



**Cour
Pénale
Internationale**

**International
Criminal
Court**

ICC-PIDS-TCT-01 - 005/10_Eng
Updated: 13 October 2010

The Court Today



Quick Facts*

Established: By the Rome Statute that entered into force on 1 July, 2002.

States Parties: As of 1 November, 2010, 113 countries.

Crimes within the Court's jurisdiction: The most serious crimes of concern to the international community, namely genocide, crimes against humanity and war crimes committed after 1 July, 2002, as well as the crime of aggression, once the conditions under which the Court can exercise its jurisdiction have been fulfilled.

Judges: 18 judges elected for nine years by the Assembly of States Parties.

President: Judge Sang-Hyun Song.

Prosecutor: Mr Luis Moreno-Ocampo.

Registrar: Ms Silvana Arbia.

Staff: Almost 700 from approximately 90 States.

Official languages: English, French, Arabic, Chinese, Russian and Spanish.

Working languages: English and French.

Headquarters: The Hague, The Netherlands.

Field offices: Kinshasa and Bunia (DRC); Kampala (Uganda); Bangui (CAR); N'Djamena and Abeche (Chad).

Programme budget for 2010: € 104 million.

Investigations: The Office of the Prosecutor is conducting investigations in five situations: Uganda; the Democratic Republic of the Congo (DRC); the Central African Republic (CAR); Darfur, Sudan; and, since 31 March, 2010 (when Pre-Trial Chamber II granted the Prosecutor the authorisation), Kenya.

Preliminary analysis: The Office of the Prosecutor is conducting examinations in Afghanistan, Colombia, Côte d'Ivoire, Georgia, Guinea and Palestine.

Arrest warrants: 15 warrants of arrest have been issued with one having been withdrawn following the death of one suspect.

Summonses to appear: Three summonses to appear were issued for Bahar Idriss Abu Garda, Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus.

In custody: Thomas Lubanga Dyilo, Germain Katanga and Mathieu Ngudjolo Chui in the context of the situation in the DRC; Jean-Pierre Bemba Gombo in the context of the situation in the CAR.

At large: Eight suspects.

Cases: Ten cases.

Trials: Two trials pertaining to the situation in the Democratic Republic of the Congo: *The Prosecutor v. Thomas Lubanga Dyilo* and *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*. The trial in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* is scheduled to start soon.

* Please note: This information sheet is updated on a regular basis. For the latest update, please refer to the ICC website at www.icc-cpi.int.

Case Updates

Situation in Uganda

The situation was referred to the Court by the Government of Uganda in December 2003. The Prosecutor opened an investigation in July 2004.

- 5 warrants of arrest (1 withdrawn)
- 0 suspects in custody
- 4 suspects at large
- 1 case
- 0 ongoing trials

The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen

Five warrants of arrest have been issued against top members of the Lords Resistance Army (LRA) for crimes against humanity and war crimes committed in Uganda since July 2002. Following the confirmed death of **Raska Lukwiya**, the proceedings against him have been terminated. The four remaining suspects are still at large.

Situation in the Democratic Republic of the Congo

The situation was referred to the Court by the Government of the Democratic Republic of the Congo in April 2004. The Prosecutor opened an investigation in June 2004.

- 5 warrants of arrest
- 3 accused in custody
- 1 suspect at large
- 4 cases
- 2 ongoing trials

The Prosecutor v. Thomas Lubanga Dyilo

Thomas Lubanga Dyilo, alleged founder of the *Union des patriotes congolais* [Union of Congolese Patriots] (UPC) and the *Forces patriotiques pour la libération du Congo* [Patriotic Forces for the Liberation of Congo] (FPLC), alleged former Commander-in-Chief of the FPLC and alleged president of the UPC, is accused of committing the war crimes of the enlistment and conscription of children under the age of 15 into the FPLC and using them to participate actively in hostilities between September 2002, and August 2003. The trial started on 26 January, 2009. The Prosecution finished its presentation on 14 July, 2009. The Defence started to present its case on 27 January, 2010. The trial was suspended by Trial Chamber's I decision on 8 July, 2010. On 8 October, the Appeals Chamber reversed this decision. Mr Lubanga Dyilo will remain in the custody of the Court during the trial proceedings, which can now be resumed.

The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui

Germain Katanga, alleged commander of the *Force de résistance patriotique en Ituri* [Patriotic Resistance Force in Ituri] (FRPI), and **Mathieu Ngudjolo Chui**, alleged former leader of the *Front des nationalistes et intégrationnistes* [National Integrationist Front] (FNI), face counts of crimes against humanity (murder, rape and sexual slavery) and war crimes (using children under the age of 15 to take active part in the hostilities, directing an attack against a civilian population as such or against individual civilians not taking direct part in hostilities, destruction of property, pillaging and sexual slavery). The trial started on 24 November, 2009.

The Prosecutor v. Bosco Ntaganda

Bosco Ntaganda, former alleged Deputy Chief of the General Staff of the *Forces Patriotiques pour la Libération du Congo* [Patriotic Forces for the Liberation of Congo] (FPLC), is alleged to have committed war crimes of the enlistment and conscription of children under the age of 15 and of using them to participate actively in hostilities in Ituri from July 2002, until December 2003. The warrant of arrest was delivered on 22 August, 2006, under seal and unsealed on 28 April, 2008. The suspect remains at large.

