



18 April 2011 #74
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 4 July 2011.

Decisions taken between 11 - 15 April 2011

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

Issued by Pre-Trial Chamber I on 11 April 2011

Lubanga Dyilo case

Closing statements in the trial against Thomas Lubanga Dyilo scheduled for 25 and 26 August 2011

On 12 April 2011, Trial Chamber I of the International Criminal Court (ICC) set the timetable for the closing written submissions in the case *The Prosecutor v. Thomas Lubanga Dyilo*, and convened the parties and participants to present their closing oral statements in public hearings on 25 and 26 August 2011.

The Prosecution and the Legal Representation of Victims are to file their written closing submissions no later than 1 June 2011, to which the Defence may reply, no later than 15 July 2011. The Prosecution may file a reply to the Defence by 1 August, and the Defence will have until 15 August to file its final reply. These final submissions shall address all the relevant legal and factual issues arising in the case.



Thomas Lubanga Dyilo
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As indicated in the Trial Chamber's order setting the timetable, the parties and participants should be prepared at the closing hearings, on 25 and 26 August, to entertain questions from the Trial Chamber when their closing statements are delivered orally.

Thomas Lubanga Dyilo is accused of having committed, as a co-perpetrator, war crimes of enlisting and conscripting children under the age of 15 years into the *Forces patriotiques pour la libération du Congo* (Patriotic Forces for the Liberation of the Congo) (FPLC), and using them to participate actively in hostilities in Ituri, a district of the eastern province of the Democratic Republic of the Congo, between September 2002 and August 2003.

For further information on this case, please click [here](#).

Decisions taken between 11 - 15 April 2011

Order on the timetable for closing submissions

Issued by Trial Chamber I on 12 April 2011

Katanga and Ngudjolo Chui Case

Decisions taken between 11 - 15 April 2011

Décision relative à la divulgation de l'identité de victimes aux parties et invitant le Procureur et la Défense à présenter leurs observations sur les informations supplémentaires concernant certaines victimes décédées

Issued by Trial Chamber II on 11 April 2011

Mbarushimana Case

Decisions taken between 11 - 15 April 2011

Decision on the "Prosecution request to amend the e-Court Protocol"

Issued by Pre-Trial Chamber I on 15 April 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 April 2011

Decision on the "Request by Ms. Moraa Gesicho to Appear as Amicus Curiae"

Issued by Pre-Trial Chamber II on 12 April 2011

Decision on the "Request by Ms. Moraa Gesicho to Appear as Amicus Curiae"

Issued by Pre-Trial Chamber II on 12 April 2011

Ruto, Kosgey and Sang case

Decisions taken between 11 - 15 April 2011

Decision on the "Request by Ms. Moraa Gesicho to Appear as Amicus Curiae"

Issued by Pre-Trial Chamber II on 12 April 2011

Decision on the Re-filing of the "Defence Request for Variation of Decision on Summons or in the Alternative Request for Leave to Appeal"

Issued by Pre-Trial Chamber II on 13 April 2011

Muthaura, Kenyatta and Ali case

Decisions taken between 11 - 15 April 2011

Decision on the "Request by Ms. Moraa Gesicho to Appear as Amicus Curiae"

Issued by Pre-Trial Chamber II on 12 April 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 8 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.

Banda and Jerbo Case

Decisions taken between 11 - 15 April 2011

Agenda of the status conference scheduled for 19 April 2011

Issued by Trial Chamber IV on 12 April 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

Opening of the English version of the ICC Trial Competition

The fourth annual ICC Trial Competition was opened on Sunday, 10 April 2011, in The Hague, the Netherlands, in the presence of Judge Elizabeth Odio Benito and Judge Anita Ušacka of the International Criminal Court (ICC). Nearly 100 students from 13 countries participated throughout the week in this simulated exercise on the applicable law and jurisprudence of the ICC. The final round, held on 15 April in an ICC Courtroom, was broadcasted live via the ICC website.

At the opening of the event, remarks were delivered by Ms Claudia Perdomo, Acting Chief of the Public Information Section of the ICC. She stressed that "the ICC was established to replace a culture of impunity with one of accountability". She stated that to fulfil this noble goal, the ICC needs universal support, which can be built only through hard work, professionalism and the total independence of the Court. Ms Perdomo also invited the participants to submit their applications to the ICC Visiting Professionals and Internship Programmes, which enable students and professionals to improve their understanding of the Court and share the knowledge they gain with their peers in their home countries.

During these five days in The Hague, future lawyers had the opportunity to test and show their skills by taking on the role of prosecutor, defence counsel, or victims' counsel. The three best teams competed in the final rounds before a jury of three ICC Judges, on Friday, 15 April, from 14:00 to 17:00, in ICC Courtroom I. The final round was followed by an award ceremony at the ICC headquarters.

The ICC Trial Competition is organised by the International Criminal Law Network (ICLN) with the institutional support of the ICC. The University of Amsterdam, Pace University and the American Society of International Law are also cooperating in the project.

The exercise allows law students worldwide to improve their knowledge of international criminal law in practice, and in particular, the ICC and its proceedings. Moreover, the competition offers a unique opportunity for those who have a common interest in international criminal law to come together, meet other budding lawyers from around the world in an exciting setting, and be introduced to highly respected legal figures in international criminal law.

