as a subsidiary means for the determination of the rules of law. Statute of the International Court of Justice art. 38, ¶ 1, April 18, 1946. Similarly, the Restatement instructs that to determine “whether a rule has become international law, substantial weight” be accorded to:

- (a) judgments and opinions of international judicial and arbitral tribunals;
- (b) judgments and opinions of national judicial tribunals;
- (c) the writings of scholars;
- (d) pronouncements by states that undertake to state a rule of international law, when such pronouncements are not seriously challenged by other states.

RESTATEMENT (THIRD) OF FOREIGN RELATIONS LAW OF THE UNITED STATES § 103(2).

⁶ See BASSIOUNI, *supra* note 3, at 236. See also, RESTATEMENT (THIRD) OF FOREIGN RELATIONS LAW OF THE UNITED STATES § 102, cmt. k; Vienna Convention on the Law of Treaties art. 53, with annex, May 23, 1969, 1155 U.N.T.S. 331.



Military Tribunal (IMT)(Nuremberg),⁷ the International Military Tribunal in the Far East (IMTFE)(Tokyo),⁸ the International Criminal Tribunal for the Former Yugoslavia (ICTY),⁹ the International Criminal Tribunal for Rwanda (ICTR),¹⁰ and the International Criminal Court (ICC);¹¹ and the mixed model tribunals of: The Kosovo War and Ethnic Crimes Court (KWECC),¹² the Special Court for Sierra Leone (SCSL),¹³ the Special Panels of the Dili District Court (East Timor Tribunal),¹⁴ the War Crimes Chamber in Bosnia and Herzegovina (WCC)¹⁵ and the Extraordinary Chambers in the Courts of Cambodia (ECCC).¹⁶

16. Further evidence of this norm can be found in the number of States incorporating CAH into their domestic legislation or where national courts have applied the international law of CAH in domestic proceedings. As of October 18, 2015, there are 123 State Parties to the Rome Statute of the International Criminal Court.¹⁷ The Rome Statute identifies CAH as an

⁷ Charter of the International Military Tribunal – Annex to the Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis art. 6(c), Aug. 8, 1945 [hereinafter London Agreement], in *THE LAWS OF ARMED CONFLICTS* 915 (D. Schindler & J. Torman eds., 1988).

⁸ Charter for the International Military Tribunal for the Far East art. 5(c), Apr. 26, 1946, T.I.A.S. No. 1589.

⁹ Statute of the International Criminal Tribunal for the Former Yugoslavia art. 3, S.C. Res 827, U.N. Doc S/RES/827 (May 25, 1993).

¹⁰ Statute of the International Tribunal for Rwanda art. 5, S.C. Res 955, U.N. Doc. S/RES/955 (Nov. 8, 1994).

¹¹ Rome Statute of the International Criminal Court, art. 7, July 17, 1998, 2187 U.N.T.S. 3.

¹² Provisional Criminal Code of Kosovo of 6 July 2003 art. 117(1)(8), U.N. Doc UNMIK/REG/2003/25.

¹³ Statute for the Special Court of Sierra Leone art. 2, Jan 16, 2002, 2178 U.N.T.S. 137, 145.

¹⁴ Regulation No. 1999/1 on the Authority of the Transitional Administration in East Timor § 2, U.N. Doc. UNTAET/REG/1999/1 (1999) (on the applicability and observance of internationally recognized standards).

¹⁵ Constitution of the Federation of Bosnia and Herzegovina Art. II, §§ 2-4, which the War Crimes Chamber, as part of the Court of Bosnia and Herzegovina, is based upon (*see* Bogdan Ivanišević, *The War Crimes Chamber in Bosnia and Herzegovina: From Hybrid to Domestic Court*, INTERNATIONAL CENTER FOR TRANSNATIONAL JUSTICE 30 (2008)).

¹⁶ G.A. Res. 57/228, Art. 9, U.N. Doc. A/RES/57/228 B (May 22, 2003).

¹⁷ The International Criminal Court (“ICC”) was established in 2002 upon entry into force of the Rome Statute, its founding statute, which provides the court with jurisdiction over genocide, war crimes and crimes against humanity. Rome Statute, *supra* note 11. Ratification status can be found on the website of the ICC: *The States Parties to the Rome Statute*, INTERNATIONAL CRIMINAL COURT, http://www.icc-cpi.int/en_menus/asp/states%20parties/Pages/the%20states%20parties%20to%20the%20rome%20statute.aspx (last visited Nov. 1, 2015).



international crime subject to its jurisdiction. These State Parties have undertaken the affirmative obligation to prosecute persons within their territory who have committed such crimes or to surrender them to the ICC for prosecution. This obligation exists irrespective of whether a given State Party has enacted specific national legislation to define CAH, which is defined in Article 7 of the ICC Statute. A State Party may therefore prosecute or extradite a person to the ICC to stand trial for CAH on the basis of Article 7 or on the basis of any specialized national legislation.¹⁸

17. Non-State Parties can rely on Art. 12(3) of the ICC statute to refer a “situation” to the ICC in reliance upon the definition of CAH contained in art. 7. Furthermore, non-State Parties to the ICC that have included CAH as part of their national legislation, as well as those which have not specifically included a crime in their national legislation under the rubric of “Crimes Against Humanity,” can also prosecute on the basis of provisions within their national criminal law that apply to the specifics of the conduct which falls within the meaning of CAH.¹⁹

18. A threshold element of CAH is that the acts be committed in the context or as part of a widespread or systematic attack against a civilian population. There is no requirement in international law that there be a nexus between the crimes and an armed conflict and, further, the “attack” against a civilian population, as referenced in the threshold of CAH, need not be a military or armed attack.²⁰ In addition, the threshold requirement of “widespread or systematic” is disjunctive; the crime occurs if an attack is either widespread or systematic.²¹

¹⁸ See WILLIAM SCHABAS, THE INTERNATIONAL CRIMINAL COURT: A COMMENTARY ON THE ROME STATUTE art. 7, 137-87 (2010); I M. CHERIF BASSIOUNI, THE LEGISLATIVE HISTORY OF THE INTERNATIONAL CRIMINAL COURT: INTRODUCTION, ANALYSIS AND INTEGRATED TEXT art. 7, 206-15 (2005).

¹⁹ See *Regina v. Finta*, [1994] S.C.R. 701, 709-710 (Can.) (in which the Supreme Court of Canada found that “Crimes Against Humanity” existed in customary international law even before it was so defined in Article 6(c) of the Charter of the IMT).

²⁰ See *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Opinion and Judgment, ¶ 581 (Sept. 2, 1998) (“attack” may be “non-violent in nature, like imposing a system of apartheid . . . or exerting pressure on the population to act in a particular manner”).



19. Courts in the United States have recognized the prohibition of crimes against humanity as a clearly defined and widely accepted norm actionable under the Alien Tort Statute, 28 U.S.C. § 1350 (“ATS”). See e.g., *Sosa v. Alvarez-Machain*, 542 U.S. 692, 762 (2004) (Breyer, J., concurring) (crimes against humanity included in a subset of gross human rights offenses about which there is substantive and procedural agreement in international law); *In re Chiquita Brands Int’l, Inc.*, 792 F. Supp. 2d 1301, 1334 (S.D. Fla. 2011) (crimes against humanity actionable under the ATS); *Cabello v. Fernandez-Larios*, 402 F.3d 1148, 1154 (11th Cir. 2005) (crimes against humanity part of “United States and international law long before [defendant’s] alleged actions”); *Mehinovic v. Vuckovic*, 198 F. Supp. 2d 1322, 1344, 1352-54 (N.D. Ga. 2002) (crimes against humanity have been recognized as a violation of customary international law since the Nuremberg trials and are actionable under the ATS).

B. Persecution Has Long Been Recognized as Crime Against Humanity.

20. The definitions of CAH in these sources of conventional international law (i.e. treaty-based law) vary in some respects, but they all include “persecution” of a given group of persons from within the civilian population, based on a state policy reflected in a widespread or systematic conduct which is directed against members of that group, for purposes of infliction of harm upon them. The forms of persecution and the types of harm are not specified in these statutes, no more than they are in any national legislation which criminalizes the infliction of harmful conduct by one person against another. The reasons for the persecution, the motives of those engaged in it, or the means employed, are not defined in international criminal law nor in national criminal legislation, because the jurisprudence of courts is relied upon to recognize or identify the means employed that are designed to achieve the intended or anticipated harmful

²¹ *Murphy Report*, *supra* note 2 at 125, *et seq.*



results that ensue. Indeed, there is no legislation that describes all the means likely to be conjured by nefarious human imagination to produce harm to others.

21. It is conclusively established in CAH jurisprudence that persecution against a group of persons or a segment of the population so targeted, for whatever reason the perpetrator may have conjured up and acted upon, in a widespread or systematic manner, falls within the meaning of CAH.

22. The question arises, in this case, as to whether the targeting for criminal prosecution and other deprivations of fundamental rights of persons on the basis of sexual orientation or gender identity (those who do not strictly fall in a heterosexual or gender-conforming category) constitutes persecution of that group of persons. The answer is that sexual orientation and gender identity is considered a group status under the foregoing international law sources, such that members of this group are protected from persecution based on this status. The reasons are: First, this is a distinct group within a civilian population. Second, singling out this group and withdrawing legal rights and protections from them, subjecting them to criminal prosecution and imprisonment based on their status or identity constitutes physical and psychological harm brought upon them. Third, when such conduct is embodied in law it is carried out on both a widespread and systematic basis.

23. The persecutions in these types of cases are based on the status of the person, whether that status is inherent, perceived, genetically predisposed or otherwise. To criminalize a person or group of persons for being other than heterosexual is a form of status criminality, which is rejected in national legal systems. As an illustration, in the United States, this principle has been applied to laws targeting and discriminating against persons on this basis. *See Lawrence v. Texas*, 539 U.S. 558, 567, 574-75 (2003) (striking down law criminalizing same-sex sexual

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conduct that is “within the liberty of persons to choose without being punished as criminals”); *See also id.* at 583 (O’Connor, J., concurring) (conduct targeted by the law was “closely correlated with being a homosexual” and was thus “directed toward gay persons as a class”); *see also Romer v. Evans*, 517 U.S. 620 (1996) (holding as unconstitutional violation of the equal protection clause an ordinance which withdrew legal protections from persons based on their sexual orientation); *Obergefell v. Hodges*, 576 U.S. ___ (2015) (holding that states cannot deny same sex couples the fundamental right to marry).

24. The definitions of persecution in the jurisprudence of the international tribunals and conventional law vary, but they all contain essential elements requiring intentional discrimination that infringes upon the fundamental rights of a group or individuals because of their real or perceived membership in that group. One definition that has been consistently applied in the jurisprudence requires an act or omission that (1) discriminates in fact and which denies or infringes upon a fundamental right as provided in international customary or treaty law and (2) was carried out deliberately with the intention to discriminate. This definition was applied by the ICTY in *Prosecutor v. Krnojelac*, Case No. IT-97-25-T, Judgment, ¶ 431 (Mar. 15, 2002), and accepted by the Appeals Chamber at the ICTR in *Nahimana v. Prosecutor*, Case No. ICTR-99-52-A, Appeals Judgment, ¶ 985 (Nov. 28, 2007), though in both cases the tribunals were limited to prohibited grounds of persecution provided for in their respective statutes. The Rome Statute is essentially a more specific articulation of these basic elements.²²

25. A number of other international conventions have specifically prohibited discrimination based on sex or other status.²³ International organizations and treaty bodies interpreting and

²² Art. 7(2) of the Rome Statute, *supra* note 11, defines persecution as “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity.”

²³ Universal Declaration of Human Rights, G.A. Res. 217 (III) A, arts. 2 & 7, U.N. Doc. A/RES/217(III) (Dec. 10, 1948); Organisation of African Unity, African (Banjul) Charter on Human and Peoples’ Rights, arts. 2 & 3, OAU



applying these conventions have addressed prohibition of discrimination in various contexts, involving various human endeavors such as employment, as well as other activities engaged by persons whose status may be used to prevent them from enjoying the same rights and privileges that the law offers others. The African Commission on Human and Peoples' Rights issued a resolution in 2014 condemning the "increasing incidence of violence and other human rights violations, including murder, rape, assault, arbitrary imprisonment and other forms of persecution of persons on the basis of their imputed or real sexual orientation or gender identity," and noted the prohibition of discrimination and the right to equal protection of the law set out in the African (Banjul) Charter of Human and Peoples' Rights in doing so.²⁴ The Inter-American Court of Human Rights has held that art. 1(1) of the American Convention on Human Rights prohibits discrimination, including on the basis of "categories such as sexual orientation, which cannot be used as grounds for denying or restricting any of the rights established in the Convention".²⁵ The Human Rights Committee, the treaty body created by and to oversee implementation of the International Covenant on Civil and Political Rights, has observed that sexual orientation is a prohibited basis of discrimination as a form of sex discrimination under arts. 2(1) and 26.²⁶

Doc. CAB/LEG/67/3 rev. 5; Council of Europe, *European Convention on Human Rights and Fundamental Freedoms*, art. 14., ETS no. 177 (Nov. 4, 1950); International Covenant on Civil and Political Rights arts. 14 & 26, Dec. 19, 1966, 999 U.N.T.S. 171; American Convention on Human Rights arts. 1 & 24, Nov. 22, 1969, O.A.S.T.S. No. 36, 1144 U.N.T.S. 123.

²⁴ African Commission on Human and Peoples' Rights, *Res 275: Resolution on the Protection against Violence and other Human Rights Violations against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity*, May 12, 2014.

²⁵ *Atala Riffo & Daughters v. Chile*, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 12.502, ¶ 93 (Feb. 24, 2012). The General Assembly of the Organization of American States has also passed a number of resolutions condemning discrimination on the basis of sexual orientation and gender identity and has relied on the prohibition against discrimination set out in the Universal Declaration of Human Rights and the American Declaration on the Rights and Duties of Man in doing so. *See e.g.*, Human rights, sexual orientation and gender identity, AG/RES. 2435 (XXXVIII-O/08) (June 3, 2008).

²⁶ *Toonen v. Australia*, Communication No. 488/1992, ¶ 8.7, Human Rights Comm., U.N. Doc. CCPR/C/50/D/488/199,(Apr. 4, 1992) (domestic law criminalizing same-sex sexual conduct amounted to a violation

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26. To identify which fundamental rights deprivations are to be considered in evaluating the incidence of persecution, the tribunals have referred to the Universal Declaration of Human Rights (“UDHR”), the International Covenant on Civil and Political Rights (“ICCPR”) and the International Covenant on Economic, Social and Cultural Rights (“ICESCR”). *See, e.g., Prosecutor v. Kupreskic*, Case No. IT-95-16-T, Judgment, ¶ 621 (Jan. 14, 2000). Collectively these three treaties are referred to by some as the “international bill of rights.” They enshrine the rights to equality and non-discrimination (UDHR, arts. 2, 7; ICCPR, art. 2; ICESCR, art. 2,), the rights to freedom of expression (UDHR, art. 19; ICCPR, art. 19), peaceful assembly and association (UDHR, art. 20; ICCPR, arts. 21-22), privacy (UDHR, art. 12; ICCPR, art. 17) and to be free from arbitrary arrest and detention (UDHR, art. 9; ICCPR, art. 9) and cruel, inhuman and degrading treatment (UDHR, art. 5; ICCPR, art. 7), among others. These rights are widely accepted norms of customary international law.²⁷ While these rights are interdependent, the rights to expression, peaceful assembly and association, in particular, are essential to permit individuals to protect, vindicate, and advance other basic international human rights. *See Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, arts. 5, 12, G.A. Res.53/144, annex, 53 U.N. GAOR Supp., U.N. Doc. U.N. Doc. A/RES/53/144 (1999). As such, deprivations of these fundamental rights from a targeted group can constitute persecution.

IV - Conclusion

Based on the above, I conclude the following:

of the prohibition of arbitrary or unlawful interference with privacy, family, home or correspondence and unlawful attacks on honor and reputation, under art. 17 of the International Covenant on Civil and Political Rights as well as equal protection).

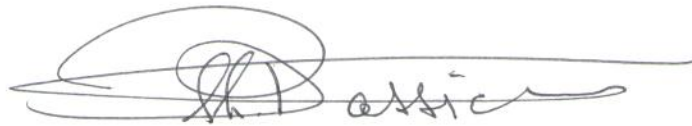
²⁷ *See also*, African (Banjul) Charter on Human and Peoples’ Rights, *supra* note 23, arts. 2-3, 5, 6, 9-11, 19, 1520; Inter-American Commission on Human Rights, American Declaration of the Rights and Duties of Man, arts. 2, 4, 5, 21-22, 25 (May 2, 1958); *European Convention for the Protection of Human Rights and Fundamental Freedoms*, *supra* note 22, arts. 3, 8, 10-11, 14.



27. “Crimes Against Humanity” is a category of international crimes prohibited under conventional and customary international law. It is binding upon all states in that it constitutes part of a peremptory norm of international law and is therefore *jus cogens*. Persecution is a long-recognized crime against humanity, and is thus equally recognized as an international law violation that is clearly defined and widely accepted.

