



# 5 July 2010 #40 ICC Weekly Update



## Situation in the Central African Republic

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 a Trial Chamber. The trial is scheduled to start on 14 July, 2010.

### Decisions taken between 29 June - 2 July, 2010

#### Bemba case

#### **Decision on the "Prosecution's Request to Apply Redactions to Audio-Video Recordings of Statements Already Disclosed to Defence" (ICC-01/05-01/08-724)**

Issued by Trial Chamber III on 29 June, 2010

#### **Decision on the participation of victims in the trial and on 86 applications by victims to participate in the proceedings**

Issued by Trial Chamber III on 30 June, 2010



Jean-Pierre Bemba Gombo ©  
ICC-CPI/Ed Oudenaarden

## 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 of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* started on 24 November, 2009.

### Decisions taken between 29 June - 2 July, 2010

#### Katanga and Ngudjolo Chui case

#### **Decision on Request to admit prior recorded testimony of P-30 as well as related video excerpts**

Issued by Trial Chamber II on 30 June, 2010

#### **Ordonnance de convocation d'une conférence de mise en état (Règle 132 du Règlement de procédure et de preuve)**

Issued by Trial Chamber II on 2 July, 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). Three warrants of arrest have been issued by Pre-Trial Chamber I for Harun, Kushayb and Al Bashir for crimes against humanity and war crimes. 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.

### Decisions taken between 29 June - 2 July, 2010

#### Banda and Jerbo case

##### Decision on issues relating to disclosure

Issued by Pre-Trial Chamber I on 29 June, 2010



Mr Banda and Mr Jerbo during their initial appearing © 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**.

## Interacting with communities

### Ugandans commemorate the eighth anniversary of the entry into force of the Rome Statute

On 1 July, 2010, hundreds of Ugandans joined to celebrate the eighth anniversary of the entry into force of the Rome Statute, the founding treaty of the International Criminal Court. Commissioners, representatives of civil society organisations, unions of persons with disabilities, women's groups, local leaders, teachers and school children from eight secondary schools in the districts of Soroti, Amuria and Kaberamaido participated in the events.

The commemorative events held in Soroti included a march through the main streets of the municipality, a town-hall style meeting with various key note speakers, an ICC moot court demonstration or role model play and interactive radio talk shows.



Police officers lead the march-past followed by a brass band © ICC-CPI

Over 500 people participated in the march-past. The event that was organised by the Field Outreach Unit in partnership with local NGOs, the Ugandan Coalition for the ICC and HURINET, was also attended by the resident District Commissioner of Soroti. Clad in uniform T-shirts and caps with the catchphrase, 'Say no to impunity – accountability and justice for all', the participants cheerfully marched to the rhythm of the brass-band that led the procession, with assorted banners raised high.

After the march the participants gathered at the Boma grounds to listen to various speakers.

The resident District Commission, Hon. Ben Etonu presided over the session. In his address, he noted that "...Soroti [is] one of the districts most affected by the crimes under the Rome Statute. Therefore it is an honour to host this event.' He further commented on the

appreciation of the Teso sub-region of the efforts that have been made by the ICC in addressing the most serious crimes that are of great concern to the world. He also highlighted that Uganda's ratification of the Rome Statute, the referral of the situation to the ICC and the passing of the ICC related bill into national law, are genuine demonstrations of the country's commitment to accountability and justice initiatives.

Speaking on behalf of the Uganda Victims' Foundation (UVF), vice-chairperson Chris Ongom acknowledged some significant provisions in the Rome Statute, especially the inclusion of gender and sexual-related crimes, and crimes against children. He further commended the provision of rights for victims to participate in Court proceedings, which give them a unique opportunity to express their views and concerns before the judges; and the right for them to request reparation at the end of trials if an accused person is found guilty. He called upon the State Parties to the Rome Statute to strengthen co-operation with the Court as determined during the Review Conference.



Participants march through the main streets © ICC-CPI

In her address on the theme of the day, the co-ordinator of the Uganda Coalition for the International Criminal Court (UCICC), Joyce Apio stated that all actors should be fully involved in saying 'no to impunity in order to create stronger pillars for accountability and justice for all.'

Following the statements, students enacted a role-play that presented the different parties and participants in the Court, which stimulated debate. Questions were asked about the distinct roles and functions of the prosecution's team, the defence counsel and the victims' legal representatives.

The majority of the participants expressed concerns about the outstanding arrest warrants in all situations under investigation before the Court. Some urged States Parties to galvanise efforts to arrest and surrender suspects to the ICC and to enable the Court to fulfil its mandate.

