



## 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 declined to confirm the charges against Henry Kiprono Kosgey and Mohammed Hussein Ali. Pre-Trial Chamber II confirmed the charges against William Samoei Ruto, Joshua Arap Sang, Francis Kirimi Muthaura and Uhuru Muigai Kenyatta and committed them to trial. On 11 March 2013, the Prosecutor filed a notice to the Judges to withdraw charges against Francis Kirimi Muthaura. The trial against *William Samoei Ruto and Joshua Arap Sang* is scheduled to start on 28 May 2013 and the trial against *Uhuru Muigai Kenyatta* is scheduled to start on 9 July 2013.

### Decisions and orders

#### Ruto and Sang Case

**Order to the Prosecution to provide copies of documents it seeks to withhold from the Defence**

Issued by Trial Chamber V on 14 March 2013

**Decision on the joint defence request for extension of time**

Issued by Trial Chamber V on 14 March 2013

#### Kenyatta Case

**Order scheduling a status conference**

Issued by Trial Chamber V on 14 March 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 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.

### Decisions and orders

#### Laurent Gbagbo Case

**Public redacted version of the Second decision on the review of Laurent Gbagbo's detention pursuant to article 60(3) of the Rome Statute**

Issued by Pre-Trial Chamber I on 12 March 2013

**Decision on the "Demande d'autorisation de la République de Côte d'Ivoire aux fins de déposer des observations sur la requête relative à la recevabilité de l'affaire en vertu des articles 19 et 17 du Statut déposée par l'équipe de la défense de M. Laurent Gbagbo"**

Issued by Pre-Trial Chamber I on 14 March 2013

## Situation in the Democratic Republic of the Congo

The Democratic Republic of the Congo (DRC) ratified the Rome Statute, the founding instrument of the ICC, on 11 April 2002. On 3 March 2004, the Government of the DRC referred to the Court the situation (the events falling under the Court's jurisdiction) in its territory since the entry into force of the Rome Statute on 1 July 2002. 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 and Germain Katanga are currently in the custody of the ICC. The suspects Bosco Ntaganda and Sylvestre Mudacumura remain at large. The trial in the case *The Prosecutor v. Thomas Lubanga Dyilo* started on 26 January 2009. Trial Chamber I **convicted** Mr Lubanga Dyilo on 14 March 2012. He was thereafter **sentenced** 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 *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* started on 24 November 2009. Closing statements in the case 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, Mathieu 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.

### Decisions and orders

#### Ngudjolo Chui Case

##### Decision on the Prosecution's Urgent Request for an Extension of the Page Limit

Issued by the Appeals Chamber on 13 March 2013

#### Relevant Links

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



## Events

### ICC Prosecutor announces the appointment of Mohammed Ayat as Special Adviser on regional cooperation with MENA

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On 15 March 2013, International Criminal Court (ICC) Prosecutor Fatou Bensouda announced the appointment of Mohammed Ayat as special adviser providing the Office with expertise and advice on regional cooperation with MENA.

"Mr Ayat is a renowned expert in his field who will greatly contribute to the work of the Office of the Prosecutor by enhancing and strengthening cooperation with MENA", said Prosecutor Bensouda.

Mr Ayat is currently a professor of law at Mohammed V University and Member of the Moroccan National Council on Human Rights. He previously served as Senior Legal Advisor to the Prosecutor of the International Criminal Tribunal for Rwanda. He was also his Personal Representative in liaison with the Rwandan Government and Diplomatic Community. In 2008 he was elected member of the United Nations Human Rights Committee. Additionally, Mr Ayat contributed to A World Study on Conflicts, Victimization and Post-Conflict Justice. In this research project, he was in charge of the North African Region. He has also contributed to the drafting of the UN model codes of Transitional Criminal Justice as an expert for the Arab and Islamic world. Mr Ayat has written extensively in his area of expertise, and his publications include books and articles on Criminal Law, Criminal Procedure and Criminology. He periodically trains lawyers in the MENA region on International Criminal Justice and Human Rights.