28. The identification of human beings based upon their sexual orientation or gender identity for discriminatory purposes with consequences of criminal prosecution and incarceration or other deprivations of fundamental rights, falls within the meaning of “persecution” of that group, as their identification as such is a form of criminalizing the status of such persons.

Dated: November 2, 2015

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M. Cherif Bassiouni

Exhibit A

CURRICULUM VITAE

OF

M. CHERIF BASSIOUNI

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ACADEMIC POSITIONS

DePaul University, College of Law Distinguished Research Professor of Law, Emeritus (2009 to date)

- Distinguished Research Professor of Law (2002 to 2009)
- Professor of Law (1964 to 2002)

International Human Rights Law Institute, DePaul University

- President Emeritus (2008 to date)
- President (1990 to 2008)

International Institute of Higher Studies in Criminal Sciences, Siracusa, Italy

- President (1988 to date)
- Dean (1974 to 1988)
- Secretary-General (1972 to 1974)

University of Cairo, Faculty of Law

- Non-resident Professor of Criminal Law (1997 to 2007)
- Visiting Professor of Criminal Law (1982)

Woodrow Wilson International Center for Scholars, Washington, D.C.

- Guest Scholar (1971-72)

New York University, School of Law

- Visiting Professor of Law and Acting Director, LL.M. Criminal Justice Program (1971)

University of Freiburg, Germany

- Fulbright-Hays Visiting Professor of International Criminal Law (1970)

UNITED NATIONS APPOINTMENTS

1. Chair, and then member of the United Nations OHCHR Commission of Inquiry for Libya (2011); Advance Unedited Version Report of the International Commission of Inquiry to Investigate all Alleged Violations of International Human Rights Law in the Libyan Arab Jamahiriya, (1 June 2011) U.N. HRC A/HRC/17/44; Advance Unedited Version Report of the International Commission of Inquiry on Libya, (8 March 2012) U.N. HRC A/HRC/19/68.
2. Independent Expert on Human Rights, on Human Rights for Afghanistan (2004 to 2006); Report of the Independent Expert of the Commission on Human Rights on the Situation of Human Rights in Afghanistan (21 September 2004) U.N. Doc. A/59/370; Report of Cherif Bassiouni, Independent Expert on the Situation of Human Rights in Afghanistan (11 March 2005) U.N. Doc. E/CN.4/2005/122.
3. Independent Expert on the Rights to Restitution, Compensation and Rehabilitation for Victims of Grave Violations of Human Rights and Fundamental Freedoms (1998 - 2000), *The Right to Restitution, Compensation, and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms* (18 January 2000) U.N. Doc. E/CN.4/2000/62; *The Basic Principles and Guidelines on the Rights to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law* (13 April 2005) U.N. Doc. E/CN.4/2005/L.48.
4. Consultant to the Special Representative of the Secretary General of the United Nations for the Western Sahara (1998 - 1999) (drafted rules on voter registration).
5. Chairman, Drafting Committee of the United Nations Diplomatic Conference on the Establishment of an International Criminal Court (1998); *Rome Statute of the International Criminal Court* (17 July 1998) U.N. Doc. A/Conf.183/9.
6. Vice-Chair, United Nations Preparatory Committee on the Establishment of an International Criminal Court (1996 - 1998); *Report of the Preparatory Committee on the Establishment of an International Criminal Court, Addendum* (14 April 1998) A/Conf.183/2/Add.1 (1998).
7. Vice-Chair, General Assembly's *Ad Hoc* Committee on the Establishment of a Permanent Criminal Court (April, August 1995); *Summary of the Proceedings of the Preparatory Committee During the Period of 25 March – 12 April 1996*, (7 May 1996) A/AC.249/1.
8. Chair, Commission of Experts Established Pursuant to Security Council Resolution 780 to Investigate Violations of International Humanitarian Law in the Former Yugoslavia (1993-1994); Member and Special Rapporteur on the Gathering and Analysis of Facts (1992-1993). *Final Report of the Commission of Experts Established pursuant to Security Council Resolution 780 (1992)*, (27 May 1994) U.N. Doc. S/1994/674; *Annexes to the Final Report*, U.N. Doc. S/1994/674/Add.2 (1994).
9. Co-chair, Committee of Experts on the Transfer of Enforcement of Penal Sanctions (1991); see report submitted to the United Nations Committee on Crime Prevention and Criminal Justice, U.N. Doc. E/CN.15/1992/4/Add.3 (1992).
10. Consultant to the Crime Prevention and Criminal Justice Branch for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Havana 1990).
11. Chairman, Drafting Committee, Interregional Preparatory Meeting of Experts, Ottawa,

- Canada, July 1984, on *The Victims of Crimes*, Topic III, of the Seventh United Nations Congress on the Prevention of Crime and Treatment of Offenders (Milan 1985).
12. Consultant to the Crime Prevention Branch (1985). Chaired Working Group of Experts on International Norms and Standards in International Criminal Law; and Committee on Crime Prevention and Criminal Justice in the Context of Development: Challenges for the Future, (1983), in preparation of the Seventh United Nations Congress on Crime Prevention and Treatment of Offenders, (Milan 1985). Also prepared a report on *Criminal Law: Crime Prevention and Criminal Justice in the Context of Development: Challenges for the Future* for the Seventh United Nations Congress on the Prevention of Crime and Treatment of Offenders (Milan 1985).
 13. Consultant to the Seventh United Nations Congress on Crime Prevention and the Treatment of Offenders (Milan 1985); *International Cooperation in Penal Matters for the Prevention and Suppression of Transnational Criminality*.
 14. Co-chair, Committee of Experts on the *Transfer of Criminal Proceedings* (1985); see report submitted to the United Nations Crime Prevention and Criminal Justice Branch.
 15. Co-chair, Committee of Experts on the *Derogation and Limitation Provision in the International Covenant on Civil and Political Rights* (1984); see report submitted to the United Nations Sub-Committee on the Prevention of Discrimination and Protection of Minorities, U.N. Doc. E/CN4/1981/4 (1984).
 16. Co-chair, Committee of Experts on the *Independence of the Judiciary and the Independence of the Legal Profession* (1981); see reports submitted to the United Nations Sub-Committee on the Prevention of Discrimination and Protection of Minorities, U.N. Doc. 4/CN4/Sub.2/481/Add.1 (1981).
 17. Consultant to the United Nations Commission on Human Rights, Ad Hoc Working Group of Experts on Southern Africa in 1980-81; Draft Statute for the Creation of an International Criminal Jurisdiction to Implement the International Convention on the Suppression and Punishment of the Crime of Apartheid Convention, U.N. Doc. E/CN4/1426 (1980).
 18. Co-chair, Committee of Experts on the *Protection of Rights of Persons Suffering from Mental Disorders* (1979); see report submitted to the United Nations Sub-Committee on the Prevention of Discrimination and Protection of Minorities, U.N. Doc. E/CN4/Sub.2/NGO 81 (1980).
 19. Co-chair, Committee of Experts on the *International Control of Human Experimentation* (1979); see report submitted to the United Nations Sub-Committee on the Prevention of Discrimination and Protection of Minorities, U.N. Doc. E/CN4/Sub.2/1984/L21 (1984).
 20. Co-chair, the Committee of Experts on the *Draft Convention on the Prevention and Suppression of Torture*, submitted to the United Nations Sub-Committee on the Prevention of Discrimination and Protection of Minorities; *The Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment* U.N. Doc. E/CN4/NGO/213 (1978). The 1984 *Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment* was substantially based upon the draft referred to above.
 21. Consultant to the Crime Prevention Branch (1976). *The Implementation of the United Nations Standard Minimum Rules for the Treatment of Offenders* (10 July 1980) U.N. Doc.A/Conf.87/11. Adopted by the General Assembly.
 22. Consultant to the Fifth United Nations Congress on Crime Prevention and the Treatment

of Offenders (Geneva 1975). Report for the Secretariat on *International Terrorism*. Elected Honorary Vice-President of the Congress.

GOVERNMENTAL APPOINTMENTS

1. Chair, Bahrain Independent Commission of Inquiry, established by Royal Order No. 28 of 2011, issued by His Majesty, Hamad bin Isa Al Khalifa of the Kingdom of Bahrain, 29 June 2011; Report of the Bahrain Independent Commission of Inquiry available at www.bici.org.bh (2011).

UNITED STATES GOVERNMENT CONSULTANCIES

1. Consultant to the Department of State, Future of Iraq Working Group on Justice (2002-2003).
2. Consultant to USIA and AID on Human Rights and Governance and Democracy projects in the Arab World (1991-1992).
3. Consultant to the Department of State on Islamic Law Aspects Relating to the Iranian Hostage-Taking of U.S. Diplomats 1979-80 (Report partially published).
4. Directed a project on *Terrorism Law Enforcement and the Mass Media*, for the Department of Justice, 1979-80 (Published report).
5. Consultant to a project at the American Society of International Law, 1976-77 on *Legal Aspects of Terrorism*, funded by the Department of State, Department of Justice (Unpublished report).
6. Consultant, National Task Force on Private Security, Department of Justice, 1976 on the *Law of Citizen's Arrest* in the United States (Unpublished report).
7. Directed a project for World Peace Through Law on *International Control of Drugs*, 1972-73 funded by the Department of Justice, Bureau of Narcotics and Dangerous Drugs and compiled the national laws on narcotics and dangerous drugs from 103 countries (Unpublished report).

TESTIMONY BEFORE THE UNITED STATES CONGRESS

1. Testimony before the House Committee on Foreign Relations regarding Human Rights Violations committed by the Assad regime in Syria (31 July 2014).
2. Testimony before the Tom Lantos Human Rights Commission in the House of Representatives regarding Bahrain (18 April 2012).
3. Testimony before the Joint Senate Intelligence and Foreign Relations Committee regarding War Crimes committed in the Former Yugoslavia (9 August 1995).
4. Witness before the Joint Congressional Commission for Security and Cooperation in Europe regarding War Crimes and Genocide in Bosnia (4 April 1995).
5. Witness before the Senate Committee on Foreign Relations regarding the Establishment of an International Criminal Court (12 May 1993, Statement published in record of Hearings).
6. Witness before the Judiciary Subcommittee of the House Committee on International Affairs regarding the Establishment of an International Criminal Court (13 March 1991, Statement published in record of Hearings).
7. Witness before the Senate Committee on Foreign Relations regarding the Ratification of the United Nations Comprehensive Drug Convention of 1988 (2 August 1989, Statement published in record of Hearings).
8. Witness before the Senate Committee on Foreign Relations regarding the U.S.-U.K. Supplemental Extradition Treaty (18 September 1985, Statement published in record of Hearings).
9. Witness before the Crime Subcommittee of the House Judiciary Committee regarding Extradition (28 April 1983 & 5 May 1983, Statement published in record of Hearings).
10. Witness before the House Committee on Foreign Affairs regarding Extradition Reform Legislation (27 July 1982, Statement published in record of Hearings).
11. Witness before the House Judiciary Committee regarding Extradition Reform Legislation (4 March 1982, Statement published in record of Hearings).
12. Witness before the Crime Subcommittee of the House Judiciary Committee regarding Extradition Reform Legislation (3 February 1982, Statement published in record of Hearings).
13. Witness before the Senate Judiciary Committee regarding Extradition Reform Legislation (14 October 1981, Statement published in record of Hearings).
14. Witness before the Immigration, Citizenship and International Law Subcommittee of the House Judiciary Committee regarding the Transfer of Prisoners (5 October 1977, Statement published in record of Hearings).
15. Witness before the Penitentiaries Subcommittee of the Senate Judiciary Committee regarding Treaties on the Transfer of Prisoners and the U.S. Implementing Legislation (16 July 1977, Statement published in record of Hearings).
16. Witness before the Senate Committee on Foreign Relations regarding the Middle East (15 June 1977, Statement published in record of Hearings).
17. Witness before the Senate Committee on Foreign Relations regarding the Middle East (23 July 1975, Statement published in record of Hearings).
18. Witness before the International Organizations and Movements Subcommittee of the House Committee on Foreign Affairs regarding the Middle East (4 April 1974, Statement published in record of Hearings).

HONORARY DEGREES

1. *Doctor of Humane Letters, Honoris Causa*, DePaul University, Chicago, Illinois, USA, 2015
2. *Doctor of Law, Honoris Causa*, University of Salzburg, Austria, 2013
3. *Doctor of Law, Honoris Causa*, University of Tirana, Albania, 2013
4. *Doctor of Law, Honoris Causa*, University of Ghent, Belgium, 2010
5. *Doctor of Law, Honoris Causa*, Case Western Reserve University, Cleveland, Ohio, USA, 2010
6. *Doctor of Humane Letters, Honoris Causa*, Catholic Theological Union, Chicago, Illinois, USA, 2009
7. *Doctor of Law, Honoris Causa*, National University of Ireland, Galway, 2001
8. *Doctor of Law, Honoris Causa*, Niagara University, New York, New York, USA, 1997
9. Docteur d'Etat en Droit, Honoris Causa, University of Pau, France, 1988
10. Dottore in Giurisprudenza, Honoris Causa, University of Torino, Italy, 1981

MEDALS

Austria

1. Order of Merit of the Republic, Rank of Grand Cross (1990)

Croatia

2. Order of Duke Branimir with ribbon (2013)

Egypt

3. Order of Sciences (First Class) (1984)

Military Ribbons

4. Order of Military Valor, (Sinai Campaign) (1956)
5. Order of the Revolution (1956)
6. Order of Independence (1956)
7. Order of Evacuation (1956)

France

8. Legion d'Honneur (Officier) (2003)
9. Palmes Academique (Commander) (2006)

Germany

10. Grand Cross of the Order of Merit (Commander) (2003)

Italy

11. Order of Merit of the Republic, Rank of Cavaliere di Gran Croce (2006)
12. Order of Merit of the Republic, Rank of Grand'Ufficiale (1977)
13. Order of Merit of the Republic, Rank of Commendatore (1976)

United States

14. Order of Lincoln of Illinois (2001)

MAJOR AWARDS

1. Nominated for the Nobel Peace Prize (1999)
2. American Society of International Law, Goler T. Butcher Medal, Washington, DC (2014)
3. International Bar Association, International Legal Assistance Consortium & Swedish Bar Association, Stockholm Human Rights Award (2013)
4. Columbia University Law School Journal of Transnational Law, Wolfgang Friedmann Memorial Award (2012)
5. Lincoln Award, West Suburban Bar Association (2012)
6. The Hague Prize for International Law, the Hague, Netherlands (2007)
7. International Society of Social Defense, Cesare Beccaria Justice Award Medal, Madrid, Spain (2007)
8. Commission de Derechos Humanos del Estado de Mexico (2006)
9. International Association of Penal Law, The V.V. Pella, Champion of International Criminal Justice Award, Paris, France (1999)
10. Parliamentarians for Global Action, Defender of Democracy Award, New York, NY (1998)
11. United Nations Association, Adlai E. Stevenson Award, New York, NY (1993)
12. Council of Europe Medal, Strasbourg, France (1992)
13. Secretary-General of the Council of Europe Award, Strasbourg, France (1984)

ACADEMIC AWARDS

1. Bradford O'Neill Medallion for Social Justice, Dominican University, Chicago IL (2011)
2. George Washington University Distinguished Alumni Scholar Award, Washington DC (2010-2011)
3. Washington University School of Law, World Peace Through Law Award, St. Louis, MO (2010)
4. NATO School, Outstanding Support Medal, Oberammergau, Germany, (2009)
5. Baghdad University Faculty of Law, Centennial Medal, Baghdad, Iraq (2008)
6. University of Rome, Silvia Sandano International Academic Prize, Rome, Italy (2008)
7. United States Judge Advocate General's United Nations Peace Operations & the Law Symposium, Certificate of Appreciation, New York, New York (2008)
8. United States Judge Advocate General's Air National Guard Council, Coin (2007)
9. United States Judge Advocate General's Corps, United States Air Force, Coin (2007)
10. Case Western University School of Law, Recognition Award, Cleveland, OH (2006)

