



27 June 2011 #83
ICC Weekly Update



Situation in the Libyan Arab Jamahiriya

On 26 February 2011, the United Nations Security Council decided unanimously to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the ICC Prosecutor. On 3 March 2011 the ICC Prosecutor announced his decision to open an investigation in the situation in Libya, which was assigned by the Presidency to Pre-Trial Chamber I.

Situation in Libya: ICC's Pre-Trial Chamber I to render decision on 27 June concerning the Prosecution's request for three warrants of arrest

Pre-Trial Chamber I of the International Criminal Court (ICC) is scheduled to render its decision on Monday, 27 June 2011, with regard to the Prosecution's application of 16 May 2011 for the issuance of three warrants of arrest for Muammar Abu Minyar Gaddafi, Saif Al Islam Gaddafi and Abdullah Al-Senussi. The decision is to be rendered during a public hearing in Courtroom 1, at 13:00 (The Hague local time) on that day.

Live webstreaming and satellite broadcasting of the hearing will be available.

Press conference by ICC Prosecutor Luis Moreno-Ocampo on Tuesday, 28 June, related to the Pre-Trial Chamber's decision on his request for arrest warrants for three Libyan individuals

On Tuesday, 28 June 2011, at 12:00 (The Hague local time), the Prosecutor of the International Criminal Court, Mr Luis Moreno-Ocampo, will hold a press conference in relation to the decision that Pre-Trial Chamber I will issue on Monday, 27 June 2011, regarding his request to issue arrest warrants against Muammar Abu Minyar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Senussi for crimes against humanity allegedly committed in Libya since February 2011.

Webstreaming

The press conference will be broadcast live at 12:00 on the following links:

English: <http://livestream.xs4all.nl/icc5.aspx>

Arabic: <http://livestream.xs4all.nl/icc6.aspx>

Source: *Office of the Prosecutor*

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 19 May 2011, in an official letter, the ICC Prosecutor informed the President of the Court of his intention to submit a request to the Pre-Trial Chamber for authorisation to open investigations into the situation in Côte d'Ivoire since 28 November 2010. On 20 May 2011, the ICC Presidency assigned the situation in the Republic of Côte d'Ivoire to Pre-Trial Chamber II.

ICC Prosecutor requests judges for authorization to open an investigation in Côte d'Ivoire.

On 23 June 2011, the International Criminal Court (ICC) Prosecutor Luis Moreno-Ocampo requested ICC judges for authorization to open an investigation into war crimes and crimes against humanity allegedly committed in Côte d'Ivoire since 28 November 2010. If the Judges grant the authorization, the Office of the Prosecutor will open an independent and impartial investigation into the crimes committed there.

According to the sources quoted by the Prosecution in its application, at least 3000 persons were killed, 72 persons disappeared and 520 persons were subject to arbitrary arrest and detentions in Côte d'Ivoire during the post election violence. There are also over 100 reported cases of rape, while the number of unreported incidents is believed to be considerably higher.

The reports quoted by the Prosecution provide reasonable basis to believe that pro-Gbagbo forces and pro-Ouattara forces committed crimes falling under the jurisdiction of the ICC. The identification of the persons who bear the greatest criminal responsibility for ordering or facilitating the most serious of these crimes is the main objective of the envisaged investigation.

This is the first time the ICC may open a case in a State not Party to the Rome Statute, which has however accepted the jurisdiction of the Court. So far, all ICC cases related to crimes committed on the territory of State Parties to the Rome Statute, or otherwise were subsequent to referral from the Security Council.

President Ouattara sent a letter urging the Prosecution to open the investigation and he is working closely with the regional organization ECOWAS to make sure that crimes do not go unpunished in Côte d'Ivoire. This shows not only the continent's commitment to fighting impunity but also African leadership in steering the course of international justice. If authorized, Côte d'Ivoire will be the 7th investigation in Africa. The Prosecution will continue contributing to Africa's efforts to end impunity for these crimes and prevent their repetition. "We are working with African leaders to protect African victims", Prosecutor Moreno-Ocampo stated.

The International Criminal Court is an independent, permanent court that investigates and prosecutes persons accused of the most serious crimes of international concern, namely genocide, crimes against humanity and war crimes.

Source: Office of the Prosecutor

Request for authorisation of an investigation pursuant to article 15

Decisions taken between 20 - 24 June 2011

Decision Constituting Pre-Trial Chamber III and Re-assigning the Situation in the Republic of Côte d'Ivoire

Issued by the Presidency on 22 June 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, 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 17 August 2011.

