Jurisdiction – International Criminal Tribunals and Courts—Fall 2014

There is an old military adage, attributed to General Omar Bradley, which states that amateurs worry about tactics, professionals worry about logistics. Likewise, in law, amateurs worry about doctrine, professionals worry about jurisdiction.

We are going to look how the five different international criminal tribunals/courts have dealt with jurisdiction:

1. The International Military Tribunal at Nuremberg and its related zonal tribunals. (IMT)
2. The International Military Tribunal for the Far East and its related lesser tribunals (IMTFE)
3. The International Criminal Tribunal for the former Yugoslavia (ICTY)
4. The International Criminal Tribunal for Rwanda (ICTR)
5. The Special Court for Sierra Leone (SCSL), and other Hybrid Courts
6. The International Criminal Court (ICC)

We are only interested in the first two definitions here.

Who has jurisdiction by right in the international system?  STATES

- States are the ultimate containers of sovereignty, and have jurisdiction by their nature

jurisdiction, n.

1. A government's general power to exercise authority over all persons and things within its territory.
2. A court's power to decide a case or issue a decree.
3. A geographic area within which political or judicial authority may be exercised.
4. A political or judicial subdivision within such an area

—BLACK'S LAW DICTIONARY, 7TH ED.(West 1999).
Definition 1 (Governmental Powers) Stuff:

Definition 1 in international law is broken into three types:

- **Jurisdiction to Prescribe**: the authority of a state to make its law applicable to persons or activities
- **Jurisdiction to Adjudicate**: the authority of a state to subject particular persons or things to its judicial process
- **Jurisdiction to Enforce**: the authority of a state to use the resources of government to induce or compel compliance with its law

These apply to states and to international organizations.

The general rule in case of conflicting concurrent jurisdiction is that states/organizations are to exercise comity, balancing interests against the other states/organizations involved.

Each of the three is divided into two aspects: civil and criminal

How do you determine the scope of a state's criminal jurisdiction (to prescribe, adjudicate, or enforce) over given persons or events? You apply principles of jurisdiction found in customary international law:

**Five International Jurisdictional Principles (S.S. Lotus Case, PCIJ, 1927)**

1. Nationality Principle
2. Territorial Principle
3. Protective Principle
4. Universality Principle
5. Passive Personality Principle

**Nationality Principle**

- States have jurisdiction over their nationals

  - **Natural Persons**, natural citizens (*jus soli* or *jus sanguinis*) or naturalized citizens: Person must have a reasonable connection to the state (*Nottebohm*, ICJ 1955). In certain situations (especially domestic relations issues), states may also exercise jurisdiction over non-nationals based upon residence or domicile.

  - **Legal Persons**: A corporation has the nationality of the state that creates it

---

* Criminal and civil jurisdictions are different. “*[T]he exercise of civil jurisdiction has been claimed by states upon far wider grounds than has been the case in criminal matters, and the resultant reaction by other states much more muted.*” *Shaw, International Law, 4th ed.* 457 (1997), citing Akehurst, *Jurisdiction in International Law*, 46 Brit. Y.B. Int’l L. 145, 152-77 (1972-73).
Barcelona Traction, ICJ 1970). If corporation is not created under a state's laws, there must be a genuine link between them (e.g., nationality of the owners of a substantial number of shares, location of the corporate management office (siège social/corporate seat), location of the principle place of business, etc.).

- **Vessels/Aircraft/Spacecraft**: Nationality is that of the state whose flag it flys (S.S. Lotus, PCIJ 1927). But the 1958 High Seas Convention and the 1982 Law of the Sea Convention required a “genuine link.” A state has a duty to exercise jurisdiction over the ships registered to it, but it is not spelled out what would happen if they do not. Some states have extended their maritime rules and regulations to ships conveniently flagged if the ship has “significant contacts” with the regulating state. *These may also fall under the next one, the Territorial Principle (either or both).*

### Territorial Principle

- “One of the main functions of a State is to maintain order within its own territory, so it is not surprising that the territorial principle is the most frequently invoked ground for criminal jurisdiction.” Akehurst, *Jurisdiction in International Law*, 46 B*rit.* Y.B. Int’l L. 145, 152 (1972-73).