11. Command and General Staff School, Award, Cairo, Egypt (2006)
12. University of Palermo, Faculty of Law Medal, Palermo, Italy (2006)
13. United States Department of Homeland Security, Office of Legal Advisor, Award, Washington DC (2006)
14. Washington University School of Law, Public Interest Law, Appreciation Award, St. Louis, MO (2006-2007)
15. Fulbright Association Chicago Chapter, Certificate of Appreciation, Chicago, IL (2005)
16. American Society of International Law, Certificate of Merit for International Criminal Law, Washington DC (2004)
17. Case Western University School of Law, Frederick K. Cox International Law Center, Appreciation Award, Cleveland, OH (2004)
18. Dubai Police Academy, International Recognition Award, United Arab Emirates (2004)
19. East-West University of Chicago, Chancellor's Award for Excellence, Chicago, IL (2004)
20. United States Judge Advocate General, Certificate of Appreciation, Charlottesville, Virginia (2004)
21. Cairo Arab Book Fair, Best Book in Arabic Award, Cairo, Egypt (2003)
22. Case Western Reserve University School of Law Frederick K. Cox International Law Center, Appreciation Award, Cleveland, OH (2003)
23. Military Academy of Egypt, Appreciation Award, Cairo, Egypt (2003)
24. International Bar Association's Task Force on International Terrorism, Honor, London, UK (2002)
25. University of Cincinnati School of Law, William Butler Medal, Cincinnati, OH (2001)
26. Indiana University School of Law at Indianapolis, Distinguished Alumni Service Award, Indianapolis, IN (2000)
27. Indiana University School of Law, International Human Rights Law, Certificate of Recognition and Appreciation for Human Rights Work, Indianapolis, IN (2000)
28. The John Marshall Law School, Lifetime Achievement Award, Chicago, IL (1999)
29. Nasser Academy for Military Sciences, Appreciation Award, Cairo, Egypt (1999)
30. University of El-Mansour, Faculty of Law, Appreciation Award, Egypt (1996)
31. Tel Aviv University Medal, Tel Aviv, Israel (1993)
32. Arab Republic of Egypt Command and General Staff College Medal, Cairo, Egypt (1990)
33. Arab Republic of Egypt, National Center for Judicial Studies Medal, Cairo, Egypt (1989)
34. The Police Academy of Egypt, Appreciation Award, Cairo, Egypt (1989)
35. The University of Cairo Medal, Cairo, Egypt (1989)
36. Helsinki University Medal, Helsinki, Finland (1988)
37. Arab Republic of Egypt, Graduate Center of Police Studies, Egypt, Appreciation Award, Cairo, Egypt (1987)
38. United Nations African Center for Crime Prevention Research Medal (1984)

PUBLIC AND CIVIC AWARDS

1. Johns Hopkins University, SAIS, The Protection Project, Human Rights Award (2010)
2. American Women for International Understanding, Appreciation Award, Chicago, IL (2010)
3. Council on American-Islamic Relations of Chicago, Muslim Achievement Award, Chicago, IL (2010)
4. Council on American-Islamic Relations of Southern California, Peace and Justice Award, Los Angeles, CA (2010)
5. Ministry of Foreign Affairs of Bosnia-Herzegovina, Appreciation Award, Sarajevo, Bosnia (2009)
6. United States of America Department of State, Public-Private Partnership for Justice Reform in Afghanistan Medal, Washington DC (2008)
7. The City Council of Chicago, Commendation Resolution, Chicago, IL (2007)
8. National Arab-American Medical Association, Illinois Chapter, Recognition Award, Chicago, IL (2006)
9. Texas Dawah Convention, Highest Honor for Contributions to Society, Texas (2006)
10. Chicago Legal Clinic, Cardinal Bernardin Award, Chicago, IL (2005)
11. Chicago Muslim Bar Association, Lifetime Achievement Award, Chicago, IL (2005)
12. China Law Society, Award, Beijing, China (2005)
13. Arab-American Business and Professional Association, Humanitarian Award, Chicago, IL (2004)
14. International Association of Penal Law, American National Section, Book of the Year Award, (2004)
15. Islamic Society of North America, Contribution to International Justice Award, Chicago, IL (2004)
16. United States Judge Advocate General, Certificate of Appreciation, Charlottesville, Virginia (2004)
17. Cairo Governorate Medal, Cairo, Egypt (2001)
18. The Legislature of Mexico and the Commission on Human Rights of Mexico, Certificate of Recognition for Work in International Criminal Law, Mexico (2001)
19. American-Arab Anti-Discrimination Committee, Man of the Year Award, Washington DC (1999)
20. Arab-American Organization of Metropolitan Chicago, Humanitarian Award, Chicago, IL (1999)
21. Council of Islamic Organizations of Greater Chicago, Humanitarian Award, Chicago, IL (1999)
22. Ministry of Justice of Egypt, Commendation Award, Cairo, Egypt (1999)
23. Ministry of Justice of Egypt, Appreciation Award, Cairo, Egypt (1999)
24. The City Council of Chicago, Commendation Resolution, Chicago, IL (1999)
25. The City of Toledo Ohio, Commendation Resolution, Toledo, OH (1999)
26. The Cook County Board, Commendation Resolution, Chicago, IL (1999)
27. United States Senate Commendation, 106th Congressional Record, Washington DC (1999)
28. Medal of the City of Rome, Rome, Italy (1998)
29. United Nations Diplomatic Conference on the International Criminal Court, Recognition

- of Support by Developing Countries, Rome, Italy (1998)
30. The City Council of Chicago, Commendation Resolution, Chicago, IL (1997)
 31. The City of Toledo Ohio, Commendation Resolution, Toledo, OH (1999)
 32. Office of the Attorney General of Egypt, Appreciation Award, Cairo, Egypt (1997)
 33. Egyptian-American Organization of Los Angeles, Outstanding Achievement Award, Los Angeles, CA (1994)
 34. Il Club delle Donne, Ninth Premio Minvera, Rome, Italy (1994)
 35. Universidad de San Carlos de Guatemala, Diploma de Reconocimiento, Guatemala (1994)
 36. XV Congresso Internacional de Direito Penal, Rio de Janeiro, Commemorative Award, Rio de Janeiro, Brazil (1994)
 37. The City Council of Chicago, Commendation Resolution, Chicago, IL (1993)
 38. The State Senate of Illinois, Commendation Resolution, Chicago, IL (1993)
 39. Council of Organizations of Greater Chicago, Humanitarian Award, Chicago, IL (1993)
 40. Association of Egyptian-American Scholars, Special Honor (1991)
 41. MidAmerica-Arab Chamber of Commerce, Achievement Award, Chicago, IL (1991)
 42. National Association of Arab Americans, Outstanding Record of Accomplishment Washington DC (1989)
 43. City of Milan Medal, Milan, Italy (1988)
 44. United Holy Land Fund of Chicago, Appreciation Award, Chicago, IL (1988)
 45. Arab Republic of Egypt, Ministry of Justice Medal, Cairo, Egypt (1986)
 46. Certificate of Appreciation, Young Lawyers Section of Chicago Bar Association, Chicago, IL (1985/1986)
 47. Rotary Club of Palermo Medal, Palermo, Italy (1984)
 48. Sicilian Region Medal, Italy (1984)
 49. University of Cairo, Faculty of Law, Centennial Award, Medal, Cairo, Egypt (1980)
 50. U.S. Navy, Certificate of Appreciation, the Pentagon, Washington DC (1980)
 51. MidAmerica-Arab Chamber of Commerce, Testimonial Award of Appreciation for Outstanding Leadership as President, Chicago, IL (1979-1991)
 52. Arab Community of Chicago, Appreciation Award, Chicago, IL (1974)
 53. Italian Press, Medaglia d'Oro (Gold Medal), Rome, Italy (1973)
 54. The Citizenship Council of Metropolitan Chicago, Outstanding Citizen of the Year Award, Chicago, IL (1967)

Honorary Professorship

1. Renmin National University of China Beijing, Honorary Professor for Life (1999)

Honorary Citizenship

1. Honorary Citizen of Siracusa, awarded by the City Council of Siracusa, Italy on May 17, 1987
2. Honorary Citizen of Noto, awarded by the City Council of Noto, Italy on October 1, 1987

PUBLICATIONS

BOOKS

To date, Professor Bassiouni has authored 24 books and co-authored 4 others in Arabic, English, French, Italian and Spanish, 264 articles which have been published in law journals and books, 18 witness statements published in the Congressional Record, and he has edited 47 books on International Criminal Law, Comparative Criminal Law, Human Rights, and U.S. Criminal Law. Additionally, he has written 14 Monographs on such subjects as history, politics, and religion. Many of the books and articles written by Professor Bassiouni and some have been translated into Arabic, Chinese, Farsi, French, German, Hungarian, Italian, Portuguese, Russian and Spanish.

AUTHORED

ENGLISH

1. THE *SHARI'AH* AND ISLAMIC PUBLIC LAW IN TIME OF PEACE AND WAR (Cambridge University Press; Cambridge, UK, 2013) – (521 pages).
2. INTRODUCTION TO INTERNATIONAL CRIMINAL LAW, 2ND REVISED EDITION (Martinus Nijhoff Publishers; Leiden, The Netherlands, 2012) – (1091 pages).
3. CRIMES AGAINST HUMANITY: HISTORICAL EVOLUTION AND CONTEMPORARY APPLICATION (Cambridge University Press; Cambridge, UK, 2011) – (884 pages).
4. THE INSTITUTIONALIZATION OF TORTURE BY THE BUSH ADMINISTRATION: IS ANYONE RESPONSIBLE? (Intersentia; Antwerp, Belgium, 2010) - (301 pages).
5. INTRODUCTION TO INTERNATIONAL CRIMINAL LAW (Transnational Publishers; Ardsley, New York, 2003) – (823 pages). Translated into Chinese as GUÓJÌ XÍNGFA JIANJIÈ (Wang Xiumei trans.).
6. INTERNATIONAL CRIMINAL LAW: CASES AND MATERIALS (co-edited with Jordan J. Paust, Sharon A. Williams, Michael Scharf, Jimmy Gurulé & Bruce Zagaris, Carolina Academic Press; Durham, NC, 1996) - (1,454 pages); (2d rev. ed., 2000) - (1,136 pages); (3d rev. ed. 2007) – (900 pages); INTERNATIONAL CRIMINAL LAW: DOCUMENTS SUPPLEMENT (Carolina Academic Press; Durham, NC, 2000) - (486 pages).
7. THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, in cooperation with Peter Manikas (Transnational Publishers; Ardsley, New York, 1996) - (1091 pages).
8. AUT DEDERE AUT JUDICARE: THE DUTY TO EXTRADITE OR PROSECUTE IN INTERNATIONAL LAW, co-authored with Edward M. Wise (Martinus Nijhoff Publishers; Dordrecht, The Netherlands, 1995) - (340 pages).
9. CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (Martinus Nijhoff Publishers; Dordrecht, The Netherlands, 1992) - (802 pages); (2d rev. ed., 1999) - (610 pages).
10. A DRAFT INTERNATIONAL CRIMINAL CODE AND DRAFT STATUTE FOR AN INTERNATIONAL CRIMINAL TRIBUNAL (Martinus Nijhoff Publishers; Dordrecht, The Netherlands, 1987) - (492 pages).
11. INTERNATIONAL EXTRADITION: U.S. LAW AND PRACTICE (2 vols., Oceana Publications; Dobbs-Ferry, NY, 1983); (2d ed., 1987) - (1,141 pages); (3d ed., 1996) - (967 pages);

- (4th ed., 2002) – (1,125 pages); (5th ed., Oxford University Press; Oxford, UK, 2007) - (1,166 pages); (6th ed., 2014) – (1,078 Pages).
12. INTERNATIONAL CRIMINAL LAW: A DRAFT INTERNATIONAL CRIMINAL CODE (Sitjhoff-Noordhoff Publishers; The Netherlands, 1980) - (250 pages). Translated into French as PROJET DE CODE PENAL INTERNATIONAL (Eres Publications; Toulouse, France, 1982). Translated into Spanish as PROYECTO DE CODIGO PENAL INTERNACIONAL (Tecnos Publicaciones; Madrid, Spain, 1983). Translated in part into Hungarian as NEMZETKOZI BUNTETO KODEX TERVEZETE (Ministry of Justice; Budapest, Hungary, 1986).
 13. SUBSTANTIVE CRIMINAL LAW (Charles C. Thomas Publisher; Springfield, IL 1978) - (552 pages). Translated into Italian as DIRITTO PENALE DEGLI STATI UNITI D'AMERICA (Guiffré Editore; Milan, Italy, 1985).
 14. CITIZEN'S ARREST (Charles C. Thomas Publisher; Springfield, IL, 1977) - (127 pages).
 15. INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (Sitjhoff-Ocean Publications; Dobbs Ferry, NY, 1974) - (629 pages).
 16. CRIMINAL LAW AND ITS PROCESSES: THE LAW OF PUBLIC ORDER (Charles C. Thomas Publisher; Springfield, IL, 1969) - (623 pages).

ARABIC

17. AL-GOUMAHŪRIYYA AL-THĀNIA FĪ MĪSR (THE SECOND REPUBLIC IN EGYPT) (Co-authored with Mohammad Helal, Dar El Shorouk; Cairo, Egypt, 2012) – (474 pages).
18. AL-QANOŪN AL-DAWLĪ AL-INSĀNĪ (INTERNATIONAL HUMANITARIAN LAW) (Dar al-Nahda; Cairo, Egypt, 2007) - (470 pages).
19. AL-MAḤKAMA AL-JINĀ'YYA AL-^CIRĀQIYYA AL-MUKHṬAṢṢA BI AL-JARĀ'IM DĪD AL-INSĀNIYYA FĪ DO` DAMĀNĀT AL-MUḤAKĀMA AL-MUNṢIFA (THE IRAQ SPECIAL CRIMINAL TRIBUNAL SPECIALIZED IN CRIMES AGAINST HUMANITY IN LIGHT OF DUE PROCESS NEEDS) (Dar El Shorouk; Cairo, Egypt, 2004) - (243 pages).
20. GHASL AL-AMWĀL: AL-ISTIJĀBĀT AL-DAWLIYYAH WA JUHŪD AL-MUKĀFAḤA AL-IQLĪMIYYA WA AL-WAṬĀNIYYA (MONEY LAUNDERING: INTERNATIONAL RESPONSES, REGIONAL AND NATIONAL EFFORTS AT COMBATING IT) (Dar El Shorouk; Cairo, Egypt, 2004) – (237 pages).
21. AL-MAḤKAMA AL-JINĀ'YYA AL-DAWLIYYA: MADKHAL LI DIRĀSAT AḤKĀM WA ĀLIYYĀT AL-INFATĀH AL-WAṬĀNĪ WA AL-NIDHĀM AL-ASSĀSSI (THE INTERNATIONAL CRIMINAL COURT: AN INTRODUCTION TO DOMESTIC IMPLEMENTATION OF THE ICC STATUTE) (Dar El Shorouk; Cairo, Egypt, 2004) – (571 pages).
22. AL-JARĪMA AL-MUNADHAMMA ^CABR AL-WAṬĀNIYYA (TRANSNATIONAL ORGANIZED CRIME) (Dar El Shorouk; Cairo, Egypt, 2004) – (297 pages).
23. AL-MADKHAL LI DIRĀSAT AL-QĀNŪN AL-INSĀNĪ AL-DAWLĪ (INTRODUCTION TO INTERNATIONAL HUMANITARIAN LAW) (International Human Rights Law Institute; Chicago, Illinois, U.S.A. 2003) – (348 pages).
24. AL-MAḤKAMA AL-JINĀ'YYA AL-DAWLIYYA: NASHA'ATUHA WA NIDHĀMUHA AL-ASSĀSSI (THE INTERNATIONAL CRIMINAL COURT: ITS ORIGINS AND ITS STATUTE) (Nadi Al-Qudat, The National Association of Judges; Cairo, Egypt, 2001) - (510 pages); (2d ed. 2002); (3d ed., 2003).

ITALIAN

25. LE FONTI E IL CONTENUTO DEL DIRITTO PENALE INTERNAZIONALE (THE SOURCES AND CONTENTS OF INTERNATIONAL CRIMINAL LAW) (Giustizia Penale e Problemi Internazionali, Giuffrè Editore 1999); (2d ed 2005) – (211 pages).
26. INDAGINE SUI CRIMINI DI GUERRA NELL'EX JUGOSLAVIA: L'OPERATO DELLA COMMISSIONE DEGLI ESPERTI DEL CONSIGLIO DI SICUREZZA E IL SUO RAPPORTO FINALE (UNITED NATIONS COMMISSION OF EXPERTS ESTABLISHED PURSUANT TO SECURITY COUNCIL RESOLUTION 780), (Giustizia Penale e Problemi Internazionali, Giuffrè Editore 1997).

