



**Cour
Pénale
Internationale**

**International
Criminal
Court**



Situation in the Central African Republic (CAR)

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.

Bemba case

Trial of Jean-Pierre Bemba Gombo to commence Tuesday, 27 April, 2010

In a decision issued on 5 November 2009, Trial Chamber III of the International Criminal Court (ICC) set the date for the commencement of the trial in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* as Tuesday 27 April, 2010.

Jean-Pierre Bemba Gombo is allegedly criminally responsible, as a person effectively acting as military commander within the meaning of article 28(a) of the Rome Statute, for two crimes against humanity (murder and rape) and three war crimes (murder, rape and pillaging), allegedly committed on the territory of the Central African Republic from on or about 26 October, 2002 to 15 March, 2003.

After his arrest by the Belgian authorities, in execution of a warrant of arrest delivered by the Pre-Trial Chamber of the ICC, he was transferred and surrendered to the Court on 3 July 2008. He is currently detained at the detention centre of the ICC at Scheveningen, in The Hague.



Jean-Pierre Bemba Gombo © ICC-CPI

Decisions taken between 2 - 6 November 2009

Decision on the Defence Oral Request for disclosure of the dates of the events alleged by victims in their applications for participation

Issued by the Trial Chamber III on the 4th November 2009

Order on disclosure of evidence by the Office of the Prosecutor

Issued by the Trial Chamber III on the 4th November 2009

"Decision on the Date of Trial"

Issued by the Trial Chamber III on the 5th November 2009

ICC Weekly Update

09 November 2009 #9

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 2 - 6 November 2009

Katanga and Ngudjolo Chui case

Decision on the Prosecution's Application to Add P-317 to the Prosecution Witness List (ICC-01/04-01/07-1537)

Issued by Trial Chamber II on the 3rd November 2009

Cinquième examen de la décision sur la demande de liberté provisoire de Mathieu Ngudjolo (règle 118-2 du Règlement de procédure et de preuve)

Issued by the Trial Chamber II on the 04th November 2009

Décision sur la requête de la Défense de Mathieu Ngudjolo en vue de reporter la date d'ouverture des débats au fond (règle 132-1 du Règlement de procédure et de preuve)

Issued by the Trial Chamber II on the 05th November 2009

Décision relative à la divulgation de l'identité des victimes aux parties

Issued by the Trial Chamber II on the 06th November 2009

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 at our **Youtube channel**.

Situations under analysis

The Situation in the Republic of Kenya assigned to Pre-Trial Chamber II

On 6 November 2009, the Presidency of the International Criminal Court (ICC) issued a decision assigning the situation in the Republic of Kenya to Pre-Trial Chamber II composed of Judges Ekaterina Tëndafilova, Hans-Peter Kaul and Cuno Tarfusser.

The Presidency had received from the Prosecutor a letter, dated 5 November 2009, indicating its intention to submit a request for the authorisation of an investigation into that situation considering that "there is a reasonable basis to proceed with an investigation into the Situation in the Republic of Kenya in relation to the post-election violence of 2007-2008".

The Republic of Kenya ratified the Rome Statute on 15 March, 2005 becoming a State Party. According to the Rome Statute, the Court may exercise its jurisdiction in situations where the alleged perpetrator is a national of a State Party or where the crime was committed in the territory of a State Party.

Any State Party to the Rome Statute can request the Prosecutor to carry out an investigation. The UN Security Council may also refer a situation to the Court. The Prosecutor can decide *proprio motu* (on his own) to initiate an investigation if there is a reasonable basis to proceed with an investigation. He must, however, obtain the permission of the judges of the Pre-Trial Chamber before initiating an investigation under such circumstances.

Decision assigning the situation in the Republic of Kenya to Pre-Trial Chamber II

Issued by the Presidency on the 6th November 2009

Annex to the Presidency Decision

Kenyan authorities committed to cooperate as ICC Prosecutor informs them that in December he will request ICC Judges to open an investigation into post-election violence.



Prosecutor Moreno-Ocampo meeting President Kibaki and Prime Minister Odinga in Nairobi, Kenya. © Kenyan Governments

The ICC holds its seventeenth diplomatic briefing

On 4 November, the International Criminal Court (ICC) held its seventeenth diplomatic briefing at the seat of the Court in The Hague.