- **Pure Territoriality**: State has absolute, but not exclusive, jurisdiction within its physical borders (*Isle of Palmas Case*, Prem. Court of Arbitration 1928). Physical borders means land borders, territorial waters, and airspace (but where does airspace end and space begin?).

- **Objective Territoriality** (the effects doctrine): State has jurisdiction to prescribe, enforce, or adjudicate rules for conduct that occurs outside its territory but which has effects within it (S.S. Lotus, PCIJ 1927). States have a responsibility to not allow its territory to be used to create a harm in the territory of another (*Trail Smelter Arbitration, ad hoc* arbitration 1941).

### Protective Principle

- Beginning in the 19th Century, European countries, and later the U.S., claimed jurisdiction over acts committed by aliens abroad which threatened the state.

- State may exercise jurisdiction over conduct outside its territory that threatens its security, as long as that conduct is generally recognized as criminal by states in the international community, and the primary effect of the accused's action was to threaten that State.

- This is different that the Objective Territoriality principle, in that OT permits a state to protect primarily private interests against actual injury, and the Protective Principle permits a state to protect its governmental interests from the threat of harm.
• Crimes against the security, territorial integrity, or political independence of the state, or the counterfeiting of the seals, currency, instruments of credit, stamps, passports, or public documents issued by the state, are all pretty well accepted today.

• Some states have taken this farther, and this is not generally accepted. Examples include Nazi Germany trying Jewish aliens for having sex with German women and “diluting the racial purity of the State,” or Soviet-era Eastern European countries trying aliens for working against communism, or the U.S. trying aliens that export certain goods originating in the U.S. from their own country to other countries in violation of their U.S. export license.

Universality Principle

• All states have the authority to punish certain activities that are universally dangerous to states.

• Piracy is the traditional example, but it has been argued that genocide, war crimes, crimes against humanity, aircraft hijacking, slave trading, and some forms of terrorism (especially those aimed at diplomats), are all subject to it.

• The piracy covered here is international piracy, not necessarily the same as that defined in municipal law. It is piracy jure gentium as defined in the 1958 High Seas Convention (art. 15) and reaffirmed in the 1982 Law of the Sea Convention (art. 101): illegal acts of violence, detention, or depredation committed for private ends by the crew or passengers of a private ship or private aircraft and directed against another ship or aircraft (or persons or property therein) on the high seas or terra nullius. Attempt is recognized and does not have to have been successful.

Passive Personality Principle

• States accepting this principle claim jurisdiction over acts committed abroad solely because they injure a national of the claiming state.

• Anglophone countries and France have generally rejected this principle, but the U.S. changed its tune after the 1985 hijacking of the Achille Lauro by Palestinian terrorists who killed Leon Klinghoffer, an American citizen. The Anti-Terrorism Act of 1986, the Hostage Taking Act, the Anti-Hijacking Act, and the 1996 amendments to the Aircraft Sabotage Act of 1984 all use passive personality. In addition, in an amendment to the Security and Accountability For Every Port Act of 2006 (or SAFE Port Act), Pub. L. No. 109-347 (2006), submitted at 9:29pm on September 29, 2006, which was passed by the House of Representatives by a vote of 409-2 and by the Senate by unanimous consent just after midnight on September 30, 2006, the morning Congress adjourned for the elections (due to H. Res. 1064, the reading of this conference report was waived). This amendment contained the Unlawful Internet Gambling Enforcement Act of 2006, which uses Passive Personality to make the acceptance of a bet by, inter alia, a foreign
national in their home country, from a U.S. citizen who lives in a state that does not allow gambling, a U.S. federal crime punishable by up to five years in prison and/or fined. This has all the usual problems of Passive Personality..the foreign nationals must keep abreast of all local U.S. law to avoid prosecution. This is an affront to sovereignty.

- The U.S. traditional hostility to the Passive Personality Principle goes back to Cutting's Case (Mexico 1887): The U.S. objected to Mexico's prosecution of a U.S. citizen who published, in Texas, a defamatory statement against a Mexican citizen. He was arrested when he visited Mexico, where making such defamatory comments was a crime. It had an inconclusive end, as the charges were quickly dropped after intense U.S. diplomatic pressure.

