



**Cour
Pénale
Internationale**

**International
Criminal
Court**

ICC-PIDS-WU-117/12_Eng

27 February 2012 #117 ICC Weekly Update

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 III 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.

The ICC Judges expand the scope of the investigation to the 2002-2010 period

On 22 February 2012, Pre-Trial Chamber III of the International Criminal Court (ICC) decided to expand its authorisation for the investigation in Côte d'Ivoire to include crimes within the jurisdiction of the Court allegedly committed between 19 September 2002 and 28 November 2010.

The Chamber considered that the violent events in Côte d'Ivoire in this period (including the events since 28 November 2010) are to be treated as a single situation, in which an ongoing crisis involving a prolonged political dispute and power-struggle culminated in the events in relation to which the Chamber earlier authorised an investigation. Concentrating on the most significant of the samples of incidents, the Chamber concluded that there is reasonable basis to believe that, in the course of these events, acts of murder and rape that could amount to war crimes or crimes against humanity were committed.

The Chamber had, on 3 October 2011, granted the Prosecutor's request to commence an investigation in Côte d'Ivoire with respect to alleged crimes committed since 28 November 2010, as well as with regard to crimes that may be committed in the future in the context of this situation. In that decision, Pre-Trial Chamber III, composed of Judges Silvia Fernández de Gurmendi (presiding), Adrian Fulford and Elizabeth Odio Benito, requested the Prosecutor to revert to the Chamber with any additional information available to him on potentially relevant crimes committed between 2002 and 2010. On 4 November 2011, the Prosecutor complied with the Chamber's order.

Decisions taken between 20 - 24 February 2012

Decision on the "Prosecution's provision of further information regarding potentially relevant crimes committed between 2002 and 2010"

Issued by the Pre-Trial Chamber III on 22 February 2012

Gbagbo Case

Decision on OPCV's "Request to appear before the Chamber pursuant to Regulation 81(4)(b) of the Regulations of the Court on the specific issue of victims' application process"

Issued by Pre-Trial Chamber III on 20 February 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 20 - 24 February 2012

Bemba Case

Decision on the supplemented applications by the legal representatives of victims to present evidence and the views and concerns of victims
Issued by the Trial Chamber III on 22 February 2012

Partly Dissenting Opinion of Judge Sylvia Steiner on the Decision on the supplemented applications by the legal representatives of victims to present evidence and the views and concerns of victims, ICC-01/05-01/08-2138
Issued by Judge Sylvia Steiner on 23 February 2012

Decision on defence disclosure and related issues
Issued by Trial Chamber III on 24 February 2012

Order postponing a status conference and on issues related to the presentation of evidence by the defence
Issued by Trial Chamber III on 24 February 2012

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, 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 20 - 24 February 2012

Banda and Jerbo Case

Order on the request to file an amicus curiae brief on the defence request for a temporary stay of proceedings and the prosecution's related request
Issued by the Trial Chamber IV on 23 February 2012

Situation in 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. The confirmation of charges hearing in the case *The Prosecutor v. William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang* took place from 1 to 9 September 2011. The confirmation of charges hearing in the case *The Prosecutor v. Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali* took place from 21 September to 5 October 2011. On 23 January 2012, the Judges declined to confirm the charges against Mr Kosgey and Mr Ali. Pre-Trial Chamber II confirmed the charges against Mr Ruto, Mr Sang, Mr Muthaura and Mr Kenyatta and committed them to trial.

Decisions taken between 20 - 24 February 2012

Ruto, Kosgey and Sang case

Decision on the "Observations on the 'Directions on the submission of observations pursuant to article 19 (3) of the Rome Statute and rule 59 (3) of the Rules of Procedure and Evidence'"
Issued by the Appeals Chamber on 20 February 2012

Muthaura, Kenyatta and Ali case

Decision on the "Observations on the 'Directions on the submission of observations pursuant to article 19 (3) of the Rome Statute and rule 59 (3) of the Rules of Procedure and Evidence'"

Issued by the Appeals Chamber on 20 February 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.

Decisions taken between 20 - 24 February 2012

Decision on the "Application of Aisha Gaddafi for reclassification and the provision of a legally authorized copy of the death certificate pertaining to her late father Muammar Mohammed Abu Minyar Gaddafi"

Issued by Pre-Trial Chamber I on 22 February 2012

Gaddafi and Al-Senussi Case

Directions of the Appeals Chamber

Issued by the Appeals Chamber on 23 February 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**

Calendar

FEBRUARY 2012						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
27	28	29				
March 2012						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1	2	3	4
5	6	7	8	9	10	11
				Solemn Undertaking Ceremony for the newly elected ICC Judges		
12	13	14	15	16	17	18
- From 15 May 2012: Closing Statements in the case against Germain Katanga and Mathieu Ngudjolo Chui - From 18 June 2012: Confirmation of charges hearing in the case against Laurent Gbagbo						

The calendar is subject to last minute changes.