



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. 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 Trial Chamber III. The trial started on 22 November 2010.

Prosecutor's statement in relation to situation in Central African Republic

7 August 2013 عربي

I remain deeply concerned about the continuing deterioration of the security situation and reports of serious on-going crimes committed in the Central African Republic (CAR).

The findings of the OHCHR Fact Finding Mission to CAR, which will be presented formally in the High Commissioner's report to the Human Rights Council later this year, seem to confirm that crimes that may fall under the jurisdiction of the International Criminal Court continue to be committed in CAR, including attacks against civilians, murder, rape, and recruitment of child soldiers. I reiterate my previous calls to those responsible for committing these crimes to desist forthwith.

My office calls upon the international community to assist the Government of CAR in improving the security situation and in protecting civilians in Bangui and throughout the country. The upcoming meeting of the United Nations Security Council on CAR is an occasion for Governments to show support and demonstrate that CAR has not been forgotten by the international community. My office will do its part in investigating and prosecuting those most responsible for the commission of serious crimes, if necessary. Our past activities, notably the prosecution of Mr Jean-Pierre Bemba, have shown that we will not hesitate to do so. My Office continues to closely monitor the situation and allegations of crimes under the Court's jurisdiction.

OTPNNewsDesk@icc-cpi.int

Source: Office of the Prosecutor

Decisions and orders

Bemba Case

Decision on the "Submissions on the remaining Defence evidence" and the appearance of Witnesses D04-23, D04-26, D04-25, D04-36, D04-29, and D04-30 via video-link

Issued by Trial Chamber III on 15 August 2013

Situation in Côte d'Ivoire

Côte d'Ivoire, which was not party to the Rome Statute at the time, 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. On 22 February 2012, Pre-Trial Chamber III decided to expand its authorisation for the investigation in Côte d'Ivoire to include crimes within the jurisdiction of the Court allegedly committed between 19 September 2002 and 28 November 2010. On 15 February 2013, Côte d'Ivoire ratified the Rome Statute. The confirmation of charges hearing in the case of *The Prosecutor v. Laurent Gbagbo* took place from 19 to 28 February 2013. On 3 June 2013, Pre-Trial Chamber I adjourned the hearing on the confirmation of charges and requested the Prosecutor to consider providing further evidence or conducting further investigation with respect to the charges presented against Laurent Gbagbo. An appeal against the decision is pending. On 22 November 2012, Pre-Trial Chamber I unsealed a warrant of arrest against Simone Gbagbo for four charges of crimes against humanity allegedly committed in the territory of Côte d'Ivoire between 16 December 2010 and 12 April 2011. The suspect is not in the ICC's custody.

Statement to the Press by the Prosecutor of the International Criminal Court (Abidjan, Côte d'Ivoire, 20 July 2013)

Ladies and Gentlemen of the Press,

As Prosecutor of the International Criminal Court, I have great pleasure in welcoming you to this Press conference. I did not want to conclude my fact-finding visit to Côte d'Ivoire without giving you an update on the activities and meetings I have participated in as part of my official programme since my arrival in Abidjan on Thursday.

Firstly, on behalf of my delegation and in my own name, I should like to express my gratitude to the Ivorians for the warm welcome they have shown us. I should also like to highlight the cooperation we have received from the Ivorian Government, particularly the vital support in coordinating logistics and security for this visit.

Allow me to give you a brief outline of my programme during the past two days. I have held discussions with the Ivorian authorities, including the Minister for Justice, the Minister for Domestic Affairs and Security, the Minister for Defence, and the Minister for Solidarity, the Family, Gender Equality, and Children, as well as senior officials from the respective ministries. In each and every case, these working meetings were fruitful and constructive.



I thanked the Ivorian authorities for the first-rate cooperation the Court has been afforded to date, and took the opportunity to remind them of their obligation to implement our requests for cooperation as promptly as possible. Of course, this obligation includes arrest warrants and requests for surrender to the Court issued by the ICC judges as part of our investigations and prosecutions. It therefore applies to the current arrest warrant for Mrs Simone Gbagbo, as well as to that for any future suspect. The Ivorian authorities reiterated their commitment to ensuring that our requests are diligently followed up.