FRENCH

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199. *Licensing of Foreign Legal Consultants in Illinois*, ILL. B. J. 580 (1976).
200. *International Aspects of Drug Abuse: Problems and a Proposal*, 9 J. MARSHALL J. PRAC. & PROC. 3 (1975).
201. *A Mid-East Proposal* (co-authored with Morton Kaplan) (Monograph, The University of Chicago, 1975). The proposal outlined what was later embodied in the Camp David Accords. The plan was based on consultations with heads of state and senior leaders. It was also submitted to the Senate Committee on Foreign Relations during testimony on July 23, 1975, and was printed in the CONGRESSIONAL RECORD, Vol. 121, No. 118, July 23, 1975, p. 4071, 94th Congress First Session. Second Revised Edition, 1977. Also

- reprinted in various journals.
202. *Le Juge et le Systeme Judiciaire des Etats-Unis*, 46 REV. INT'LE DE DROIT PENAL 37 (1975).
 203. *An Appraisal of the Growth and Developing Trends of International Criminal Law*, 45 REV. INT'LE DE DROIT PENAL 405 (1974); translated and reprinted as *Il Diritto Penale Internazionale: Contenuto e Scopo Nel Suo Sviluppo Storico*, vol. 21 FASC. II LA GIUSTIZIA PENALE 55 (1979); modified and reprinted as *Le Fontie Il Contenuto del Diritto Penale Internazionale*, DIRITTO PENALE INTERNAZIONALE 11 (1979); translated and reprinted as *El Derecho Penal Internacional Historia, Objectivo y Contenido*, in ANUARIO DE DERECHO PENAL Y CIENCIAS PENALES 5 (1982).
 204. *Theories of Jurisdiction and Their Application in Extradition Law and Practice*, 5 CAL. W. INT'L. L. J. 1 (1974).
 205. *Scientific Approaches to Juvenile Delinquency and Criminality*, 23 DEPAUL L. REV. 1344 (1974) (co-authored with A.F. Sewell).
 206. *The Privilege Against Self-Incrimination – A Historical Analysis and Contemporary Appraisal*, THE UNITED STATES OF AMERICA IN SOCIAL AND TECHNOLOGICAL REVOLUTION 655 (J.N. Hazard & W. Wagner eds., 1974) (United States Report to the VIIth International Congress of Comparative Law).
 207. *A Survey of the Major Criminal Justice Systems of the World*, ENCYCLOPEDIA OF CRIMINOLOGY 527 (S. Glaser ed., 1974).
 208. *Methodological Options for the International Legal Control of Terrorism*, 7 AKRON L. REV. 388 (1974); reprinted INTERNATIONAL TERRORISM AND POLITICAL CRIMES 485 (M. Cherif Bassiouni ed., 1975).
 209. *Unlawful Seizures and Irregular Rendition Devices as Alternatives to Extradition*, 7 VAND. J. TRANSNAT'L L. 25 (1974); reprinted as *Unlawful Seizures of Persons by States as Alternatives to Extradition*, INTERNATIONAL TERRORISM AND POLITICAL CRIMES 343 (M. Cherif Bassiouni ed., 1975).
 210. *Genocide and Racial Discrimination*, 1 INTERNATIONAL CRIMINAL LAW 522 (M. Cherif Bassiouni & Ved P. Nanda eds., 1973); reprinted 1 INTERNATIONAL CRIMINAL LAW: CRIMES 281 (M. Cherif Bassiouni ed., 1986).
 211. *Neutrality in Armed Conflicts*, 1 INT'L CRIM. L. 319 (M. Cherif Bassiouni & V. P. Nanda eds., 1973).
 212. *The Definition of Aggression in International Law: The Crime Against Peace*, 1 INTERNATIONAL CRIMINAL LAW 159 (M. Cherif Bassiouni & V. P. Nanda eds., 1973).
 213. *The Constitution of the United Arab Emirates*, CONSTITUTIONS OF THE COUNTRIES OF THE WORLD (A.B. Blaustein & G. Flanz eds., 1973).
 214. *La Peine de Mort aux Etats-Unis - L'Etat de la Question en 1972*, REVUE DE SCIENCE CRIMINELLE ET DE DROIT PENAL COMPARE (No. 1, Janvier 1973).
 215. *The International Narcotics Control Scheme - A Proposal*, 46 ST. JOHN'S L. REV. 713 (1972); reprinted with modifications 1 INTERNATIONAL CRIMINAL LAW: CRIMES 524 (M. Cherif Bassiouni ed., 1986).
 216. *Slavery and Slave Trade: Steps Towards Its Eradication*, 12 SANTA CLARA LAW 424 (1972) (co-authored with Ved P. Nanda) reprinted 1 INTERNATIONAL CRIMINAL LAW 504 (M. Cherif Bassiouni & V. P. Nanda eds., 1973).
 217. *The Changing Times: A Basic Survey of Dissent in American Society* (co-authored with E.M. Fisher), THE LAW OF DISSSENT AND RIOTS 25 (M. Cherif Bassiouni ed., 1971).

218. *Freedom of Expression: The Key to American Sociopolitical Transformation*, THE LAW OF DISSENT AND RIOTS 5 (M. Cherif Bassiouni ed., 1971).
219. *The "Human Rights Program": The Veneer of Civilization Thickens*, 21 DEPAUL L. REV. 271 (1971).
220. *The Criminal Justice System of the Union of Soviet Socialist Republics and the Peoples Republic of China*, 11 REV. DER. P.R. 163 (1971).
221. *Self-Determination and the Palestinians*, 1971 AM. SOC'Y INT'L L. 31 (1971).
222. *The "Middle East": The Misunderstood Conflict*, 19 U. KAN. L. REV. 373 (1971).
223. *The Legal Effects of Wars of National Liberation*, 65 AM. J. INT'L L. 172 (1971).
224. *Introduction to a Symposium on Issues in Aero-Space Law*, 20 DEPAUL L. REV. 323 (1971).
225. *World Public Order and Extradition: A Conceptual Evaluation*, AKTUELLE PROBLEME DES INTERNATIONALEN STRAFRECHTS 10 (D. Oehler & P. G. Potz eds., 1970).
226. *The Arab-Israeli Conflict: Real and Apparent Issues: An Insight into Its Future from the Lessons of the Past*, 44 ST. JOHN'S L. REV. 399 (1970) (Co-authored with Eugene M. Fisher); reprinted THE ARAB-ISRAELI READER (J. N. Moore ed., 1975).
227. *The Middle East in Transition: From War to War, A Proposed Solution*, 4 INTERNATIONAL LAWYER 379 (1970); reprinted 15 ARAB WORLD 19 (1970).
228. *The Political Offense Exception in Extradition Law and Practice*, INTERNATIONAL TERRORISM AND POLITICAL CRIMES 398 (M. Cherif Bassiouni ed., 1975).
229. *Ideologically Motivated Offenses and the Political Offense Exception in Extradition—A Proposed Juridical Standard for an Unruly Problem*, 19 DEPAUL L. REV. 217 (1969); Excerpts reprinted as *The Ideological and Value-Oriented Content of Offenses and the Ideologically Motivated Offender*, THE LAW OF DISSENT AND RIOTS 57 (M. Cherif Bassiouni ed., 1971).
230. *Islam: Concept, Law and World Habeas Corpus*, 1 RUT.-CAM. L. J. 160 (1969), with foreword by the Honorable Sir M. Zafrulallah Khan, President of the International Court of Justice; reprinted THE HUMAN RIGHT TO INDIVIDUAL FREEDOM (L. Kutner ed., 1970).
231. *Some Legal Aspects of the Arab-Israeli Conflict*, 14 ARAB WORLD 41 (1969); translated into French and reprinted LE CONFLIT ISRAELO-ARABE DE JUIN 1967 (Beyrouth, 1969); reprinted THE ARAB-ISRAELI CONFRONTATION OF JUNE 1967 (I. Abu-Lughod ed. 1970); reprinted THE ARAB-ISRAELI READER (J.N. Moore ed., 1975).
232. *The Challenge of Delinquency in a Free Society – Juvenile Philosophy and Gault Revisited*, 6 ILL. CONT. LEG. ED. 97 (1969).
233. *The War Power and the Law of War: Theory and Realism*, 18 DEPAUL L. REV. 188 (1968).
234. *International Extradition in American Practice and World Public Order*, 36 TENN. L. REV. 1 (1968); reprinted 2 INTERNATIONAL CRIMINAL LAW 347 (M. Cherif Bassiouni & V. P. Nanda eds., 1973).
235. *International Extradition: The American Experience and a Proposal*, 39 REV. INT'LE DE DROIT PENAL 494 (1968); reprinted 15 WAYNE L. REV. 733 (1968); translated into Italian 10-2 RIVISTA DEL DIRITTO MATRIMONIALE E DELLO STATO DELLE PERSONE (1968).
236. *Presidential Discretion in Foreign Trade and Its Effect on East-West Trade*, 14 WAYNE L. REV. 494 (1968) (co-authored with E.A. Landau).
237. *The Illinois Juvenile Courts Act: A Current Perspective*, 5 ILL. CONT. LEG. ED. 107

- (1967) (co-authored with Judge F. Suria). This article was distributed by the Administrative Office of the Supreme Court of Illinois to judges attending the Illinois Judicial Conference of 1968.
238. *United States Public Fund Sources for International Investment and Trade*, 17 DEPAUL L. REV. 77 (1967) (co-authored with E.A. Landau).
239. *The Right of the Mentally Ill to Cure and Treatment: Medical Due Process*, 15 DEPAUL L. REV. 291 (1966) (ROUSE v. CAMERON, the first decision in the United States by the Circuit Court of Appeals for the District of Columbia upheld this right on the basis of this article's thesis).
240. *Foreign Law Aspects of Direct Investments Abroad*, 3 ILL. CONT. LEG. ED. 57 (1965).
241. *Recent Supreme Court Decisions Strengthen Illinois Law Enforcement*, 2 ILL. CONT. LEG. ED. 101 (1965). This article was attached to a report by this author prepared at the request of the House Judiciary Committee investigating Federal Immunity legislation in connection with the Giancana case.
242. *The Nationalization of the Suez Canal and the Illicit Act in International Law*, 14 DEPAUL L. REV. 258 (1965). Reprinted CRESCENT AND STAR: ARAB AND ISRAELI PERSPECTIVE ON THE MIDDLE EAST CONFLICT (J. Alexander & N. Kitzie eds., 1973).

OTHER LAW RELATED PUBLICATIONS

243. *The Institutionalization of Torture: Six Questions for Cherif Bassiouni*, HARPERS MAGAZINE (February 11, 2011).
244. *Islamophobia and the New York Mosque Controversy*, in www.groverreport.org (September 27, 2010).
245. *The Need for International Accountability and the Protection in the Context of International Humanitarian Law*, OFFENDERS AND VICTIMS: ACCOUNTABILITY AND FAIRNESS IN THE JUSTICE PROCESS, A/CONF.187/NGO.1, AT 17 (1999).
246. *Toward a Universal Declaration on the Basic Principles of Democracy: From Principles to Realisation*, DEMOCRACY: ITS PRINCIPLES AND ACHIEVEMENT 1 (Inter-Parliamentary Union; Geneva, Switzerland, 1998).
247. *Ha Llegado La Hora del tribunal Penal Internacional*, COMITÉ JURÍDICO INTERAMERICANO: CURSO DE DERECHO INTERNACIONAL XIX 1992 (Secretaría General, Subsecretaría de Asuntos Jurídicos, 1996) (published in 1998).
248. *The Need for an International Criminal Tribunal in the New International Order*, PARLIAMENTARIANS FOR GLOBAL ACTION 9 (1992).
249. *Genocide: The Convention, Domestic Laws, and State Responsibility*, 1989 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 314 (1989).
250. *Speech, Religious Discrimination, and Blasphemy*, 1989 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 432 (1989).
251. *International Drug Trafficking and Money Laundering*, 1988 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 445 (1988).
252. *Forty Years After the Nuremberg and Tokyo Tribunals: the Impact of the War Crimes Trials in International and National Law*, 1986 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 59 (1986).
253. *Daft Code of Offenses Against the Peace and Security of Mankind* 1986 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 120 (1986).
254. *Human Rights v. New Initiatives in the Control of Terrorism*, 1985 PROCEEDINGS OF THE

- AMERICAN SOCIETY OF INTERNATIONAL LAW 288 (1985).
255. *General Report on the Juridical Status of the Requested State Denying Extradition*, XIth International Congress of Comparative Law, Caracas, Venezuela (1982), PROCEEDINGS OF XIth INTERNATIONAL CONGRESS OF COMPARATIVE LAW (1984).
256. *Ten Years After Stockholm: International Environmental Law*, 1983 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 411 (1983).
257. *Islamic Law*, 1982 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 55 (1982).
258. *Deprivation of Liberty in the Context of Crime Control, with Particular Reference to New Forms of Delinquency*, Report of the International Association of Penal Law, CONTRIBUTIONS TO THE SIXTH UNITED NATIONS CONGRESS ON CRIME PREVENTION AND THE TREATMENT OF OFFENDERS (Centro Nazionale di Prevenzione e di Difesa Sociale, 1980).
259. *International Procedures for the Apprehension and Rendition of Fugitive Offenders*, 1980 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 277 (1980).
260. *Some Economic and Political Implications on the Anti-Boycott Legislation*, 1978 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 91 (1978).
261. *The Law of Citizen's Arrest, in* THE DEPARTMENT OF JUSTICE NATIONAL TASK FORCE ON PRIVATE SECURITY 391 (1977).
262. *'The Future of Imprisonment' - Report of the International Association of Penal Law*, CONTRIBUTIONS TO THE FIFTH UNITED NATIONS CONGRESS ON CRIME PREVENTION AND THE TREATMENT OF OFFENDERS 3 (Centro Nazionale di Prevenzione e di Difesa Sociale, 1975).
263. *International Drug Control - Working Paper - ABIDJAN WORLD PEACE THROUGH LAW CONFERENCE 1* (1973).
264. *Transnational Control of Narcotics*, 1972 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 227 (1972).

NEWSPAPERS AND MAGAZINES ARTICLES

Authored over 100 articles and guest editorials appearing in newspapers with major circulation, including: the Christian Science Monitor, Boston Globe, Chicago Tribune, Chicago Sun-Times, Wall Street Journal, Los Angeles-Times, Al-Ahram (Cairo), Weghat Nazar (Cairo), Al-Siyassa Al-Dawliya (Cairo), and other newspapers and magazines.

EDITORSHIPS

1. Member of the Editorial Advisory Board, Transnational Publishers, Ardsley, New York (2005 to date); and General Editor, INTERNATIONAL AND COMPARATIVE CRIMINAL LAW SERIES, Transnational Publishers, Ardsley, NY (2001 to date).
2. Co-Editor-in-Chief, REVUE INTERNATIONALE DE DROIT PENAL, (1973-1985); Member of the Board of Editors (1985 - 2005).
3. General Editor, NOUVELLES ETUDES PENALES (1981 -2005) (21 Vols. ed. as of 2005).
4. General Editor, QUADERNI, PROCEEDINGS OF THE INTERNATIONAL INSTITUTE OF HIGHER STUDIES IN CRIMINAL SCIENCES (1976 to date) (20 vols. ed.).
5. Member of the Advisory Board, UCLA JOURNAL OF ISLAMIC AND NEAR EASTERN LAW (2002 to date).

6. Member of the International Advisory Board, INTERNATIONAL JOURNAL ON TRANSITIONAL JUSTICE, Centre for the Study of Violence and Reconciliation, Johannesburg, South Africa (2000 to date).
7. Member of the Advisory Board, DENVER JOURNAL OF INTERNATIONAL LAW AND POLICY (1974 to date).
8. Member of the Board of Editors, THE AMERICAN JOURNAL OF COMPARATIVE LAW (1972-1998).
9. Editor, THE GLOBE (monthly newsletter of the International Law Section of Illinois State Bar Association) (1970-1977).
10. Guest Editor, LAW IN AMERICAN SOCIETY JOURNAL: INTERNATIONAL CRIMINAL LAW, Vol. 11-3 (October 1973).
11. Guest Editor, LAW IN AMERICAN SOCIETY JOURNAL: GLOBAL EDUCATION, Vol. VI-4 (January 1977).

LECTURES AT UNIVERSITIES AND SCHOLARLY INSTITUTIONS

University of Alabama; American University; American University (Cairo, Egypt); University of Bologna (Italy); Boston University; Brookings Institution; University of Cairo (Egypt); Case Western Reserve University; University of Catania (Italy); Central European University (Hungary); Centre Francais de Droit Compare (Paris, France); Charles University (Czech Republic); University of Chicago Center for Middle East Studies; University of Chicago; University of Chicago Dean's International Council; University of Cincinnati; University of Colorado; Cornell University; Columbia University School of Law; DePaul University Law Review Symposium; University of Denver; Duke University; University of Ein-Shams (Cairo, Egypt); University of Florence (Italy); Free University of Berlin (Germany); University of Genova (Italy); George Washington University; Georgetown University; Georgia State University College of Law; Harvard University; University of Helsinki (Finland); Illinois Institute of Technology; University of Illinois; International Institute of Higher Studies in Criminal Sciences (Italy); University of Iowa; John Marshall Law School (Chicago, Illinois); Judge Advocate General School (Charlottesville, Virginia); University of Jordan; University of Kansas; King El-Saud University; Lake Forest College; Loyola University of Chicago; University of Mansourah (Egypt); Marquette University; Maryknoll College; University of Michigan; University of Michigan Law School; University of Milano (Italy); University of Minnesota; University of Napoli (Italy); University of Nantes (France); National University of Ireland (Galway); New York University; New York University Law School; University of Northern Iowa; Northwestern University; University of Notre Dame; Oklahoma City University; University of Oslo; University of Paris at Sorbonne (France); International Institute of Human Rights (Strasbourg, France); Pace Law School; University of Pau (France); University of Pittsburgh School of Law; Polish Academy of Legal Sciences (Warsaw, Poland); University of Rome (Italy); Royal Institute of International Affairs (London, England); The Basque University of San Sebastian (Spain); U.S. Naval War College; U.S. School of Foreign Military Assistance and the Counter-Insurgency School; Stanford University; St. Louis University; Syracuse University; Santa Clara University Law School; Texas A & M University; University of Turin (Italy); Tulane University; University of Tunis (Tunisia); University of Virginia; Washington University; Webster University; University of Wisconsin; Woodrow Wilson International Center for Scholars; Yale Law School.

