

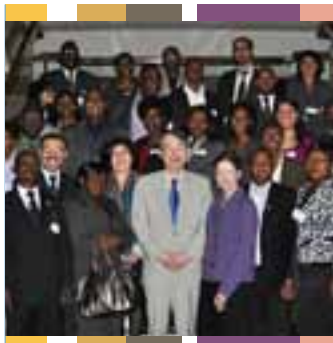


**Cour
Pénale
Internationale**

**International
Criminal
Court**

ICC-PIDS-WU-67/11_Eng

28 February 2011 #67 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.

Lubanga case

ICC Trial Chamber I rejects Thomas Lubanga Dyilo's application for a stay of the proceedings

On 23 February 2011, Trial Chamber I of the International Criminal Court (ICC) issued a confidential written decision in which the Chamber refuses Thomas Lubanga Dyilo's Defence application to stay the proceedings as an abuse of the process.

A public version of the decision will be issued in the near future and will be available on the ICC website.

Thomas Lubanga Dyilo is accused of having committed, as 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 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 (DRC), between September 2002 and August 2003.



Thomas Lubanga Dyilo
© ICC-CPI/Ed Oudenaarden

Decisions taken between 21 - 25 February 2011

Katanga and Ngudjolo Chui case

Version publique expurgée Décision relative à la Notification du retrait de la victime a/0363/09 de la liste des témoins du représentant légal, rendue le 11 février 2011

Issued by Trial Chamber II on 21 February 2011

Version publique expurgée de la Décision sur la requête aux fins de prononcé de mesures de protection au bénéfice des témoins a/0381/09, a/0018/09, a/0191/08, pan/0363/09 et de la victime a/0363/09

Issued by Trial Chamber II on 22 February 2011

Decision on the Prosecution's renunciation of the testimony of witness P-159

Issued by Trial Chamber II on 24 February 2011

Mbarushimana case

Decision on the Prosecution's request for leave to reply to the "Defence Response to Prosecution's Request for the Review of Potentially Privileged Material"

Issued by Pre-Trial Chamber I on 24 February 2011

Decision Temporarily Suspending Dealings with Transcripts and Original Recordings of Intercepted Communications and Materials Seized from the House of Mr. Callixte Mbarushimana

Issued by Pre-Trial Chamber I on 25 February 2011

Situation in the Republic of Kenya

The Republic of Kenya ratified the Rome Statute on 15 March 2005, becoming a State Party. On 6 November 2009, upon receiving a letter from the Prosecutor indicating his intention to submit a request for the authorisation of an investigation *proprio motu*, the International Criminal Court's Presidency issued a decision assigning the situation in the Republic of Kenya to Pre-Trial Chamber II. On 26 November 2009, the Prosecutor submitted a request to Pre-Trial Chamber II for the authorisation of an investigation into that situation in relation to the post-election violence of 2007-2008. On 31 March 2010, Pre-Trial Chamber II granted the Prosecutor's request. On 15 December 2010, the Prosecutor requested the Judges to issue summonses to appear against six Kenyan citizens. The Chamber's decision is pending.

Decisions taken between 21 - 25 February 2011

Decision on Request for Reclassification

Issued by Pre-Trial Chamber II on 18 February 2011

Decision on Application for Leave to Participate under Articles 58, 42(5), (7)-(8)(a) of the Rome Statute and Rule 34(l)(d) and (2) of the Rules of Procedure and Evidence

Issued by Pre-Trial Chamber II on 18 February 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

The President of the ICC, Judge Sang-Hyun Song, visits Addis Ababa, Ethiopia



ICC President Sang-Hyun Song with a group attending his lecture in Addis Ababa, Ethiopia © Office of Legal Affairs - UN

The President of the International Criminal Court (ICC), Judge Sang-Hyun Song, paid a three-day visit last week to Addis Ababa, Ethiopia. On Monday, 14 February 2011, President Song held a full-day lecture on international criminal law for government officials and other young or mid-career lawyers from 24 African States, as well as observers from the African Union Commission. The lecture was part of a

Regional Course on International Law organised by the Codification Division of the United Nations Office of Legal Affairs.

During his visit, President Song also met with a large number of diplomats based in Addis Ababa, including H. E. Mr Jean Ping, the Chairperson of the African Union Commission, and Mr Zachary Muburi-Muita, Head of the United Nations Office to the African Union. The main topic of President Song's meetings was the strengthening of cooperation in the fight against impunity on the basis of the globally shared values of peace, justice and the rule of law.

President of the Assembly of States Parties visit to The Hague



From right: President Wenaweser and Mr. Julián Guerrero, coordinator of the Group of Friends of the ICC in The Hague ©ICC-CPI

22 February 2011

The President of the Assembly of States Parties ("the Assembly"), Ambassador Christian Wenaweser, visited The Hague from 14 to 17 February 2011. He met in an informal meeting with sixteen of the judges of the Court for an open and informal exchange of views on the Assembly's Study Group on Governance, aspects of the work of the Court with relevance to its budget, including the budget cycle, possibilities to expedite judicial proceedings; and the permanent premises of the Court.

He also held a retreat, with the participation of the Vice-President of the Assembly and Chair of The Hague Working Group, Ambassador Jorge Lomónaco, the Chair of the Study Group on Governance, Ambassador Pieter de Savornin Lohman, as well as the President of the Court, the Prosecutor, the Registrar and the Director of the Secretariat of the Assembly, for an informal exchange on matters of mutual interest to States Parties and the Court, in particular in the framework of the said Study Group. In addition, he held meetings with senior officials of the Court, members of the diplomatic community and the African Union Legal Counsel, Mr. Ben Kioko. He also briefed The Hague based ICC Group of Friends on his January visit to the African Union Headquarters in Addis Ababa and to Kenya, as well as on the work of the Search Committee of the Bureau of the Assembly to facilitate the appointment of the next Prosecutor of the Court and on other relevant aspects of the work of the Assembly.

