

Style Sheet

for authors preparing texts for the
Journal of International Criminal Justice

PART I: LAYOUT OF THE MANUSCRIPT

A. Headings and Subheadings

In order to clearly present these publications it is useful to use a consistent system of headings. We would ask authors to use only three grades of headings, although up to five can be accommodated. The following hierarchy should be used (please do not use CAPITALS in headings)

- 1. Part One
- A. First Subheading
- 1. Second Subheading
- (a) Third subheading
- i) Fourth subheading

All nouns, verbs and adjectives on the first three levels should begin with Capital letters.

B. Spelling

Spelling should follow the *Oxford English Dictionary*, *Concise Oxford Dictionary*, or the *Oxford Dictionary for Writers and Editors*. Where there is a choice we prefer the endings **-ize** and **-ization** as opposed to **-ise** or **-isation**. However, some words are always spelt with an 's', e.g. analyse or advertise.

C. Italics and Emphasis

Use *italics* for the following:

1. The names of **cases**, e.g.

Karadzole v. Artukovic
Blockburger test
Tadić case
Pinochet decision
... in *Delalić et al.*

2. The titles of published **books**, e.g. M. Cherif Bassiouni's book, *Crimes Against Humanity in International Criminal Law* (2nd rev. edn., Hague-London-Boston: Martinus Nijhoff, 1999)

3. The titles of **periodicals**, e.g. *Journal du droit international*

4. Short foreign phrases, names, or individual words, e.g. *Cour de cassation, sui generis, ratione temporis, de jure, mens rea, actus reus, raison d'être, amicus curiae* (or *amici curiae*), etc. Common Latin (or other) abbreviations or words should **not** be italicized, including *cf.*, e.g., *ad hoc*, i.e., *per se*, *inter alia*, *vis-à-vis* and *de facto*.

5. Words or phrases which the author wishes to emphasize. Emphasis added by the author in a quoted passage should be explained in the corresponding footnote, with: (emphasis added).

6. Emphasizing by **use of Bold** is to be avoided as far as possible. Exceptions may apply for quoted passages where the original already contains certain emphasized passages in *italics* and the author wishes to add (other) emphasis. The corresponding footnote should then contain the explanation: (italic emphasis in the original, bold emphasis added).

7. An analogous rule applies for the opposite case. Where the author wishes to **omit an emphasis in a quoted passage**, this should be explained in the corresponding footnote: (emphasis omitted).

8. The *Journal* does **not** italicize 'See ...' in footnotes.

D. Abbreviations

1. Generally, abbreviations should be followed by a full stop e.g. *Applic.*, *Doc.*, *No.*, *Cf.*

2. However, acronyms do not have full stops, e.g. EEC, ECHR, ILC, UN, US/USA, UK.

3. Abbreviated law reports are **not** italicized, where custom demands, e.g. ECR, WLR, CMLR. The *Journal*, however, abbreviates United States Reporter and Supreme Court Reporter as U.S. and S. Ct. respectively, e.g. *Hamdan v. Rumsfeld* 548 U.S. 557; 126 S. Ct. 2749 [see, *infra*, on national case citation styles].

4. Abbreviations for expressions, institutions, or common doctrine may be used, but should be introduced when first appearing, e.g.

International Military Tribunals of Nuremberg (IMT)
Convention on the Rights of the Child (the Convention)
international criminal tribunals (ICTs)
joint criminal enterprise (JCE).

5. The *Journal* follows the style *Art./Arts*, *ed./eds*, *para./paras*, *vol./vols* i.e. **no** full stop after the abbreviated plural.

E. Punctuation

1. Quotations: single inverted commas should be used throughout, with double inverted commas being reserved for quotations **within** quotations. If the quotation forms a complete sentence, the closing full stop should be **inside** the closing quotation mark. If not, it should be **outside** it. Passages of **more than five lines** should be printed as a separate paragraph and **indented** *without*

quotation marks (hanging indent). Style in quotations should be maintained. No changes should be made in order to bring them into line with our house style

2. Omission of words in quotations: ellipses ('...') should be used to indicate an omission of words in a quotation, with a space either side. E.g. 'There is no suggestion in the present case ... that the father is in any way unfit to have access.' Where the sentence is complete the closing full stop is followed by a blank, followed by the ellipses. E.g. 'We are only concerned here with the welfare of the child. ... We uphold the appeal.' Generally speaking, there is no need for square brackets around ellipses (signifying elision of text).