- Spain used Passive Personality to issue arrest warrants for 3 U.S. Soldiers who were in a tank crew that fired a shell into the Palestine Hotel and killed a Spanish television cameraman, José Couso, in Baghdad in April 2003. (BBC.co.uk, 16 January 2007). The Bush Administration refused to try or extradite the three. (http://www.democracynow.org/2009/7/15/headlines). Spain dropped charges in July 2009, after a Spanish National Court decision overturned the investigative judge’s reinstatement of the case in May. (http://www.democracynow.org/2009/7/15/headlines)

- Judge Moore strongly attacked the principle in his dissent in the S.S. Lotus Case, since the Turkish criminal code provided for jurisdiction where harm resulted to a Turkish national. However, the PCIJ did not resolve the issue, concentrating upon the objective territoriality principle.

The Governmental Powers of International Courts
Where do they get the jurisdiction to prescribe, adjudicate, and enforce?

IMT Nuremberg/IMTFE Tokyo
- Universal jurisdiction
- Territorial jurisdiction?? Perhaps as occupying powers
- Nationality jurisdiction?? Perhaps as occupying powers

ICTY/ICTR
- Universal jurisdiction

SCSL & Other Hybrid Courts
- Universal jurisdiction (they are national courts, and inherit their rights)
• Territorial jurisdiction (they are national courts, and inherit their rights)
• Nationality jurisdiction (they are national courts, and inherit their rights)
• Protective jurisdiction (they are national courts, and inherit their rights)
• Passive Personality jurisdiction (they are national courts, and inherit their rights)

ICC
ICC combines prescriptive, adjudicatory, and enforcement jurisdiction in one instrument, the Statute.
• Territorial, ceded by states
• Nationality, ceded by states
• NOT Universal j/d, unless you count a Security Council referral. It has been argued that SC jurisdiction is based upon universal, but this is controversial, as not all crimes listed in the statute are included in universal jurisdiction.

Definition 2 (Powers of Courts) Stuff:
Divided into two parts, Criminal Jurisdiction and Concurrent Jurisdiction. Criminal Jurisdiction is the court’s internal power to decide the case. Concurrent Jurisdiction is the court’s external power to decide the case when other courts may have jurisdiction. We will look at Criminal Jurisdiction today, and Concurrent Jurisdiction (and non-bis-in-idem) next week when discussing Criminal Procedure.

Criminal Jurisdiction
Four “rationes” in Criminal Jurisdiction:
1. Ratione Personæ (By reason of the person concerned)
   --Who may be charged
2. Ratione Temporis (By reason of the time the act was committed)
   --What are the time limitations on the acts in question
3. Ratione Loci (By reason of the place concerned)
   --What geographic areas are included
4. Ratione Materiæ (By reason of the subject-matter involved)
   --What subject-matter is included
Let's start with Personæ first:

**IMT:** “persons . . . acting in the interests of the European Axis Countries, whether as individuals or as members of organizations” (IMT Charter, Art. 6)

**IMTFE:** “Far Eastern war criminals who as individuals or as members of organizations are charged with offenses which include Crimes against Peace.” (IMTFE Charter, Art. 5) [IMTFE only has jurisdiction over persons charged with Class A offenses as specified in Art. 5(a) of the Charter. If a defendant is charged with a B or C, but not an A, he will be tried by a National Tribunal. Compare the IMT]

**ICTY:** “natural persons” (ICTY Statute, Art. 6)

**ICTR:** “natural persons” (ICTR Statute, Art. 5)

**SCSL:** any “person” age 15 or older (SCSL Statute, Art. 7), but only those “who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law” (SCSL Statute, Art. 1). If the person involved is a peacekeeper, then the Court does not have jurisdiction over them unless the sending state “is unwilling or unable genuinely to carry out an investigation or prosecution” and the UN Security Council, acting on the proposal of “any state”, authorizes it (SCSL Statute, Art. 1).

