

BULLETIN

of the
Coalition for the International Criminal Court



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CICC Africa meeting: Civil society renews call for African states to continue ICC support

From 27-29 May 2009, the Coalition for the ICC held its biannual Africa Regional Strategy Meeting in Kampala, Uganda. Special focus was given to building civil society participation in situation countries, refining strategies to improve the **perception** of the Court in Africa as well as heighten cooperation, and promote ratification and implementation of the Rome Statute throughout the continent. Following the meeting and in anticipation of an 8-9 June African Union meeting of ICC states parties in Addis Ababa, Ethiopia civil society participants issued a **statement** calling on all African states to renew and strengthen their support for the International Criminal Court (ICC). NGOs also encouraged all states that have not yet done so to ratify the Rome Statute and the Agreement on Privileges and Immunities (APIC), as well as to fully implement their provisions domestically. Civil society organizations meeting at the Fifth Continental Conference on 13 June and the African Union summit in Addis Ababa on 5-6 June 2009 also issued **recommendations** to African States, including on the issues of peace, security, human rights and justice in Africa. In parallel, Coalition for the ICC members—including NGO representatives in the CAR, Cote d'Ivoire, Uganda, Senegal, Benin and Cameroon—published timely **editorials** in newspapers around the world.

UN/ICC

ICC Prosecutor's Ninth Address to UN Security Council

As required under UN Security Council resolution 1593 which referred the situation in Darfur, Sudan to the Court, ICC Prosecutor Luis Moreno-Ocampo **reported** to the UN Security Council on progress in his investigation on 5 June 2009, and called for the establishment of a **framework** by which the Council can implement Resolution 1593. In advance of this address, the **CICC** held a **media briefing** at UN headquarters, featuring ENOUGH Project Adviser Omer Ismail and Human Rights Watch's International Justice Program Director Richard Dicker, who both urged the Council to support the enforcement of ICC arrest warrants for President **Al-Bashir**, **Ahmed Harun** and **Ali Kushayb**.

ICC/ ASP

Informal Inter-sessional Meeting on the Crime of Aggression

From 8 to 10 June 2009, an **Informal Inter-sessional Meeting** on the Crime of Aggression was held in New York to facilitate the consultation of states parties, non-states parties and civil society on unresolved aspects of the **crime** in an attempt to finalize discussions in time for the 2010 Review Conference of the Rome Statute. The discussion focused on the definition of the elements of the crime and delineation of the Court's jurisdiction over the crime. Discussions will continue at the 8th ASP in November.

Trust Fund Directors meet in The Hague
On 3 June 2009, the Board of Directors of the **Trust Fund for Victims** held its Sixth annual

meeting in The Hague. Issues on the agenda included the Fund's first Project Progress Report, the upcoming call for proposals for Trust Fund projects in the Central African Republic and the recruitment of the next executive director. NGOs were also invited to engage in an open dialogue with board members.

Juan E. Méndez appointed Special Adviser on Crime Prevention

On 19 June 2009, the Office of the Prosecutor announced the appointment of Juan E. Méndez as **Special Adviser on Crime Prevention**.

ICC Legal Tools Launched

In May, the ICC launched its new **Legal Tools Website**, which provides free and open access to international criminal law resources.

CASES AND SITUATIONS

CAR

ICC Judges Move **Bemba** Case to Trial for Crimes in the CAR

On 15 June 2009, ICC Pre-Trial Chamber II **confirmed** two counts of crimes against humanity (rape and murder) and three counts of war crimes (rape, murder and pillaging) against **Jean Pierre Bemba Gombo**, sending his case to trial. The crimes were allegedly committed in the Central African Republic (CAR) from 26 October 2002 to 15 March 2003. The Chamber declined the counts of torture as a crime against humanity and as a war crime as well as the count of outrages upon personal dignity as a war crime, which were originally requested by the prosecution. The judges confirmed that Bemba would be criminally responsible as a military commander--pursuant

to article 28(a) of the Rome Statute--and not responsible as an individual (article 25) or a superior (article 28(b)). The office of the prosecutor is seeking to appeal this decision.

Darfur

ICC Issues Summons to Appear for Rebel Leader in Third Darfur Case

On 17 May 2009, the ICC **announced** the issuance of a summons to appear for Sudanese Darfur rebel leader Bahr Idriss Abu Garda for war crimes allegedly committed against the African Union peacekeeping forces at the Haskanita military base (Darfur) on 29 September 2007. Abu Garda appeared before the Court in The Hague on 18 May 2009. For the first time and upon the request of the prosecutor, the ICC judges issued a **summons** to appear instead of an arrest warrant because

the former was deemed sufficient for ensuring the appearance in court of the suspect whose confirmation of charges hearing is scheduled for 12 October 2009.

DRC

Lubanga trial: Victims' Legal Representatives Request Re-characterisation of Facts

Legal representatives of victims in the Lubanga case requested the Trial Chamber to consider a legal re-characterization of the facts to include inhuman and cruel treatment as well as sexual slavery in addition to the characterization initially chosen by the prosecution--the enlistment and conscription of children under 15 and their active use in hostilities. Since the opening of the trial on 26 January 2009, Trial Chamber I heard some 30 prosecution witnesses.