I also took the opportunity to meet the new Special Representative of the Secretary-General of the United Nations, the head of UNOCI. My staff had exchanges with the diplomatic community in order to review the latest developments in, and the activities of, my Office.

This morning, I had discussions with several human rights associations and associations representing victims. I regret that I am unable to meet all the victims throughout the country, or to listen to the stories of all those affected by the violence, much as I should like to. By opening investigations and initiating prosecutions in Côte d'Ivoire, we hope that the political leaders, whoever they might be, and all the citizens of Côte d'Ivoire and beyond, will come to realise that it is no longer possible to resort to violence or to commit crimes in order to attain and hold onto power: from now on, no one can escape justice for such crimes. I am doing this for the victims – to give them a voice, and to respond to their suffering. To all the Ivorian victims, I should like to say this: I deplore the suffering you were subjected to, and I pay tribute to the dignity and courage with which you are facing it. The sole *raison d'être* of the ICC's activities in Côte d'Ivoire is the victims and the justice they deserve.

I am also conscious of the Ivorian people's desire to seek justice for the crimes – all crimes – committed during the 2010 presidential elections, and even earlier – since 2002. The investigations being carried out by the Office of the Prosecutor, particularly into those suspected of bearing greatest responsibility for the crimes allegedly committed by all parties, are being undertaken completely objectively, impartially, independently, and in strict accordance with the law.

Given the complementary nature of the ICC action, the Office encourages and supports national proceedings for prosecuting all the perpetrators of the crimes committed: these proceedings ought to apply to the perpetrators of crimes on all sides, regardless of political affiliation. The ICC will do its part, and it is up to the Ivorian judicial authorities to see that justice is served for the others.

I can understand some people's frustration at the seemingly slow pace at which international justice progresses. It is a reality we must accept: independent investigations require time; impartial justice requires time. Justice must be left to get on with its work, and to take the time necessary to do it properly.

When the ICC judges decide, on the basis of the law and of the evidence presented by my Office, to request the arrest and surrender of another suspect to the Court – regardless of the person's name, rank, political party, or any other consideration – the Ivorian Government must abide by its obligations and surrender that person to the Court to face the charges brought against him/her.

Finally, and at the risk of repeating myself, I should like to reiterate one crucial point: we are a judicial institution, guided solely by evidence and the law. We are not seeking to establish political accountability: all we seek is to establish the criminal responsibility of individuals for the most serious crimes. We investigate and prosecute, on the basis of the evidence we have collected, in an impartial and independent manner. My visit to Abidjan has formed part of this work.

Together with the Ivorian people, we shall seek justice for all of the victims. We shall pursue our work in accordance with the law. We shall fight to end impunity, and to enable justice to take its course.

Thank you. The floor is now yours.

Source: *Office of the Prosecutor*

Decisions and orders

Laurent Gbagbo Case

Decision on the Prosecutor's and Defence requests for leave to appeal the decision adjourning the hearing on the confirmation of charges + Dissenting opinion of Judge Silvia Fernandez de Gurmendi

Issued by Pre-Trial Chamber I on 31 July 2013

Decision on the "Prosecutor's request for redactions pursuant to Rule 81(2) and Rule 81(4) pursuant to the new disclosure calendar" and the "Prosecution's request for redactions to the transcribed statements of witnesses CIV-OTP-P-0321 and CIV-OTP-P-0324 pursuant to Rule 81(2)"

Issued by Pre-Trial Chamber I on 2 August 2013

Decision on the Presiding Judge of the Appeals Chamber in relation to the "Prosecution's Request for an Extension of the Page Limit for the Prosecution's Appeal against the 'Decision adjourning the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Rome Statute'"

Issued by the Appeals Chamber on 5 August 2013

Order on the filing of a response to the "Prosecution's Request for an Extension of the Page Limit for the Prosecution's Appeal against the 'Decision adjourning the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Rome Statute'"

