



# 14 May 2012 #127 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*. 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. Trial Chamber I convicted Mr Lubanga Dyilo on 14 March 2012, and is scheduled to hear submissions for sentencing on 13 June 2012. The trial in the case of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* started on 24 November 2009. On 16 December 2011, Pre-Trial Chamber I declined to confirm the charges against Mr Mbarushimana. He was released on 23 December 2011. After being granted leave to appeal by Pre-Trial Chamber I, the ICC Prosecutor appealed the decision on 12 March 2012.

## Practical information for media: Closing statements in the trial against Katanga and Ngudjolo Chui will commence on 15 May

The closing statements in the case *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* will commence before the Trial Chamber II of the International Criminal Court (ICC) on 15 May 2012 at 9:00 (The Hague local time), and will continue as follows:

Date	Time	Schedule for presentations
Tuesday, 15 May 2012	9:00-11:00; 11:30-13:00	Closing statement of the Prosecution
Wednesday, 16 May 2012	9:00-11:00; 11:30-13:30	Questions posed to Prosecution; Closing statement of Legal representative of victims
Monday, 21 May 2012	9:00-11:00; 11:30-13:00	Closing statement of the Defence
Tuesday, 22 May 2012	9:00-11:00; 11:30-13:00	Closing statement of the Defence
Wednesday, 23 May 2012	9:00-11:00; 11:30-13:30	Questions posed to the Defence; Prosecution and Defense have the opportunity to respond.

As indicated in the Trial Chamber's [order](#) setting the timetable, the parties and participants should be prepared at the closing hearings to entertain questions from Trial Chamber II composed of Judges Bruno Cotte (presiding), Fatoumata Dembele Diarra and Christine Van den Wyngaert, when their closing statements are delivered orally.

Germain Katanga and Mathieu Ngudjolo Chui, Congolese nationals, are charged with three counts of crimes against humanity and seven counts of war crimes allegedly committed in the context of an armed conflict in Ituri which began

in Djugu territory and in the town of Mongbwalu, and in particular during the joint attack by combatants allegedly led by Mathieu Ngudjolo Chui and Germain Katanga on Bogoro village on 24 February 2003, which was allegedly part of a widespread attack directed not only against a military camp located in that village but also against the civilian population of the village. The trial started on 24 November 2009.

Further information on this case is available [here](#).

### Web streaming of the hearings

The hearings will be held in open sessions unless ordered otherwise. The proceedings can be followed with a delay of 30 minutes on the ICC website at:

Courtroom I:

English: <http://livestream.xs4all.nl/icc1.aspx>

French: <http://livestream.xs4all.nl/icc2.aspx>

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

### Decisions taken between 7 - 11 May 2012

#### Lubanga Dyilo Case

**Order concerning the "Requête de la Défense aux fins de juger que seuls le Procureur et la Défense peuvent présenter des observations sur la peine à prononcer à l'encontre de M. Thomas Lubanga"**

Issued by Trial Chamber I on 9 May 2012

#### Katanga and Ngudjolo Chui Case

**Décision sur la mise en oeuvre de l'ordonnance relative aux modalités de présentation des conclusions orales**

Issued by Trial Chamber II on 7 May 2012

#### Mbarushimana Case

**Order on the filing of a public redacted version of the "Observations des victimes autorisées à participer à la procédure sur l'appel du Procureur contre la 'Décision relative à la confirmation des charges' (ICC-01/04-01/10-465-Conf-tFRA)"**

Issued by the Appeals Chamber on 8 May 2012

## 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 7 - 11 May 2012

#### Bemba Case

**Decision on the "Defence request for an ex parte status conference"**

Issued by Trial Chamber III on 8 May 2012

## Situation in Libya

On 26 February 2011, the United Nations Security Council decided unanimously to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the ICC Prosecutor. On 3 March 2011, the ICC Prosecutor announced his decision to open an investigation in the situation in Libya, which was assigned by the Presidency to Pre-Trial Chamber I. On 27 June 2011, Pre-Trial Chamber I issued three warrants of arrest respectively for **Muammar Mohammed Abu Minyar Gaddafi**, **Saif Al-Islam Gaddafi** and **Abdullah Al-Senussi** for crimes against humanity (murder and persecution) allegedly committed across Libya from 15 until at least 28 February 2011, through the State apparatus and Security Forces. On 22 November 2011, Pre-Trial Chamber I formally terminated the case against Muammar Gaddafi due to his death. The remaining suspects are not yet in the custody of the Court.