Judges rule **Katanga Case Admissible: Case continues**

On 12 June 2009 at a public hearing, ICC Trial

Chamber II ruled that **defense's** challenge to the admissibility of the case against Germain Katanga was inadmissible. Katanga's Counsel

appealed the decision. The joint Katanga-Ngudjolo trial is scheduled to open on 24 September 2009.

REGIONAL UPDATES

AMERICAS

OAS

On 4 June, the **Organization of American States (OAS)** adopted its annual **resolution** on the Promotion of the ICC in the context of the OAS **General Assembly** held in Honduras. The resolution calls for ratification and implementation of the Rome Statute among member states, highlights the importance of cooperation with the ICC and acknowledges some of the key ICC-related developments in the last year. It also recognizes the work of the Coalition for the International Criminal Court in promoting the Rome Statute.

LAC

Chile

On 20 May 2009 the Chilean Congress approved a constitutional amendment recognizing the jurisdiction of the ICC. This had been ruled necessary by Chile's Constitutional Court back in 2002 and represented one of the major obstacles that had stalled Chile's ratification of the Rome Statute, which was approved on 17 June by the country's Chamber of Deputies. The Senate had approved ratification seven days earlier. It is expected that Chile will formally join the Court before the end of June.

AFRICA

DRC

On 24 June 2009, the DRC National Coalition for the ICC organized a roundtable with the media in Kinshasa on 'ICC and Africa.' The roundtable was chaired by journalist Désiré Kazadi. Guest speakers included ICC representative Paul Madidi, Professor Nyabirungu, DRC Coalition coordinator Christian Hemedi, and CICC representative Annie Mulumba.

Uganda

On 27 May 2009, the Human Rights Network-Uganda (HURINET-U), No Peace Without Justice (NPWJ) and the Ugandan Coalition for the ICC (UCICC) announced a **nationwide initiative** in Uganda to highlight the importance of the Review Conference of the Rome Statute, to be held in Kampala in June 2010. The initiative seeks to ensure the effective participation of civil society during the Review Conference, to spread awareness and understanding among the Ugandan public

of the Review Conference and of the ICC more broadly and to create avenues of engagement between ICC states parties and Ugandan civil society.

EUROPE

COJUR

On 5 June 2009, the **EU Presidency** called the second COJUR-ICC meeting since the beginning of this year, in Brussels. COJUR is the **Council Working Group on Public International Law**, gathering the 27 EU Member States legal advisors on the ICC. As with past meetings, the Coalition led a delegation of NGOs participating in the meeting. Upcoming COJUR meetings will take place under the upcoming **Swedish Presidency of the EU**, in September, November and December.

Georgia

From 25 to 30 May 2009, the CICC participated in a series of events on the ICC, organized by the Georgian Human Rights Network, in the framework of a local project on the ICC. Activities included a roundtable with NGOs, a roundtable with local media, two radio programs on the ICC, a screening of a documentary movie on the August conflict with Russia followed by a debate, as well as bilateral meetings with national authorities, opposition leaders, the media and the EU field representative.

Netherlands

Parliamentarians Strategize on Challenges Facing Court

On 18 -19 June 2009, the Foreign Affairs Committee of the Lower Chamber of the Parliaments of the Netherlands hosted a **strategy meeting** for leading **Parliamentarians for Global Action (PGA)** members from both ICC and non-ICC states parties, who were briefed by experts, international organizations and NGOs on the most urgent challenges currently facing the Court.

MacArthur Award for International Justice

On 25 May 2009, the John D. and Catherine T. MacArthur Foundation honored Justice Richard Goldstone, former chief prosecutor of the International Criminal Tribunals for Rwanda and the former Yugoslavia, with the **MacAr-**

Rome Statute

Signatures: 139 Ratifications: 108
Most Recent: **Cook Islands** (18 July 2008)
Expected 109th: **Chile**

APIC

Signatures: 62 Ratifications: 59
Most Recent: **Colombia** (15 April 2009)

Universal Ratification Campaign (URC) 2009 Targets

May: **Egypt** June: **Indonesia**

thor Award for International Justice.

Fighting Impunity and Promoting International Justice

On 8 June 2009, the European Commission, ISISC, IHRLI, AIDP, ICHR the Grotius Center and the Asser Institute co-hosted an **International Conference on Fighting Impunity and Promoting International Justice**, gathering over 300 government and Court officials, civil society organizations and academics in The Hague. Keynote speakers included high level officers of ad hoc and hybrid tribunals and the ICC, Dutch Minister of Justice Ballin and academics.

ASIA AND PACIFIC

Timor-Leste

In April 2009 Timor-Leste adopted a new criminal code that includes a very detailed section implementing genocide, crimes against humanity and war crimes. However, Timor-Leste has yet to implement cooperation provisions related to the ICC.

MENA

Egypt

On 2 and 3 June 2009, the Cairo Institute for Human Rights Studies and Human Rights Watch hosted a regional meeting in Alexandria, Egypt entitled "Addressing the Need for a Regional Civilian Protection Initiative in the MENA". The meeting attempted to promote a common understanding of legal and ethical imperatives to end attacks on civilians and hold accountable those responsible.

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