SELECTED PROFESSIONAL SPEAKING ENGAGEMENTS

Frequent speaker before the ABA, ISBA, CBA, other state and local bar associations; scholarly and professional associations, such as: American Society of International Law, Egyptian Society of International Law, and the International Association of Penal Law.

Other speaking engagements and appearances before non-academic and professional organizations not listed but among them: The Chicago City Club, The Chicago Council on Foreign Relations, The Chicago Council on Global Affairs, The Chicago Trade Club, Christ's Church of Saxtons River Vermont, The Cleveland Foreign Relations Council, Cleveland City Club, The Cleveland Foreign Relations Council, The DePaul University Board of Trustees, Iowa Public Radio, International Criminal Law Network (Cairo, Egypt), International Red Cross, International Society for Traumatic Stress Studies, Independent Women's Forum

Fortnightly Club, The King Feycal Foundation, MacArthur Foundation, The Michigan Shores Athletic Club, The Mid-America Arab Chamber of Commerce, The Middle East Institute, The Minnesota World Affairs Council, The National Association of Arab-American Professionals, The National Security Forum (Chicago), The Navy Public Affairs Program, Niagara Foundation, The Open Society Institute, The Phi Alpha Delta Law Fraternity, The Phi Beta Kappa Honorary Society, The Philadelphia World Affairs Council, The St. Louis Foreign Relations Council, The San Francisco Foreign Relations Council, TMC Asser Institute, UMAT (United Muslim Association of Toledo), U.S. Air Force Judge Advocate General's Corps, U.S. Department of Homeland Security, and The Washington Foreign Law Association.

Frequent appearances on national, regional, and local television and radio programs.

MEMBERSHIP IN ORGANIZATIONS

BAR MEMBERSHIPS

1. Member, Illinois Bar (1967)
2. Member, District of Columbia Bar (1967)
3. Admitted before the Supreme Court of the United States (1971)
4. The Second Circuit Court of Appeals (1980)
5. The Fifth Circuit Court of Appeals (1979)
6. The Seventh Circuit Court of Appeals (1967)
7. The Ninth Circuit Court of Appeals (1992)
8. The Eleventh Circuit Court of Appeals (1986)
9. The United States Court of Military Appeals (1968)
10. The United States Court of International Trade (1985)
11. The Federal District Court of the Northern District of Illinois (practicing federal bar) (1967)
12. The Federal District Court for the District of Columbia (1968)
13. Admitted to practice before the Egyptian Supreme Court and Supreme Administrative Court

PROFESSIONAL AND SCHOLARLY ASSOCIATIONS

Association Internationale de Droit Pénal (since 1968)

- Honorary President (2004 to date)
- President (1989 to 2004)
- Secretary-General (1974-1989)
- Deputy Secretary-General (1972-1974)

International Bar Association

- Member, Task Force on Terrorism (2002)

American Bar Association (since 1967)

- Counselor, Section on International Law and Practice (1998)
- Section on International Law and Practice (since 1967)
- Chairman, Committee on International Legal Education (1974-1977)
- Chairman, Sub-Committee on the Revision of the Geneva Conventions of August 12, 1949 (1975)
- Section on Criminal Law, Member (since 1967)
- Committee on International Criminal Law, Member (since 1970)

Illinois State Bar Association (1967-1992)

- Council Member (1970 to 1976)
- Chairman, International Law Section (1973 and 1974)
- Member, Standing Committee on Corrections (1975-1976)
- Member, International Law Section (since 1970)

Chicago Bar Association (1967-1992)

- Criminal Law Committee (1967-1992)
- Chairman Sub-Committee on Use of Force (1968)
- Chairman, Sub-Committee on Criminal Procedure (1969)
- Chairman, Legislative Sub-Committee on Criminal Law and Procedure (1970-1972)
- Committee on Human Rights (1978)
- Judiciary Committee (1978)
- Committee on International Law and Practice (1970-1992)

The American Society of International Law (since 1962)

- Member, Executive Committee (1990-1993)
- Regional Administrator, Philip C. Jessup International Law Moot Court Competition, 1970 and 1972
- Member, Working Group on International Control of Terrorism (1976-1978)
- Co-chair, Public Interest Group on International Criminal Law (since 1992)
- Member, Working Group on the World Conference on Human Rights (1993)
- Various committees since 1962

Association of American Law Schools

- 1969 to 1971 Committee on Foreign Exchanges of Law Teachers and Students. Criminal Law Committee and Roundtable Council (1970-1974)
- Graduate Studies Committee (1973-1975)
- International Law Committee (since 1980)

The International Law Association (American Branch)

- Member, Committee on International Terrorism (1974-1975)
- Member, Committee on Comparative Criminal Law (1975-1985)
- Member, Committee on International Criminal Law (1975-1985)
- Member, Committee on the International Criminal Court (1996)

The American Foreign Law Association

- Member of the Board of Directors (1972 to 2002)

Arab-American Bar Association of Illinois

- Board of Directors (Honorary)

CIVIC ORGANIZATIONS AND CLUBS

International Visitors Center of Chicago

- Member of the Board (1977-1978 and 1991-1993)

Illinois Athletic Club

- Member of the Board of Governors (1978-1982)

Association of Egyptian-American Scholars

- Founding member, Vice President (1974-1978)
- President (1978-1980)
- Vice President (1982-1988)

Mid-America Arab Chamber of Commerce

- Founding member, Chairman, (1973-1974)
- President (1974-1975)
- Secretary (1975-1978)
- President (1978-1991)

Association of Arab-American University Graduates

- President (1969)
- Member of the Board (1968 - 1970)
- Member of the Advisory Board (1970 - 2000)

Islamic Center of Chicago

- Chairman of the Board (1967-1973)

National Association of Arab-Americans

- Member of the Board (1977-1981, 1984-1988)

Arab-American Anti-Discrimination Committee

- Member of the Advisory Board (1981-1985)

University Club of Chicago

- Member (1983-1990)

Egyptian American Society

- President (2003 to date)

SELECTED SERVICE TO PROFESSION

- Reporter, Illinois Judicial Conference (Subject: Juvenile Court (1968))
- Member, Governor's Conference on Youth and Delinquency (1969)
- Reporter, Illinois Supreme Court Program on Criminal Law, Illinois Judges Conference (Subject: Post-Trial Remedies 1971-1972)
- Co-Respondent Member of the Canadian Inter-American Research Institute (by election in 1974)
- Honorary Member, Center for Middle-Eastern Studies, The University of Chicago.
- Member of the Advisory Board, Center for Strategic Studies, The University of Chicago
- Member, International Advisory Board, Concord Research Center for the Integration of International Law in Israel
- Consultant, Chicago Board of Education Project of Law in American Society (1965-1967)
- Chairman of the Advisory Board on Law Focused Education of the Chicago Board of Education (1972-1974)
- Consultant and Faculty Member of Law in American Society Foundation (1967-1980). The number of teachers trained since 1967 in materials relating to criminal law and juvenile delinquency exceeds 1,000. See also, Monographs, p. 5. Also lectured in several institutes on Law Focused Education, Huntsville, Alabama; Champaign, Illinois; Dallas, Texas; and Buffalo, New York.
- Consultant, University of Chicago, Graduate School of Education, Schwartz Citizenship Project (1969-1970)
- Member, Governor's Conference on Youth and Delinquency (1969)
- Lecturer to the Chicago Police Department Graduate Management Program (1972-1973)
- Chairman, Organizing Committee of National Task Force on Law Focused Education (1976)
- Member, Illinois State Commission on Law and Justice Education (1976-1978)
- Member, Special Commission on the Administration of Justice in Cook County (1984-1988)
- Councilor, American Bar Association International Law Section (1998-2000)

LEGAL TEACHING EXPERIENCE

- DePaul University, College of Law since September 1964
- The University of Freiburg, Germany, Summer 1970
- New York University School of Law, Summer 1971
- The University of Cairo, Faculty of Law, Spring 1982
- The University of Salzburg, Austria, Summer 2000
- The University of Thessaloniki, Greece, Summer 2001
- American University Washington College of Law, Summers 2003 and 2004

SUBJECTS TAUGHT

- Criminal Law
- Criminal Procedure
- International Criminal Law - Substantive
- International Criminal Law - Procedural
- International Protection of Human Rights
- Public International Law
- Conflict of Laws

DEPAUL UNIVERSITY AWARDS

- DePaul University *Via Sapientiae* Award, Chicago Illinois (2009)
- DePaul University College of Law, Distinguished Service Award (2007)
- St. Vincent DePaul Humanitarian Award (2007)
- DePaul University, Appreciation for 40 Years of Service Award (2005)
- College of Law, Distinguished Research Professor of Law (2003)
- DePaul University Law Alumni Outstanding Faculty Service Award (2000)
- DePaul University Spirit of DePaul Award (1999)
- DePaul University Board of Trustees Commendation (1999)
- Faculty Excellence in Scholarship Award (1999)
- Faculty Achievement Award (1993)
- DePaul University, Cornerstone Award (1991)
- 25 Years of Distinguished Teaching, Scholarship and Service Award (1989)
- Phi Alpha Delta Outstanding Service Award (1967, 1972, 1975, and 1979)
- Outstanding Scholastic Achievement, Delta Tau Kappa International Social Science Honor Society (1976)
- Man of the Year Award, Kappa Beta Pi Sorority (1970)

DEPAUL UNIVERSITY ACADEMIC COMMITTEES

- University Marshall (1980 - 1985)
- Member, University Board on Awards (1976-1985); Chairman (1982-1985)
- Member, University Board of Promotions (by election from University Senate) (1970-1974)
- Member, Faculty Affairs Committee of the University Senate (1970 and 1971)

- Member, University Curriculum Revision Committee (1967)

COLLEGE OF LAW COMMITTEES

- Chairman, International Human Rights Law Institute Committee (1990 to 2010)
- Chairman, Continuing Legal Education Committee (1965-1968)
- Member, New Dean Selection Committee (1969)
- Member, New Dean Selection Committee (1970)
- Chairman, College of Law Committee on Tenure and Promotion (1970-1972)
- Chairman, Curriculum Committee (1969-1972); Member (1972-1978); Chairman (1978-1979); Member (1979-1983); Member (1993, 1994, 1996, 1997)
- Chairman, Committee on Academic Integrity (1975-1979)
- Chairman, Moot Court Committee (1964-1968 and 1975-1976)
- Chairman, Special Events Committee (1972-1975)
- Chairman, Committee on Graduate Studies (1978-1980)
- Faculty Advisor, International Moot Court Committee (1968-1999)
- Faculty Advisor, International Law Society (1970-2009)
- Faculty Advisor, Phi Alpha Delta Law Fraternity (1964-2007)
- Chairman, Faculty Development Committee (1982-1985)
- Chairman, House Committee (1986-1987)
- Chairman, Law Review Committee (1991-1993)

SELECT SPECIAL ACADEMIC PROJECTS

DEPAUL UNIVERSITY

- President, International Human Rights Law Institute (1990 to August, 2008)
- President Emeritus, International Human Rights Law Institute (Sept. 2008 to date)

In over 30 years, as President of the International Human Rights Law Institute, I was responsible or involved in the raising of approximately \$20 million in funding for projects conducted in Central and Latin America, Central and Eastern Europe and the Middle East. This included significant work in Iraq after 2003 (which is still ongoing) in connection with rebuilding legal education and other judicial training and judicial reform programs. The Institute's work over the years involved more than 300 persons as staff members and produced several publications. The academic component of the Institute's work was focused on student work through a fellowship and internship program in which future generations of lawyers were trained.

INTERNATIONAL INSTITUTE OF HIGHER STUDIES IN CRIMINAL SCIENCES

The Institute conducts several specialized international seminars and conferences each year, and publishes its proceedings. Since 1972, the Institute has conducted over 460 programs with the participation of over 39,000 scholars, judges, researchers, government officials, and other jurists, from 140 countries, over 5,000 academics from 460 universities, over 140 IGOs and NGOs. Supervised 141 publications resulting from these programs.

OTHER

Organized and chaired conferences and seminars sponsored by scholarly and professional organizations:

The International Association of Penal Law, The American Society of International Law, The Chicago Council on Foreign Relations, The World Peace Through Law Center, The Illinois State Bar Association, The Illinois Institute of Continuing Legal Education, American Law Institute, American Bar Association, and others. Also as President of the Mid-America Arab Chamber of Commerce, organized and planned an average of 8-10 professional speaking programs and seminars per year between 1973 and 1990 on topics of Arab-American economics, trade and political relations, and cultural aspects of the Arab World and Islam.

PROFESSIONAL LEGAL EXPERIENCE

Since admission to the Illinois and District of Columbia Bars in 1967 engaged (partially) in the general practice of law with emphasis in international law and extradition. U.S. professional experience includes: State and Federal trial and Appellate Practice (with involvement in over 100 international extradition cases) in U.S. Federal District Courts and in foreign Courts of Counsel.

Specific international professional experience includes the following: drafting of contracts and licensing agreements; establishing foreign businesses in the U.S.; establishing U.S. business and trade relations in foreign countries; related corporate work; negotiations; consultations on U.S. and foreign legal aspects related to international investments and trade; expert advice on foreign law in U.S. litigation; expert advice on U.S. law in foreign litigation; and extradition.

EDUCATION

UNDERGRADUATE

- *Baccalaureat Lettres*, Collège de la Sainte Famille, Cairo, Egypt, 1955

LEGAL EDUCATION OUTSIDE THE UNITED STATES

- Dijon University, Faculty of Law, 1955 - 1957
- Second prize in *Concours des Facultés: Droit Civil et Institutions Judiciaires* (French Civil Law and Judicial Institutions), Dijon University, 1956
- University of Geneva, Faculty of Law, (one semester) 1957
- University of Cairo, Faculty of Law, 1958 - 1962 (LL.B.)

LEGAL EDUCATION IN THE UNITED STATES

- J.D. Indiana University, School of Law, 1964
- LL.M. The John Marshall Lawyers Institute, 1966
(International and Maritime Law)
- S.J.D. George Washington University, 1973
(International Criminal Law)

PERSONAL DATA

- Born in Cairo, Egypt, 1937
- United States citizen since 1967
- Married; resident of Chicago, Illinois, U.S.A. since 1963
- Son of a career diplomat (retired Ambassador); grandson of former President of the Egyptian Senate
- Widely traveled
- Languages:
 - English, French, Arabic, and Italian - Fluent
 - German and Spanish - Conversational

CASES CITING PUBLICATIONS

Professor Bassiouni's books and articles have been cited in many international tribunals and foreign courts. The United States Supreme Court has cited his work in eight difference court proceedings, and United States Appellate and Federal Courts have cited him in 175 legal actions.

INTERNATIONAL COURTS

INTERNATIONAL COURT OF JUSTICE

1. *Case Concerning the Arrest Warrant of 11 April 2000*, (Democratic Republic of the Congo v. Belgium), 41 I.L.M. at 536 (May 2002).
2. *Case Concerning the Arrest Warrant of 11 April 2000*, (Democratic Republic of Congo v. Belgium), 2002 I.C.J. Lexis 5 at 228 (14 February) (separate opinion of Judges Higgins, Kooijmans and Buergenthal) (3 INTERNATIONAL CRIMINAL LAW: ENFORCEMENT (2d ed. 1999)).
3. *Case Concerning the Arrest Warrant of 11 April 2000* (Democratic Republic of Congo v. Belgium), 2002 I.C.J. Lexis 5 at 81 (14 February) (dissenting opinion of Judge ad hoc Van den Wyngaert) (UNIVERSAL JURISDICTION FOR INTERNATIONAL CRIMES: HISTORICAL PERSPECTIVES AND CONTEMPORARY PRACTICE, in 42 VA. J. INT'L L. 81 (2001)).
4. *Case Concerning Questions of Interpretation and Application of the 1971 Montreal Convention Arising from the Aerial Incident at Lockerbie* (Libya v. U.S.), 1998 I.C.J. Lexis 7 (April 14) (request for indication of provisional measures) (INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d rev. ed. 1987)).
5. *Case Concerning Arbitral Award of July 31, 1989* (Guinea Bissau v. Senegal), 1991 I.C.J. Reports at 53, 158. [THE ISLAMIC CRIMINAL JUSTICE SYSTEM (1982)].

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

1. *Prosecutor v. Martić*, Case No. IT-95-11-A, Judgment, at 22-24 (Oct. 8, 2008) (*citing Crimes Against Humanity in International Criminal Law 17* (1992)).
2. *Prosecutor v. Stakic*, Case No. IT-97-24-A, Judgment, at 60, 70-71 (March 22, 2006) (*citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW* (2d rev. ed., 1999)).
3. *Prosecutor v. Halilovic*, Case No. IT-01-48-T, Judgment, at 350-351 (November 16, 2005) (*citing THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA* (1996)).
4. *Prosecutor v. Jokic*, Case No. IT-01-42/1-A, Judgment on Sentencing Appeal, (August 30, 2005) (*citing THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA Appendix II* (1996)).

