



Cour
Pénale
Internationale

International
Criminal
Court

ICC-PIDS-WU-10/09_Eng

ICC Weekly Update

16 November 2009 #10



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.

Decisions taken between 9 - 13 November 2009

Bemba case

Decision on the application of 14 September 2009 for participation as an amicus curiae

Issued by the Appeals Chamber on the 9th November 2009

Order granting the Defence's Application for Extension of Time

Issued by the Trial Chamber III on the 11th November 2009

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 commencement of the trial in the case of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* is scheduled for 24 November, 2009.

Decisions taken between 9 - 13 November 2009

Lubanga case

Redacted Decision on the "Prosecution's Application for Non-Disclosure of Sources contained in the meta-data in compliance with the Consolidated E-Court Protocol" of 16 April 2009

Issued by the Trial Chamber I on the 11th November 2009

Katanga and Ngudjolo Chui case

Décision relative à la demande de la Défense de Germain Katanga aux fins de prorogation du délai imparti pour faire valoir ses observations sur le résumé des charges (norme 35 du Règlement de la Cour)

Issued by the Trial Chamber II on the 10th November 2009

Corrigendum de la "Décision relative à la divulgation de l'identité des victimes aux parties" (ICC-01/04-01/07-1607)

Issued by the Trial Chamber II on the 12th November 2009

Decision on Prosecution request for an extension of page limit pursuant to regulation 37(2) of the Regulations of the Court (ICC-01/04-01/07-1617)

Issued by the Trial Chamber II on the 12th November 2009

Situation in Darfur, Sudan

In the situation in Darfur, Sudan, three 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*; and *The Prosecutor v. Bahr Idriss Abu Garda*. 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.

Decisions taken between 9 - 13 November 2009

Al Bashir case

Decision Ordering the Parties to Submit their Observations on Applications a/0443/09 to a/0450/09 for Participation as Victims in the Proceedings

Issued by the Pre-Trial Chamber I on the 6th November 2009

Reasons for "Decision on the Application of 20 July 2009 for Participation under Rule 103 of the Rules of Procedure and Evidence and on the Application of 24 August 2009 for Leave to Reply"

Issued by the Appeals Chamber on the 9th November 2009

Abu Garda case

Decision on the Prosecutor's request for an extension of the page limit for his final written observations

Issued by the Pre-Trial Chamber I on the 12th November 2009

Decision on the Legal Representatives of Victims' Request

Issued by the Pre-Trial Chamber I on the 13th November 2009

Relevant links

Courtroom proceedings can be followed on the ICC website: www.icc-cpi.int

You can also consult the **hearings schedule**.

Video summaries can be found at our **Youtube channel**.

ICC hosts a Colloquium to Reflect on Reparations for Victims of Sexual Violence in International Law

On 10 November 2009 the Chambers of the International Criminal Court hosted a *Colloquium to Reflect on Reparations for Victims of Sexual Violence in International Law*. ICC judges of the different Divisions, Registry staff, and senior legal advisers and legal officers of the Chambers participated in the meeting.

In his welcoming remarks, Judge Adrian Fulford, President of the Trial Division, showed appreciation to the organizers and sponsors of the Colloquium. He stressed the relevance of exchanging views and learning from the experience of other organisations with respect to awarding reparations.

In his introductory remarks, the President of *Rights & Democracy*, Rémy M. Beauregard, underlined the relevance of looking at various legal and theoretical frameworks, receiving insights from a group of experts that have had the opportunity to address issues from the legal perspective, from the perspective of victims and survivors, and taking into account key considerations, including gender social, cultural, religious and community related aspects.



Professor Van Boven during his presentation at the Colloquium © ICC-CPI.

The Colloquium was organised by the *Coalition for Women's Human Rights in Conflict Situations*, *REDRESS*, and *Rights & Democracy*. It served to exchange views, experiences and best practices with respect to reparations procedures in different contexts. As a separate matter, the discussions focussed on how reparations had been awarded by other tribunals and courts, including human rights regional courts, with a specific gender dimension when crimes were committed against women and girls.

To introduce the discussions in the morning session, several prominent speakers were invited. Professor Theo Van Boven referred to his previous experiences of reparations in international law, including some aspects of the *United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*. Judge Antônio A. Cançado Trindade presented the topic of reparations and case law of the *Inter-American Court on Human*

Rights. Carla Fertsman, Director of the London based non-governmental organization *REDRESS*, introduced considerations and perspectives regarding granting reparations for victims of sexual and gender violence in international courts.

During the afternoon session, key aspects of the *Nairobi Declaration on Women's and Girl's Right to a Remedy and Reparation* were highlighted by Betty Murungi, who served as chairperson of the Executive Committee of the *Women's Caucus for Gender Justice for an International Criminal Court* (later, the *Women's Initiative for Gender Justice*).

Other panellists addressed issues of reparations from victims' and survivors' viewpoints. Speaking on the Rwandan experience was Francine Rutazana, women's rights activist working with *ACORD*, an Africa-led international alliance working to promote social justice. Dr Dyan Mazurana, Research Director with the *Feinstein International Center*, presented the harms and needs faced by girls who have participated in fighting with forces in conflict situations. The cultural norms and values that might impact reparations for women and girls in conflict situations was presented by Anu Pillay gender specialist who has worked for over 20 years in Southern, East and West Africa on gender equality, social transformation, peace-building and transitional justice. Dr Clara Sandoval, Senior Lecturer with the School of Law at *Essex University*, referred to some considerations about family and community structures and how these can impact on the ability of women and girls to articulate needs for reparations.

There were also presentations of the work, achievements and challenges of the ICC Victims Participation and Reparation Section and the Trust Fund for Victims by Fiona McKay and Kristin Kalla, respectively.

The meeting was illustrative and provided significant insights of previous experiences in awarding reparations. It was moderated by Vahida Nainar, former Executive Director of the *Women's Caucus for Gender Justice*, who has been working on women's rights/human rights issues for the past 18 years. An open discussion and question and answer session moderated by Judge Elizabeth Odio-Benito served as a closing to the Colloquium.

Calendar

NOVEMBER 2009						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
16	17	18 18-26 Nov: Eighth Session of the Assembly of the State Parties (ASP), in The Hague	19	20	21	22
23 18-26 Nov: Eighth Session of the Assembly of the State Parties (ASP), in The Hague	24	25	26	27	28	29
	Trial of Germain Katanga and Mathieu Ngudjolo Chui case is scheduled to start/ ASP					
30						
DECEMBER 2009						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	01	02	03	04	05	06
07	08	09	10	11	12	13
14	15	16	17	18	19	20
Future events: 27 April 2010: Trial of Jean-Pierre Bemba Gombo case is scheduled to start 31 May – 11 June 2010: First Revision conference on the Rome Statute, Kampala, Uganda.						

The calendar is subject to last minute changes.