

Contents

Part I Introduction

- 1 **Creating an African Criminal Court** 3
Gerhard Werle and Moritz Vormbaum
- 2 **Historical and Political Background to the Malabo Protocol** 11
Ademola Abass

Part II The Crimes in the Annex to the Malabo Protocol

- 3 **Genocide (Article 28B), Crimes Against Humanity (Article 28C), War Crimes (Article 28D) and the Crime of Aggression (Article 28M)** 31
Kai Ambos
- 4 **The Crime of Unconstitutional Change of Government (Article 28E)** 57
Gerhard Kemp and Selemani Kinyunyu
- 5 **Piracy (Article 28F), Terrorism (Article 28G) and Mercenarism (Article 28H)** 71
Florian Jeßberger
- 6 **Corruption (Article 28I) and Money Laundering (Article 28Ibis)** 89
Lovell D. Fernandez
- 7 **Trafficking in Persons (Article 28J) and Trafficking in Drugs (Article 28K)** 109
Fatuma Mninde-Silungwe
- 8 **Trafficking in Hazardous Wastes (Article 28L) and Illicit Exploitation of Natural Resources (Article 28Lbis)** 125
Martin Heger

Part III General Principles and Rules of Procedure in the Annex to the Malabo Protocol	
9 Modes of Responsibility (Article 28N), Individual Criminal Responsibility (Article 46B) and Corporate Criminal Liability (Article 46C)	139
Chantal Meloni	
10 Preconditions to the Exercise of Jurisdiction (Article 46Ebis), Exercise of Jurisdiction (Article 46F) and the Prosecutor (Article 46G).	157
Volker Nerlich	
11 Complementary Jurisdiction (Article 46H)	187
Harmen van der Wilt	
12 Immunities (Article 46Abis)	203
Dire Tladi	
Annexes	219
Index.	345