Special Advisers to the ICC Office of the Prosecutor are persons with recognized expertise in their field, who provide advice to the Prosecutor at her request or on their own initiative on training, policies, procedures and legal submissions. They work on a pro-bono basis and as all ICC staff, are required to sign a confidentiality agreement.

[Mohammed Ayat's Curriculum Vitae](#)

Source: Office of the Prosecutor

## ICC holds Seminar for Fostering Cooperation in Nuremberg, Germany



From 11 to 15 March 2013, the International Criminal Court (ICC) held a Seminar for Fostering Cooperation which took place in Nuremberg, Germany. The Seminar was designed as a platform for high-level discussions on issues relating to cooperation between States and the ICC as well as the role of intergovernmental organisations in that context. The Seminar began with the launch of an ICC pictures exhibition, now part of the Memorium Nuremberg Trials display.

A large number of officials representing 22 national governments and regional and international organisations attended the Seminar to engage in multilateral dialogue with ICC representatives on cooperation matters including, inter alia, implementation of arrest warrants, facilitation of evidence collection and freezing suspects' assets. The Seminar was an opportunity for participants to gain in-depth knowledge on matters regarding cooperation with the Court, with a view to facilitating future cooperation. Seminar discussions have already led to two cooperation agreements on the relocation of witnesses being finalized and signed.

This event was made possible in large part through the support of the European Commission as well as voluntary contributions from the governments of Germany and Denmark, and the Municipality of Nuremberg.

## President Intelmann meets with members of the European Parliament and witnesses solemn undertaking of ICC Deputy Prosecutor



On 8 March 2013 the President of the Assembly of States Parties ("the Assembly"), Ambassador Tiina Intelmann, witnessed the solemn undertaking of Mr. James Stewart, the new Deputy Prosecutor of the Court, which was held in open court, in the presence of the diplomatic community, international organizations and representatives of civil society.

President Intelmann also participated in an informal consultation and debate with Indonesian representatives from the justice sector and from the Parliament on the topic: Current Challenges for the International Criminal Court. The debate, organized by the Parliamentarians for Global Action and The

Hague Institute for Global Justice, aimed to provide a forum of interaction with key representatives from States Parties to the Rome Statute, in order to inform the views and eventual decisions on accession to and implementation of the Statute by Indonesia. President Intelmann opened the debate by delivering introductory remarks on The Role and Strength of the Assembly of States Parties to the Rome Statute of the ICC – The need for its Universality.

President Intelmann also met with the coordinators and facilitators of The Hague Working Group of the Bureau and discussed how they would undertake their mandate this year.

Prior to her visit to The Hague, President Intelmann was in Brussels, where she met with members of the European Parliament in her continuous endeavors to ensure high-level political support to the Court and to the fight against impunity. She also briefed the European Union Council COJUR/ICC Working Group on the future and current work of the Assembly. She also met with senior officials of the European Commission and the European External Action Service.

[Statement by the President of the Assembly](#)

[Photo Gallery of the Ceremony](#)

## Calendar

### Judicial developments

- **28 May 2013**  
Scheduled opening of the trial against *William Samoei Ruto and Joshua Arap Sang*
- **9 July 2013**  
Scheduled opening of the trial against *Uhuru Muigai Kenyatta*
- **5 May 2014**  
Scheduled opening of the trial against *Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus*

[View the online ICC hearings calendar](#)

### Forthcoming events

- **19-21 March 2013**  
Board of Directors of the Trust Fund for Victims to hold tenth Annual Board Meeting. (The Hague, Netherlands)
- **20-21 March 2013**  
Judge Fatoumata Dembele DIARRA to participate in a Symposium on the Juridical Protection of Women from Violence, Kultur University, Istanbul (Turkey)\*

\* The ICC is grateful to the organizers for covering the costs of the Court's participation.

The calendar is subject to last-minute changes.