The celebrations of the day were concluded with two interactive radio talk shows that were held in parallel - one in Soroti hosted by the Voice of Teso community radio station and another in Kampala on K-FM. Over two million Ugandans followed the respective discussions that addressed the history of the formation of the Court and its achievements so far.



School children participate in the eighth anniversary event © ICC-CPI

### Background

The ICC has been established to help end impunity for the most serious crimes of concern to the international community, namely genocide, crimes against humanity and war crimes committed after entry into force of the Rome Statute (1 July 2002), as well as the crime of aggression, once the conditions under which the Court can exercise its jurisdiction have been fulfilled. The Court may exercise jurisdiction over international crimes committed on the territory of a State Party, or a State having accepted the jurisdiction of the Court, or by one of their nationals. These conditions however, do not apply if a situation is referred to the Prosecutor by the United Nations Security Council. Today 111 are States Parties to the Statute.

Uganda signed the Statute on 17 March, 1999 and ratified on 14 June, 2002.

The situation in northern Uganda was referred to the Court by the government in December, 2003. The Prosecutor opened an investigation in July 2004. In the case derived from the investigation *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen*, five warrants of arrest have been issued against top members of the Lords Resistance Army (LRA) for crimes against humanity and war crimes committed in Uganda since July 2002. Following the confirmed death of Raska Lukwiya, the proceedings against him have been terminated. The four remaining suspects are still at large.



### ICC raises awareness amongst the Sudanese diaspora in Manchester and Birmingham, UK

Representatives of the affected communities from Sudan living in exile in the United Kingdom participated in two interactive sessions and a workshop organized by the Outreach Unit as part of the campaign to promote the understanding of the International Criminal Court. Some 140 individuals were engaged during meetings held on Saturday, 26 June and Sunday, 27 June in Manchester and Birmingham respectively.

In the course of the sessions, ICC officials from the Outreach Unit, the Victims Participation and Reparation Section of the Registry and the Office of the Prosecutor explain the Court's general mandate and its judicial process. Also updates on cases heard before the Court in connection with investigations in the situation in Darfur, were provided. Emphasis was placed to the mandate of the Office of the Prosecutor and its policies. In addition, the communities learned about the rights of victims to participate in the judicial proceedings and have their interest and concerns heard in courtroom through legal counsel; and their rights to request reparations once trials are concluded if the accused person is convicted. Presentations were followed by discussions.



A powerpoint presentation is used to explain the different organs of the Court at an outreach session in Birmingham © ICC-CPI

The majority of the participants praised the Outreach Unit for bringing the Court closer to the affected communities. They expressed that this was the first time that they were exposed to information on victims' rights of participation and reparation before the ICC. Most of the questions asked by the public were related to the mandate and functioning of the Court. The groups were concerned about the means provided by the Rome Statute to implement Court's decisions, especially the enforcement of warrants of arrest.

The Manchester and Birmingham visit is the fourth Outreach mission targeting the Sudanese diaspora in Europe. During 2010, the Sudan Diaspora Outreach Programme will include The Netherlands, Belgium, France, UK, Italy and Germany. In addition, regular missions are being organised to reach out to Sudanese refugees in the UNHCR camps in eastern Chad.

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The situation in Darfur was referred to the International Criminal Court by United Nations Security Council resolution 1593 on 31 March, 2005, under article 13(b) of the Rome Statute. To date, three cases are heard before Pre-Trial Chamber I, *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*.



VPRS staff member explains victim participation to those attending the Manchester session © ICC-CPI

The suspects (Harun and Kushayb, and Al Bashir) in the first two cases remain at large. Abu Garda appeared voluntarily before the ICC on 18 May, 2009. The confirmation of charges hearing took place from 19 to 29 October, 2009. On 8 February, 2010, Pre-Trial Chamber I declined to confirm the charges against him.

## Calendar

JULY 2010						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
5	6	7	8	9	10	11
12	13	14	15	16	17	18
		Trial of Jean-Pierre Bemba Gombo is scheduled to start			Day of International Criminal Justice	
					Judicial recess (17 July - 8 August)	
19	20	21	22	23	24	25
Judicial recess (17 July - 8 August)						
26	27	28	29	30	31	
AUGUST 2010						
						1
Judicial recess (17 July - 8 August)						
2	3	4	5	6	7	8
<b>Future events:</b> 22 November, 2010: Pre-Trial Chamber I has set the date for the beginning of the confirmation of charges hearing 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.