

BULLETIN

of the
Coalition for the International Criminal Court

IN FOCUS: ICC Holds First Confirmation Hearing in Darfur Situation

From 19 to 29 October 2009, ICC Pre-Trial Chamber I held a public hearing to examine whether there is sufficient evidence to send rebel leader Bahr Idriss Abu Garda to trial for war crimes. Abu Garda is suspected of alleged attacks against African Union peacekeepers at the Haskanita base in Darfur, Sudan. Three prosecution witnesses and one defence witness testified at the hearing. Judges will have sixty days after the end of the hearing to make a decision.



ICC/ASP

NGOs and ICC Hold Biannual Strategy Meetings

From 6-9 October 2009, some 40 CICC members met with ICC officials in The Hague for strategic meetings on key issues facing the Court, including prosecutorial strategy, strategy towards victims, witnesses and intermediaries, field operations, communications and outreach, budget issues and plans for the 2010 review conference, among others.

CICC Hosts Panel with ICC Judicial Candidates

On 26 October 2009, the Coalition for the ICC hosted a panel with judicial candidates in advance of elections to be held at the 8th Assembly of States Parties session to fill two judicial vacancies at the ICC. The event, which took place at UN Headquarters in New York, is part of the Coalition's overall campaign to promote the nomination and election of the highly qualified candidates

UN/ICC

Coalition Calls on UN Member States to Maintain Commitment to End Impunity for Grave Crimes

In advance of the general debate of the 64th session of the United Nations (UN) General Assembly which opened on 23 September 2009, the CICC urged heads of states to stay firm in their obligations to end impunity for grave crimes. At the debate, UN Secretary-General Ban Ki-moon praised the vital work of the ICC and twenty states pledged their full support for the Court, including Sweden on behalf of the European Union.

CASES AND SITUATIONS

CAR

Bemba Case: OTP Appeal Request against Confirmation Decision Denied

On 18 September 2009, Pre-Trial Chamber II rejected the OTP's request to appeal parts of the Chamber's decision confirming the charges in the case against Jean Pierre Bemba Gombo. The OTP's request focused on the issue of cumulative charging for gender-based crimes, for which CICC member Women's Initiatives for Gender Justice presented an amicus curiae brief on 31 July 2009. Bemba's trial is scheduled for 2010 and will be conducted by Trial Chamber III, presided by Judge Adrian Fulford. Bemba is represented by counsel Nkwebe Liriss and Aimé Kilolo Musamba as defence lawyers Khan and Legros withdrew from the case following difficulties in relation to the payment of legal fees.

DRC

Katanga/Ngudjolo Chui Trial To Open on 24 November 2009

On 31 August 2009, the ICC announced that the trial of Germain Katanga and Mathieu Ngudjolo would start on 24 November 2009, instead of 24 September 2009. In the same case, the Appeals Chamber upheld a decision by Trial Chamber II which declared the Katanga case admissible before the ICC.

Lubanga Trial Adjourned Pending Key Appeals Chamber Ruling

The presentation of the Defense's case in the trial against Thomas Lubanga Dyilo—originally scheduled to start in October 2009—has been adjourned pending a ruling by the Appeals Chamber on the recharacterization of the facts and the addition of charges of sexual slavery and inhuman and/or

cruel treatment to the existing charges. The Prosecution had finished the presentation of its case in mid-July 2009.

ICC Prosecutor Looking Into Alleged Crimes in the Kivu Provinces

The OTP has reached out to contacts in and around the Kivus for information on alleged crimes, reportedly both for the purpose of its own investigation and to transmit information to relevant national jurisdictions.

Darfur

Al-Bashir Case: Prosecution and Victims Appeal Judges' Decision to Exclude Genocide Charges

Several victims have requested to be admitted as participants in the appeal of the OTP against the decision by Pre-Trial Chamber I not to include genocide charges in the arrest warrant against Sudanese President Omar Al-Bashir.

REGIONAL UPDATES

Europe

Netherlands

On 7 October 2009, ICC Judge Odio Benito and REDRESS Director Carla Ferstman took part in the launch of the book "Repara-

tions for Genocide, War Crimes and Crimes Against Humanity: Systems in Place and Systems in the Making," as part of the weekly Supranational Criminal Law Lectures organized by the CICC, the T.M.C Asser Instituut and the Grotius Centre in The Hague. The

event was co-sponsored by REDRESS and Brill - Martinus Nijhoff Publishers.

Belgium

On 15 October 2009, members of the Parliamentarians for Global Action Group in

the European Parliament (EP) Vittorio Prodi (Italy) and Jo Leinen (Germany) invited ICC President Judge Sang-Hyun Song for a debate at the EP in Brussels. President Song requested parliamentarians to seek the inclusion of the ICC in all relevant external relations of their countries, to prompt their national governments to adopt implementing legislation and to cooperate with the Court. On behalf of the Swedish Presidency of the EU, Elinor Hammar skjöld recognized the work of civil society in promoting the Rome Statute system.