Furthermore, he spoke at the seminar on *The Implications of the 2010 ICC Review Conference*, organized by the Grotius Centre for International Legal Studies

Source: Assembly of States Parties

Statement by ICC Prosecutor Luis Moreno-Ocampo on Libya

23 February 2011

"The decision to do justice in Libya should be taken by the Libyan people. Currently, Libya is not a State Party to the Rome Statute. Therefore, intervention by the ICC on the alleged crimes committed in Libya can occur only if the Libyan authorities accept the jurisdiction of the Court, (through article 12(3) of the Rome Statute). In the absence of such step, the United Nations Security Council can decide to refer the situation to the Court. The Office of the Prosecutor will act only after either decision is taken".

Source: Office of the Prosecutor

Interacting with communities

Reaching out to women's groups in the DRC



Field Outreach Coordinator answers questions from Congolese women on crimes of sexual violence
© ICC-CPI

On 24 February 2011, Outreach staff conducted a seminar focused on crimes of sexual violence with women's groups in Kinshasa. The first part of the seminar focused on the Congolese law on crimes of sexual violence, adopted in 2006, and its application in the DRC. The second part explored relevant aspects of the legal texts of the Court, including an explanation of the elements of the crimes of rape, sexual slavery, enforced prostitution, forced pregnancy, and enforced sterilization. During the third part of the seminar, participants were updated on the latest developments at the Court in the cases containing charges for crimes of sexual violence. As the session was limited to women only, it allowed for an environment in which the participants felt comfortable enough to ask sensitive questions and share their stories.

Central African Republic: ICC outreach session held in PK13



The population of PK12/PK13 takes part in the outreach activities organised by the ICC © ICC-CPI

On Tuesday 22 February, the Outreach Unit of the Field Office of the International Criminal Court (ICC) in the Central African Republic travelled to Point Kilométrique 13 (PK13) on the outskirts of Bangui to inform and talk with the affected local community about the trial in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*.

Some 250 people turned out for the outreach session, at which audiovisual summaries of the trial were screened. The summaries covered the initial weeks of the trial, essentially Prosecution witness testimony. The first witnesses called by the Prosecution gave accounts of events which had allegedly taken place in PK12/PK13, approximately between 26 October 2002 and 15 March 2003. Participants gave the audiovisual summaries and each witness's testimony their full attention.

The Outreach Unit's key messages were the fairness of proceedings and the conduct of trials before the Court. Common legal representation of victims was also a particular focus of the presentation. On that subject, the Outreach Unit explained to the PK12/PK13 community that, to date, the Court has received a total of just over 1900 applications for participation from victims, 1312 of which have now been accepted in the Jean-Pierre Bemba Gombo case. Those victims are taking part in the trial through their legal representatives, Ms Marie-Edith Douzima-Lawson and Mr Assingambi Zarambaud.

Mr Assingambi Zarambaud heads the common legal representation of victims from Bangui and the surrounding areas (including PK12/PK13) and is assisted on the ground in the Central African Republic by Mr Célestin Nzala. Mr Nzala, whose role is to maintain regular contact with the victims, took part in the ICC outreach session in PK13. Throughout the session, he engaged with participants on those issues which specifically relate to victim participation in the proceedings.

Participants voiced satisfaction at being able to see for themselves that the trial had started and to follow it, despite the distance from The Hague. They also said how impressed they were by the witnesses' references to their neighbourhood and by accounts to the judges of the suffering of the PK12/PK13 community between 2002 and 2003. Finally, participants appreciated the opportunity to meet Mr Nzala in person and to have direct contact with him for the first time. The PK12/PK13 community strongly encouraged the Outreach Unit to hold this type of meeting in their neighbourhood on a regular basis.

Mr Célestin Nzala accompanied the Outreach Unit's teams for about two weeks, from 15 to 24 February 2011, during their various activities in Bangui and the surrounding areas, introducing himself to the affected communities and taking part in outreach sessions in Bangui and PK22, and a series of interviews with Central African Television (a public channel), TV Tropic (a private channel), Radio Néhémie, Radio Voix de la Paix, Radio ESCA, Radio Notre Dame and Radio Centrafrique.

Calendar

FEBRUARY 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
28						
MARCH 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1	2	3	4	5	6
			Training of journalists on the ICC in Brazzaville (Republic of the Congo)			
			ICC Registrar to deliver opening speech to the training in Brazzaville (Republic of the Congo)			
7	8	9	10	11	12	13
ICC President to visit the Philippines		ICC President to visit Malaysia		ICC President to visit Brunei		
Prosecutor to deliver the inaugural lecture of the new Master on Governance and Human Rights at the Universidad Autónoma, Madrid (Spain)						
14	15	16	17	18	19	20
	Deputy Prosecutor to participate in the international colloquium "Women's rights, Migrant women's rights and international humanitarian law", Dakar (Senegal)					
21	22	23	24	25	26	27
Trust Fund for Victims to hold board meeting at the ICC						
Prosecutor to deliver keynote speech at Facing History and Ourselves event, London (United Kingdom)						
28	29	30	31			
APRIL 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3

The calendar is subject to last minute changes.