



22 August 2011 #91 ICC Weekly Update

Situation in the Democratic Republic of the Congo

In this situation, four cases have been brought before the relevant Chambers: *The Prosecutor v. Thomas Lubanga Dyilo*; *The Prosecutor v. Bosco Ntaganda*; *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*; and *The Prosecutor v. Callixte Mbarushimana*. The accused Thomas Lubanga Dyilo, Germain Katanga and Mathieu Ngudjolo Chui and the suspect Callixte Mbarushimana 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 of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* started on 24 November 2009. The confirmation of charges hearing in the case *The Prosecutor v. Callixte Mbarushimana* is scheduled to start on 16 September 2011.

Decisions taken between 15 - 19 August 2011

Redacted version of the Decision on 13 applications for victims' participation in proceedings relating to the situation in the Democratic Republic of the Congo

Issued by Pre-Trial Chamber I on 18 August 2011

Lubanga Dyilo Case

Practical information for media on the closing statements in the Lubanga Dyilo case

On Thursday and Friday, 25 and 26 August 2011, closing statements in the case *The Prosecutor v. Thomas Lubanga Dyilo* are scheduled to take place before Trial Chamber I of the International Criminal Court (ICC) in Courtroom I. Hearings are scheduled on both days from 14:30 to 19:00 (The Hague local time). The parties and participants should be prepared to entertain questions from the Trial Chamber when their closing statements are delivered orally.

Thomas Lubanga Dyilo is accused of having committed, as a co-perpetrator, war crimes of enlisting and conscripting children under the age of 15 years into the *Forces patriotiques pour la libération du Congo* (Patriotic Forces for the Liberation of the Congo) (FPLC), and using them to participate actively in hostilities in Ituri, a district of the eastern province of the Democratic Republic of the Congo, between September 2002 and August 2003.

For further information on this case, please click [here](#).

Further practical information for the media can be found [here](#).

Mbarushimana Case

ICC's confirmation of charges hearing in the Mbarushimana case has been postponed to 16 September

On 16 August 2011, Pre-Trial Chamber I of the International Criminal Court (ICC) postponed the opening of the confirmation of charges hearing in the case *The Prosecutor v. Callixte Mbarushimana* to 16 September 2011.

In its decision the Chamber changed the opening date of the hearing, initially scheduled for 17 August 2011, stating that issues related to the disclosure of evidence were raised just prior to the confirmation hearing and that these issues have rendered it impossible to fairly conduct the confirmation hearing on the originally scheduled date.

Decisions taken between 15 - 19 August 2011

Decision requesting observations on the “Defence Compliance with Decision ICC-01/04-01/10-359”

Issued by Pre-Trial Chamber I on 15 August 2011

Decision postponing the commencement of the confirmation hearing

Issued by Pre-Trial Chamber I on 16 August 2011

Decision requesting observations on the “Defence Challenge to the Jurisdiction of the Court”

Issued by Pre-Trial Chamber I on 16 August 2011

Decision on “Defence request to deny the use of certain incriminating evidence at the confirmation hearing” and postponement of confirmation hearing

Issued by Pre-Trial Chamber I on 16 August 2011

Decision on “Defence request for an extension of the time-limit to submit observations on interim release” and request for OPCV observations

Issued by Pre-Trial Chamber I on 18 August 2011

Decision on the Office of the Public Counsel for Victims’ “Request to access documents in the case record in relation to the Defence Challenge to the Jurisdiction of the Court”

Issued by Pre-Trial Chamber I on 18 August 2011

Decision requesting observations on the “Third Defence request for interim release”

Issued by Pre-Trial Chamber I on 19 August 2011

Katanga and Ngudjolo Chui Case

Decisions taken between 15 - 19 August 2011

Décision relative au maintien du statut de victime participant à la procédure des victimes a/0381/09 et a/0363/09 et à la demande de Me Nsita Luvengika en vue d’être autorisé à mettre fin à son mandat de Représentant légal desdites victimes

Issued by Trial Chamber II on 16 August 2011

Décision relative à la seconde requête de la Défense de Germain Katanga visant à obtenir la coopération de la République démocratique du Congo

Issued by Trial Chamber II on 17 August 2011

Décision relative à la « Requête en clarification quant à la pratique concernant le déplacement et logement de témoins appelés à comparaître dans la présente affaire »

Issued by Trial Chamber II on 17 August 2011

Situation in the Central African Republic

The situation was referred to the Court by the Government of the Central African Republic in December 2004. The Prosecutor opened an investigation in May 2007. In the only case in this situation, *The Prosecutor v. Jean-Pierre Bemba Gombo*, Pre-Trial Chamber II confirmed, on 15 June 2009, two charges of crimes against humanity and three charges of war crimes, and committed the accused to trial before Trial Chamber III. The trial started on 22 November 2010.