3. Footnote numbers should be placed **after** the punctuation mark, e.g. This was stated by the ICJ in *Barcelona Traction*.²

4. Hyphens joining composite words should be short n-dashes, with no space before or after the hyphen. Long dashes (m-dashes) should be used as a punctuation device, with a space either side. Note that when there is a choice we, along with the Oxford dictionary, prefer not to hyphenate words, e.g. coordination, intergovernmental.

5. Parentheses: generally, authors should use single (parentheses) for all remarks and explanations in the text and in footnotes, including if necessary, (parenthesis within (parenthesis)), e.g. (see Judgment, *Tadić* (IT-94-1-A), Appeals Chamber, 15 July 1999, § 56).

However, [brackets] should be used in the following cases:

- For the year of law reports, e.g. [1987] ECR 855

- For modifications and explanatory remarks within quoted passages, e.g. 'The Court continued by stating that: "... [t]here is no suggestion in the present case that he [the father] is in any way unfit ...".'

{Braces} should be avoided as far as possible. They may, however, be retained if included in quoted passages. The same applies for « ».

6. Numbers: Numbers below 10 should be spelt out in full, otherwise arabic numbers should be used, e.g. 'There were 11 cases, but only three were heard.'

Numbers, especially page numbers, should **not** be elided, e.g. 126-129. This applies also to years, e.g. use 1992-1997, **not** 1992-4, or '92-'97.

Numbers greater than 3 digits should be separated with a comma, i.e. 1, 346,452.

7. Dates should be written as follows: 23 December 1999.

8. The section break symbol ('§') should be used for paragraph or para., §§ for paragraphs or paras (in citations from judgments, decisions, reports, etc.)

F. Use of Capital Letters

1. In headings: **A. *The Origins of the Draft Treaty***

2. In acronyms: NATO, ICRC, JCE

3. In quoted titles of books, articles and legal materials: ... the Equal Treatment Directive ...
4. In other cases, when speaking of specified acts, organs, etc. For example: Directive 76/206; Article 130r; ... in the Treaty of Rome ... ; the Court of Justice went on ... ; ... the Industrial Relations Tribunals; in its judgment of ... the Tribunal went on to say
5. But, capital letters should not be used when the reference is not to a specific directive, article, tribunal, etc., e.g.: ... as decided by **a** tribunal the year before ... ; ... among **i**ndictments issued by the ... , the Amended Indictment stands
6. In accordance with OUP guidelines, the word ‘state’, is not capitalized, e.g. ‘the state’s response to the judgment’. Generally, the same rule would apply to ‘states parties’ to the International Criminal Court.
7. N.B. The *Journal* does not capitalize ‘former’ in ‘International Criminal Tribunal for the former Yugoslavia’.
8. With regard to ‘prosecution’, ‘defence’, ‘prosecutor’ and ‘judges’, the *Journal* prefers the use of the lower-case; however, exceptions are made in accordance with authorial convention, as long as such use is consistent throughout the essay.

G. Font, Size and Margins

1. Articles should be submitted in ‘Times New Roman’, font 12, with 1.5 or double spaces between lines.
2. Margins should be set generously on all sides.

H. Diacritical Symbols

Authors **must** use diacritical marks where called for. E.g. names such as Češić, Blaškić and Furundžija should be written as such, and **not** as Cestic, Blaskic, or Furundzija. These characters are available in Word via the ‘symbols’ dialogue box, in the alphabet subset *Latin Extended-A*.

PART II: REFERENCES

Authors using difficult to obtain sources, such as unpublished decisions, etc., are kindly requested to send a copy of the source to the *Journal*.

Authors are asked to write out journal titles in full; subsequent citations of the same journal may be abbreviated as in: *Journal of International Criminal Justice (JICJ)* and then: *JICJ*.

References should be cited thus:

Books: [A. Author], [*title*], [vol. if from a series] ([edition, place: publisher, date]), [at exact page if a direct quote or paraphrase].
D. Garland, *Punishment and Modern Society: A Study in Social Theory* (Oxford: Clarendon Press, 1990), at 20-21.
A. Cassese, *International Law* (2nd edn., Oxford: Oxford University Press, 2005), at 56.
J. Dressler (ed.), *Encyclopaedia of Crime and Justice*, Vol. 3 (2nd edn., Woodridge, CT: Macmillan, 2002).

Chapters in books: [A. Author], ['Chapter title'], in [editor (ed.)], [*Book Title*] ([Place of publication: Publisher, Date]) [page range of chapter in book – N.B. no comma; may be full range, or first page], at [page number if direct quote or paraphrase].

