



# 4 October 2010 #49 ICC Weekly Update



## Situation in the Democratic Republic of the Congo

In this situation, three cases are being heard before the relevant Chambers: *The Prosecutor v. Thomas Lubanga Dyilo*; *The Prosecutor v. Bosco Ntaganda*; and *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*. The accused Thomas Lubanga Dyilo, Germain Katanga and Mathieu Ngudjolo Chui are currently in the custody of the ICC. The suspect Bosco Ntaganda remains at large. The trial in the case *The Prosecutor v. Thomas Lubanga Dyilo* started on 26 January, 2009. The trial in the case *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* started on 24 November, 2009.

### Media Advisory: The Appeals Chamber will deliver its Judgments in the Lubanga case on Friday, 8 October

On Friday, 8 October, 2010, the Appeals Chamber of the International Criminal Court (ICC) is scheduled to deliver its Judgments on the Prosecutor's appeals against Trial Chamber I's decisions to stay proceedings in the case *The Prosecutor v. Thomas Lubanga Dyilo*, and to release the accused.

The Judgments will be delivered in open court, starting at 14:30 (The Hague local time). The session will be transmitted with no delay via web streaming on the ICC website:

Courtroom I (English): <http://livestream.xs4all.nl/icc1.aspx>  
Courtroom I (French): <http://livestream.xs4all.nl/icc2.aspx>



Thomas Lubanga Dyilo © ICC-CPI/Ed Oudenaarden

On 8 July, 2010, Trial Chamber I of the ICC ordered to stay the proceedings in the case against Thomas Lubanga Dyilo, considering that the fair trial of the accused is no longer possible due to non-implementation of the Chamber's orders by the Prosecution. The judges had ordered the Office of the Prosecutor to confidentially disclose to the Defence the names and other necessary identifying information, of intermediary 143. Following the decision to stay the proceedings, Trial Chamber I ordered, on 15 July, the release of the accused. According to the judges, an accused cannot be held in preventative custody on a speculative basis, namely that at some stage in the future, the proceedings may be resurrected. The ICC Prosecutor submitted two appeals against these decisions. On 23 July, the Appeals Chamber gave suspensive effect to the Prosecutor's appeal against the decision to release the accused.

### Decisions taken between 27 September - 1 October, 2010

#### Lubanga case

**Order on the filing of observations as to the confidential status of victims' observations dated 23 August 2010 (ICC-01/04-01/06-2559-Conf)**

Issued by the Appeals Chamber on 29 September, 2010

**Order on the filing of a public redacted version of a document**

Issued by the Appeals Chamber on 30 September, 2010

**Scheduling Order for the Judgments on the Appeals of the Prosecutor against Trial Chamber I's Decisions to Stay Proceedings and to Order the Release of Mr Lubanga Dyilo**

Issued by the Appeals Chamber on 1 October, 2010

**Decisions taken between 27 September - 1 October, 2010****Katanga and Ngudjolo Chui case****Decision on the Prosecution Motion for leave to disclose and add the investigator's report concerning Witness P-268 to the List of Incriminating Evidence**

Issued by the Trial Chamber II on 27 September, 2010



Katanga and Ngudjolo Chui © ICC-CPI/Michael Kooren

**Situation in Darfur, Sudan**

In the situation in Darfur, Sudan, four cases are being heard: *The Prosecutor v. Ahmad Muhammad Harun* (Ahmad Harun) and *Ali Muhammad Ali Abd-Al-Rahman* (Ali Kushayb); *The Prosecutor v. Omar Hassan Ahmad Al Bashir*; *The Prosecutor v. Bahar Idriss Abu Garda*; and *The Prosecutor v. Abdallah Banda Abakaer Nourain* (Banda) and *Saleh Mohammed Jerbo Jamus* (Jerbo). Four warrants of arrest have been issued by Pre-Trial Chamber I for Harun, Kushayb and Al Bashir. The three suspects remain at large. A summons to appear was issued for Abu Garda who appeared voluntarily before the Chamber on 18 May, 2009. Abu Garda is not in the custody of the ICC. After the hearing of confirmation of charges, on 8 February, 2010, Pre-Trial Chamber I declined to confirm the charges. Two other summonses to appear were issued against Mr Banda and Mr Jerbo who appeared voluntarily on 17 June, 2010; the confirmation of charges hearing is scheduled for 22 November, 2010.