Decisions taken between 15 - 19 August 2011

Bemba Case

Public Redacted Version of the “Decision on Applications for Provisional Release” of 27 June 2011

Issued by Trial Chamber III on 16 August 2011

Situation in Darfur, Sudan

There are four cases in the situation in Darfur, Sudan: *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 and Saleh Mohammed Jerbo Jamus*. Four warrants of arrest have been issued by Pre-Trial Chamber I for Messrs Harun, Kushayb and Al Bashir. The three suspects remain at large. A summons to appear was issued for Mr Abu Garda who appeared voluntarily before the Chamber on 18 May 2009. After the hearing of confirmation of charges, on February 2010, Pre-Trial Chamber I declined to confirm the charges. Mr Abu Garda is not in the custody of the ICC. 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 took place on 8 December 2010. On 7 March 2011, the Pre-Trial Chamber I unanimously decided to confirm the charges of war crimes brought by the ICC's Prosecutor against Mr Banda and Mr Jerbo, and committed them to trial. On 16 March 2011, the ICC Presidency constituted Trial Chamber IV and referred the case to it.

Decisions taken between 15 - 19 August 2011

Al Bashir Case

Decision requesting observations about Omar Al-Bashir's recent visit to the Republic of Chad

Issued by Pre-Trial Chamber I on 18 August 2011

Banda and Jerbo Case

Order on translation of witness statements

Issued by Trial Chamber IV on 18 August 2011

Situation in the Republic of Kenya

On 31 March 2010, Pre-Trial Chamber II granted the Prosecutor's request to open an investigation *proprio motu* in the situation in Kenya, State Party since 2005. Following summonses to appear issued on 8 March 2011, six Kenyan citizens voluntarily appeared before Pre-Trial Chamber II on 7 and 8 April 2011. Confirmation of charges hearings in the following two cases: *The Prosecutor v. William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang* and *The Prosecutor v. Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali*, are scheduled for 1 and 21 September 2011, respectively.

Decisions taken between 15 - 19 August 2011

Ruto, Kosgey and Sang Case

Decision on the Defence Requests for Extension of Time Limit for Disclosure in Compliance with the E-Court Protocol

Issued by Pre-Trial Chamber II on 16 August 2011

Decision on the "Appeal against the Single Judge's Decision on the 'Request by Ms. Moraa Gesicho to Appear as Amicus Curiae'"

Issued by the Appeals Chamber on 17 August 2011

Decision on the "Request for an Oral Hearing Pursuant to Rule 156(3)"

Issued by the Appeals Chamber on 17 August 2011

Decision Requesting Observations on the Schedule for the Confirmation of Charges Hearing

Issued by Pre-Trial Chamber II on 17 August 2011

Decision on the "Request by the Victims' Representative for authorization by the Chamber to make written submissions on specific issues of law and/or fact"

Issued by Pre-Trial Chamber II on 19 August 2011

Muthaura, Kenyatta and Ali Case

Decision on the "Defence Application for Allocation of Time to Present Viva Voce Witnesses at the Confirmation Hearing"

Issued by Pre-Trial Chamber II on 15 August 2011

Decision on the "Appeal against the Single Judge's Decision on the 'Request by Ms. Moraa Gesicho to Appear as Amicus Curiae'"

Issued by the Appeals Chamber on 17 August 2011

Decision on the "Request for an Oral Hearing Pursuant to Rule 156(3)"

Issued by the Appeals Chamber on 17 August 2011

Decision on the "Prosecution's Application for Leave to Appeal the 'Decision with Respect to the Question of Invalidating the Appointment of Counsel to the Defence (ICC-01/09-02/11-185)'"

Issued by Pre-Trial Chamber II on 18 August 2011

Relevant Links

Courtroom proceedings can be followed on the ICC website: 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](#)

Calendar

AUGUST 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
22	23 ICC to host Welcoming Ceremony for Grenada, 115th State Party to the Rome Statute	24	25 Closing oral statements to be made in the case <i>The Prosecutor v. Thomas Lubanga Dyilo</i>	26	27	28
29	30	31				
SEPTEMBER 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1 Confirmation of charges hearing to commence in the case <i>The Prosecutor v. William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang</i> (scheduled until 20 September)	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16 Confirmation of charges hearing to commence in the case <i>The Prosecutor v. Callixte Mbarushimana</i> (scheduled until 20 September)	17	18 Open Day: ICC opens its doors on The Hague International Day
21 September: Confirmation of charges hearing to commence in the case <i>The Prosecutor v. Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali</i> (scheduled until 11 October)						

The calendar is subject to last minute changes.