B. Swart and G. Sluiter, 'The International Criminal Court and International Criminal Co-operation', in H.A.M. Von Hebel, J.G. Lammers and J. Schukking (eds), *Reflections on the International Criminal Court: Essays in Honour of Adriaan Bos* (The Hague: T.M.C. Asser Press, 1998) 91-120, at 102.

Periodical Articles: [A. Author], ['Article Title'], [Volume number] [*Periodical — full title (abbreviation), subsequently abbreviated*] [(date)] [page range of article – N.B. no comma; may be full range, or first page], at [page number if a direct quote or paraphrase].

D. Van Zyl Smit, 'Life Imprisonment as an Ultimate Penalty in International Law: A Human Rights Perspective', 9 *Criminal Law Forum* (1999) 5-54, at 8.

Subsequent references to the same article would be:
Van Zyl Smit, *supra* note X, at 43.

NGO Reports: [Author (individual author/s if named, organization if authors unnamed)], [*Title*], [Organization (if not already mentioned as author)], [date of publication (in parenthesis if year only)], available online at [insert full URL], at [page number if a direct quote or paraphrase].

Th. Cruvellier and M. Wierda, *The Special Court for Sierra Leone: The First Eighteen Months*, International Center for Transitional Justice (ICTJ) Case Study Series, March 2004, available at www.ictj.org/images/content/1/0/104.pdf (visited 9 March 2009), at 2.

Human Rights Watch, *Bringing Justice: The Special Court for Sierra Leone; Accomplishments, Shortcomings, and Needed Support* (2004), available online at <http://www.hrw.org/en/reports/2004/09/07/bringing-justice-special-court-sierra-leone> (visited 9 March 2009), at 3.

Blogposts: [A. Author], [‘Title’], [Blog: name and organization], [date of posting], available online at [insert full URL], at [page number if direct quote or paraphrase].

C. Chung, ‘Justice for Bashir: What’s Different Today?’, EJIL: Talk! Blog of the European Journal of International Law, 5 March 2009, available at <http://www.ejiltalk.org/justice-for-bashir-whats-different-today/> (last visited 1 April 2009).

Unpublished theses: J. Smith, ‘German Reunification’ (LLM thesis on file at the European University Institute, Florence.)

Cross-references to the same work should be made as follows:

Fawcett, *supra* note 31, at 12.

If that particular note contains two references by Fawcett or Fawcett’s works have been cited several times, a short title should be given:

Fawcett, *Supranationality*, *supra* note 31, at 12.

‘*Op. cit.*’ should be generally avoided. ‘*Ibid.*’ is used where there are two or more **consecutive** references to the same work. ‘*Idem*’ is used where there are two or more **consecutive** references to the same author.

It is possible to include a reference to a short title in brackets after first full citation, prefaced by ‘hereafter’, e.g.

Art. 1(1) Agreement Between the UN and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, 16 January 2002, available online at <http://www.scs-sl.org/LinkClick.aspx?fileticket=CLk1rMQtCHg%3d&tabid=200> (last visited 19 February 2009) (hereafter the ‘Agreement on the Establishment of the SCSL’).

Multiple authors: When there are two authors, separate their names with ‘and’ rather than by an ampersand (&). Where there are three authors, separate the first and second with a comma, and the second and third with an ‘and’.

G. Stéfani, G. Levasseur, and B. Bouloc, *Procédure penal général* (11th edn., Paris: Dalloz, 1996).

When there are more than three authors, you may list the first author and then ‘et al.’ (N.B. ‘et al.’ not in *italics*).

Multiple references: Where multiple references are being used in the same footnote, each should be separated by a semi-colon, e.g.

Y. Beigbeder, *Judging Criminal Leaders: The Slow Erosion of Impunity* (The Hague: Martinus Nijhoff, 2002), at 191; A. Tejan-Cole, 'The Special Court of Sierra Leone: Conceptual Concerns and Alternatives', 1 *African Human Rights Law Journal* (2001) 107-126, at 123; and L.A. Dickinson, 'The Promise of Hybrid Courts', 97 *American Journal of International Law* (2003) 295-310, at 299.