Issued by the Appeals Chamber on 5 August 2013

Decision on the "Prosecution's Request for an Extension of the Page Limit for the Prosecution's Appeal against the 'Decision adjourning the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Rome Statute'"

Issued by the Appeals Chamber on 7 August 2013

Order on the filing of a response to Mr Gbagbo's request for an extension of the page limit

Issued by the Appeals Chamber on 15 August 2013

Decision on the "Requête aux fins d'augmentation du nombre de pages autorisé que comprendra le document à l'appui de la 'Third decision on the review of Laurent Gbagbo's detention pursuant to article 60(3) of the Rome Statute' (ICC-02/11-01/11-459-Conf)"

Issued by the Appeals Chamber on 16 August 2013

Order on the filing of responses to the application by victims for participation in the appeal

Issued by the Appeals Chamber on 16 August 2013

Situation in 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 in two separate cases, six Kenyan citizens voluntarily appeared before Pre-Trial Chamber II on 7 and 8 April 2011. The confirmation of charges hearings in the two cases took place from 1 to 9 September 2011, and 21 September to 5 October 2011, respectively. On 23 January 2012, the judges confirmed the charges only against William Samoei Ruto, Joshua Arap Sang, Francis Kirimi Muthaura and Uhuru Muigai Kenyatta and committed them to trial. On 18 March 2013, the charges against Francis Kirimi Muthaura were withdrawn. The trial in the case *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang* is scheduled to start on 10 September 2013 and the trial in the case *The Prosecutor v. Uhuru Muigai Kenyatta* is scheduled to start on 12 November 2013.

Decisions and orders

Ruto and Sang Case

Order authorising disclosure of lesser redacted versions of victims' applications

Issued by Trial Chamber V(a) on 24 July 2013

Decision on the Presiding Judge of the Appeals Chamber in the appeal of the Prosecutor against the decision of Trial Chamber V(a) entitled "Decision on Mr Ruto's Request for Excusal from Continuous Presence at Trial"

Issued by the Appeals Chamber on 31 July 2013

Order authorising disclosure of a lesser redacted victim application of Witness 128

Issued by Trial Chamber V(a) on 1 August 2013

Public Redacted Version of Order for additional submission relating to Prosecution application regarding the disclosure of the identities of certain individuals who will not appear as trial witnesses

Issued by Trial Chamber V(a) on 2 August 2013

Order reclassifying Annex A to the 'Prosecution's Response to Defence filing ICC-01/09-01/11-766-Conf+Conf-Anxs'

Issued by Trial Chamber V(a) on 2 August 2013

Public redacted version - Decision on Defence request for disclosure relating to Defence witnesses

Issued by Trial Chamber V(a) on 5 August 2013

Decision on Sang Defence Application to exclude Expert Report of Mr Hervé Maupeu

Issued by Trial Chamber V(a) on 7 August 2013

Decision on the Conduct of Trial Proceedings (General Directions)

Issued by Trial Chamber V(a) on 9 August 2013

Scheduling Order and Agenda for Status Conference

Issued by Trial Chamber V(a) on 13 August 2013

Decision on the "Prosecution's Request to Amend the Updated Document Containing the Charges Pursuant to Article 61(9) of the Statute"

Issued by Pre-Trial Chamber II on 16 August 2013

Decision on the request for suspensive effect

Issued by the Appeals Chamber on 20 August 2013

Kenyatta Case

Order for submissions regarding the Legal Representative's request for access to confidential filings and evidence