5. *Prosecutor v. Enver Hadzihasanovic & Amir Kubura*, Case No. IT-01-47-AR73.3, Decision on Joint Defence Interlocutory Appeal of Trial Chamber Decision on Rule 98bis Motions for Acquittal at 658-659 (March 11, 2005) (*citing* THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (1996)).
6. *Prosecutor v. Enver Hadzihasanovic & Amir Kubura*, Case No. IT-01-47-T, Decision on Motions For Acquittal Pursuant to Rule 98 bis of the Rules of Procedure and Evidence, (September 27, 2004) (*citing* THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA p. 648-651 (1996)).
7. *Prosecutor v. Blaskic*, Case No. IT-95-14-A, Judgment, (July 29, 2004) (*citing* THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA p. 661 (1996)).
8. *Prosecutor v. Slobodan Milosevic*, 2004 I.C.T.Y. WL 3249535, at p. 315. FN108 (June 2004) (*citing* Crimes Against Humanity in International Criminal Law (2nd Revised Edition) (1999)).
9. *Prosecutor v. Milan Milutinovic, Nikola Sainovic & Dragoljub Ojdanic*, 2003 I.C.T.Y. WL 24014138, at p 356. FN60 (2003) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL LAW (1992); ACCOUNTABILITY FOR INTERNATIONAL CRIME AND SERIOUS VIOLATIONS OF FUNDAMENTAL HUMAN RIGHTS: INTERNATIONAL CRIMES: JUS COGENS AND OBLIGATION ERGA OMNES (1996); AUT DEDERE AUT JUDICARE, THE DUTY TO EXTRADITE OR PROSECUTE IN INTERNATIONAL LAW (1995)).
10. *Prosecutor v. Blagoje Simic, Miroslav Tadic, and Simo Zaric*, Case No. IT-95-9-T, Judgment, (October 17, 2003) (*citing* THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA p. 616-631 (1996)).
11. *Prosecutor v. Milorad Krnojelac*, Case No. IT-97-25-T, Judgment, (March 15, 2002) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW p. 179, 315 (2d rev. ed., 1999)).
12. *Prosecutor v. Krstic*, Case No. IT-98-33-T, Judgment, (August 2, 2001) [CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW p. 295 (2nd ed., 1999)].
13. *Prosecutor v. Radislav Krstic*, 2001 I.C.T.Y. WL 34712271at p. 295. FN1145 (2001) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (2nd edition) (1999)).
14. *Prosecutor v. Dario Kordic & Mario Cerkez*, Case No. IT-95-14/2, Judgment, (February 26, 2001) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW p. 362-363 (2d ed., 1999)).
15. *Prosecutor v. Zoran Kupresic et. al.*, Case No. IT-95-16-T, Judgment, (January 14, 2000) (*discussing* the defence's argument involving M. Cherif Bassiouni's reasoning at n. 927).
16. *Prosecutor v. Tadic*, 1999 I.C.T.Y. IT-94-1-T, Separate Opinion of Judge Robinson,

Sentencing Judgment, (November 11, 1999) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL LAW p. 179 (1992)).

17. *Prosecutor v. Tadic*, Case No. IT-94-1-T, Appellate Chamber Sentencing Judgment, at 179 (July 15, 1999) (separate opinion of Judge Shahabuddeen) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL LAW (1992)).
18. *Prosecutor v. Delalic, Mucic, Delic and Landzo (The Celebici case)*, Case No. IT-96-21-T, Judgment, (November 16, 1998) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW, at p. 113, 372 (1992); THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, at p. 350, 702 (1996)).
19. *Prosecutor v. Tadic*, Case No. IT-94-1-T, Opinion and Judgment, at 7, 114-9 (May 7, 1997) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW, (1992)).
20. *Prosecutor v. Tadic*, Case No. IT-94-1-A, Defence Motion for Interlocutory Appeal on Jurisdiction, (separate opinion of Judge Sidhwa) (October 2, 1995).
21. *Prosecutor v. Tadic*, Case No. IT-94-1-PT, Decision on the Defense Motion on Jurisdiction, at 130 (August 10, 1995) (*citing* A DRAFT INTERNATIONAL CRIMINAL CODE AND DRAFT STATUTE FOR AN INTERNATIONAL CRIMINAL TRIBUNAL, (1987)).

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

1. *Semanza v. the Prosecutor*, Case No. ICTR 97-20-A, Judgment, at 952 (May 20, 2005) (*citing* THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (1996)).
2. *Niyitegeka v. the Prosecutor*, Case No. ICTR 96-14-A, Judgment at 528 (July 9, 2004) (*citing* THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (1996)).
3. *Barayagwiza v. Prosecutor*, Case No. ICTR 97-19-AR72, Appeal Decision at 307, 316-17 (November 3, 1999) (*citing* THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA 913 (1996); THE PROTECTION OF HUMAN RIGHTS IN AFRICAN CRIMINAL PROCEEDINGS (1995)).
4. *Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR 95-1-T, Judgment (May 21, 1999) (*citing* THE LAW OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA at p. 524 (1996); CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)).
5. *Defence Submissions on the Motion on Defects in the Form of the Indictment in Prosecutor v. Barayagwiza*, Case No. ICTR 97-19-T, at 244-45 (July 10, 1998) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)).

EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

1. *Introductory Note to Extraordinary Chambers in the Courts of Cambodia Provisional Detention Order Against Kain Guek Eav*, 46 I.L.M. 911, 46 I.L.M. 911 (September 2007).

EUROPEAN COURT OF HUMAN RIGHTS

1. *Kononov v. Latvia*, App no 36376/04 2008 Eur. Ct. H.R. (citing INTRODUCTION TO INTERNATIONAL CRIMINAL LAW).
2. *Korbely v Hungary*, App no 9174/02 25 BHRC 382 (2008) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW).

NATIONAL COURTS

AUSTRALIA

HIGH COURT:

1. *R v. Tang*, (2008) 237 C.L.R. 1 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW 212 (2d. rev. ed. 1999); *Enslavement as an International Crime*, at 23; N.Y.U. J. INT'L L. & POL. at 445, 448, 457-458 (1991)).
2. *Vasiljkovic v. Commonwealth* (2006) 228 A.L.R. at 447 (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).
3. *Polyukhovich v. Commonwealth*, (1991) 172 C.L.R. at 501 (citing 3 INTERNATIONAL CRIMINAL LAW (1987); 2 A TREATISE ON INTERNATIONAL CRIMINAL LAW (1973)).

FEDERAL COURT:

1. *Santhirarajah v. A-G (Cth)*, [2012] FCA 940.
2. *SZIQH v. Minister for Immigration and Citizenship*, 2008 F.M.C.A 104; 2008 WL 510585 (2008).
3. *New Zealand v. Moloney and Another*, 2006 154 F.C.R. at 250 (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).
4. *Hermanowski v. United States of America*, 2006 149 F.C.R. at 93 (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).
5. *Dutton v. O'Shane*, 2003 132 F.C.R. 352 (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).
6. *Nulyarimma v. Thompson*, 1999 96 F.C.R. 153 (citing INTERNATIONAL CRIMES: JUS COGENS AND OBLIGATIO ERGA OMNES", LAW AND CONTEMPORARY PROBLEMS (1996)).

ADMINISTRATIVE APPEALS TRIBUNAL:

1. *Papak v. Minister for Immigration and Multicultural and Indigenous Affairs* (2003) AATA 518 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (Dordrecht: Martinus Nijhoff Publishers, 1992))
2. *VAG v Minister for Immigration and Multicultural and Indigenous Affairs*, (2002) A.A.T.A. 1332 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW).
3. *SAH v. Minister for Immigration and Multicultural Affairs*, (2002) A.A.T.A. 263 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW).
4. *SAL v. Minister for Immigration and Multicultural and Indigenous Affairs*, (2002) A.A.T.A. 1164 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW).
5. *RE W97/164 AND MINISTER FOR IMMIGRATION AND MULTICULTURAL AFFAIRS*, (1998) 51 A.L.D. 432 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW).

SUPREME COURT OF VICTORIA, APPEALS:

1. *R. v. Truong*, 2002 V.S.C.A. 27 (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).

CANADA

SUPREME COURT OF CANADA:

1. *Németh v. Canada (Ministre de la Justice)*, [2010] SCC 56, at 193 (Can.) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2007)).
2. *Judgment in Mugesera v. Canada (Minister of Citizenship and Immigration)*, [2005] 2 S.C.R. 100, at 3025 (Can.) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW 327 (2d rev. ed. 1999)).
3. *Judgment in Pushpanathan v. Canada (Minister of Citizenship and Immigration)*, [1998] 1 S.C.R. 982 at 135-163 (Can.) (citing INTERNATIONAL CRIMINAL LAW CRIMES (1986)).
4. *Pushpanathan v. Canadian Minister of Citizenship and Immigration*, [1998] S.C.C.
5. *R v. Finta*, [1994] 1 S.C.R. 701 (Can.) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)).

FEDERAL COURT OF APPEALS:

1. *Zrig v. Canada (Ministre de la Citoyenneté & de l'Immigration)*, [2003] FCA 178 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL LAW (1999); INTERNATIONAL CRIMINAL LAW , vol. 1, 2nd ed. (1999))
2. *Schreiber v. Canada (Attorney General)*, [1997] 144 D.L.R. (4th) 711 (Can.) at page 351

(citing INTERNATIONAL CRIMINAL LAW, VOL. II (1986)).

3. *Sivakumar v. Canada (Minister of Employment & Immigration)*, 1 F.C. 433, 163 N.R. 197; Federal Court of Canada — Court of Appeal; November 04, 1993; Docket: A-1043-91; [CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)]

FEDERAL COURT:

1. *Ahmed Atef v. The Minister of Citizenship and Immigration (T.D.)*, [1995] 3 F.C. 86
2. *Sivakumar v. Minister of Employment and Immigration*, [1994] 1 F.C. 433.
3. *Canada v. Khan*, [2011] FC 982 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)).
4. *Ezokola v. Canada (Minister of Citizenship and Immigration)* [2010] FC 662 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)).
5. *R. v. Saunders*, [2005] 232 N.S.R. (2d) 249 (Can.); (*Minister of Citizenship & Immigration v. Asghedom*, [2001] 210 F.T.R. 294 at page 345 (Can.) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992))).
6. *Canada (Minister of Citizenship and Immigration) v. Asghedom* 2001 FCT 972 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)).
7. *Moreno v. Canada (Minister of Employment & Immigration)*, [1992] 107 D.L.R. (4th) 424 1 F.C. 298 at 343 (citing Crimes Against Humanity in International Criminal Law (1992)).

SUPREME COURT OF BRITISH COLUMBIA:

1. *McVey v. Rey*, 30 BCLR (2d) 197 (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974))

ONTARIO COURT OF APPEALS:

1. *R. v. Asante-Mensah*, [2001] 204 D.L.R. (4th) 51 (Can.) (citing CITIZEN'S ARREST: THE LAW OF ARREST, SEARCH, AND SEIZURE FOR PRIVATE CITIZENS AND PRIVATE POLICE (1977)).

INDIA

SUPREME COURT:

1. *Daya Singh Lahora v. Union of India & ORD*, [2001] 2 LRI 839

ISRAEL

SUPREME COURT:

1. HCJ 3992/0459 *Cohen v. The Minister of Foreign Affairs*, [2005] IsrSC 59(1) 49 (*citing* AUT DEDERE AUT JUDICARE: THE DUTY TO EXTRADITE OR PROSECUTE IN INTERNATIONAL LAW at p. 26; INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE at p. 347-348 (3rd rev. ed., 1996)).
2. Cr.A 8801/09 (*citing* INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (5th ed., 2005))
2. Cr.A 4596/05 30.11/2005 *Roshenstein* (*citing* INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (5th ed. 2005))
3. Cr.A 7569/00 *Ygodiev v. The State of Israel*, IsrSC (*citing*) AUT DEDERE AUT JUDICARE: THE DUTY TO EXTRADITE OR PROSECUTE IN INTERNATIONAL LAW AT P. 4-5; INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE at p. 384 (3rd rev. ed., 1996)).
4. Cr.A 4596/05 *Rozynshtein v. The State of Israel*, [2005] IsrSC at 26, 37 (*citing* AUT DEDERE AUT JUDICARE: THE DUTY TO EXTRADITE OR PROSECUTE IN INTERNATIONAL LAW).
5. HCJ 4370/01 *Lafka v. The Ministry of Interior*, IsrSC at 167, 176 (*citing* INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (3rd rev. ed., 1996)).
6. Cr.A_10946/03 *Essa v. The State of Israel*, IsrSC (*citing* INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE at 465-473 (4rd rev. ed., 2002); AUT DEDERE AUT JUDICARE: THE DUTY TO EXTRADITE OR PROSECUTE IN INTERNATIONAL LAW at 26).

NEW ZEALAND

COURT OF APPEALS:

1. *Government of the United States of America v. Cullinane*, (2002) NZCA 330 (*citing* INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE 396-397, 423 (3rd rev. ed. 1996)).

REPUBLIC OF SOUTH AFRICA

CONSTITUTIONAL COURT:

1. *Judgment in Harksen v. President of the Republic of South Africa and others*, 2000 Constitutional Court CCT41/99, 2000 (2) SA 825 (CC) at 53-55 (S. Afr.) (*citing* INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (3rd rev. ed., 1996)).
2. *Geuking vs. President of the Republic of South Africa and others*, 2002 (1) SA 204 35 (CC) (S. Afr.) (*citing* INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE 66 (4th

rev. ed., 2002)).

3. *Robinson v. S*, 2004 (3) SA 267 (CC) (S. Afr.) (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE 66 (4th rev. ed., 2002)).
4. *President of the Republic of South Africa and Others v. Quagliani, and two similar cases*, 2009 (2) SA 466 (CC) (S. Afr. (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE xi, 32, 36 (4th rev. ed., 2002)).

HIGH COURT, CAPE OF GOOD HOPE PROVINCIAL DIVISION:

1. *Judgment in Trevor Claud Robinson v. Minister of Justice and Constitutional Development, Director of Public Prosecutions*, 2006 (6) SA 214 (C) (S. Afr.) (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).

TRINIDAD AND TOBAGO

HIGH COURT OF JUSTICE:

1. *Ferguson v. Atty. General of Trinidad and Tobago*, H.C.A. No. 4144 (High Court of Justice Nov. 7, 2011) (Expert Testimony of Prof. M. Cherif Bassiouni).

UNITED KINGDOM

HOUSE OF LORDS:

1. *Regina v. Bow Street Metropolitan Stipendiary Magistrate And Others, Ex Parte Pinochet Ugarte*, 1999 2 W.L.R. 827 H.L. U.K. (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (3d rev. ed. 1996)).

COURT OF APPEALS, ENGLAND AND WALES:

1. *The Queen on the Application of Ian Norris v. The Secretary of State for the Home Department*, (2006) EWCA 280 (Q.B.) (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).
2. *Lord Justice Richards and Mr. Justice Cranston v. The Queen and Secretary of State for Defence*, 2010 CO/11949/2008 Crim. UK (discussing M. Cherif Bassiouni as IE AFGHANISTAN).

HIGH COURT OF ENGLAND & WALES:

1. *Brian Stepp v. The Government of the United States of America and The Secretary of State for the Home Department*, (2006) EWHC 1033 (Q.B.) (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).
2. *Howard Welsh, Lee Hope Thrasher v. The Secretary of State for the Home Department*, (2006) EWHC 156 (Q.B.) (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE (4th rev. ed. 2002)).

3. *R. Norris v. Secretary of State for the Home Department* [2006] EWHC 280 (Admin)(citing Expert Opinion of M. Cherif Bassiouni)

DIVISIONAL COURT, ENGLAND AND WALES:

1. **R (on the application of Evans) v Secretary of State for Defence*, (2010) EWHC 1445 All ER (D) 219 (Q.B.) (discussing M. Cherif Bassiouni as the IE for Afghanistan; An Assessment of Justice Sector and Rule of Law Reform in Afghanistan and the Need for a Comprehensive Plan).

