



**Cour
Pénale
Internationale**

**International
Criminal
Court**

26 March 2012 #121 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 will hold a hearing to pronounce the sentence at a later stage. 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.

Decisions taken between 19 - 23 March 2012

Mbarushimana Case

Decision replacing a judge in the Appeals Chamber

Issued by the Presidency on 22 March 2012

Order on the filing of responses to the "Requete tendant à obtenir autorisation de participer à la procédure d'appel contre la 'Décision relative à la confirmation des charges' (ICC-01/04-01/10-465-Conf-tFRA)"

Issued by the Appeals Chamber on 23 March 2012

Decision on the "Requête urgente aux fins de reconsidération de la décision n°ICC-01/04-01/10 OA4, de protestation et de réserve"

Issued by the Appeals Chamber on 23 March 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 a Trial Chamber. The trial started on 22 November 2010.

Decisions taken between 19 - 23 March 2012

Bemba Case

Order convening a status conference on issues related to the presentation of evidence by the legal representatives of victims and the defence

Issued by Trial Chamber III on 21 March 2012

Order setting an agenda for the status conference on issues related to the presentation of evidence by the legal representatives of victims and the defence

Issued by Trial Chamber III on 23 March 2012

Decision on the "Prosecution's request for leave to reply to 'Defence Response to the Prosecution's Application for Admission of Evidence from the Bar Table'"

Issued by Trial Chamber III on 23 March 2012

Situation in Côte d'Ivoire

Côte d'Ivoire, which is not party to the Rome Statute, **had accepted the jurisdiction** of the ICC on 18 April 2003; more recently, and on both 14 December 2010 and 3 May 2011, the Presidency of Côte d'Ivoire **reconfirmed the country's acceptance** of this jurisdiction. On 3 October 2011, the Pre-Trial Chamber authorised the Prosecutor to open an investigation into the situation in Côte d'Ivoire since 28 November 2010. The hearing on the confirmation of charges in the case *The Prosecutor v. Laurent Gbagbo*, the only case currently heard before the Court in this situation, is scheduled to start on 18 June 2012.

Decisions taken between 19 - 23 March 2012

Gbagbo Case

Décision portant désignation d'un juge unique

Issued by Pre-Trial Chamber I on 16 March 2012

Order convening an *ex parte* hearing on protective measures

Issued by Pre-Trial Chamber I on 16 March 2012

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**

Events

ICC Trust Fund for Victims assists over 80,000 victims, raises reparations reserve

In the wake of the first verdict by the International Criminal Court (ICC) against Thomas Lubanga Dyilo, the Board of Directors of the Trust Fund for Victims at the ICC convened for its annual meeting in The Hague, from 20 to 22 March 2012. As the Trust Fund will play an important part in Court-ordered reparations, the Board considered its roles and responsibilities and decided to increase the Fund's financial reserve to complement ICC reparations awards with 200,000 euros, to a level of 1.2 million euros. The Trust Fund also launched a **short movie**, illustrating its assistance to victims of crimes within the jurisdiction of the ICC.



Annual meeting of the TFW Board of Directors in The Hague © ICC-CPI

Ms Elisabeth Rehn, Chair of the TFW Board of Directors, observed in a speech at the occasion of the Board meeting that “over the past four years, the Trust Fund for Victims has made a tangible difference to over 80,000 victims in the DRC and northern Uganda. We have seen children made into combatants – and therefore into targets of violence. Rape is used as a weapon to systematically destroy people's lives and identities as worthy members of society – and so, to destroy communities. By providing medical and psycho-social services, as well as material support, the Trust Fund has assisted victims to rebuild their lives, and to regain their human dignity”.

In regard to the possibility that reparations may be awarded in the Lubanga case, Ms Rehn confirmed the intention of the Trust Fund to develop a fruitful partnership with the Court to make reparations a meaningful and tangible reality for victims. She pointed out that the Rome Statute's principle that “the perpetrator pays” for reparations should not be an empty phrase and called upon the Court and States Parties to intensify efforts to identify and freeze assets of persons accused before the ICC, for the eventual purpose of financing Court-ordered reparations.

Ms Rehn also confirmed that the TFW is managing its own resources, originating from voluntary contributions, in such a way as to be able to complement Court-ordered reparations in the case that a convicted person is indigent. The Board decided to raise the financial reserve to complement ICC reparations awards with 200,000 euros to 1.2 million euros, which is more than one half of the Fund's current annual disbursement. The Trust Fund may at a later stage raise a call for funds earmarked for reparations.

In 2011, the total revenue of the Trust Fund for Victims from voluntary contributions was 3.2 million euros – the highest annual revenue ever and more than twice the amount of 2010. Ms Rehn observed that this is “an excellent result and we are extremely grateful – but we also realize that it is, still, quite modest”.