European Union

The European Commission is in the process of adopting a new strategy for the next European Instrument for Democracy and Human Rights (EIDHR), covering the period of 2011-2013. The CICC is monitoring the process and participating in relevant consultations to guarantee that the ICC remains a high priority and funding continues to be provided to civil society active on international justice issues in all regions of the world.

MENA

Morocco

On 3 October 2009, the Faculty of Law of the Mohammed V University–Agdal in Rabat held a seminar on “International Criminal Justice” with the participation of the Islamic Education, Scientific, and Cultural Organization (ISESCO) and the Moroccan Coalition for the ICC (MCICC). Participants called on Morocco to ratify the Rome Statute and harmonize national laws with international laws. On 28 September 2009, the MCICC met to discuss a six-month plan of action to revive the national debate on the ICC.

Jordan

On 7 September 2009, representatives of Jordanian NGOs, including members of the Jordanian Coalition for the ICC, met in Amman to discuss the importance of encouraging NGOs to work on ICC issues in the country. In the past

two months, a series of meetings were carried out by CICC MENA coordinator Abeer Al-Khraisha with both Jordanian Coalition members and potential members as well as interested international organizations.

Palestine

On 14 October 2009, the International Federation for Human Rights (FIDH) met with the ICC Prosecutor to discuss the Palestinian situation. This visit followed the issuance of the Report of the United Nations Fact Finding Mission on the Gaza Conflict of 15 September 2009 which calls on the UN Security Council to consider the situation in Gaza and to refer it to the ICC Prosecutor, in the absence of investigations undertaken within six months in good faith, independence, and in conformity with international standards.

ASIA

Cambodia/Laos/Thailand

On 1-10 October 2009, CICC Asia coordinator Evelyn Serrano traveled to Cambodia, Laos and Thailand to work with journalists, government officials and civil society in making progress towards implementation of the Rome Statute. During her trip, CICC members met to coordinate strategies and campaigns in the region. In particular, the Cambodian Human Rights and Development Association (ADHOC) organized a workshop on implementation issues and strategies in Cambodia in cooperation with the Konrad Adenauer Stiftung and supported by the EU.

AFRICA

Cote d’Ivoire

On 23- 24 October 2009, the Ivorian Coalition for the ICC (CI-CPI), in an effort to strengthen the rule of law in Cote d’Ivoire, organized a training of NGOs on participatory approaches to human rights education in Abidjan, including specific case studies on international justice issues.

Liberia

The Liberian Coalition for the ICC (LICICC)

Rome Statute

Signatures: 139 Ratifications: 110
Most Recent: Czech Republic (21 July 2009)
and Chile (29 June 2009)

APIC

Signatures: 62 Ratifications: 61
Most Recent:
Dominican Republic (10 September 2009)
Spain (24 September 2009) and
Malawi (7 October 2009)
Universal Ratification Campaign (URC)
2009 Targets
Sep: Philippines Oct: Algeria Nov: Turkey
Dec: English-speaking Caribbean

has publicly called upon its Government to reconsider its decision not to implement ICC’s warrant of arrest for Sudanese President Al-Bashir. This request is a part of an African-wide civil society campaign of over 160 organizations calling on their respective governments to cooperate with the ICC.

AMERICAS

Colombia

At a seminar held on 28-29 September 2009, the Coalition Against the Involvement of Child Soldiers in Colombia (COALICO) brought together Tonderai Chikuhwa of the UN Office of Children and Armed Conflict, Julieta Solano of the ICC Office of the Prosecutor, Ishmael Beah of War Child Holland and UNICEF, among others, to highlight the urgency of adopting concrete measures to enhance national legal standards on child recruitment. The event coincided with the launch of a COALICO manual for lawyers investigating cases of child recruitment.

United States

From 9–11 September 2009, the Harvard University’s Hauser Center for Nonprofit Organizations, supported by the John D. and Catherine T. MacArthur Foundation, organized a Consultative Conference on International Justice in New York. High-level international justice experts, including leading Coalition members, discussed strategies to enhance the effectiveness of the emerging system of international criminal justice, including the ICC, regional courts and commissions, national courts, and law enforcement agencies.

The Coalition is deeply appreciative of the generous support provided by all of our many partners and donors from around the globe. Major funding is provided by the European Union, the Ford Foundation, the John D. and Catherine T. MacArthur Foundation, and the Open Society Institute, as well as by the governments of Belgium, Denmark, Finland, Liechtenstein, the Netherlands, Sweden, and Switzerland, and a number of individual donors. Support from individuals, governments, foundations, and other institutions is essential to the Coalition’s effort to secure a future in which justice is accessible to all. If you would like to find out more information about how you can join in this effort and support our work, please visit our website at www.iccnw.org or contact the Coalition’s Development office by phone at +1.646.465.8527 or via email at development@iccnw.org.

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