**Decisions taken between 27 September - 1 October, 2010****Banda and Jerbo case****Decision scheduling a hearing on issues relating to interpretation**

Issued by the Pre-Trial Chamber I on 29 September, 2010

**Decision on the "Prosecution's Urgent Request Pursuant to Regulation 37(2) for an Extension of Page Limit for the Document Containing the Charges"**

Issued by Pre-Trial Chamber I on 1 October, 2010



Banda and Jerbo © ICC-CPI/ Toussaint Kluiters

**Relevant Links**

**Courtroom proceedings** can be followed on the ICC website: [www.icc-cpi.int](http://www.icc-cpi.int)

You can also consult the **hearing schedule**

**Video summaries** can be found on our **YouTube channel**

The ICC's activities can also be followed through **Twitter**

**Events****Regional seminar on the ICC taking place in Yaoundé, Cameroon, between 4 and 8 October**

On Monday, 4 October, a regional training seminar opened in Yaoundé, Cameroon, bringing together prominent legal professionals from eight francophone countries in central Africa. The seminar, on the theme "Shared perspectives on the outlook and challenges of international criminal justice: the International Criminal Court and national courts", which has been organised by the

International Criminal Court (ICC) with the support of the *Organisation Internationale de la Francophonie*, the French Ministry of Foreign Affairs and the Ministry of Justice of Cameroon, is being held between 4 and 8 October 2010.

The aim of this event is to raise awareness of the Court's mandate and jurisdiction, as well as its activities and functioning. Participants include representatives of the ministries of Foreign Affairs and Justice, national bar associations and civil society organisations from eight countries: Burundi, Cameroon, the Central African Republic, Chad, the Republic of the Congo, the Democratic Republic of the Congo, Gabon and Rwanda. They will meet with senior representatives of the Court and other international experts on various themes regarding the place of the Court in the international criminal justice system, its mandate and structure, the principles governing its jurisdiction, and the rights of the parties and participants in its proceedings.

Further, the seminar will lay the foundation for continuous dialogue and establish a network for the exchange of information between the Court and the participants in this conference to promote sustained and lasting cooperation.

The International Criminal Court is the only permanent international court with the mission to help put an end to impunity for the perpetrators of the most serious crimes of concern to the international community as a whole, namely the crime of genocide, crimes against humanity and war crimes, and thus to contribute to the prevention of such crimes.

### The ICC President meets with Amnesty International Secretary General

The President of the International Criminal Court (ICC), Judge Sang-Hyun Song, met with Mr Salil Shetty, Secretary General of Amnesty International, and the organisation's Senior Legal Adviser on international justice, in London, on the evening of 1 October, 2010. The participants exchanged their views on issues related to international criminal justice.

Judge Song acknowledged Amnesty International's longstanding support to the ICC and its participation in the Coalition for the ICC. He also expressed his appreciation for the efforts that Amnesty International has made to assist States Parties to the Rome Statute to enact effective national implementing legislation.

Mr Shetty welcomed the ICC President's extensive efforts to promote ratification of the Rome Statute, particularly in regions where there have been few ratifications, and his encouragement of States Parties to enact effective implementing legislation promptly.

The ICC President and Secretary General of Amnesty International agreed that States need to take decisive action to build on the momentum of the Review Conference in the areas of promoting global ratification of the Rome Statute, furthering state cooperation with the ICC and giving concrete effect to the principle of complementarity. They also agreed that it is crucial to continue to spread awareness globally about the ICC and the Rome Statute system.

## Calendar

OCTOBER 2010						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3
4	5	6	7	8	9	10
Regional Seminar on the ICC at Yaounde (Cameroon).						
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
NOVEMBER 2010						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1	2	3	4	5	6	7
<b>Future events:</b> 22 November, 2010: The confirmation of charges hearing is scheduled to commence in the case of <i>The Prosecutor v. Abdallah Banda Abakaer Nourain (Banda) and Saleh Mohammed Jerbo Jamus (Jerbo)</i>						

The calendar is subject to last minute changes.