Issued by Trial Chamber V(b) on 24 July 2013

Order for further observations on where the Court shall sit for trial

Issued by Trial Chamber V(b) on 29 July 2013

Situation in Libya

On 26 February 2011, the United Nations Security Council decided unanimously to refer the situation in Libya since 15 February 2011 to the ICC Prosecutor. On 3 March 2011, the ICC Prosecutor decided to open an investigation in the situation in Libya, which was assigned by the Presidency to Pre-Trial Chamber I. On 27 June 2011, Pre-Trial Chamber I issued three warrants of arrest respectively for [Muammar Mohammed Abu Minyar Gaddafi](#), [Saif Al-Islam Gaddafi](#) and [Abdullah Al-Senussi](#) for crimes against humanity (murder and persecution) allegedly committed across Libya from 15 until at least 28 February 2011, through the State apparatus and Security Forces. On 22 November 2011, Pre-Trial Chamber I formally terminated the case against Muammar Gaddafi due to his death. The remaining suspects are not in the ICC's custody. On 31 May 2013, Pre-Trial Chamber I rejected Libya's challenge to the admissibility of the case against Saif Al Islam Gaddafi and reminded Libya of its obligation to surrender the suspect to the Court. An appeal against the decision is pending. A decision on Libya's challenge to the admissibility of the case against Abdullah Al-Senussi before the ICC is also expected to be made in due course. On 14 June 2013, Pre-Trial Chamber I decided that Libya may postpone the execution of the surrender request of Abdullah Al-Senussi pending the determination by the Chamber of the admissibility challenge.

Decisions and orders

Saif Al-Islam and Al-Senussi Case

Decision on "Request for Review of Registrar's Decision" by the Defence of Saif Al-Islam Gaddafi

Issued by Pre-Trial Chamber I on 30 July 2013

Order in relation to the Libya's request for leave to file further submissions in relation to its appeal against the "Decision on the admissibility of the case against Saif Al-Islam Gaddafi"

Issued by the Appeals Chamber on 31 July 2013

Public redacted Decision on the "Defence request for an order of disclosure"

Issued by Pre-Trial Chamber I on 1 August 2013

Order on the reclassification of documents

Issued by the Appeals Chamber on 12 August 2013

Decision on the "Application on behalf of Mishana Hosseinioun for Leave to Submit Observations to the Appeals Chamber pursuant to Rule 103"

Issued by the Appeals Chamber on 15 August 2013

Decision on the "Prosecution's request for redactions pursuant to Rule 81(2)"

Issued by Pre-Trial Chamber I on 16 August 2013

Decision on additional submissions in the proceedings related to Libya's challenge to the admissibility of the case against Abdullah Al-Senussi

Issued by Pre-Trial Chamber I on 19 August 2013

Situation in the Democratic Republic of the Congo

The Democratic Republic of the Congo (DRC) ratified the Rome Statute on 11 April 2002. On 3 March 2004, the Government of the DRC referred the situation in its territory to the Court. After a preliminary analysis, the Prosecutor initiated an investigation on 21 June 2004. In this situation, six cases have been brought before the relevant Chambers: *The Prosecutor v. Thomas Lubanga Dyilo*; *The Prosecutor v. Bosco Ntaganda*; *The Prosecutor v. Germain Katanga*; *The Prosecutor v. Mathieu Ngudjolo Chui*; *The Prosecutor v. Callixte Mbarushimana*; and *The Prosecutor v. Sylvestre Mudacumura*. Thomas Lubanga Dyilo, Germain Katanga and Bosco Ntaganda are currently in the ICC's custody. Sylvestre Mudacumura remains at large. The trial in the case *The Prosecutor v. Thomas Lubanga Dyilo* started on 26 January 2009. On 14 March 2012, Trial Chamber I convicted Mr Lubanga Dyilo and he was sentenced on 10 July 2012 to a total period of 14 years of imprisonment. On 7 August 2012, Trial Chamber I issued a decision on the principles and the process to be implemented for reparations to victims in the case. All three decisions are currently subject to appeal. The trial in the case against Germain Katanga and Mathieu Ngudjolo Chui started on 24 November 2009 and closing statements were heard from 15 to 23 May 2012. On 21 November 2012, Trial Chamber II decided to sever the charges against Mathieu Ngudjolo Chui and Germain Katanga. On 18 December 2012, Trial Chamber II acquitted Mathieu Ngudjolo Chui of the charges of war crimes and crimes against humanity and ordered his immediate release. On 21 December 2012, Mr Ngudjolo Chui was released from custody. The Office of the Prosecutor has appealed the verdict. The verdict regarding Germain Katanga will be delivered at a later stage. On 16 December 2011, Pre-Trial Chamber I declined to confirm the charges in the case *The Prosecutor v. Callixte Mbarushimana*. Mr Mbarushimana was released on 23 December 2011. On 22 March 2013, Bosco Ntaganda surrendered himself voluntarily and is now in the ICC's custody. His initial appearance hearing took place before Pre-Trial Chamber II on 26 March 2013. The confirmation of charges hearing in the case is scheduled to start on 10 February 2014.