Ms Rehn concluded by noting that “according to the Rome Statute, victims are not passive bystanders. They have a right to be heard, to be recognized, to receive redress – and to rebuild their lives and regain their dignity as human beings – not only as ‘victims’”.

Background: The Trust Fund for Victims (TFV)

The Trust Fund for Victims (TFV) is the first of its kind in the global movement to end impunity and promote justice. At the end of one of the bloodiest centuries in human history, the international community made a commitment to end impunity, help prevent the gravest crimes known to humanity and bring justice to victims with the adoption of the Rome Statute. In 2002, the Rome Statute came into effect and the Assembly of States Parties established the TFV under article 79 of the Rome Statute, to benefit victims of crimes within the jurisdiction of the ICC, and their families. These crimes are genocide, crimes against humanity, war crimes and crimes of aggression.

The TFV addresses and responds to the physical, psychological, or material needs of the most vulnerable victims. It raises public awareness and mobilizes people, ideas and resources. It funds innovative projects through intermediaries to relieve the suffering of the often forgotten survivors. The TFV works closely with NGOs, community groups, women's grassroots organisations, governments, and UN agencies at local, national, and international levels. By focusing on local ownership and leadership, the TFV empowers victims as main stakeholders in the process of rebuilding their lives.

With the unique roles of implementing both Court-ordered and general assistance to victims of crimes under the ICC's jurisdiction, the Trust Fund for Victims offers key advantages for promoting lasting peace, reconciliation, and wellbeing in war-torn societies. The TFV fulfils two mandates for victims of crimes under jurisdiction of the ICC:

1. **Reparations:** implementing Court-ordered reparations awards against a convicted person when directed by the Court to do so.
2. **General Assistance:** using voluntary contributions from donors to provide victims and their families in situations where the Court is active with physical rehabilitation, material support, and/or psychological rehabilitation.

Currently, the TFV is providing a broad range of support under its second mandate in northern Uganda and the Democratic Republic of Congo – including access to reproductive health services, vocational training, trauma-based counselling, reconciliation workshops, reconstructive surgery and more – to over 80,000 victims of crimes under the ICC's jurisdiction. Most of its projects have incorporated both gender-specific and child-specific interventions to support the special vulnerability of women, girls, and boys.

There are currently seven situations before the ICC, in Northern Uganda, the Democratic Republic of Congo (DRC), Darfur, the Central African Republic (CAR), Kenya, Libya and Côte d'Ivoire.

Ms Rehn's speech can be viewed [here](#); the text is [here](#). Media can download [audio](#) and [video](#) versions for broadcasting. For more information on the Trust Fund for Victims, visit www.trustfundforvictims.org

Source: Trust Fund for Victims

Calendar

MARCH 2012						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
26	27	28	29	30	31	
			ICC President Song to participate in a panel discussion at the 106th Annual Meeting of the American Society of International Law, together with the ICJ and ICTY presidents and PCA Acting Secretary-General, Washington, D.C. (USA) ¹			
				Vice-President Tarfusser to participate as a panelist in “International justice: Between achievements of the past and challenges for the future” ² in Rimini (Italy)		
			Judge Chile Eboe-Osuji and Deputy Prosecutor Fatou Bensouda to participate in the symposium titled “Assembling the Defence” to mark the 10th Anniversary of ICB and ICC, in Geneva (Switzerland) ³			
APRIL 2012						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1
2	3	4	5	6	7	8
Judge Kourula to participate in the 2012 LI Haopei Lecture and Seminar “Sovereignty and Individual Criminal Responsibility for Core International Crimes”, Beijing (China) ⁴				Judicial Recess ⁵		
9	10	11	12	13	14	15
Judicial Recess ⁵						
16	17	18	19	20	21	22
23	24	25	26	27	28	29
				Court to host ICC Trial Competition (English)		
- From 15 May 2012: Closing Statements in the case against Germain Katanga and Mathieu Ngudjolo Chui - 29 May – 1 June: ICC to host NGO Roundtable - From 18 June 2012: Confirmation of charges hearing in the case against Laurent Gbagbo						

1 The ICC is grateful to the Hague Municipality and the Dutch Ministry of Foreign Affairs for covering the costs of the Court's participation in the panel discussion, entitled "Confronting Complexity in The Hague".

2 "GIUSTIZIA INTERNAZIONALE TRA CONQUISTE PASSATE E SFIDE FUTURE"

3 The ICC is grateful to the International Criminal Bar (ICB) for covering the costs of the Court's participation.

4 The ICC is grateful to the organizers, the Forum for International Criminal and Humanitarian Law and China University of Political Science and Law, for covering the costs of the Court's participation.

5 Please note that there will be no hearings during the ICC's Judicial Recess from Thursday, 5 April 2012 (17:30) until Monday, 16 April 2012 (09:00)

The calendar is subject to last minute changes.

www.icc-cpi.int | This is not an official document. It is intended for public information only.

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