The Prosecutor v. Callixte Mbarushimana

Callixte Mbarushimana, a Rwandan citizen, has allegedly been since July 2007, the Executive Secretary of the *Forces Démocratiques pour la Libération du Rwanda - Forces Combattantes Abacunguzi* (FDLR-FCA), and is allegedly responsible for five counts of crimes against humanity (murder, torture, rape, inhumane acts and persecution) and six counts of war crimes (attacks against the civilian population, destruction of property, murder, torture, rape and inhuman treatment) committed in the Kivus in 2009. He was arrested on 11 October, 2010, by the French authorities in application of a warrant of arrest issued by Pre-Trial Chamber I and will remain in the custody of the French authorities pending their full consideration of the ICC request to surrender him, unless the Chambre d'instruction decides otherwise.

Situation in Darfur, Sudan

The situation was referred to the Court by the United Nations Security Council in its resolution 1593 of 31 March, 2005. The Prosecutor opened an investigation in June 2005.

- 4 warrants of arrest
- 3 summons to appear
- 0 suspects in custody
- 3 suspects at large
- 4 cases
- 0 ongoing trials

The Prosecutor v. Ahmad Muhammad Harun (Ahmad Harun) and Ali Muhammad Ali Abd-Al-Rahman (Ali Kushayb)

On 2 May, 2007, two warrants of arrest have been issued for the former Minister of State for the Interior, **Ahmad Harun**, and the alleged leader of Janjaweed militia, **Ali Kushayb**, for crimes against humanity and war crimes. The two suspects remain at large.

On 25 May, 2010, Pre-Trial Chamber I ordered the ICC Registrar to transmit the judges' decision informing the United Nations Security Council about the lack of cooperation by the Republic of the Sudan in the case of *The Prosecutor v. Ahmad Harun and Ali Kushayb*, in order for the Security Council to take any action it may deem appropriate.

The Prosecutor v. Omar Hassan Ahmad Al Bashir

A warrant of arrest was issued on 4 March, 2009, for Sudanese President **Omar Al Bashir** listing five counts of crimes against humanity (murder, extermination, forcible transfer, torture and rape) and two counts of war crimes (intentionally directing attacks against a civilian population as such or against individual civilians not taking part in hostilities and pillaging) on the basis of his individual criminal responsibility as an indirect (co)perpetrator. On 3 February, 2010, the Appeals Chamber directed Pre-Trial Chamber I to decide whether the arrest warrant should be extended to cover the charge of genocide.

On 12 July, 2010, Pre-Trial Chamber I issued a second warrant of arrest against Al Bashir, considering that there are reasonable grounds to believe him responsible for three counts of genocide committed against the Fur, Masalit and Zaghawa ethnic groups, that include: genocide by killing, genocide by causing serious bodily or mental harm and genocide by deliberately inflicting on each target group conditions of life calculated to bring about the group's physical destruction.

The suspect remains at large. On 27 August, 2010 Pre-Trial Chamber I issued two decisions informing the Security Council of the United Nations and the Assembly of States Parties to the Rome Statute about Omar Al Bashir's visits to the Republic of Kenya and the Republic of Chad, "in order for them to take any measure they may deem appropriate".

The Prosecutor v. Bahar Idriss Abu Garda

Bahar Idriss Abu Garda, chairman and general co-ordinator of military operations of the United Resistance Front, appeared voluntarily before the Court on 18 May, 2009, following a summons to appear. He was charged with three counts of war crimes (violence to life, intentionally directing attacks against personnel, installations, material, units and vehicles involved in a peacekeeping mission and pillaging) allegedly committed during an attack carried out on 29 September, 2007, against the African Union Peacekeeping Mission in Sudan. On 8 February, 2010, Pre-Trial Chamber I declined to confirm the charges against him due to insufficient evidence. On 23 April, 2010, Pre-Trial Chamber I issued a decision rejecting the Prosecutor's application to appeal the decision declining to confirm the charges. The decision does not preclude the Prosecution from subsequently requesting confirmation of the charges if such a request is supported by additional evidence. Abu Garda is not in the custody of the ICC.

The Prosecutor v. Abdallah Banda Abakaer Nourain (Banda) and Saleh Mohammed Jerbo Jamus (Jerbo)

On 27 August, 2009, the Pre-Trial Chamber I issued under seal summonses to appear **Abdallah Banda** and **Saleh Jerbo**. Summonses were unsealed on 15 June, 2010. The suspects are allegedly responsible for three war crimes (violence to life in the form of murder, whether committed or attempted; intentionally directing attacks against personnel, installations, material, units or vehicles involved in a peacekeeping mission; and pillaging) allegedly committed in an attack carried out on 29 September, 2007, against African Union [peacekeeping] Mission in Sudan, at the Haskanita Military Group Site, in the Umm Kadada locality of North Darfur, Sudan.

On 17 June, 2010, the two suspects appeared voluntarily before Pre-Trial Chamber I. The judges set the date of the beginning of the confirmation of charges hearing for 22 November, 2010.

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.

- 1 warrant of arrest
- 1 accused in custody
- 0 suspects at large
- 1 case at the trial stage

The Prosecutor v. Jean-Pierre Bemba Gombo

Jean-Pierre Bemba Gombo, alleged President and Commander-in-chief of the *Mouvement de libération du Congo* [Movement for the Liberation of Congo] (MLC), faces charges as a military commander for two counts of crimes against humanity (rape and murder) and three counts of war crimes (rape, murder and pillaging). His trial is scheduled to start soon.

