



**Cour
Pénale
Internationale**

**International
Criminal
Court**

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19 July 2011 #86
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*. The accused Thomas Lubanga Dyilo, Germain Katanga, Mathieu Ngudjolo Chui and Callixte Mbarushimana 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. The confirmation of charges hearing in the case *The Prosecutor v. Callixte Mbarushimana* is scheduled to start on 17 August 2011.

Decisions taken between 11 - 15 July 2011

Decision on 13 applications for victims' participation in proceedings relating to the situation in the Democratic Republic of the Congo

Issued by Pre-Trial Chamber I on 15 July 2011

Katanga and Ngudjolo Chui Case

Décision relative à trois demandes d'autorisation d'interjeter appel de la Décision ICC-01/04-01/07-3003 du 9 juin 2011

Issued by Trial Chamber II on 14 July 2011

Ordonnance relative à la « Requête de la Défense de Mathieu Ngudjolo sollicitant l'assistance de la Chambre en vue d'obtenir de la Voice of America (VOA) la bande d'enregistrement de la déclaration de M. Thomas Lubanga à la suite et au sujet de l'attaque de Bogoro du 24 février 2003 »

Issued by Trial Chamber II on 15 July 2011

Ordonnance relative aux conditions de détention des témoins détenus

Issued by Trial Chamber II on 15 July 2011

Mbarushimana Case

Second decision on the review of potentially privileged material

Issued by Pre-Trial Chamber I on 12 July 2011

Judgment on the appeal of Mr Callixte Mbarushimana against the decision of Pre-Trial Chamber I of 19 May 2011 entitled "Decision on the 'Defence Request for Interim Release'"

Issued by the Appeals Chamber on 14 July 2011

Third decision on the review of potentially privileged material

Issued by Pre-Trial Chamber I on 15 July 2011

Situation in the Republic of Kenya

On 31 March 2010, Pre-Trial Chamber II granted the Prosecutor's request to open an investigation *proprio motu* in the situation of 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. Confirmation of charges hearings in the following two cases: *The Prosecutor v. William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang* and *The Prosecutor v. Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali*, are scheduled for 1 and 21 September 2011, respectively.

Decisions taken between 11 - 15 July 2011

Directions of the Appeals Chamber

Issued by the Appeals Chamber on 12 July 2011

Ruto, Kosgey and Sang Case

Decision on the Defence Requests in Relation to the Submission of a Comprehensive In-Depth Analysis Chart

Issued by Pre-Trial Chamber II on 13 July 2011

Decision on the "Defence Request for Disclosure of Article 67(2) and Rule 77 Materials"

Issued by Pre-Trial Chamber II on 14 July 2011

Muthaura, Kenyatta and Ali Case

Decision on the Defences' Requests for a Compliance Order in regard to Decision "ICC-01/09-02/11-48"

Issued by Pre-Trial Chamber II on 12 July 2011

Order on the filing of observations in relation to the "Filing of Updated Investigation Report by the Government of Kenya in the Appeal against the Pre-Trial Chamber's Decision on Admissibility"

Issued by the Appeals Chamber on 12 July 2011

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, the 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 11 - 15 July 2011

Banda and Jerbo Case

Decision on the Prosecution's Application for Leave to Appeal the "Decision on the Prosecution's Request to Invalidate the Appointment of Counsel to the Defence"

Issued by Trial Chamber IV on 13 July 2011

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 11 - 15 July 2011

Bemba Case

Decision on the "Defence request for the reclassification of documents"

Issued by Pre-Trial Chamber II on 13 July 2011

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 President's Message - Day of International Criminal Justice

As the President of the International Criminal Court (ICC), I am proud to celebrate the Day of International Criminal Justice on 17 July 2011.

Thirteen years ago, the international community came together at a historic conference in Rome to adopt the Rome Statute of the ICC. States and civil society from all continents joined forces to put an end to impunity for the gravest crimes known to humankind. In 2002, the ICC opened its doors in The Hague, Netherlands.