**ICC:** “natural persons” (ICC Statute, Art. 25(1)) not “under the age of 18 at the time of the alleged commission of a crime.” (ICC Statute, Art. 26)

Now let's look at Temporis:

**IMT:** Not specified in the Charter. The war in the European Theater went from 1 September 1939 until 7 May 1945, and the conspiracy charges went back as far as 1933.

**IMTFE:** Not specified in the Charter. The war in the Far East started in Manchuria on 18 September 1931 and ended on 2 September 1945, and the conspiracy charges went back to 1928.

**ICTY:** “period beginning 1 January 1991.” (ICTY Statute, Art. 8) But see, the completion strategy which has ended new cases.

**ICTR:** “period beginning on 1 January 1994 and ending on 31 December 1994.” (ICTR Statute, Art. 7)

**SCSL:** “since 30 November 1996” (SCSL Statute, Art. 1)

**ICC:** “only with respect to crimes committed after the entry into force of this Statute” (ICC Statute, Art. 11) which was 1 July 2002. In addition, if a state becomes party to the Statute after 1 July 2002, only crimes committed after the date the Statute went into force for that state, unless they have filed an Art. 12(3) declaration accepting jurisdiction. Also 1 July 2002 for UN Security Council referrals.

Then we look at Loci:

**IMT:** Not specified in Charter, other than “European Axis” (IMT Charter, Art. 1) and “European Axis countries” (IMT Charter, Art. 6).
IMTFE: Not specified in the Charter, other than “in the Far East” (IMTFE Charter, Art. 1) and “Far Eastern war criminals” (IMTFE Charter, Art. 5).

ICTY: “the territory of the former Socialist Federal Republic of Yugoslavia, including its land surface, airspace and territorial waters.” (ICTY Statute, Art. 8).

ICTR: “the territory of Rwanda including its land surface and airspace as well as the territory of neighbouring States in respect of serious violations of international humanitarian law by Rwandan citizens.” (ICTR Statute, Art. 7).

SCSL: “in the territory of Sierra Leone” (SCSL Statute, Art. 1)

ICC: If a State refers a situation or the Prosecutor initiates an investigation, the territory, vessels, or aircraft of States party to the Statute (ICC Statute, Art. 12(2)(a)), or anywhere if the suspect is a national of a State party (ICC Statute, Art. 12(2)(b)), or the suspect's state not a party to the Statute accepts jurisdiction for this crime. (ICC Statute, Art. 12(3)).

If the UN Security Council, acting under Chapter VII of the UN Charter, refers the situation, anywhere. (ICC Statute, Art. 12 & 13).

And finally, Materiæ:

Talk about the Law of Geneva in general first.

IMT: Crimes Against Peace—”planning, preparation, initiation, or waging war in violation of international treaties, agreements or assurances, or participation in a Common Plan or Conspiracy” (IMT Charter, Art. 6(a)); War Crimes—”violations of the laws and customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.” (IMT Charter, Art. 6(b)); Crimes Against Humanity—”murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial, or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of domestic law of the country where perpetrated.” (IMT Charter, Art. 6(c)).

• In addition, “Leaders, organizers, instigators, and accomplices participating in the formulation or execution of a Common Plan or Conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any persons in execution of such plan” (IMT Charter, Art. 6(c))

• [According to Telford Taylor, the original US proposal included conspiracy on all 3 parts of Article 6, but the Soviets objected, wanting it only on Crimes Against Peace, which they also wanted limited to “European Axis powers” only. We agreed to a compromise wherein the “European Axis” was moved to the intro to the article, leaving Crimes Against Peace on the same footing as the other 2, and dropping conspiracy from the the other 2 definitions, thus gutting their original intent. But then in the indictment, the US was responsible for the Conspiracy count, and charged them with conspiracy to commit crimes against peace, and in
the course of this conspiracy committing war crimes and crimes against humanity.]