Internet sources: Where a hard copy of a text exists, the hard copy citation is the preferred citation. It is not necessary to include an internet address citation for text from official court decisions accessed via the internet, *if all of the normal citation information is available* (i.e. case name, deciding court, page citation, date of decision, etc.). Otherwise, cite an internet source, as follows:

See H.J. Albrecht, 'Settlements out of Court: A Comparative Study of European Criminal Justice Systems', Research Paper 19 (South African Law Commission) available online at <http://www.iuscrim.mpg.de/forsch/onlinepub/settlements.pdf> (visited 21 November 2002), at 4.

PART III: CITATION OF ICTY, ICTR, ICC DOCUMENTS AND TEXTS

A. Statutes

1. International Criminal Tribunal for the former Yugoslavia
Article 21(4)(e) ICTY Statute ... (in text)
Art. 21(4)(e) ICTYSt. (in footnote)
2. International Criminal Tribunal for Rwanda
Article 20(4)(f) ICTR Statute ... (in text)
Art. 20(4)(f) ICTRSt. ... (in footnote)
3. International Criminal Court
Article 99(4)(a) ICC Statute ... (in text)
Art. 99(4)(a) ICCSt. (in footnotes)

B. ICC Elements of Crimes

Article 7(1)(a), Elements of Crimes

C. Rules of Procedure and Evidence

1. International Criminal Tribunal for the former Yugoslavia
Rule 44(A)(i) ICTY RPE
2. International Criminal Tribunal for Rwanda
Rule 48*bis* (A)(ii) ICTR RPE
3. International Criminal Court
Rule 12(1)(a) ICC RPE

D. Cases before the ICTY, ICTR, ICC and other mixed or internationalized Courts

[Court Action], [*Name of case (defendant/s)*] [(Case No.)], [acting body], [date], [paragraph citation – use sign for section break]

Judgment, *Aleksovski* (IT-95-14/1-A), Appeals Chamber, 24 March 2000, § 63

Decision on Jurisdictional Appeals, *Karemera and others* (ICTR-98-44-AR72.5; ICTR-98-44-AR72.6), Appeals Chamber, 12 April 2006, §§ 19-25

Separate and Partly Dissenting Opinion of Judge Anita Ušacka, Decision on the Prosecutor’s Application for a Warrant of Arrest Against Omar Hassan Al Bashir, *Al Bashir* (ICC-02/05-01/09-3), Pre-Trial Chamber I, 4 March 2009, § 2(i)-(ii).

Or

Judgment on victim participation in the investigation stage of the proceedings in the appeal of the OPCD against the decision of Pre-Trial Chamber I of 3 December 2007 and in the appeals of the OPCD and the Prosecutor against the decision of Pre-Trial Chamber I of 6 December 2007, *Situation in Darfur, Sudan* (ICC-02/05-177 OA, OA 2, OA 3), Appeals Chamber, 2 February 2009, § 10.

Judgment, *Fofana and Kondewa* (‘CDF’) (SCSL-04-14-T), Trial Chamber I, 2 August 2007, § 3(7)(1)

Nota bene

1. Generally, there is no need to refer to the name of the court (ICTY, ICTR, ICC or SCSL) before court action, especially if judgments rendered by the same court are referenced throughout an article. *The case numbers are usually sufficient indication of the identity of a specific court and should therefore be indicated very clearly.* However, where footnotes refer to decisions or judgments of different courts and tribunals, it is useful for readers to be clearly directed towards the name of the court at the beginning of a footnote reference.

2. In the case of ICC documents not only the *case/situation* number, but the full document number, normally stamped on the upper right hand corner of a document (cf. regulation 27, Regulations of the ICC Registry) is requested. It is a unique identifier, in principle allowing the readers to retrieve the document easily on the ICC website. For documents related to appeals, it is useful to indicate the number of the appeal (pursuant to regulation 26(4)(c) and (d), Regulations of the ICC Registry), in the situation or case, as unlike the ICTY and ICTR, an appeal does not get a new case number (e.g. ‘-A’ at the ICTY).

3. For the sake of consistency, the *Journal* favours ‘Judgment’ over ‘Judgement’ in footnotes.

E. Annual Reports

[*Report Title*], [UN Doc. No.], [date], [paragraph citation]

Ninth annual report of the ICTY, UN Doc. A/57/379-S/2002/985, 4 September 2002, § 6, at 10.

Report of the International Criminal Court to the United Nations for 2007/8, UN Doc. A/63/323, 22 August 2008, §§ 33-43

F. Media releases

ICTR Press Release, ‘Rwanda signs Agreement on Enforcement of ICTR Sentences’ (ICTR/INFO-9-2-557.EN), 5 March 2008, available online at <http://69.94.11.53/ENGLISH/agreements/rwanda.pdf> (visited 19 February 2009).

