



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. On 7 March 2014, Trial Chamber II **convicted** German Katanga, as an accessory, of one count of crime against humanity and four counts of war crimes committed during the attack on the village of Bogoro, Ituri, on 24 February 2003. Trial Chamber II will deliver the sentence to be imposed on Germain Katanga during a public hearing on 23 May 2013 at 09:00. Decision on victim reparations will be rendered later. The Prosecutor and the Defence have appealed the judgement. 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 to the Court 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 was held from 10 to 14 February 2014. The decision is pending.

Katanga Case

Sentence to be delivered on 23 May 2014

On 6 May 2014, Trial Chamber II of the International Criminal Court (ICC) announced that it will deliver the sentence in the case *The Prosecutor v. Germain Katanga* on 23 May 2013 at 09:00 (The Hague local time) during a public hearing at the seat of the Court in The Hague (Netherlands). This date was announced at a hearing held on 5-6 May 2014 during which the parties and participants to the trial presented their submissions relevant to the sentence to be imposed on Germain Katanga before the ICC judges.

According to the Court's legal texts, the judges may impose a sentence of imprisonment to which they could add a fine or forfeiture of proceeds, property and assets derived directly or indirectly from the crimes. A sentence cannot exceed a maximum of 30 years, except when justified by the extreme gravity of the crime and the individual circumstances of the convicted person, in which case, a sentence of life imprisonment may be imposed. The number of years a person has previously spent in detention by the Court will be deducted from the sentence imposed by the judges.

Further information on this case is available [here](#).

Decisions and orders

Décision sur la demande du représentant légal aux fins d'être autorisé à interroger le témoin du Procureur

Issued by Trial Chamber II on 30 April 2014

Lubanga Case

ICC Appeals Chamber to hold hearings in the Lubanga case on 19-20 May 2014

The Appeals Chamber of the International Criminal Court (ICC) will hold a hearing on 19 and 20 May 2014 in the case *The Prosecutor v. Thomas Lubanga Dyilo*. The hearing will be held to allow the parties and participants to orally address the Appeals Chamber on different relevant issues arising in the appeals. At the hearing, the Judges will also hear the testimony of two additional witnesses, witnesses D-0040 and D-0041, as requested by the Defense.

This public hearing will start at 09:30 (The Hague local time) and will be held in the presence of Thomas Lubanga Dyilo, his Defence Counsel, the Prosecution and the Legal Representatives of the Victims. Mr Lubanga Dyilo may address the Appeals Chamber at the closure of the hearing.

Further information on this case is available [here](#).

Decisions and orders

Scheduling order and decision in relation to the conduct of the hearing before the Appeals Chamber

Issued by the Appeals Chamber on 30 April 2014

Order for the reclassification of a document

Issued by the Appeals Chamber on 5 May 2014

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. The trial in the case *The Prosecutor v. Jean-Pierre Bemba Gombo* started before Trial Chamber III on 22 November 2010, for two charges of crimes against humanity and three charges of war crimes, and the submission of evidence in the case is now closed. On 20 November 2013, a warrant of arrest for *Jean-Pierre Bemba Gombo*, *Aimé Kilolo Musamba*, *Jean-Jacques Mangenda Kabongo*, *Fidèle Babala Wandu*, and *Narcisse Arido* was issued by the ICC for offences against the administration of justice allegedly committed in connection with the case *The Prosecutor v. Jean-Pierre Bemba Gombo*. On 25 November 2013, Fidèle Babala Wandu and Aimé Kilolo Musamba were transferred to the ICC Detention Centre. On 27 November 2013, Aimé Kilolo Musamba, Fidèle Babala Wandu, and Jean-Pierre Bemba Gombo made their initial appearance before the ICC. Jean-Jacques Mangenda Kabongo was transferred to the ICC Detention Centre on 4 December 2013 and made his initial appearance before the ICC on 5 December 2013. Narcisse Arido was transferred to the ICC Detention Centre on 18 March 2014 and made his initial appearance on 20 March 2014. The decision on the confirmation of the charges will be made in writing in due course.