### Decisions taken between 7 - 11 May 2012

## Gaddafi and Al-Senussi Case

**Decision on the request to temporarily suspend the Prosecutor from conducting any prosecutorial activities related to the case pending the determination of the request for disqualification**

Issued by the Appeals Chamber on 11 May 2012

### 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

### Crime of aggression: first ratification of the amendments

Español | عربي

The President of the Assembly of States Parties to the Rome Statute ("the Assembly"), Ambassador Tiina Intelmann (Estonia), welcomed the deposit by Liechtenstein of the instrument of ratification of the amendments to the Rome Statute on the crime of aggression. Liechtenstein became the first State Party to ratify the amendments that were adopted in a historic consensus at the 2010 Review Conference of the Rome Statute in Kampala.

Ambassador Intelmann stated "the amendments on the crime of aggression do not merely complete the historic undertaking which started with the 1998 negotiations in Rome, they fulfil a goal pursued by humanity since the Second World War, which ended 67 years ago today. Once the amendments enter into force, individuals can again be held criminally responsible for acts of aggression by an international court as it happened in the the Nuremberg and Tokyo trials. It is particularly fitting that Liechtenstein, which played such a crucial role in the negotiation of these amendments, should be the first to ratify them. I encourage other States Parties to do the same and hope for the earliest possible entry into force of the amendments".



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President Intelmann also paid tribute to the work carried out by Ambassador Christian Wenaweser (Liechtenstein), who chaired the negotiations of these amendments in the Assembly's Special Working Group on the Crime of Aggression (2003 to 2009) and served as the President of the Assembly from 2008-2011. In this capacity, he also presided over the Review Conference.

The crime of aggression had been included in the Rome Statute in 1998, but its definition and the conditions for the exercise of jurisdiction by the Court over the crime were left for subsequent negotiations which culminated at the Review Conference. The 2010 amendments define the crime of aggression and set out those conditions; the supplementary norms entitled "Elements of Crimes" were also updated accordingly.

The Court may exercise jurisdiction over the crime of aggression once thirty States have ratified the amendments, and subject to a decision by the Assembly.

Crime of aggression amendments - **English**

Liechtenstein press release - **English**

For further information on the Assembly of States Parties, please e-mail [asp@icc-cpi.int](mailto:asp@icc-cpi.int).

Source: Assembly of States Parties

## Calendar

## MAY 2012

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
14	15	16	17	18	19	20
	H.E. Ambassador Pietro Sicuro, Permanent Representative of International Organisation of <i>La Francophonie</i> to the European Union, to visit the ICC	ICC Prosecutor to report to UNSC on Libya, New York (USA)	ICC Prosecutor to participate in IPI Policy Forum "ICC Prosecutor Luis Moreno-Ocampo: Challenges for the ICC over the Next 10 years – Enforcing Arrest Warrants"			
	Closing Statements in the case against Germain Katanga and Mathieu Ngudjolo Chui					ICC President, Judge Sang-Hyun Song, to speak at the opening of the 14th World Society of Victimology Symposium, The Hague (The Netherlands)
	ICC First Vice-President, Judge Sanji Monageng, to speak at the 2 <sup>nd</sup> Regional East African Judicial Officers Training Workshop: International Criminal Justice, Counter-Terrorism and Transnational Crimes (Mauritius) <sup>1</sup>					
21	22	23	24	25	26	27
Closing Statements in the case against Germain Katanga and Mathieu Ngudjolo Chui						
28	29	30	31			
		ICC President, Judge Sang-Hyun Song, to speak at the opening of the IBA Bar Leaders' Conference, The Hague (The Netherlands)				
	ICC to host NGO Roundtable					

## JUNE 2012

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3
				Court to host ICC Trial Competition (Chinese and Russian)		
				ICC to host NGO Roundtable		
4	5	6	7	8	9	10

- 13 June: Trial Chamber I to hear submissions for sentencing in the case against Thomas Lubanga Dyilo
- From 18 June 2012: Confirmation of charges hearing in the case against Laurent Gbagbo
- 22 June: Court to host ICC Trial Competition (Spanish)

1. The ICC is grateful to the organizers for covering the costs of the Court's participation.

The calendar is subject to last-minute changes.