Decisions taken between 20 - 24 June 2011

Katanga and Ngudjolo Chui Case

Decision on the security situation of three detained witnesses in relation to their testimony before the Court (art. 68 of the Statute) and Order to request cooperation from the Democratic Republic of the Congo to provide assistance in ensuring their protection in accordance with article 93(1)(f) of the Statute

Issued by Trial Chamber II on 22 June 2011

Mbarushimana Case

Decision on the Prosecution request for extension of page limit

Issued by Pre-Trial Chamber I on 24 June 2011

Decision on “Defence request for a deadline for the Registry to comply with the Single Judge’s decision: ICC-01/04-01/10-142”

Issued by Pre-Trial Chamber I on 21 June 2011

Decision on the “Defence request for an extension of the time limit to comply with the Decision on the review of potentially privileged material: ICC-01/04-01/10-237”

Issued by Pre-Trial Chamber I on 20 June 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

Minister of Foreign Affairs of the Kingdom of the Netherlands visits the ICC

On 23 June 2011, the Minister of Foreign Affairs of the Kingdom of the Netherlands, H.E. Dr Uri Rosenthal, visited the International Criminal Court (ICC). He first met with the ICC President, Judge Sang-Hyun Song, and then with the ICC Prosecutor, Luis Moreno-Ocampo. This was Dr Rosenthal’s first official visit to the ICC.

The ICC President briefed Dr Rosenthal on the Court’s current operations and expressed his appreciation for the Netherlands’ essential cooperation with the ICC, both as a State Party to the Rome Statute and as the Host State to the Court. President Song also informed Dr Rosenthal of his efforts to raise global awareness about the ICC and noted with satisfaction that several new States from various regions had recently announced their intention to join the Rome Statute in the near future.



Dutch Minister of Foreign Affairs, H.E. Dr Uri Rosenthal, and the ICC President, Judge Sang-Hyun Song, at the seat of the Court in The Hague © ICC-CPI

Dr Rosenthal expressed the Netherlands’ strong and unwavering support of the Court to President Song. “The ICC plays a crucial role in the global fight against impunity and the Netherlands remains fully committed to the further advancement of the universality of the Rome Statute”, he said.

Dr Rosenthal also met with the ICC Prosecutor, who updated the Minister on the ongoing activities of his Office and discussed matters of mutual concern. With particular reference to the situation in Libya, the Prosecutor stressed that UNSC Resolution mandated his office to investigate the commission of crimes in Libya. Should arrest warrants be issued against the three suspects, it will be for the Libyan authorities to implement the arrests.

Tunisia becomes the 116th State to join the ICC's governing treaty, the Rome Statute

On 24 June 2011, the Secretary-General of the United Nations, Mr Ban Ki-moon, received from the government of Tunisia its instruments of accession to the Rome Statute, governing treaty of the International Criminal Court (ICC). The Statute will enter into force for Tunisia on 1 September 2011, bringing the total number of States Parties to the Rome Statute to 116.

The ICC welcomes Tunisia's accession as a decision to join the international community's efforts to put an end to impunity for the perpetrators of the most serious crimes of international concern – genocide, war crimes, crimes against humanity and aggression – which threaten the peace, security and well-being of the world.



Ceremony with the Secretary-General on the Occasion of Tunisia's Deposit of an Instrument of Accession to the Rome Statute of the International Criminal Court © UN Photo/Evan Schneider

Tunisia, 32nd African State to join the ICC system, is the first North African country and the fourth member of the League of Arab States to become party to the Rome Statute. Its accession highlights the ICC's role as a key actor in the field of international criminal justice at a time of dynamic changes for the region.

In his statement, the President of the Assembly of States Parties to the Rome Statute, Ambassador Christian Wenaweser, commended Tunisia's decision as an expression of commitment to the rule of law and the country's future. He added, "Tunisia's accession to the Rome Statute is also a testament of the profound changes brought about by the 'Arab Spring', which started in Tunisia. It fulfills a central demand of peoples everywhere for societies guided by clear rules and the principle of equality before the law".

The Arab States have made long-term, valuable contributions to the ICC, in both the negotiation process that led to the establishment of the Court, and in their current, constructive dialogue and cooperation with the ICC. Tunisia's accession underscores the mutual support between the Arab region and the ICC, and sets an example for more States from the region to join the Rome Statute.