Decisions and orders

Bemba Case

Decision requesting the Registry's observations on the prosecution's request relating to Article 70 investigation

Issued by Trial Chamber III on 19 April 2012

Decision on the Registry's observations on the prosecution's request relating to Article 70 investigations

Issued by Trial Chamber III on 3 December 2012

Order on the reclassification of documents

Issued by Trial Chamber III on 6 December 2013

Second Order on the reclassification of documents related to Decision ICC-01/05-01/08-2606-Conf

Issued by Trial Chamber III on 22 January 2014

Decision on "Defence Motion for Reclassification of documents"

Issued by Trial Chamber III on 1 May 2014

Decision on the Defence Request for Interim Relief

Issued by Trial Chamber III on 2 May 2014

Public redacted version of "Decision on the prosecution's request relating to Article 70 investigation" of 26 April 2013

Issued by Trial Chamber III on 2 May 2014

Bemba, Kilolo et al. Case

Decision on the "Requête aux fins d'obtenir complément d'information sur l'écriture ICC-01/05-01/13-292-Conf-AnxA-Red" dated 7 April 2014 submitted by the Defence for Aimé Kilolo Musamba

Issued by Pre-Trial Chamber II on 23 April 2014

Decision on "Requête aux fins d'audition de témoins de la Défense à l'audience de confirmation des charges" filed by the Defence of Aimé Kilolo Musamba

Issued by Pre-Trial Chamber II on 25 April 2014

Decision on the requests to amend the calendar for the confirmation of charges proceedings filed by the Defence of Narcisse Arido on 22 April 2014 and by the Defence of Jean-Jacques Mangenda on 23 April 2014

Issued by Pre-Trial Chamber II on 25 April 2014

Decision on the "Prosecution's Request to Refer Potentially Privileged Materials to Independent Counsel"

Issued by Pre-Trial Chamber II on 25 April 2014

Situation in Darfur, Sudan

There are five cases in the situation in Darfur, Sudan: *The Prosecutor v. Ahmad Muhammad Harun ("Ahmad Harun") and Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb")*; *The Prosecutor v. Omar Hassan Ahmad Al Bashir*; *The Prosecutor v. Bahar Idriss Abu Garda*; *The Prosecutor v. Abdallah Banda Abakaer Nourain*; and *The Prosecutor v. Abdel Raheem Muhammad Hussein*. Five warrants of arrest have been issued by Pre-Trial Chamber I for Messrs Harun, Kushayb, Al Bashir and Hussein. The four suspects remain at large. A summons to appear was issued for Mr Abu Garda who appeared voluntarily before the Chamber on 18 May 2009. After the confirmation of charges hearing, in February 2010, Pre-Trial Chamber I declined to confirm the charges. Two other summonses to appear were issued against Mr Banda and Mr Jerbo who appeared voluntarily on 17 June 2010; the confirmation of charges hearing took place on 8 December 2010. On 7 March 2011, Pre-Trial Chamber I unanimously decided to confirm the charges of war crimes brought by the ICC Prosecutor against Mr Banda and Mr Jerbo, and committed them to trial. On 16 March 2011, the ICC Presidency constituted Trial Chamber IV and referred the case to it. On 4 October 2013, Trial Chamber IV terminated the proceedings against Saleh Jerbo after receiving evidence pointing towards the death of Mr Jerbo on 19 April 2013. On 16 April 2014, Trial Chamber IV vacated the date of the opening of the trial in the Banda case, initially scheduled for 5 May 2014. The Chamber will decide in due course on the further steps to take.

Decisions and orders

Al Bashir Case

Decision Regarding the Visit of Omar Hassan Ahmad Al Bashir to the Federal Republic of Ethiopia

Issued by Pre-Trial Chamber II on 29 April 2012

Relevant Links

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



Other Statements and Events

The Prosecutor of the International Criminal Court, Fatou Bensouda, opens a preliminary examination in Ukraine

25 April 2014

On 17 April 2014, the Government of Ukraine lodged a declaration under Article 12(3) of the Rome Statute accepting the jurisdiction of the International Criminal Court (ICC) over alleged crimes committed on its territory from 21 November 2013 to 22 February 2014.