ICC President, Judge Sang-Hyun Song, updated the diplomatic community on the work of the Court, and highlighted the need for early planning of the stock taking element for the first Review Conference on the Rome Statute, that will take place at the end of May next year, in Kampala, Uganda.

The Prosecutor, Luis Moreno-Ocampo, stressed the need for States to execute arrest warrants, and explained the crucial role that mediators were playing in harmonising peace and justice prerogatives. He also updated the diplomatic community on judicial and prosecutorial developments in situation countries and countries under analysis.

The Registrar, Silvana Arbia, focused her intervention on the proposed 2010 budget of the Court and the work of the Committee on Budget and Finance, as well as the work of the Bureau's working groups.

Finally, the Secretariat of the Assembly of States Parties, represented by Gaile Ramoutar, informed the diplomatic community on the recent accessions of the Czech Republic and the Republic of Chile to the Rome Statute, the preparations for the eighth session of the Assembly of States Parties, as well as those for the Review Conference.



The ICC Registrar, President, Prosecutor and ASP secretariat representative briefing members of the diplomatic community © ICC-CPI.

Interacting with communities

The Outreach Unit implements its programme for legal practitioners in Kinshasa

Following a meeting with lawyers from the Kinshasa Gombe and Kinshasa Matete bar associations in the Democratic Republic of the Congo (DRC) on 21 September 2009, the Outreach Unit of the International Criminal Court (ICC) recently held two sessions, on 29 and 30 October 2009, for civil and military judges on the theme "Judicial practice before the International Criminal Court: what lessons can national courts learn?"

The aim of these sessions was to provide information tailored to Congolese judges, mainly on the principle of complementarity, according to which the ICC's mission is not to replace national courts and tribunals, but only to intervene if national courts are unable or unwilling to do so. Given its status as a complementary court, the Court therefore encourages national judges to perform their role effectively.



Training session for lawyers on 21 September 2009 in Kinshasa © ICC-CPI.

Seventy-five Congolese judges attended three presentations over two days on the themes "Introduction to the International Criminal Court", "Introduction to the criminal procedure of the International Criminal Court" and "Complementarity of the Court and international judicial cooperation". The sessions were divided into theoretical and practical parts allowing all the judges to participate actively. There was also the opportunity for civil and military judges to share experience on issues concerning international crimes. The Outreach Unit brought in two Congolese experts renowned for their knowledge of and participation in the Court's judicial activities to provide information and run workshops: Mr Franck Mulenda, a Congolese lawyer registered on the Court's list of counsel, and Colonel Toussaint Muntazini, a senior Congolese military judge.

As the next stage of its programme, the Outreach Unit will strengthen dialogue, with three target groups in particular: lawyers, judges and law lecturers from Congolese universities. It plans to hold training and consultation sessions for Congolese judges and lawyers at least once a quarter in Kinshasa and the eastern part of the DRC, particularly in the Kivu provinces, and also in Orientale province, Kisangani and Ituri district in 2010.

This year's outreach programme for legal practitioners will end with a meeting in Kinshasa in early December for university lecturers from faculties of law, international relations and politics.

Outreach staff train journalists in Goma (DRC)

On 4 November 2009, the Outreach Unit held a training and information session with local journalists in Goma, North Kivu.

The session was conducted together with the Canadian NGO, *Journalists for Human Rights*. Outreach staff gave a detailed presentation on the ICC, during which the journalists were updated on all recent judicial developments before the Court.

The presentation was followed by a lively question and answer session on the fundamental principles underlying the ICC and the cases currently before the Court. The journalists were given a project to take home, and the group reconvened on 7 November to discuss the projects and attend a training session on methods of neutral and accurate reporting.



Outreach staff train journalists in Goma, on 4 November 2009 © ICC-CPI.

Calendar

NOVEMBER 2009						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
09	10	11	12	13	14	15
16	17	18	19	20	21	22
18-26 Nov: Eighth Session of the Assembly of the State Parties (ASP), in The Hague						
23	24	25	26	27	28	29
18-26 Nov: Eighth Session of the Assembly of the State Parties (ASP), in The Hague						
	Trial of Germain Katanga and Mathieu Ngudjolo 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
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.