Statement by the President of the Assembly of States Parties, Ambassador Christian Wenaweser: [English](#), [Français](#), [عربي](#), [Español](#)

[UN press conference summary](#)

Interacting with communities

Vers un renforcement du partenariat avec les communautés juridique et académique : la première vice-présidente de la CPI en visite au Cameroun et au Tchad

(English version to follow on the ICC website)

La juge Fatoumata Dembele Diarra, première vice-présidente de la Cour pénale internationale (CPI) s'est rendue à Yaoundé (au Cameroun) les 20 et 21 juin puis à Ndjamena (au Tchad) les 23 et 24 juin 2011 dans le but de renforcer les liens avec les universités et les professionnels du droit de ces pays clés.

Plaidant pour l'inscription des avocates camerounaises et tchadiennes sur la Liste des Conseils de la CPI, la vice-présidente a participé au lancement de la campagne « **Appel aux avocates africaines** » en partenariat avec le Barreau national du Cameroun et celui du Tchad, devant plus de 100 avocats camerounais (dont près de 80 femmes) et une trentaine d'avocats tchadiens. Cette campagne vise à accroître le nombre d'avocates africaines autorisées à plaider devant la Cour, en encourageant les juristes expérimentées à jouer un rôle crucial en représentant des suspects, des accusés ou des victimes devant la Cour.



La vice-présidente de la CPI, la juge Diarra s'adressant aux juristes à propos des résultats et défis de la CPI © ICC-CPI

Ainsi que la juge Diarra l'a rappelé, « l'objectif de cette campagne est de mettre la Cour en harmonie avec une valeur universellement défendue, à savoir la représentation équilibrée des genres. Il ne s'agit pas de douter de la capacité d'écoute ou de la compétence des hommes avocats pour la défense des femmes et filles victimes des crimes de la compétence de la Cour ou pour la défense des suspects. Il s'agit d'offrir aux victimes et aux accusés l'opportunité de confier leur défense à un homme ou une femme, et cela de façon libre ». « On est en droit d'espérer qu'une telle initiative facilitera non seulement l'inscription de femmes sur la liste de conseils mais également rendra plus visible le rôle important que les avocates peuvent et doivent jouer dans le domaine du droit international pénal » a-t-elle ajouté.

La visite de la vice-présidente dans ces deux pays fut également l'occasion de rencontrer les étudiants des facultés de droit des universités de Yaoundé II, de Ndjamen, ainsi que de l'IRIC (l'Institut des relations internationales du Cameroun). Au total, près de 800 étudiants et professeurs ont pu débattre autour du thème « Regards sur la CPI neuf ans après l'entrée en vigueur du statut de Rome : résultats obtenus et défis ». Afin de s'assurer d'une collaboration durable avec ces juristes, ils ont également reçu les informations utiles afin de participer au programme des stages et des professionnels invités devant la Cour.

Grâce aux partenariats présents et futurs, une mise en place durable et réussie du programme académique permettra à la Cour d'étendre et d'optimiser son engagement auprès des milieux universitaires, objectif qui s'inscrit pleinement dans la **stratégie d'information de la Cour 2011-2013**.

Calendar

JUNE 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
27 ICC President Song to give a keynote address at the Annual Conference of the International Association of Prosecutors in Seoul, Republic of Korea ASP President Wenaweser to hold Press Conference regarding the situation in Libya	28 ICC Prosecutor to hold Press Conference regarding the situation in Libya	29	30			
JULY 2011						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3
4	5	6 7 Induction session for court presidents and chief prosecutors of the association of high courts of cassation in Francophone countries (AHJUCAF)		8	9	10
11	12	13	14	15	16	17
18	19 President Song to give keynote address at the Asian-African Legal Consultative Organization Expert Meeting on the Rome Statute in Kuala Lumpur, Malaysia	20	21	22	23	24

The calendar is subject to last minute changes.

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International Criminal Court: Maanweg, 174; 2516 AB, The Hague, The Netherlands. Postal address: Po Box 19519; 2500 CM, The Hague, The Netherlands. Tel. + 31 (0)70 515 8515; Fax +31 (0)70 515 8555. Youtube Channel: www.youtube.com/IntlCriminalCourt; Twitter account: www.twitter.com/IntlCrimCourt