



2016 High School Moot International Criminal Court Competition Citation Guide

Lawyers, both in practice and in law schools, follow a complicated set of rules for citing to cases, articles and other materials. These rules can be found in 511 headache-inducing pages of small type font published as a citation guide called The Bluebook®. For purposes of this competition, we are making life easy (or at least somewhat easier) for you by providing the following simplified guidelines for citing to the materials in this year’s package of source materials. Use the first, full citation form the first time that you refer to a source in your memorial; use the short citation for all subsequent references to that source. The short citation always refers the reader back to the footnote where you first used that source (and thus had the full citation).

For the court decisions in the source materials, you will cite to numbered paragraphs rather than pages. For Source 4 (Schabas), you will cite to the actual page numbers that you see on the copied pages. For Sources 3, 5 and 6, you will see in the text of the provided excerpts numbers inside brackets and preceded by an asterix (e.g., “[*532]”) that mark where a new page began in the original print publication of the article – use this number for your citations to these sources. (For example, if a number falls in the middle of a sentence that you want to cite or quote – “The opinion of earlier authors [*34] on this is wrong.” – you would cite to pages 33-34.)

Sources Discussing Re-characterization

Source 1: Majority Opinion of the ICC in the Katanga Case

Full citation: Prosecutor v. Germain Katanga, Case No. ICC-01/04-01/07, Judgment pursuant to article 74 of the Statute (March 7, 2014), at paragraph *[insert the number of the numbered paragraph in the opinion that you are citing]*.

Short citation: Prosecutor v. Germain Katanga, *supra* note *[first use]*, at *[insert the number of the numbered paragraph in the opinion that you are citing]*.

Source 2: Dissent in the Katanga Case

Full citation: Prosecutor v. Germain Katanga, Case No. ICC-01/04-01/07, Dissent of Judge Christine Van den Wyngaert (March 7, 2014), at paragraph *[insert the number of the numbered paragraph in the opinion that you are citing]*.

Short citation: Dissent of Van den Wyngaert in Katanga, *supra* note *[first use]*, at *[insert the number of the numbered paragraph in the opinion that you are citing]*.

Source 3: Dastugue on Regulation 55

Full citation: Margaux Dastugue, *NOTE: The Faults in "Fair" Trials: An Evaluation of Regulation 55 at the International Criminal Court*, 48 Vand. J. Transnat'l L. 273, *[insert number of page that you are citing]* (2015).

Short citation: Dastugue, *supra* note *[first use]*, at *[page number in the text you are citing]*.

Sources Discussing Aiding & Abetting Liability

Source 4: Schabas on Articles 25 and 30 of the Rome Statute

Full citation: William Schabas, Commentary on the Rome Statute, *[insert number of page that you are citing]* (Oxford University Press, 2010).

Short citation: Schabas, *supra* note *[first use]*, at *[page number in the text you are citing]*.

Source 5: Summers on Accomplice Liability

Full citation: Mark A. Summers, *Prosecuting Generals for War Crimes: The Shifting Sands of Accomplice Liability in International Criminal Law*, 23 Cardozo J. Int'l & Comp. L. 519, *[insert number of page that you are citing]* (2014).

Short citation: Summers, *supra* note *[first use]*, at *[page number in the text you are citing]*.

Source 6: Michalowski on Aiding & Abetting

Full citation: Sabine Michalowski, *The Mens Rea Standard For Corporate Aiding And Abetting Liability - Conclusions From International Criminal Law*, 18 UCLA J. Int'l L. & For. Aff. 237, [insert number of page that you are citing] (2014).

Short citation: Michalowski, *supra* note [first use], at [page number in the text you are citing].

Source 7: Judgment of the Taylor Court

Full citation: Prosecutor v. Taylor, Case No. SCSL-03-01-A, Appeals Judgment (Spec. Ct. Sierra Leone Sept. 26, 2013), at paragraph [insert the number of the numbered paragraph in the opinion that you are citing].

Short citation: Prosecutor v. Taylor, *supra* note [first use], at [insert the number of the numbered paragraph in the opinion that you are citing].

Citing to the Rome Statute, Regulation 55 or the Elements of Crimes

For the Statute itself, use the form Rome Statute Art. A(S)(s)(c), where A is the number of the article, S is the number of a section within it, and s, c, and so on are subsections and clauses – e.g., Art. 25(3)(d). Follow the same pattern for cites to Regulation 55 or the Elements of Crimes – e.g., ICC Reg. 55(3)(b) or ICC Elements Art. 8(2)(e)(i)(1).