SCOTTISH HIGH COURT OF THE JUDICIARY:

1. *BH & Anor v. HM Advocate* [2011] ScotHC HCJAC 77 (citing Expert Opinion by M. Cherif Bassiouni)
2. *Calder v. The Lord Advocate And the Scottish Ministers* [2006] ScotHC HCJAC 71 (citing Expert Opinion by M. Cherif Bassioun).
3. *David John Calder v Her Majesty's Advocate; David John Calder v The Scottish Ministers*, (2006) ScotHC 71 SCCR 609 (M. Cherif Bassiouni Expert Opinion)

UNITED STATES COURTS

SUPREME COURT:

1. *Munaf v. Geren*, 553 U.S. 674, 699 (2008) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (5th ed. 2007)).
2. *Sosa v. Alvarez-Machain*, 542 U.S. 692, 737 (2004) (citing Human Rights in the Context of Criminal Justice: Identifying International Procedural Protections in National Constitutions, 3 DUKE J. COMP. & INT'L L. (1993)).
3. *United States v. Balsys*, 524 U.S. 666, 715 (1998) (citing Policy Considerations on Inter-State Cooperation in Criminal Matters, 4 PACE Y.B. INT'L L. 123 (1992)).
4. *United States v. Alvarez-Machain*, 504 U.S. 655 (1992) (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974) at p. 2196 n. 15, INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d rev. ed. 1987)).
5. *United States v. Alvarez-Machain*, 504 U.S. 655, 673 (1992) (Stevens, J. dissenting at n. 4) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d rev. ed. 1987)).
6. *Van Cauwenberghe v. Biard*, 486 U.S. 517, 525 (1988) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d. rev. ed. 1987)).
7. *United States v. Stanley*, 483 U.S. 669, 687 (1987) (Brennan, J. dissenting) (citing AN APPRAISAL OF HUMAN EXPERIMENTATION IN INTERNATIONAL LAW AND PRACTICE: THE

NEED FOR INTERNATIONAL REGULATION OF HUMAN EXPERIMENTATION 72 J. OF CRIM. L. & C. 1597, 1607 (1981)).

8. *Kolender v. Lawson*, 461 U.S. 352 at 357 (1983) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).

COURT OF APPEALS:

FIRST CIRCUIT

1. *United States v. Cardales-Luna*, 632 F.3d 731 (1st Cir. 2011) (*citing* Universal Jurisdiction for International Crimes: Historical Perspectives and Contemporary Practice, 42 VA. J. INT'L. L. 81, 152 (2001)).
2. *United States v. Lui Kin-Hong*, 110 F.3d 103, 110 (1st Cir. 1997) (*citing* INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
3. *United States v. Clotida*, 892 F.2d 1098 (1st Cir. 1989) (*citing* CRIMINAL LAW AND ITS PROCESSES (1969)).

SECOND CIRCUIT

1. *Kiobel v. Royal Dutch Petroleum Co.*, 621 F.3d 111, 169 (2d Cir. 2010) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (2d ed. 1999)).
2. *Sacirbey v. Guccione*, 589 F.3d 52, 59 (2d Cir. 2009) (Expert Testimony of Prof. M. Cherif Bassiouni).
3. *Abdullahi v. Pfizer, Inc.*, 562 F.3d 163, 177, 179, 182 (2d Cir. 2009) [AN APPRAISAL OF HUMAN EXPERIMENTATION IN INTERNATIONAL LAW AND PRACTICE: THE NEED FOR INTERNATIONAL REGULATION OF HUMAN EXPERIMENTATION, 72 J. Crim. L. & C. 1597, 1640 & n. 220, (1981)].
4. *Khulumani v. Barclay Nat'l Bank Ltd.*, 504 F.3d 254, 321, 325, 334 (2d Cir. 2007) (Korman, J. dissenting) (*citing* CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (2d ed. 1999)).
5. *Cheung v. United States*, 213 F.3d 82, 93 (2d Cir. 2000) (*citing* INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).
6. *United States v. Balsys*, 119 F.3d 122, 131, 135 (2d Cir. 1997) (*citing* POLICY CONSIDERATIONS ON INTER-STATE COOPERATION IN CRIMINAL MATTERS, 4 PACE Y.B. INT'L L. 123 (1992); INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1987)).
7. *Lo Duca v. United States*, 93 F.3d 1100, 1104 (2d Cir. 1996) (*citing* INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).

8. *Kadic v. Karadzic*, 70 F.3d 232 (2d Cir. 1995) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)).
9. *Austin v. Healy*, 5 F.3d 598, 604 (2d Cir. 1993) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d. rev. ed. 1987)).
10. *In re Extradition of McMullen*, 989 F.2d 603, 611 (2d Cir. 1993) (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).
11. *McMullen v. United States*, 953 F.2d 761, 770 (2d Cir. 1992) (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).
12. *United States v. Golitschek*, 808 F.2d 195, 196 (2d Cir. 1986) (Contributed to Brief for Golitschek, Defendant-Appellant).
13. *United States v. Doherty*, 786 F.2d 491, 495, 496 (2d Cir. 1986) (citing EXTRADITION REFORM LEGISLATION IN THE UNITED STATES: 1981-1983 17 AKRON L. REV. 495 (1984)].
14. *United States v. Romano*, 706 F.2d 370, 373, 375 (2d Cir. 1983) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
15. *Sindona v. Grant*, 619 F. 2d 167, 177, 178 (2d Cir. 1980) (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974); A TREATISE ON INTERNATIONAL CRIMINAL LAW (1973)).

THIRD CIRCUIT

1. *United States ex. rel. Saroop v. Garcia*, 109 F.3d 165, 168 (3d Cir. 1997) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
2. *United States v. Harvey*, 2 F.2d 1318, 1326 (3d Cir. 1993) (citing 1 INTERNATIONAL CRIMINAL LAW 349 (1986)).

FOURTH CIRCUIT

1. *Haxhiaj v. Hackman*, 528 F.3d 282 (4th Cir. 2008) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (5th ed. 2007)).
2. *Ordinola v. Hackman*, 478 F.3d 588 (4th Cir. 2007) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th. ed. 2002)); (Traxler, J. concurring) at p. 600, 611 (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).

FIFTH CIRCUIT

1. *Ntakirutimana v. Reno*, 184 F.3d 419 (5th Cir. 1999) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).
2. *Escobedo v. United States*, 623 F.2d 1098 (5th Cir. 1980) (Represented Castillo, a

defendant); (*citing* INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).

SEVENTH CIRCUIT

1. *Abdullahi v. Pfizer, Inc.*, 562 F.3d 163 (7th Cir. 2010) (*citing* An Appraisal of Human Experimentation in International Law and Practice: The Need for Regulation of Human Experimentation, 72 J. CRIM. L. & CRIMINOLOGY 1597-1666 (1981); AUT DEDERE AUT JUDICARE: THE DUTY TO EXTRADITE OR PROSECUTE IN INTERNATIONAL LAW, co-authored with Edward M. Wise (1995)).
2. *Lindstrom v. Graber*, 203 F.3d 470, 475 (7th Cir. 2000) (*citing* INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).
3. *United States v. Rutherford*, 54 F.3d 370, 373 (7th Cir. 1995) (*citing* SUBSTANTIVE CRIMINAL LAW 1978).
4. *Autocephalous Greek-Orthodox Church of Cyprus v. Goldberg and Feldman Fine Arts, Inc.*, 917 F.2d 278 (7th Cir. 1990) (*citing* REFLECTIONS ON CRIMINAL JURISDICTION IN INTERNATIONAL PROTECTION OF CULTURAL PROPERTY 10 SYRACUSE J. INT'L L. & COM. 281 (1983)).
5. *Overseas Dev. Disc Corp. v. Sangamo Constr. Co.*, 840 F.2d 1319 (7th Cir. 1988) (Expert Testimony of Prof. M. Cherif Bassiouni).
6. *Eain v. Wilkes*, 641 F.2d 504 (7th Cir. 1981) (*citing* INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).
7. *United States v. Mavrick*, 601 F.2d 921 (7th Cir. 1979) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).

NINTH CIRCUIT

1. *United States v. Anderson*, 472 F.3d 662 (9th Cir. 2006) (*citing* INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
2. *Cornejo-Barreto v. Siefert*, 379 F.3d 1075 (9th Cir. 2004) (*citing* INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d. ed. 1996)).
3. *Cheema v. Ashcroft*, 383 F.3d 848 (9th Cir. 2004) (*citing* WORLD WAR I: "THE WAR TO END ALL WARS" AND THE BIRTH OF A HANDICAPPED INTERNATIONAL CRIMINAL JUSTICE SYSTEM, 30 DENV. J. INT'L. L. & POL'Y 244 (2002)).
4. *Cheema v. Ashcroft*, 372 F.3d 1147 (9th Cir. 2004) (*citing* WORLD WAR I: "THE WAR TO END ALL WARS" AND THE BIRTH OF A HANDICAPPED INTERNATIONAL CRIMINAL JUSTICE SYSTEM, 30 DENV. J. INT'L. L. & POL'Y 244 (2002)).
5. *Cheema v. INS*, 350 F.3d 1035 (9th Cir. 2003) (*citing* WORLD WAR I: "THE WAR TO END ALL WARS" AND THE BIRTH OF A HANDICAPPED INTERNATIONAL CRIMINAL JUSTICE

SYSTEM, 30 DENV. J. INT'L. L. & POL'Y 244 (2002)).

6. *Alvarez-Machain v. United States*, 331 F.3d 604 (9th Cir. 2003) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002); INTERNATIONAL CRIMINAL LAW (2d ed. 1999); HUMAN RIGHTS IN THE CONTEXT OF CRIMINAL JUSTICE: IDENTIFYING INTERNATIONAL PROCEDURAL PROTECTIONS AND EQUIVALENT PROTECTIONS IN NATIONAL CONSTITUTIONS, 3 DUKE J. COMP. & INT'L L. 235 (1993)).
7. *Martinez v. City of Los Angeles*, 141 F.3d 1373 (9th Cir. 1998) (citing HUMAN RIGHTS IN THE CONTEXT OF CRIMINAL JUSTICE: IDENTIFYING INTERNATIONAL PROCEDURAL PROTECTIONS AND EQUIVALENT PROTECTIONS IN NATIONAL CONSTITUTIONS, 3 DUKE J. COMP. & INT'L L. 235 (1993)).
8. *Parretti v. United States*, 122 F.3d 758 (9th Cir. 1997) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
9. *Lopez-Smith v. Hood*, 121 F.3d 1322 (9th Cir. 1997) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).
10. *Parretti v. United States*, 112 F.3d 1363 (9th Cir. 1997) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
11. *United States v. Merit*, 962 F.2d 917 (9th Cir. 1992) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
12. *United States v. Verdugo-Urquidez*, 939 F.2d 1341 (9th Cir. 1991) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
13. *United States v. Van Cauwenberghe*, 827 F.2d 424 (9th Cir. 1987) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
14. *United States v. Van Cauwenberghe*, 814 F.2d 1329 (9th Cir. 1987) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
15. *United States v. Najohn*, 785 F.2d 1420 (9th Cir. 1986) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
16. *Quinn v. Robinson*, 783 F.2d 776 (9th Cir. 1986) (citing INTERNATIONAL EXTRADITION: A SUMMARY OF CONTEMPORARY AMERICAN PRACTICE AND A PROPOSED FORMULA, 15 WAYNE L. REV. 733 (1969) at 789; INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974) at 793; INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983) at 795 fn. 14, 800 n. 21; INTERNATIONAL LAW AND THE HOLOCAUST, 9 CAL. WEST. INT'L L. J. 202 (1988) at 800 n. 22; INTERNATIONAL CRIMINAL LAW: A DRAFT INTERNATIONAL CRIMINAL CODE (1980); INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983) at 804).

ELEVENTH CIRCUIT

1. *United States v. Bellaizac-Hurtado*, 700 F.3d 1245 (11th Cir. 2012) (citing *Universal Jurisdiction for International Crimes: Historical Perspectives and Contemporary Practice*, 42 Va. J. Int'l L. 81, 107 (2001)).
2. *Gallo-Chamorro v. United States*, 233 F.3d 1298, 1305-06 (11th Cir. 2000) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE* (2d ed. 1987)).
3. *United States v. Gecas*, 120 F.3d 1419, 1479 (11th Cir. 1997) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE* (3d ed. 1996)).
4. *United States v. Puentes*, 50 F.3d 1567, 1572 (11th Cir. 1995) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE* (2d ed. 1987)).
5. *United States v. Gallo-Chamorro*, 48 F.3d 502, 507 (11th Cir. 1995) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE* (2d ed. 1987)).
6. *Martin v. Warden*, 993 F.2d 824, 828 n.6 (11th Cir. 1993) (citing *INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER* (1974)).
7. *United States v. Herbage*, 850 F.2d 1463, 1465 (11th Cir. 1988) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE* (2d ed. 1987)).

DISTRICT OF COLUMBIA CIRCUIT

1. *United States v. Ali*, 885 F. Supp. 2d 17 (D.C. Cir. 2012) (citing *Universal Jurisdiction for International Crimes: Historical Perspectives and Contemporary Practice* (2001)).
2. *Omar v. McHugh*, 646 F.3d 13 (D.C. Cir. 2011) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE* 921 (5th ed. 2007)).

DISTRICT COURTS:

1. *Zhenli Ye Gon v. Holder*, 992 F. Supp. 2d 637 (W.D.Va. 2014) (citing *International Extradition: United States Law and Practice* (5th ed. 2007)).
2. *Portillo v. Bharara*, 2012 U.S. Dist. LEXIS 66030 (S.D.N.Y. 2012) (citing Expert Legal Opinion of M. Cherif Bassiouni dated July 27, 2010 relating to the Extradition Request of the United States to the Republic of Guatemala for the Extradition of Former President Alfonso Portillo ("Bassiouni Op.")² at 1.).
3. *United States v. Wathne*, (N.D. Cal. 2008) (citing ... [*13] the government had a legal basis to request extradition from Russia under the UN Drug Convention. See Doc # 40 at 14-15. Professor Cherif Bassiouni testified as an expert witness for defendant, who characterized Bassiouni as author of "the" book on extradition law. When asked whether the United States could have relied on the UN Drug Convention to obtain defendant's extradition from Russia, Professor Bassiouni responded, "[w]ell, the US could have relied

on the treaty to make the request; whether Russia would have conceded it is another matter." Reporter's ...)

4. *United States v. Ramnath*, 533 F. Supp. 2d 662 (2008); (citing *International Extradition: United States Law and Practice* (4th ed. 2002).
5. *Nguyen Thang Loi v. Dow Chem. Co. (In re Agent Orange Prod. Liab. Litig.)*, 373 F. Supp. 2d 7 (2005) (citing *Crimes Against Humanity, in CRIMES OF WAR: WHAT THE PUBLIC SHOULD KNOW* (1999)
6. *Doe v. Saravia*, 348 F. Supp. 2d 1112 (2004) (citing *Crimes against Humanity in International Criminal Law* (2d ed. 1999)
7. *United States v. Martinez*, 755 F. Supp. 1031 (1991) (citing , *International Extradition: United States Law & Practice*, ch. 3, § 2, p. 194 (2d ed. 1987)
8. *United States v. Hamdan*, 801 F. Supp. 2d 1247 (2011) (citing, *International Criminal Law*] 72, 70 [(2d ed. 1999)
9. *United States v. Nunez-Garrido*, 829 F. Supp. 2d 1277 (S.D. Fla. Nov. 2 2011) (citing *INTERNATIONAL EXTRADITION, Ch.VIII, § 4.8* [5th ed. 2007]
10. *In Re Extradition Handanovic*, 2011 U.S. Dist. LEXIS 116144 (D. Ore. Oct. 7, 2011)(citing *INTERNATIONAL EXTRADITION* (5th ed. 2007)
11. *Doe v. Nestle, S.A.*, 2010 U.S. Dist. LEXIS 98991 at *27 (C.D. Cal. 2010) (citing 1 *INTERNATIONAL CRIMINAL LAW* 5 (2008)).
12. *Karunamunige Chamila Krishanthi v. Rajakumara Rajaratnam*, 2010 U.S. Dist. LEXIS 88788, (D. N.J. 2010) (citing *CRIMES AGAINST HUMANITY*).
13. *Markey v. United States Marshal Serv.*, 2010 U.S. Dist. LEXIS 38082 (N.D. IN 2010) (Expert Testimony of Prof. M. Cherif Bassiouni)
14. *Juarez-Saldana v. United States*, 700 F. Supp. 2d 953 (W.D. Tenn. 2010) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE*).
15. *United States v. Ramnath*, 533 F. Supp. 2d 662, 664 (E.D. Tx. 2008) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE*).
16. *S. African Apartheid Litig v. Daimler, AG*, 617 F. Supp. 2d, 228, 271 (S.D.N.Y. 2009) (citing *THE NEW WARS AND THE CRISIS OF COMPLIANCE WITH THE LAW OF ARMED CONFLICT BY NON-STATE ACTORS*, 98 J. CRIM. L. & CRIMINOLOGY 711, (2008)).
17. *In re Extradition of Harshbarger*, 600 F. Supp. 2d 636, 644 (M.D. Pa. 2009) (citing *INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE* (5th ed. 2007)).
18. *In re Extradition of Szepietowski*, 2009 U.S. Dist. Lexis 4658, (E.D.N.Y. 2009) (citing

INTERNATIONAL EXTRADITION: UNITED STATES LAW & PRACTICE (3d ed. 1996)).