PART IV: CITATION OF ECHR DOCUMENTS AND TEXTS

A. European Convention on Human Rights (ECHR)

Article 6(3)(a) ECHR

or, if the text makes clear that the reference is to the ECHR, simply

Article 6(3)(a)

In footnotes ‘Article’ is abbreviated as ‘Art.’

B. European Commission of Human Rights

Application 5935/72 v. FRG, DR 39, 46

W. v. United Kingdom (1983), DR 32, 190, 192

Austria v. Italy, YB 4, 116, 140

C. European Court of Human Rights (ECtHR)

Ireland v. United Kingdom, ECtHR (1978) Series A, No. 25, 90

In cases where the applicant’s name is not disclosed (e.g. *X. v. United Kingdom*) it is indispensable that the application number or at least the year be quoted in all references.

PART V: CITATION OF UN AND LEAGUE OF NATIONS DOCUMENTS AND TEXTS

A. UN Charter or Covenant of the League of Nations

Article 13(1)(a), UN Charter (or Covenant of the League of Nations)

In footnotes, Art. 13(1)(A) UN Charter.

B. Resolutions

1. General Assembly: GA Res. 832 (IX), 18 December 1954

Since the 31st session the session number is cited in arabic numbers

GA Res. 41/133, 4 December 1986

2. Security Council

SC Res. 181, 7 August 1963

or,

SC Res. 181 (1963)

3. ECOSOC

First and second session

ECOSOC Res. 1/8, 15 February 1946

Afterwards until 1978 (63rd session)

ECOSOC Res. 801 (XXX), 21 December 1966

From 1978

ECOSOC Res. 3, 4 May 1981

or, if no date is indicated

ECOSOC Res. 1981/3

C. Documents

[*Document Title*], [UN document number], [date], [paragraph citation].

Ninth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violation of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, UN Doc. A/57/379-S/2002/985, 4 September 2002, § 9, at 11.

D. Cases

1. International Court of Justice

For recent cases, the author may cite the internet link to the case as listed on the ICJ website:

Case Concerning Maritime Delimitation in the Black Sea (Romania v. Ukraine), judgment of 3 February 2009, available online at <http://www.icj-cij.org/docket/files/132/14987.pdf> (last visited 15 April 2004).

otherwise,

Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v Belgium), International Court of Justice, 14 February 2002, ICJ Reports (2002) 3.
Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), ICJ Reports (1971) 12, at 14.

Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), judgment of 26 February 2007, at 5.

2. Permanent Court of International Justice

Mavrommatis Palestine Concessions, 1924 PCIJ Series A, No. 2., at 5

PART VI: NATIONAL CASE LAW CITATION

While it is difficult to propose a standard citation style applicable over many different municipal jurisdictions, the *Journal* generally requests contributors to indicate the name of the Court delivering the verdict or the decision, with a translation (of the name of the Court) before the exact citation of the verdict/decision. If it can be applied, the Blue Book style is recommended; otherwise, the format most commonly used in the country in question is acceptable. Alternatively, the citation style of ad hoc tribunal case law may be adopted to provide a basic template for the citation of cases ongoing in the region of former Yugoslavia. We provide a few examples from the pages of the *Journal*:

Landgericht (Regional Court) Frankfurt a.M., judgment of 20 December 2004, in *Neue Juristische Wochenschrift* (2005) 692-696;

High Court of Justice, Israel (hereinafter: HCJ) 7195/08 *Abu Rahma et al. v. the MAG*, at 7-9 (a petition against the MAG's decision; hereinafter: *Petition*);

Juzgado Central de Instrucción no 4, Audiencia Nacional, Madrid (Spanish High Court), decision (*auto*) of 29 January 2009, available at;

Al Skeini and others v. Secretary of State for Defence [2007] UKHL 26;

Filártiga v. Peña-Irala (630 F2d 876, 890 (2d. Cir. 1980));

First Instance Verdict, *Stupar and others* (X-KR-05/24), Court of Bosnia and Herzegovina (First Instance Panel), 29 July 2008 (hereinafter *Stupar and others*).

PART VI: RESPONSIBILITY FOR COMPLIANCE WITH STYLE SHEET

Individual authors are requested to submit their entries in the suggested format. The editors may ask authors to re-submit an article that is not carefully edited and formatted prior to submission. Any question, correction or suggestion should be addressed to Urmila Dé at journ.int.cj@virgilio.it.