**IMTFE**: Crimes against Peace—“planning, preparation, initiation or waging of a declared or undeclared war of aggression, or a war in violation of international law, treaties, agreements or assurances, or participation in a common plan or conspiracy” (IMTFE Charter, Art. 5(a)); Conventional War Crimes—“violations of the laws or customs of war” (IMTFE Charter, Art. 5(b)); Crimes against Humanity—“murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political or racial grounds in execution of or in connection with any crime within the jurisdiction of this Tribunal, whether or not in violation of the domestic law of the country where perpetrated. Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any person in execution of such plan.” (IMTFE Charter, Art. 5(c)).

**ICTY**: “persons responsible for serious violations of international humanitarian law” (ICTY Statute, Art. 1); “Grave breaches of the Geneva Conventions of 1949” (Art. 2) [but not Protocol I]; “Violations of the laws or customs of war” (Art. 3) [this would include those parts of Geneva and Protocol I (& possibly II) that are customary law]; “Genocide” (Art. 4); and “Crimes against humanity” “when committed in armed conflict, whether international or internal in character, and directed against any civilian population” (Art. 5). **ICTY has armed conflict requirement for CaH, unlike ICTR or SCSL.**

- NOTE: Protocol I applies to international armed conflict; Protocol II applies to internal armed conflict (non-international)
- In the Tadić (Jurisdiction) Case, the Appeals Chamber held that Art. 2 is limited to “international armed conflicts”, that Art. 3 is the “residual clause” ensuring that no serious violation of international humanitarian law escapes, and that “an armed conflict” exists whenever there is a resort to armed force between states or protracted armed violence between governmental authorities and organized armed groups or between such groups within a state. The Art. 3 interpretation is consistent with the opinions of 3 of the 5 permanent SC members, US, Fra, & UK. As to Art. 5, this is an expansion on IMT 6(c)/IMTFE 5(c), adding imprisonment, torture, and rape.

**ICTR**: “Genocide” (Art. 2); “Crimes against Humanity” “when committed as part of a widespread or systematic attack against any civilian population on national, political, ethnic, racial or religious grounds.”(Art. 3); “Violations of Article 3 common to the Geneva Conventions and of Additional Protocol II” (Art. 4).

- Art. 2 is identical to ICTY Art. 4. [Genocide]
- Art. 3 differs considerably from ICTY Art. 5. [Crimes Against Humanity] **No armed conflict requirement for CaH.**
- Compare ICTR Art. 4 with ICTY Art. 2 (grave breaches) or IMT 6(b)/IMTFE 5(b) (war crimes). This is the “safety net” because Arts. 2 & 3 have a heavy burden of
proof—you have to show systematic and deliberate planning—Not so for common Article 3 and Additional Protocol II.

**Notes on Both ICTY & ICTR:** The IMT/IMTFE had jurisdiction over war crimes, crimes against humanity (including genocide, although it wasn't named), as well as crimes against peace. ICTY/R have jurisdiction over war crimes, crimes against humanity, and genocide (specified), but NOT over crimes against peace/aggression. The SC decided to keep that one for itself. The ICTY/R also has jurisdiction over both international and non-international armed conflicts; the IMT/IMTFE had only jurisdiction over international.

**SCSL:** “Crimes against humanity . . . as part of a widespread or systematic attack against any civilian population” (Art. 2), “Violations of Article 3 common to the Geneva Conventions and of Additional Protocol II” (Art. 3), “Other serious violations of international humanitarian law (Art. 4), and certain “Crimes under Sierra Leonean law” (Art. 5).

- No genocide article, unlike ICTY, ICTR, & ICC.
- Art. 2 is mostly the same as ICTR Art. 3, and like the ICTR, differs considerably from ICTY Art. 5. [Crimes Against Humanity] No armed conflict requirement for CaH. SCSL differs from both in that the “rape” subpart has been expanded to include sexual slavery, enforced prostitution, forced pregnancy, and any other form of sexual violence. (SCSL Statute, Art. 2 (g)).
- SCSL Art. 3 and ICTR Art. 4 are substantially the same.
- SCSL Art. 4 [Other serious violations of IHL] is taken from ICC Art. 8(2)(e) [War crimes, specifically those in non-international armed conflicts]
- SCSL Art. 5 includes domestic crimes in SL [prevention of cruelty to children, especially girls, wanton destruction of property, and arson]

**ICC:** “Genocide” (Art. 5(1)(a), 6, & 25(3)) [pertinent provisions are identical, just moved around a bit] ; “Crimes against humanity” “when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack” (Art. 5(1)(b) & 7) [like ICTR but adds “knowledge of attack” and adds much definition]; “War Crimes” (Art.5(1)(c) & 8) [adds a lot, fudges on Nukes (2(b) (xx)), 2(c) – (f) are very different from ICTR Art. 4.