Today, the ICC is a major international institution securing justice for victims when it cannot be delivered at the national level. Investigations in six country situations concern shocking allegations such as mass murder, rape, torture and the use of child soldiers. The total number of suspects that have appeared before the judges has doubled in the last six months. The first trial is concluding with the closing arguments set to be heard next month.

Support for the ICC is growing around the world. 114 nations have already joined the Rome Statute and Grenada and Tunisia will become the next two States Parties later this summer. Several other countries have announced their intention to follow in the near future.

During the past year, I have met with representatives of governments, civil society and regional organisations in the Americas, Africa, Asia, Europe and most recently the Arab world. Time after time, I have found the goals of the Rome Statute resonate strongly regardless of culture, language or nationality.

Everywhere, people want peace, justice, rule of law and respect for human dignity. The ICC represents the gathering of nations in a community of values and aspirations for a more secure future for children, women and men around the world.

Let us remember our spirit of solidarity while we celebrate our achievements. Let us remind ourselves that while much progress has been achieved, the road ahead remains long and demanding.

We must be united in our resolve to defeat impunity and the lawlessness, brutality and disdain for human dignity that it represents. We must persevere.

In the name of all people working for the International Criminal Court, I am proud to be part of the global justice movement. I call on States and people everywhere to join this common cause.

[The ICC President Message \(Video\)](#)



Judge Sang-Hyun Song © ICC-CPI/ Hans Hordijk

The ICC Registrar concludes a three days mission in Central African Republic



Ms Silvana Arbia, Registrar of the ICC, meets women's groups in Sibut © ICC-CPI

On 15 July 2011, the Registrar of the International Criminal Court (ICC), Silvana Arbia, concluded a three days visit to the Central African Republic where she met with the Prime Minister, Faustin Archange Touadera, the Minister of Justice and Moral standards, Firmin Findiro, and the Minister of International Cooperation, Regional Integration, and the Francophonie, Dorothee Aimée Malenzapa. Several issues were discussed during these meeting including cooperation and complementarity between the ICC and national authorities. The ICC Registrar expressed the Court's gratitude for the continued support of the authorities in its activities in Central African Republic.



Ms Silvana Arbia, Registrar of the ICC, meets NGO representatives in Bangui © ICC-CPI

On the second day of her visit, Ms Arbia participated in an outreach session with women's groups in Sibut locality, where she also met with the local authorities to show appreciation for their crucial role in supporting the ICC's local activities. This is the first time that the Registrar led an interactive session with the communities most affected by crimes heard before the Court outside Bangui (capital of the Central African Republic). This session, organised by the Outreach Unit of the ICC, is part of the continued efforts to provide women's groups in Bangui and elsewhere in the country with access to information about the trial proceedings in the case of Jean-Pierre Bemba Gombo. The Registrar also held a meeting with representatives from national NGOs working in the fields of Human Rights, victims' rights and the protection of women. "The victims' rights for participation and reparation are recognized by the Rome Statute. They can not be effective unless known. We do our best to ensure that victims are aware of their rights before the ICC", she declared at this occasion.

Closing her visit to the Central African Republic, the ICC Registrar held a press conference with national media's representatives to invite them to report on the celebration of the International Criminal Justice Day on 17th of July and to answer their questions about ICC activities and recent developments at the Court.

As the Court's official channel of communication, the Registry has the primary responsibility for cooperation requests as well as for the ICC's public information and outreach activities. The Registry also ensures that the Court is properly serviced and develops effective mechanisms for assisting victims, witnesses and the defence in order to safeguard their rights under the Rome Statute.

The situation in CAR was referred to the Court by the Central African Government in December 2004. The ICC Prosecutor opened an investigation in May 2007. In the context of this situation, the trial in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* started on 22 November 2010. Trial Chamber III granted 1619 persons the status of victims authorised to participate in the proceeding.

17 July – International Criminal Justice Day: Join the Celebrations by disseminating Audio-visual materials

A collection of audio-visual materials has been produced to commemorate the International Criminal Justice Day on 17 July. All those who wish to support justice, promote victims' rights, and help prevent crimes that threaten the peace, security and well-being of the world, are invited to disseminate these audio and video clips through radio and television broadcasts, or the Internet. All clips are free of charge and available for viewing, as well as for download in broadcast quality.