The ICC is pleased to support the organisation of this Moot Court, conducted in English, as part of the ICC's Academic Programme. At present, the ICC is also supporting the "Victor Carlos Garcia Moreno" competition organised by the Latin American Council of Studies on International and Comparative Law, COLADIC. The final of this Spanish-language trial competition will take place at the ICC on 10 June 2011. It is envisaged that, in the medium and long term, the ICC Trial Competition will also be expanded to other official languages of the Court, namely French, Arabic, Chinese and Russian.

Bond University wins the English version of the ICC Trial Competition



Judges Elizabeth Odio Benito, Sanji Mmasenono Monageng and Christine Van Den Wyngaert with the winners of the ICC Trial Competition, representing Bond University (Australia), at the seat of the Court in The Hague © ICC-CPI

On 15 April 2011, ICC Judges Elizabeth Odio Benito, Sanji Mmasenono Monageng and Christine Van Den Wyngaert declared the team representing Bond University (Australia) the winner of the English version of the ICC Trial Competition. The winning team is composed of Cale Davis, Gabrielle Morriss, Susan Forder and Tegan Little. Nalsar University of Law (India) and Osgoode Hall Law School (Canada) won, respectively, the second and third places.

The teams competed before the ICC Judges on a fictitious case, presenting oral arguments in the roles of prosecution, defence and legal representation of victims during a confirmation of charges hearing. The finalists' peers and coaches were seated in the Court's public galleries. The final

round of the ICC Trial Competition was also web streamed live on the Court's official website. Following the decision rendered by the Chamber on the winners of the competition, the ICC hosted an awards ceremony for the winners and participants.

The ICC Judges presiding over the hearing, the Deputy Prosecutor Fatou Bensouda, the Registrar Silvana Arbia and other senior officials of the Court delivered awards to the best teams and top speakers.

Photos of the event are available [here](#).

This year, 97 students from 21 universities representing 13 countries from all continents participated in the competition throughout their five days in The Hague. The competition offers to the students a unique opportunity to come together in an exciting setting and to meet with eminent personalities of the international law scene.

This simulation exercise on the applicable law and jurisprudence of the ICC is organised by the International Criminal Law Network (ICLN) with the institutional support of the ICC. The University of Amsterdam, Pace University and the American Society of International Law are also cooperating in the project.

In the context of its Academic Programme, the Court is also supporting the "Victor Carlos Garcia Moreno" competition organised by the Latin American Council of Studies on International and Comparative Law, *COLADIC*. The final of this Spanish-language trial competition will take place at the ICC on 10 June 2011. It is envisaged that, in the medium and long term, the ICC Trial Competition will also be expanded to other official languages of the Court, namely French, Arabic, Chinese and Russian.

Interacting with communities

ICC releases episode two of the Kenyan-wide TV series *Ask the Court*

On 15 April 2011, the Outreach Unit of the International Criminal Court (ICC) broadcasted the second episode of the Kenyan TV and radio series *Ask the Court*.

Ask the Court answers the most frequently asked questions raised by the Kenyan population on the Court's mandate and its work. The TV and radio series has been designed to foster interaction between the Court and the national population, in particular with those most affected by the post-election violence. It explains judicial developments as they unfold, clarifies the next steps in the Court's procedures, and enhances transparency and understanding of ICC proceedings.

This episode answers the most frequently asked questions related to the judicial process that follows the initial appearance hearings, which took place on 7 and 8 April. In addition, the programme also addresses the procedural rights of the victims participating in the two cases and explains the application process and the requirements that must be fulfilled to exercise these rights.

The programme was broadcasted on Kenyan television stations including KTN, Citizen TV, KBC, NTV, K24, KISS TV, CLASSIC TV, Sayare, and Biblia Husema. In addition, the programme was also broadcasted on the following radio stations: Capital FM (which will also host the edition on its website), Radio Citizen, Inooro FM, Chamegei FM, Mulembe FM, Muuga FM, Sayare FM, Musyi FM and Biblia Husema.

Each episode will also be available on the ICC's [YouTube channel](#).

Other TV and local radio stations are also encouraged to broadcast the programmes; no further permission is required.

Links

The second episode of *Ask The Court* is also available at the following links:

YouTube:

<http://www.youtube.com/watch?v=A8wUvVg4OqQ>

For downloading:

Audio:

http://www.fileserver.icc-cpi.info/audio/Ask_the_court_Kenya_110415..mp3

Video:

http://www.fileserver.icc-cpi.info/video/Ask_the_court_Kenya_110415.mp4

Calendar

APRIL 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
18 ICC President Song to sign an Exchange of Letters in Washington D.C. with the Secretary-General of the Organization of American States (OAS) for the establishment of a Framework Cooperation Arrangement between the ICC and the OAS General Secretariat (United States of America)	19	20	21	22	23	24
25	26	27	28	29	30	
Court recess						
MAY 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1
2	3	4 ICC Prosecutor to brief the UN Security Council on the situation in Libya, New York (United States of America)	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22

The calendar is subject to last minute changes.