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10 October 2011 #98 ICC Weekly Update



Situation in the Republic of Côte d'Ivoire

Côte d'Ivoire, which is not party to the Rome Statute, **had accepted the jurisdiction** of the ICC on 18 April 2003; more recently, and on both 14 December 2010 and 3 May 2011, the Presidency of Côte d'Ivoire **reconfirmed the country's acceptance** of this jurisdiction. On 3 October 2011, the Pre-Trial Chamber authorised the Prosecutor to open an investigation into the situation in Côte d'Ivoire since 28 November 2010.

ICC Pre-Trial Chamber III authorises the Prosecutor to launch an investigation in Côte d'Ivoire

On 3 October 2011, Pre-Trial Chamber III of the International Criminal Court (ICC) granted the Prosecutor's request to commence an investigation in Côte d'Ivoire with respect to alleged crimes within the jurisdiction of the Court, committed since 28 November 2010, as well as with regard to crimes that may be committed in the future in the context of this situation.

Pre-Trial Chamber III, composed of Judges Silvia Fernández de Gurmendi (presiding), Adrian Fulford and Elizabeth Odio Benito, also requested the Prosecutor to revert to the Chamber within one month with any additional information that is available to him on potentially relevant crimes committed between 2002 and 2010.

The Presiding Judge, Silvia Fernández de Gurmendi, while agreeing with the majority on the decision to authorise the commencement of the investigation, also issued a separate and partially dissenting opinion.

ICC Prosecutor: This decision ensures justice for victims in Côte d'Ivoire. I will conduct effective, independent and impartial investigations.

"This is a judicial process, and the investigation will be guided by the Law and only the Law. From today, the Prosecution will collect evidence impartially and independently, and as soon as possible we will present our cases before the Judges, who will ultimately decide who should face trial.

Our investigation should be part of national and international efforts to prevent future crimes in Côte d'Ivoire. The recently-established Truth, Dialogue and Reconciliation Commission would be a central piece of such efforts. National authorities could define other activities to, help the victims, ensure peaceful coexistence and prevent future violence. Promoting justice and reconciliation in Côte d'Ivoire must be our common endeavour."

For further information, please contact: otpnewsdesk@icc-cpi.int.

Source: Office of the Prosecutor

Decisions taken between 3 - 7 October 2011

Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in the Republic of Côte d'Ivoire

Issued by Pre-Trial Chamber III on 3 October 2011

Judge Fernández de Gurmendi's separate and partially dissenting opinion to the Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in the Republic of Côte d'Ivoire

Issued by Pre-Trial Chamber III on 3 October 2011

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 and Mathieu Ngudjolo Chui and the suspect 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 case against Callixte Mbarushimana was held from 16 to 21 September 2011. The decision on the confirmation of charges is pending.

Decisions taken between 3 - 7 October 2011

Lubanga Dyilo Case**Decision replacing a judge in the Appeals Chamber**

Issued the Presidency on 6 October 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 in 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. The confirmation of charges hearing in the case *The Prosecutor v. William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang* took place from 1 to 9 September 2011. The confirmation of charges hearing in the case *The Prosecutor v. Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali* took place from 21 September to 5 October 2011. The decisions on these hearings are pending.

Decisions taken between 3 - 7 October 2011

Ruto, Kosgey and Sang Case**Decision on the "Request by the Victims' Representative for authorisation to respond to the 'Defence Request Regarding Prejudicial Comments Made by Victims' Legal Representative Sureta Chana during Closing Statements'"**

Issued by Pre-Trial Chamber II on 3 October 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 hosts NGO Roundtable**

ICC President Sang-Hyun Song gives welcoming remarks at the NGO Roundtable at the seat of the Court in The Hague © ICC-CPI

From 3 to 6 October 2011, the International Criminal Court (ICC) hosted the 16th Strategic Meeting between the ICC and NGOs. Speakers on the first day of the Roundtable discussion included the ICC President, Judges, the Registrar, the Head of the Counsel Support Section, the Principal Counsel of the Office of Public Counsel for the Defence, and the Director of the Secretariat of the Assembly of States Parties. During the second day, NGOs heard from speakers on topics including the participation and legal representation of victims, the Court's public information strategy and outreach programme, inter-organ cooperation, maximizing the impact of Court activities, and the Trust Fund for Victims. The last two days of the Roundtable discussions featured issues related to the Office of the Prosecutor.

ICC hosts study group from the National Defence College of Bangladesh

On 3 October 2011, the International Criminal Court (ICC) welcomed a multinational group of 21 officers undergoing training at the National Defence College of Bangladesh. The visit included a welcome by the ICC President, and presentations by representatives of Chambers, the Office of the Prosecutor, and the Registry. The group members learned about the ICC's history, mandate and structure, the cases before the Court, as well as outreach, victims and the defense.



ICC President Sang-Hyun Song meets with study group from Bangladesh © ICC-CPI

Calendar

OCTOBER 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
10 ICC President gives the keynote address at the 24th LAWASIA Conference in Seoul (Korea)	11	12 ICC hosts study visit for judges from Bangladesh	13	14	15	16
17	18	19	20	21	22 President Song to participate in a panel discussion on "Current Challenges for the International Criminal Court" during the International Law Weekend in New York (USA)	23
24	25	26 President Song to present the ICC's annual report to the United Nations General Assembly in New York (USA)	27	28	29	30
31						
NOVEMBER 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1	2 Judge Monageng addresses lawyers during the IBA annual conference in Dubai (United Arab Emirates)	3	4	5	6
7	8	9	10	11	12	13

The calendar is subject to last minute changes.

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