The day is a celebration of the landmark steps that the international community is taking to reach to common goal of global justice and an opportunity for those who support justice around the world to make their voices heard.

The date of 17 July was adopted by the Assembly of the States Parties during the Review Conference of the Rome Statute held in Kampala (Uganda) in June 2010 and marks the anniversary of the adoption of the Rome Statute, the founding treaty of the International Criminal Court.

"The ICC at a glance" (duration: 02:49 min)

YouTube (for viewing): <http://www.youtube.com/user/IntlCriminalCourt#p/u/9/Y3UeFWbq97c>

Audio (mpeg3) for download: http://www.fileserver.icc-cpi.info/audio/ICC_short_ENG.mp3

Video (mpeg4) for download: http://www.fileserver.icc-cpi.info/video/ICC_short_ENG.mp4

Statement of Judge Sang-Hyun Song, President of the International Criminal Court (duration: 03:46 min)

YouTube (for viewing): <http://www.youtube.com/watch?v=R9jO3ac-vCE>

Audio (mpeg3) for download: http://www.fileserver.icc-cpi.info/audio/President_110717.mp3

Video (mpeg4) for download: http://www.fileserver.icc-cpi.info/video/President_110717.mp4

Series of audio and video clips produced on the occasion of International Criminal Justice Day

- Clip 1 (duration: 02:21 min)

YouTube (for viewing): <http://www.youtube.com/watch?v=VL3krTeQDFk>

Audio (mpeg3) for download: http://www.fileserver.icc-cpi.info/audio/Preamble_ENG.mp3

Video (mpeg4) for download: http://www.fileserver.icc-cpi.info/video/Preamble_ENG.mp4

- Clip 2 (duration: 00:51 min)

YouTube (for viewing): <http://www.youtube.com/watch?v=KUTS8p2W6Zk>

Audio (mpeg3) for download: http://www.fileserver.icc-cpi.info/audio/video_clip_2.mp3

Video (mpeg4) for download: http://www.fileserver.icc-cpi.info/video/video_clip_2.mp4

- Clip 3 (duration: 01:08 min)

YouTube (for viewing): <http://www.youtube.com/watch?v=szbtE-v8ZXw>

Audio (mpeg3) for download: http://www.fileserver.icc-cpi.info/audio/video_clip_3.mp3

Video (mpeg4) for download: http://www.fileserver.icc-cpi.info/video/video_clip_3.mp4

- Clip 4 (duration: 01:05 min)

YouTube (for viewing): <http://www.youtube.com/watch?v=BHhj6nQoCpM>

Audio (mpeg3) for download: http://www.fileserver.icc-cpi.info/audio/video_clip_1.mp3

Video (mpeg4) for download: http://www.fileserver.icc-cpi.info/video/video_clip_1.mp4

ICC signs cooperation agreement with Commonwealth to jointly support States implementing international criminal law



ICC President Judge Sang-Hyun Song and Commonwealth Secretary-General Kamalesh Sharma at the signing ceremony in Sydney, Australia
© Commonwealth Secretariat

International Criminal Court (ICC) President Judge Sang-Hyun Song and Commonwealth Secretary-General Kamalesh Sharma signed a Memorandum of Understanding on Wednesday 13 July 2011 to strengthen and develop cooperation between their organisations to jointly support States implementing international criminal law. The signing took place at the Commonwealth Law Ministers' Meeting in Sydney, Australia, and was witnessed by law ministers, attorneys-general and senior officials from the 54-member Commonwealth.

The ICC President commended the Commonwealth Secretariat for its sterling work in promoting the development and implementation of international criminal law. "National jurisdictions are the first line of defence against impunity for mass atrocities. The ICC is a safety net, a court of last resort," said President Song. "For justice to prevail, we need to develop the national and international elements in parallel. The Commonwealth is uniquely placed to facilitate that process", he declared.