Upon receipt of a referral or a declaration made by a state pursuant to Article 12(3) of the Rome Statute, the Office of the Prosecutor, *as a matter of policy*, opens a preliminary examination of the situation at hand. Accordingly, the Prosecutor of the ICC, Fatou Bensouda, has decided to open a preliminary examination into the situation in Ukraine in order to establish whether the Rome Statute criteria for opening an investigation are met. Specifically, under Article 53(1) of the Rome Statute, the Prosecutor shall consider issues of jurisdiction, admissibility and the interests of justice.

Declaration by Ukraine lodged under Article 12(3) of the Rome Statute, 9 April 2014.

Note Verbale of the Acting Minister for Foreign Affairs of Ukraine, Mr. Andrii Deshchysia, 17 April 2014.

Declaration of the Verkhovna Rada of Ukraine, 25 February 2014: [English](#), [Українська](#).

OTP Policy Paper on Preliminary Examinations, November 2013.

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

Source: Office of the Prosecutor

Slovakia ratifies amendments to the Rome Statute on the crime of aggression and on article 8 related to war crimes

29 April 2014



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while the definition of the crime and the mechanism for the Court's exercise of jurisdiction were deferred to a Review Conference. The amendments adopted in Kampala, Uganda in 2010 define the crime of aggression and provide for the conditions for the exercise of jurisdiction over this crime. The Court may exercise jurisdiction over the crime of aggression once thirty States Parties have ratified the amendments, and subject to a decision to be taken after 1 January 2017 by the States Parties.

"The deposit of instruments of acceptance by Slovakia brings the number of States that have ratified both amendments to fourteen. The Kampala Amendments, especially on the crime of aggression, strengthen the international legal framework that prohibits the use of force and increases the guarantees of peace and of respect for the territorial integrity of the States Parties to the Rome Statute. I hope that other States Parties from all regions will follow suit," stated President Intelmann.

Slovakia ratified the Rome Statute on 11 April 2002, making it one of the first sixty States to contribute to the entry into force of the Statute, thereby establishing the ICC. Slovakia also ratified the Agreement on Privileges and Immunities of the Court on 26 May 2004. Slovakia has also completed the process of domestic implementation of the Rome Statute through the incorporation of the crimes and general principles contained in the Rome Statute, and of the necessary provisions to ensure effective cooperation with the International Criminal Court.

Crime of aggression amendments

[UN Treaty Collection- Ratification participants list](#)

Article 8 amendment

[UN Treaty Collection - Ratification participants list](#)

Source: *Assembly of States Parties*

Communication seeking to accept the ICC's jurisdiction over Egypt is dismissed

1 May 2014

A communication seeking to accept the jurisdiction of the International Criminal Court ("ICC" or the "Court") over Egypt has been dismissed as not presented on behalf of the concerned State. On 13 December 2013, lawyers acting on behalf of, amongst others, the Freedom and Justice Party (the "Petitioners") lodged a communication with the ICC Registrar seeking to accept the exercise of the ICC's jurisdiction pursuant to article 12(3) of the Rome Statute with respect to alleged crimes committed on the territory of the State of Egypt since 1 June 2013.

Upon receiving the communication, as per the established internal procedures, the Registry verified with the Egyptian authorities whether or not such a communication was transmitted on behalf of the State of Egypt, as a result of which, the Registrar did not receive a positive confirmation.

The Registrar further transmitted the communication in reference to the ICC Prosecutor and consulted with her on this matter. After a careful assessment, the Registrar informed the Petitioners that the communication received cannot be treated as a declaration accepting the exercise of the

ICC's jurisdiction pursuant to article 12(3) of the Rome Statute given that they lacked the requisite authority under international law to act on behalf of the State of Egypt for the purpose of the Rome Statute. This assessment should in no way be construed as a determination on the nature of any alleged crime committed in Egypt or on the merits of any evidence presented.

In accordance with the Rome Statute, the Court's subject matter jurisdiction extends to war crimes, crimes against humanity and genocide committed on the territory of a State Party, or by a national of a State Party. The State of Egypt is not a State Party to the Rome Statute. The Court's jurisdiction with respect to non-States Parties can be triggered if the relevant State voluntarily accepts the jurisdiction of the ICC by lodging a declaration pursuant to article 12(3) of the Rome Statute, or if the United Nations Security Council refers a situation to the ICC Prosecutor. To date, none of these preconditions have been met with respect to the State of Egypt, and therefore, the Court has no jurisdiction over alleged crimes committed in the territory of Egypt.