- The non-international are split between Treaty Norms (common article 3 Geneva ONLY) and those “serious violations of the laws and customs applicable . . . within the established framework of international law (i.e., Protocol II and customary norms). Neither is applicable in cases of “internal disturbances and tensions, such as riots, isolated and sporadic acts of violence,” etc..[taken from Protocol II] In addition, the customary & PII norms are only(?) applicable “to armed conflicts that take place in the territory of a State when there is protracted armed conflict between governmental authorities and organized armed groups or between such groups”, the same wording as the Tadić case., and a much lower threshold than the PII 1(1):
Finally, Aggression (Art. 5(1)(d) & (2))....the Statute puts it off until a definition can be agreed upon in a Statute Review Conference to be held 7 years after the entry into force of the Statute (Art. 123), which would be 1 July 2009.

The Review Conference of the Rome Statute was held in Kampala, Uganda, between 31 May and 11 June 2010. They adopted by consensus the following amendments to the Rome Statute:

- Art. 8 bis defines the individual crime of aggression as the planning, preparation, initiation, or execution by a person in a leadership position of an act of aggression. That act of aggression must constitute a manifest violation of the Charter of the UN.
  - Acts of aggression are defined as “the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter....”
  - They also reference GA Res. 3314 on the definition of aggression (1974).
- Article 15 bis and 15 ter set out the conditions for the Court's exercise of jurisdiction over aggression, which is unique to this crime
  - Art. 15 ter concerns situations referred by the UN SC to the Court. The Prosecutor may proceed with an investigation.
  - Art. 15 bis concerns proprio motu and state referrals.
    - First must ascertain whether the UN SC has made a determination under Ch. VII (Art. 39) of the Charter that an act of aggression has occurred.
    - If they have, the Prosecutor may proceed.
    - If they haven’t the Prosecutor must notify the Secretary General & provide relevant information, and then must wait 6 months.
      - If the situation concerns an act of aggression between states parties, and only if the Pre-Trial Division authorizes it, the Prosecutor may commence an investigation. If no Pre-Trial Division authorization, the Prosecutor may not proceed.
      - If the act was committed by a non-state party’s national, or on a non-state party’s territory, the Court does not have jurisdiction.

---

**Protocol II, Art. 1(1):** . . . . all [non-international] armed conflicts . . . which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.
• The SC determination of an act of aggression is not binding nor dispositive to the Court.

• States party may opt out by lodging a reservation, but they must review their opt-out decision within 3 years.

• These amendments do not go into effect until:
  • At least 30 states party have ratified or accepted the amendments
  • A decision is taken by two-thirds of the states party to activate the jurisdiction, this decision to be made at any time after 1 January 2017.
  • The *ratione temporis* for these amendments begins when the above decision is made, or one year after the ratification or acceptance of the amendments by 30 states party, whichever is later.
  • Under Article 121(5), the Court will only exercise jurisdiction for aggression for situations with states party who have accepted/ratified the amendment.
  • As of 19 August 2014, 15 states party to the ICC have accepted/ratified the amendments:
    1. Liechtenstein, on 8 May 2012
    2. Samoa, on 25 September 2012
    3. Trinidad and Tobago, on 13 November 2012
    4. Luxembourg, on 15 January 2013
    5. Estonia, on 27 March 2013
    6. Germany, on 3 June 2013
    7. Botswana, on 4 June 2013
    8. Slovenia, on 25 September 2013
    9. Andorra, on 26 September 2013
   10. Uruguay, on 26 September 2013
   11. Belgium, on 26 November 2013
   12. Croatia, on 20 December 2013
   13. Cyprus, on 25 September 2013
   14. Slovakia, on 28 April 2014
   15. Austria, on 17 July 2014