Decisions and orders

Lubanga Dyilo Case

Decision on the application by Child Soldiers International for leave to submit observations pursuant to rule 103 of the Rules of Procedure and Evidence

Issued by the Appeals Chamber on 16 August 2013

Ngudjolo Chui Case

Order on the filing of a response to Mr Ngudjolo's request for translation and extension of time limit

Issued by the Appeals Chamber on 1 August 2013

Decision on Mr Ngudjolo's second request for translation and suspension of the time limit

Issued by the Appeals Chamber on 7 August 2013

Relevant Links

Courtroom proceedings can be followed on the ICC website: www.icc-cpi.int, where you can also consult the [hearing schedule](#).



New OTP Report on On-going Preliminary Examination of the situation in Nigeria

6 August 2013

As part of its ongoing preliminary examination of the situation in Nigeria, the Office of the Prosecutor of the International Criminal Court (ICC) today published a new [report](#) presenting its findings with respect to the analysis of jurisdictional issues.

After analyses of all available information, the Office of the Prosecutor has determined that there is a reasonable basis to believe that crimes against humanity have been committed in Nigeria, namely acts of murder and persecution attributed to Boko Haram, a militant group operating mainly in north-eastern Nigeria. The Office of the Prosecutor is now assessing whether the national authorities are conducting genuine proceedings in relation to those who appear to bear the greatest responsibility for such crimes, and the gravity of such crimes. The assessment of jurisdictional issues with respect to other groups in Nigeria will continue.

The Report is based on information gathered by the Office up to December 2012. It relates to one of the four phases in the Prosecutor's preliminary examination of the situation in Nigeria, namely phase 2. Only after completion of all phases the Prosecutor will make a determination whether a fully-fledged investigation is warranted.

For more information please see the [Article 5 Report on the situation of Nigeria](#).

Background: The Office of the Prosecutor is responsible for determining whether a situation meets the legal criteria established by the Rome Statute – the Court's founding treaty – to warrant an investigation by the International Criminal Court. For this purpose, the Office analyses of all situations brought to its attention based on the information available and statutory criteria, including: jurisdiction (temporal, material, and either territorial or personal jurisdiction); admissibility (complementarity and gravity); and the interests of justice. The Office of the Prosecutor is currently conducting preliminary examinations in eight situations. More information on preliminary examinations can be found [here](#).

Source: Office of the Prosecutor

ICC website SURVEY

The International Criminal Court (ICC) wants to improve its website and values your opinion. For this reason, we have launched an online survey which can be completed at: http://www.icc-cpi.int/en_menus/icc/press%20and%20media/Pages/icc-website-survey.aspx.

The survey should not take more than 10 minutes and will help us to serve you better. Your information will remain private and confidential. Thank you for your support.

Calendar

Judicial developments

- **10 September 2013**
Trial to open in the case against *William Samoei Ruto* and *Joshua Arap Sang*
- **12 November 2013**
Trial to open in the case against *Uhuru Muigai Kenyatta*
- **10 February 2014**
Confirmation of charges hearing to start in the case against *Bosco Ntaganda*
- **5 May 2014**
Trial to open in the case against *Abdallah Banda Abakaer Nourain* and *Saleh Mohammed Jerbo Jamus*

View the online [ICC hearing schedule](#)

The calendar is subject to last-minute changes.