ICC Permanent Premises Project launches new website



The ICC Permanent Premises Project is pleased to present its new website, launched at www.icc-permanentpremises.org.

The Permanent Premises Project is now entering its final and most exciting phase; by the end of 2015, the building will be finalised, the Court will complete its transition from its current premises to this new location, and the Court will permanently settle into this new facility. This new ICC Permanent Premises website has been launched to mark this important phase, and is designed in a way that provides useful information about the project -- its design, timeline, the parties involved, and more -- and reflects the transparent and open character of the project and the new building itself. With frequent updates and lots of audio-visual material on the project, the website allows users to closely follow the progress of the ICC Permanent Premises, and even book a guided tour of the construction site.

For more information about the ICC Permanent Premises Project, please visit project's new website at www.icc-permanentpremises.org or its Facebook page at www.facebook.com/ICCPermanentPremises.

For questions or comments, please contact the ICC Permanent Premises Project Team at PPP@icc-cpi.int.

OTP Diplomatic Meeting with Ambassadors and Heads of Mission

On 17 April 2014, the Office of the Prosecutor of the International Criminal Court (ICC) organised a Diplomatic Meeting at the Seat of the Court for Ambassadors and Heads of Mission from States Parties and States not Party to the Rome Statute based in The Hague and Brussels. The briefing was attended by over 70 representatives. As stated by the Prosecutor at the event, "such briefings present an important occasion to provide updates on our activities, strategic goals, and policies, and to engage in an open and transparent dialogue with the diplomatic community. It is indeed my objective to regularly organise such diplomatic briefings during the course of my tenure."

Remarks by ICC Prosecutor Fatou Bensouda: [English](#), [Français](#)

Presentation: [English](#)

Source: *Office of the Prosecutor*



On 22 April 2014, a delegation of civil society experts on the African Union held a series of meetings with the International Criminal Court (ICC). Pictured here: the delegation with ICC President Judge Sang-Hyun Song © ICC-CPI



Bangladesh Foreign Minister visits ICC

On 23 April 2014, President of the International Criminal Court (ICC) Judge Sang-Hyun Song met with the Foreign Minister of Bangladesh H.E. Mr. Abul Hassan Mahmood Ali, M.P. in the presence of the Ambassador of Bangladesh to the Netherlands H.E. Mr. Sheikh Mohammed Belal. The ICC President observed that Bangladesh's decision to ratify the Rome Statute in 2010 had been highly significant, especially since the Asia Pacific region still remained the least represented among the State Parties to the Court's founding treaty. Foreign Minister Ali assured the ICC President that Bangladesh would continue to work towards promoting universal ratification of the Rome Statute. They discussed further possible work by Bangladesh to develop enabling national legislation in pursuance of the Rome Statute.

Pictured here: Minister of Bangladesh H.E. Mr. Abul Hassan Mahmood Ali with ICC President Judge Sang-Hyun Song © ICC-CPI

On 25 April 2014, Mr Per Sjögren, Head of Department of Law, Human Rights and Treaty Law (UD-FMR) of Sweden visited the International Criminal Court (ICC). Pictured here: Mr Per Sjögren and ICC President Judge Sang-Hyun Song © ICC-CPI



Interacting with communities



Civil society group members met with the International Criminal Court (ICC) to discuss the fight against impunity and the promotion of human rights on Monday, 28 April 2014, at an ICC Outreach session in the Aru region of Ituri (Democratic Republic of the Congo) © ICC-CPI

Calendar

Judicial developments

- **19-20 May 2014**
Appeals Chamber to hold hearing in the case *The Prosecutor v. Thomas Lubanga Dyilo*
- **23 May 2013, 09:00**
Trial Chamber II to deliver sentence in the case *The Prosecutor v. Germain Katanga*

View the online [ICC hearing schedule](#)

Forthcoming events

- **13 May 2014**
ICC Prosecutor Fatou Bensouda to brief the UNSC on the situation in Libya, New York (USA)

The calendar is subject to last-minute changes.