19. *Chowdhury v. Worldtel Bangl. Holding, Ltd.*, 588 F. Supp. 2d 375, 381 (E.D.N.Y. 2008) (citing HUMAN RIGHTS IN THE CONTEXT OF CRIMINAL JUSTICE: IDENTIFYING INTERNATIONAL PROCEDURAL PROTECTIONS AND EQUIVALENT PROTECTIONS IN NATIONAL CONSTITUTIONS, 3 DUKE J. COMP. & INT'L L. 235, (1993)).
20. *In re Bilanovic*, 2008 U.S. Dist. Lexis 97893 (W.D.Mich. 2008) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (5th ed. 2007)).
21. *United States v. Wathne*, 2008 U.S. Dist. Lexis 79348 (N.D. Cal. 2008) (Expert Testimony of Prof. M. Cherif Bassiouni).
22. *United States v. Ramnath*, 533 F. Supp. 2d 662, 664 n. 2-3, 666, 679 n. 26 (E.D. Tx. 2008) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
23. *United States v. Reumayr*, 530 F. Supp. 2d 1210, 1215 (D.N.M. 2008) (citing Christopher L. Blakesley, EXTRATERRITORIAL JURISDICTION *in* INTERNATIONAL CRIMINAL LAW 50-81 (2d ed. 1999) (M. Cherif Bassiouni, ed.)).
24. *United States v. Avdic*, (S.D. S.D. 2007) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
25. *Medelius-Rodriguez v. United States*, (E.D. N.C. 2007) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
26. *United States v. Andrade*, 2006 U.S. Dist. LEXIS 89870 (D. Or. 2006) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
27. *United States v. Andrade*, 2006 U.S. Dist. LEXIS 70040 (D. Or. 2006) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
28. *In re Gambino*, 421 F. Supp. 2d 283 (D. Mass. 2006) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
29. *Arambasic v. Ashcroft*, 403 F. Supp. 2d 951 (D.S.D. 2005) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
30. *United States v. Cardoso*, 2005 WL 1228826 (M.D. Fla. 2005) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE 473-74 (4th ed. 2002)).
31. *In re Extradition of Sacirbegovic*, 2005 U.S. Dist. LEXIS 707 (S.D.N.Y. 2005) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
32. *In re Agent Orange Product Liability Litigation*, WL 555582 (E.D.N.Y. 2005) (citing Crimes Against Humanity, in CRIMES OF WAR: WHAT THE PUBLIC SHOULD KNOW 107 (Roy Gutman & David Rieff eds., 1999)).

33. *Benitez v. Garcia*, 419 F. Supp. 2d 1234 (D. Cal. 2004) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).
34. *Doe v. Saravia*, 348 F. Supp. 2d 1112 (E.D. Cal. 2004) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (2d ed. 1999)).
35. *Kane v. Winn*, 319 F. Supp. 2d 162 (D. Mass. 2004) (citing The Protection of Human Rights in the Criminal Process Under International Instruments and National Constitutions 91 & chart 5 (1981)).
36. *In re Extradition of Waters*, 2003 WL 23185666 (E.D.N.Y. 2003) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE 713 (3d ed. 1996)).
37. *In re Extradition of Herrera*, 268 F. Supp. 2d 688 (W.D. Tex. 2003) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE Ch. IX § 2.4 (3d ed. 1996)).
38. *Doe v. Karadzic*, 192 F.R.D. 133 (S.D.N.Y. 2000) (Expert Testimony of Prof. M. Cherif Bassiouni).
39. *United States v. Bin Laden*, 92 F. Supp. 2d 189, 195, 218 (S.D.N.Y. 2000) (citing INTERNATIONAL CRIMINAL LAW (2d ed. 1999)).
40. *Elcock v. United States*, 80 F. Supp. 2d 70 (E.D.N.Y. 2000) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996) p. 598; INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974); TREATISE ON INTERNATIONAL CRIMINAL LAW (1973) p. 273).
41. *United States v. Fernandez-Morris*, 99 F. Supp. 2d 1358, 1369 (S.D. Fla. 1999) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
42. *Duran v. United States*, 36 F. Supp.2d 622, 624 (S.D.N.Y. 1999) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).
43. *Extradition of Neto*, 1998 WL 898328 at 2 (S.D.N.Y. 1998) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).
44. *Maguna-Celaya v. Haro*, 19 F. Supp.2d 1337, 1341-43 (S.D. Fla. 1998) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).
45. *In re Extradition of Valdez-Mainero*, 3 F. Supp.2d 1112, 1115 (S.D. Cal. 1998) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).
46. *Matter of Extradition of Atta*, 1988 WL 66866 (E.D.N.Y. 1988) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
47. *Matter of Extradition of Pineda Lara*, 1998 WL 67656 (S.D.N.Y. 1998) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3rd ed. 1996)).

48. *Matter of Extradition of Ernst*, 1998 WL 30283 at 5 (S.D.N.Y. 1998) (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).
49. *United States v. Medina*, 985 F. Supp. 397, 399 (S.D.N.Y. 1998) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
50. *Carreno v. Johnson*, 899 F. Supp. 624, 630 (S.D. Fla. 1995) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
51. *United States v. Jurado-Rodriguez*, 1995 WL 684566 at 59, 60 (E.D. N.Y. 1995) (Expert Testimony of Prof. M. Cherif Bassiouni).
52. *In re Smyth*, 863 F. Supp. 1137, 1149 (N.D. Cal. 1994) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d rev. ed. 1987)).
53. *Hilario v. United States*, 854 F. Supp. 165, 169 (E.D.N.Y. 1994) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
54. *United States v. De La Pava*, 1993 WL 50943, at *4, *10 (N.D. Ill. 1993) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
55. *United States v. Conicino-Perez*, 151 F.R.D. 521, 525 (E.D.N.Y. 1993) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
56. *In re Extradition of Garcia*, 802 F. Supp 773, 777 (E.D.N.Y. 1992) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
57. *United States v. Martinez*, 755 F. Supp. 1031, 1035 (N.D. Ga. 1991) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
58. *In re Extradition of McMullen*, 769 F. Supp. 1278 (S.D.N.Y. 1991) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE at 1287 n. 10; INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974) at 1292; INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983) at 1293).
59. *In re Extradition of Heilbronn*, 773 F. Supp. 1576, 1578, 1582 (W.D. Mich. 1991) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed.1987)).
60. *In re Extradition of Guillen*, 1991 WL 149623 at *5 (N.D. Ill. 1991) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
61. *United States v. Taitz*, 134 F.R.D. 288 at 290 (S.D. Cal. 1991) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
62. *Spatola v. United States*, 741 F. Supp. 362 (E.D.N.Y. 1990) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987) at 363, 366; Expert Testimony of Prof. M. Cherif Bassiouni, p. 367; INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987) at 370, 371, 372, 373, and 374 n. 36).

63. *Koskotas v. Roche*, 740 F. Supp. 904, 920 n. 29 (D. Mass. 1990) (citing 2 INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
64. *In re Kasper-Ansermet*, 132 F.R.D. 622, 630 (D. N.J. 1990) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
65. *United States v. Caro-Quintero*, 745 F. Supp. 599, 607, 609, 614 (C.D. Cal. 1990) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).
66. *United States v. Spatola*, 1989 WL 126771 at *5n. 4 (E.D.N.Y. 1989) (citing Expert Testimony of Prof. M. Cherif Bassiouni).
67. *Ahmad v. Wigen*, 726 F. Supp. 389, 398, 401 (E.D.N.Y. 1989) (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).
68. *United States v. Yunis*, 681 F. Supp. 896 (D. D.C. 1988) (citing INTERNATIONAL CRIMINAL LAW: A GUIDE TO U.S. LAW AND PRACTICE (1987) at 901, 903; 2 INTERNATIONAL CRIMINAL LAW (1986) at 904).
69. *United States v. Yunis*, 681 F. Supp. 909, 918, n.7 (D.D.C. 1988) (citing 2 INTERNATIONAL CRIMINAL LAW (1986)).
70. *In re Mahmoud Abed Atta*, 1988 WL 66866 at *7 and *23 n. 23 (E.D.N.Y. 1988) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
71. *United States v. Panhandle Eastern Corp.*, 693 F. Supp. 88, 95, 100 (D. Del. 1988) (citing Expert Testimony of Prof. M. Cherif Bassiouni).
72. *In re Extradition of Demjanjuk*, 612 F. Supp. 544, 557 (N.D. Ohio 1985) (citing II INTERNATIONAL CRIMINAL LAW (1973)).
73. *In re the Extradition of Sindona*, 584 F. Supp. 1437, 1446 (E.D. N.Y. 1984) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
74. *United States v. Messina*, 566 F. Supp. 740, 742 (E.D.N.Y. 1983) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).
75. *Abu Laban v. Sava*, 564 F. Supp. 30, 33 (S.D.N.Y. 1982) (citing CIVIL RIGHTS OF ARAB-AMERICANS: 'SPECIAL MEASURES' INFORMATION PAPERS NO. 10, January 1974).
76. *Overseas Dev. Disc Corp. v. Sangamo Constr. Co.*, 502 F. Supp. 1256, 1265 (C.D. Ill. 1980) (Expert Testimony of Prof. M. Cherif Bassiouni).
77. *United States v. Conlon*, 481 F. Supp. 654, 663 (D.D.C. 1979) (citing SUBSTANTIVE CRIMINAL LAW (1978)).
78. *Taylor v. Jackson*, 470 F. Supp. 1290, 1292 (S.D.N.Y. 1979) (citing 2 INTERNATIONAL CRIMINAL LAW (1973)).

79. *Sindona v. Grant*, 1979 U.S. Dist. Lexis 11209 (S.D.N.Y. 1979) (citing C. Bassiouni & V. Nanda, II A Treatise on International Criminal Law, § 7.9, at 273-74 (1973)).
80. *United States v. Alton Box Board Co.*, 1977 U.S. Dist. Lexis 17063 (N.D. Ill. 1977) (citing CRIMINAL LAW AND ITS PROCESSES (1969)).
81. *United States v. Salzmann*, 417 F. Supp. 1139 at 1158 (E.D.N.Y. 1976) (citing 2 TREATISE ON INTERNATIONAL CRIMINAL LAW (1973)).

COURT OF MILITARY COMMISSION REVIEW:

1. *United States v. Hamdan*, 801 F. Supp. 2d 1247 (2011)(citing INTERNATIONAL CRIMINAL LAW 72 (M. Cherif Bassiouni ed., 2d ed. 1999)); and M. Cherif Bassiouni et al., *An Appraisal of Human Experimentation in International Law and Practice: The Need for International Regulation of Human Experimentation*, 72 J. CRIM. L. AND CRIMINOLOGY 1597, 1640 and n. 220 [1981])

COURT OF CUSTOMS AND PATENT APPEALS:

1. *United States v. Yoshida Int'l, Inc.*, 526 F.2d 560, 571 n. 11 (1975) (citing *Presidential Discretion in Foreign Trade and Its Effect on East-West Trade*, 14 WAYNE L. REV. 494 (1968)).

STATE SUPREME COURTS:

1. *Montana v. Updegraff*, 267 P.3d 28 (Mont. 2011) (citing CITIZEN'S ARREST THE LAW OF ARREST, SEARCH, AND SEIZURE FOR PRIVATE CITIZENS AND PRIVATE POLICE 9 (1977)).
2. *State v. Pang*, 930 P.2d 1148, 1153 (N.M. 1996) (citing CITIZEN'S ARREST THE LAW OF ARREST, SEARCH, AND SEIZURE FOR PRIVATE CITIZENS AND PRIVATE POLICE (1977)).
3. *People v. Pastewski*, 647 N.E.2d. 278 at 287 (Ill. 1995) (citing SUBSTANTIVE CRIMINAL LAW (1978)).
4. *People v. La Fontaine*, 235 A.2d 93, 100 (N.Y. App. Div. 1993) (citing CITIZEN'S ARREST: THE LAW OF ARREST, SEARCH, AND SEIZURE FOR PRIVATE CITIZENS AND PRIVATE POLICE (1977)).
5. *Smitherman v. McCafferty*, 622 So. 2d 322, 324 (Ala. 1993) (citing CITIZEN'S ARREST: THE LAW OF ARREST, SEARCH, AND SEIZURE FOR PRIVATE CITIZENS AND PRIVATE POLICE (1977)).
6. *State v. Kalathakis*, 563 So. 2d 228, 231 (La. 1990) (citing SUBSTANTIVE CRIMINAL LAW (1978)).
7. *State v. Lira*, 759 P.2d 869, 872 n. 6 (Haw. 1988) (citing SUBSTANTIVE CRIMINAL LAW (1978)).

8. *State v. Nichols*, 734 P.2d 170, 176 (Mont. 1987) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
9. *G.M. Mosley Contractors v. Cleo Phillips*, 487 So. 2d 876, 878 (Ala. 1986) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
10. *State v. Ferreira*, 709 P.2d 607, 610 (Haw. 1985) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
11. *State v. Boyer*, 342 N.W.2d 497, 499 (Iowa 1984) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
12. *People v. Alejos*, 455 N.E.2d 48, 51 (Ill. 1983) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
13. *Commonwealth v. Moran*, 442 N.E.2d 399, 401 (Mass. 1982) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
14. *State v. Davis*, 613 S.W.2d 218, 220 (Tenn. 1981) (*citing* CRIMINAL LAW AND ITS PROCESSES (1969)).
15. *State v. Otto*, 629 P.2d 646, 648 n. 4 (Idaho 1981) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
16. *State v. Kapoi*, 637 P.2d 1105, 1110 n. 5 (Haw. 1981) (*citing* Citizen's Arrest: the Law of Arrest, Search, and Seizure for Private Citizens and Private Police (1977)).
17. *Litteral v. State*, 634 P.2d 1226, 1228 (Nev. 1981) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
18. *People v. Mirmirani*, 636 P.2d 1130, 1138 (Cal. 1981) (Newman, J. concurring) (*citing* REPORT ON THE ESTABLISHMENT OF AN INTERNATIONAL CRIMINAL COURT FOR THE IMPLEMENTATION OF THE APARTHEID CONVENTION AND OTHER RELEVANT INTERNATIONAL INSTRUMENTS, 9 HOFSTRA L.R. 523 (1981)).
19. *Duran v. Buttrey Food, Inc.*, 616 P.2d 327, 336 (Mont. 1980) (Haswell, J. concurring in part and dissenting in part) (*citing* CITIZEN'S ARREST: THE LAW OF ARREST, SEARCH, AND SEIZURE FOR PRIVATE CITIZENS AND PRIVATE POLICE (1977)).
20. *State v. Sunday*, 609 P.2d 1188 at 1197 (Mont. 1980) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
21. *State v. Holt*, 592 S.W.2d 759 at 765 (Mo. 1980) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
22. *People v. Banks*, 388 N.E.2d 1244, 1246, 1247 (Ill. 1979) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).

23. *People v. Zelinski*, 594 P.2d 1000, 1005 (Cal. 1979) (*citing* CITIZEN'S ARREST: THE LAW OF ARREST, SEARCH, AND SEIZURE FOR PRIVATE CITIZENS AND PRIVATE POLICE (1977)).
24. *People v. Simpson*, 384 N.E.2d 373, 375 (Ill. 1978) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
25. *Nason v. Superintendent of Bridgewater State Hosp.*, 233 N.E.2d 908, 913 n. 9 (Mass. 1968) (*citing* THE RIGHT OF THE MENTALLY ILL TO CURE AND TREATMENT, 15 DE PAUL L. REV. 291 (1966)).

STATE COURT OF APPEALS:

1. *State v. Gumto*, 66 So. 3d 88 (La. Ct. App. 4th Cir. 2011) (*citing* SUBSTANTIVE CRIMINAL LAW (1978)).
2. *State v. Updegraff*, 267 P.3d 28 (citing M. Cherif Bassiouni, Citizen's Arrest 9 (1977))
3. *People v. Minor*, 121 Cal.App. 4th 1430 (*citing* written opinion of Professor M. Cherif Bassiouni (2004))
4. *State v. Johnson*, 930 P.2d 1148 (citing M. Cherif Bassiouni, Citizen's Arrest 23 (1997))
5. *State v. Young*, 25 So. 3d 256 (*citing* SUBSTANTIVE CRIMINAL LAW (1978))
6. *State v. Bellow*, 993 So. 2d 307 (La. Ct. App. 5th Cir. 2008) (*citing* SUBSTANTIVE CRIMINAL LAW (1978))
7. *People v. Minor*, 125 Cal. App. 4th 1576; 23 Cal. Rptr. 3d 669; 2005 Cal. App. LEXIS 102 (2005) (Expert testimony of M. Cherif Bassiouni)
8. *State v. Arnold*, 801 So. 2d 408 (La. Ct. App. 3rd Cir 2001) (*citing* SUBSTANTIVE CRIMINAL LAW (1978))
9. *State v. Meyers*, 735 So. 2d 935 (La. Ct. App. 4th Cir. 1999) (*citing* SUBSTANTIVE CRIMINAL LAW (1978))
10. *State v. Richardson*, 729 So. 2d 114 (La. Ct. App. 1999) (*citing* SUBSTANTIVE CRIMINAL LAW (1978))