



Cour
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International
Criminal
Court

ICC-PIDS-WU-44/10_Eng

30 August 2010 #44 ICC Weekly Update



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). Four warrants of arrest have been issued by Pre-Trial Chamber I for Harun, Kushayb and Al Bashir. 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; the confirmation of charges hearing is scheduled for 22 November, 2010.

Pre-Trial Chamber I informs the Security Council and the Assembly of States Parties about Omar Al Bashir's visits to Kenya and Chad

Pre-Trial Chamber I of the International Criminal Court (ICC) issued two decisions informing the Security Council of the United Nations and the Assembly of States Parties to the Rome Statute about Omar Al Bashir's visits to the Republic of Kenya and the Republic of Chad, "in order for them to take any measure they may deem appropriate".



Omar Al Bashir ©UN Photo / Stuart Price

The Chamber had learnt that Al Bashir was invited by the Government of Kenya to attend celebrations for the promulgation of the new Kenyan Constitution and was in Chad from 21 to 23 July. The Republic of Kenya and the Republic of Chad have an "obligation to cooperate with the Court" to enforce the warrants of arrest issued against Al Bashir by the ICC, according to the Chamber.

The ICC Registrar was ordered to immediately transmit these decisions to the Security Council and to the Assembly of States Parties. Previously, pursuant to the Pre-Trial Chamber decisions issuing two warrants of arrest against Omar Al Bashir, the ICC Registrar had issued and transmitted requests for arrest and surrender of Mr. Al Bashir to all States Parties to the Rome Statute, including the Republic of Kenya and the Republic of Chad.

On 4 March, 2009, Pre-Trial Chamber I of the ICC issued a **first warrant of arrest** against Mr. Al Bashir considering that there are reasonable grounds to believe that the suspect is criminally responsible for five counts of crimes against humanity and two counts for war crimes. A **second warrant of arrest** was issued against Mr. Al Bashir, on 12 July, 2010, for three counts of genocide.

Decisions taken between 23 - 27 August, 2010

Al Bashir case

Decision on the “Requête pour l’obtention d’une ordonnance condamnant les déclarations du Procureur en date du 15 juillet 2010”

Issued by Pre-Trial Chamber I on 24 August, 2010

Decision informing the United Nations Security Council and the Assembly of the States Parties to the Rome Statute about Omar Al-Bashir’s presence in the territory of the Republic of Kenya

Issued by Pre-Trial Chamber I on 27 August, 2010

Decision informing the United Nations Security Council and the Assembly of the States Parties to the Rome Statute about Omar Al-Bashir’s recent visit to the Republic of Chad

Issued by Pre-Trial Chamber I on 27 August, 2010

Banda and Jerbo case

Decision Setting a Time Limit for the Parties’ Replies to 8 Victims’ Applications for Participation

Issued by Pre-Trial Chamber I on 24 July, 2010

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**.

Events

Visit to Guatemala of the President of the Assembly and the Prosecutor

At the invitation of the Government of Guatemala, the President of the Assembly of States Parties to the Rome Statute of the International



From left to right: Mr. Álvaro Colom Caballeros, President of Guatemala, Mr. Luis Moreno-Ocampo, ICC Prosecutor, and Ambassador Christian Wenaweser, President of the Assembly.

Republic, Mr. Álvaro Colom Caballeros, who was accompanied by the Vice President, Mr. José Rafael Espada, and the Ministers of Foreign Affairs, Defence, the Interior, and Education.

As regards the legislative branch, meetings were held with the President of Congress, the Chair of the Legislative and Constitutional Points Committee and with leaders of parliamentary groups. The visitors also held meetings with the President of the Constitutional Court, the President of the Supreme Court, magistrates of the Supreme Court, the interim General Public Prosecutor and Head of the Ministerio Público (Office of the Public Prosecutor), the Ombudsman, and the Director of the Criminal Public Defence Institute. Meetings were also held with representatives of the United Nations system and the Commissioner of the International Commission against Impunity in Guatemala.

Criminal Court, Ambassador Christian Wenaweser, and the Prosecutor of the Court, Mr. Luis Moreno-Ocampo, visited Guatemala on 19 and 20 August. The purpose of the visit was to provide further information to various institutions of State and other sectors of Guatemalan society on the activities of the International Criminal Court and the conditions under which the Court exercises jurisdiction, and to answer questions on the benefits accession to the Rome Statute could bring for Guatemala.

The outstanding item of the visit was the meeting with the President of the

Ambassador Wenaweser and Prosecutor Moreno-Ocampo also took part in a conference on the International Criminal Court as an instrument to combat impunity, to which professional associations and academics were invited; and they met with members of the NGO Coalition for the International Criminal Court.

The visit was part of the Assembly's Plan of action for achieving universality of the Rome Statute. Currently, 113 States have ratified the Rome Statute, among them 25 countries from Latin America and the Caribbean.

Calendar

AUGUST 2010						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
30	31					
SEPTEMBER 2010						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			
Future events: 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.