Mr Sharma highlighted the ICC's central role in international efforts to achieve justice for victims and to prevent impunity for genocide, crimes against humanity, war crimes and other forms of violent aggression. He said the cooperation agreement between the Commonwealth and the ICC would help promote the rule of law at the national level through capacity building measures in the fields of international humanitarian law and international criminal law. "This marks a new chapter in our work in the delivery of capacity-building measures such as developing training and assistance programmes for national judges, prosecutors, and other criminal justice officials in the fields of international humanitarian law and international criminal law," Mr Sharma said. "The conclusion of this Memorandum of Understanding demonstrates our deep-rooted commitment to the rule of law. It is a fundamental Commonwealth value within the new humanism we espouse. In concrete terms this means providing mutual support in upholding human rights, in providing access to justice for victims and in fighting impunity, particularly for perpetrators of those most heinous atrocities, war crimes and crimes against humanity," he added.

Under the Memorandum of Understanding, the two organisations will enhance their cooperation in promoting the principles and values enshrined in the Rome Statute. It calls for the exchange information and legal materials, organise and participate in joint meetings and conferences at all levels, develop training and assistance programmes for legal professionals in Commonwealth countries, and support States as they implement international criminal law at the national level.

[Statement of the ICC President](#)

[Statement of the Commonwealth Secretary-General](#)

President of the Assembly of States Parties visits Botswana



The President of Botswana, H.E. Mr. Ian Khama and the President of the Assembly, Ambassador Christian Wenaweser © ICC-CPI

The President of the Assembly of States Parties to the Rome Statute of the International Criminal Court, H.E. Mr. Christian Wenaweser, visited Botswana from 6 to 8 July 2011 in order to attend the International Media Conference entitled "The battle against impunity: chinks in the armor?", organized by the Wayamo Communication Foundation with the support of the German Federal Foreign Office. The conference hosted many prominent participants, including, inter alia, Ms. Athaliah Molokomme, Attorney-General of Botswana; Ms. Fatou Bensouda, Deputy Prosecutor at the ICC; ICC Judge Sanji Mmasenono Monageng; Mr. Stephen Rapp, US Ambassador at large for War Crimes; Mr. David Tolbert, President of the International Center for Transitional Justice; and Mr. Ben Kioko, Legal Counsel of the African Union commission.

At the conference President Wenaweser held a presentation on the relationship between the International Criminal Court and the African Union and the role of the States Parties. He also participated in a round table discussion, together with Mr. Thomas Strieder, Head of the ICC Section at the Federal Foreign Office and Mr. Todd Buchwald, Assistant Legal Adviser for United Nations Affairs at the US State Department.

During his visit, President Wenaweser also met the President of Botswana, H.E. Mr. Ian Khama, as well as the Attorney-General, Ms. Athalia Molokomme. In his consultations, he discussed the recently issued arrest warrants for Mr. Muammar Abu Minyar Gaddafi, Mr. Saif Al Islam Gaddafi and Mr. Abdullah Al-Senussi and, in this connection, expressed his deep appreciation to the Government of Botswana for its support of these arrest warrants.

Statement by the Government of Botswana

[English](#) | [Español](#) * | [Français](#) * | [عربي](#) *

* Translation by the Secretariat of the Assembly of States Parties

Source: Assembly of States Parties

Calendar

JULY 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
18	19	20	21	22	23	24
ICC and African Union Commission to jointly organise a Seminar on the technical aspects of the Rome Statute in Addis Ababa, Ethiopia						
	President Song to give keynote address at the Asian-African Legal Consultative Organization Expert Meeting on the Rome Statute in Kuala Lumpur, Malaysia					
Court Recess						
25	26	27	28	29	30	31
ICC Judge Aluoch to address students and speak at a Female Counsel Campaign event in Kisumu, Kenya	ICC Judge Aluoch to address students in Nairobi, Kenya		ICC Judge Aluoch to speak at a Female Counsel Campaign event in Kigali, Rwanda	ICC Judge Aluoch to address students in Kigali, Rwanda		
Court Recess						
AUGUST 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1	2	3	4	5	6	7
Court Recess						

The calendar is subject to last minute changes.