

IN FOCUS: Guilty Verdict Delivered in First ICC Trial

On 14 March, Trial Chamber (TC) I of the International Criminal Court (ICC) **delivered** a unanimous guilty verdict in the Court's first trial. Thomas **Lubanga** Dyilo was found guilty of the war crimes of conscripting and enlisting children under the age of 15 and using them to participate actively in hostilities in the Democratic Republic of the Congo (DRC) in 2002-2003. The verdict attracted worldwide media attention and much comment from Coalition members. The **Trust Fund for Victims** and the **ICC Registry**, as well as the parties involved, have since made filings concerning reparations in the case. On 20 April, Coalition members the Women's Initiatives for Gender Justice, the International Center for Transitional Justice, the Fondation Congolaise pour la Promotion des Droits Humains et la Paix and Avocats Sans Frontières were also authorized to make written representations on reparations. A **scheduling order** has been made for the sentencing and reparation timetable, and a **public hearing** will be held on 13 June 2012 to hear submissions on sentencing.



CASES AND SITUATIONS

Palestine

Preliminary Examination Findings Announced

On 3 April, the Office of the Prosecutor (OTP) **announced** that it was unable to continue with its Palestine preliminary examination as it did not have the authority to determine whether Palestine was a "state" for the purposes of the Rome Statute, but that it was for the "relevant bodies" at the United Nations (UN) or the Assembly of States Parties (ASP) to make that legal determination. The OTP also stated, however, that it could in the future consider allegations of crimes committed in Palestine should this "statehood" issue be resolved.

Libya

ICC Judges Reiterate Request for Surrender of Saif Al-Islam Gaddafi

On 4 April, Pre-Trial Chamber (PTC) I reiterated its order that Libya must immediately surrender Saif Al-Islam Gaddafi to the Court. An **appeal** by Libya against this order was **dismissed** by the Appeals Chamber on 25 April. On 17 March, Abdullah Al-Senussi was arrested in Mauritania. Both men are wanted by the ICC for alleged crimes against humanity

in Libya. France and Libya are also reported to be seeking the extradition of Al-Senussi to their custody. On 1 May, Libya **challenged** the admissibility of the cases before the Court.

DRC

Mbarushimana: OTP Granted Leave to Appeal

On 1 March, PTC I **granted** the OTP leave to appeal the 16 December 2011 **decision** declining to confirm charges against Callixte Mbarushimana, who was subsequently released from custody of the Court to France.

Katanga and Ngudjolo Chui

Closing statements by the prosecution and defense will take place on 15-23 May 2012 in the trial of **Germain Katanga and Mathieu Ngudjolo Chui**, after which judges will determine the verdict.

CAR

Bemba: Prosecution Concludes Evidence

On 20 March, the last of 40 prosecution witnesses was presented in the trial of Jean Pierre **Bemba** for alleged crimes against humanity and war crimes in CAR. On 1 May, participating victims began giving evidence. The de-

fense case will begin in the coming months and will call around 40 witnesses.

Kenya

Leave to Appeal Rejected for Kenya 4

On 9 March, PTC II **rejected** the applications of William Ruto, Joshua Sang, Francis Muthaura and Uhuru Kenyatta for leave to appeal the **decisions** to send their cases to trial. A decision is pending on their appeals regarding ICC jurisdiction over the Kenya situation. On 29 March, TC V was **constituted** to conduct the upcoming trial, for which a start date has yet to be set.

CICC

Coalition Celebrates IWD

On 8 March, the Coalition **celebrated** International Women's Day by calling on states to advance and protect women's rights by ratifying the RS and implementing its landmark gender provisions at the national level.

ASP/ICC

Coalition Budget Team Presents to CBF

On 23 April, the Coalition's Budget and Finance Team **presented** a joint statement to the 18th session of the Committee on Budget and Finance (CBF)—the ASP technical expert body on financial matters. The Team urged the CBF to further address the impact that the limited 2012 ICC budget would have on the Courts' projected activities, and made recommendations on a review of the ICC budgeting process.

Coalition Team Submits Recommendations on ICC Legal Aid System Review

On 9 March, the Coalition's **Legal Representation Team** submitted **recommendations** to the ICC and states parties on an ongoing review of the ICC legal aid system. Coalition members, legal representatives and bar associations also issued **recommendations**, recalling that any proposed changes must not impede fair trials and meaningful participation in ICC proceedings.

Ratifications/accessions

Rome Statute: 121

Most Recent: **Guatemala** (2 April 2012)

APIC: 71

Most Recent: **Bosnia and Herzegovina**
(24 January 2012)

Universal Ratification Campaign 2012

March: **Monaco, Côte d'Ivoire**

April: **Bahamas, Jamaica, Kazakhstan**

May: **Egypt, Thailand**

June: **Mauritania, Turkey**

July: **Indonesia, Kuwait, Ukraine**

AFRICA

Videos Call for Arrests

Several campaigns are using short films to draw attention to justice issues in Africa and the need for governments to arrest ICC suspects, including Human Rights Watch's video on **Bosco Ntaganda**, Urgence Darfour's **Stop Bashir**, Invisible Children's **Kony 2012** and the Fetzer Institute's **Uganda: The Challenge of Forgiveness**.

CAR—From 10-17 March, Coalition Franco-phone Africa Liaison Armel Luhiriri went on mission to Bangui, CAR, to discuss national justice processes, ICC investigations and prosecutions, prospects for reparations to victims and affected communities and outreach.

South Sudan—On 29 March, 12 civil society organizations from South Sudan, with the support of 19 African NGOs, **wrote** to South Sudanese President Salva Kiir urging him to avoid meeting in Juba with Sudanese President Omar Al-Bashir and other Sudanese ICC suspects. The meeting was cancelled due to an outbreak of violence between the two countries.

AMERICAS

Guatemala—On 2 April, Guatemala **became** the 121st state to join the ICC. In March, the Guatemalan Coalition for the ICC organized a seminar on the ICC with the support of UN Women and the **Office of the UN High Commissioner for Human Rights**, as well as side meetings with parliamentarians and Supreme Court judges. On 16-18 April, Avocats Sans Frontières-Canada organized a workshop for key judges and prosecutors on the RS and the implementing process.

USA—On 23 April, US President Barack Obama **announced** the establishment of the Atrocities Prevention Board, an inter-agency body responsible for responding to and working to prevent genocide and mass atrocities.

Brazil—A joint ICC-Parliamentarians for Global Action (PGA) delegation **traveled** to Brasilia on 5-9 March to advance the implementation of the RS into domestic legislation.

El Salvador—On 10 April, El Salvador For-

eign Minister Hugo Martinez announced his country's intention to accede to the RS and that a declaration is presently being drafted by his ministry and the presidency.

ASIA

Thailand—Thailand is raising awareness among government officials, MPs and the general public on the ICC and the significance of RS ratification for Thailand, including conducting an ICC seminar, a national event for International Justice Day and a study tour to The Hague for parliamentarians. Coalition Asia-Pacific Coordinator Evelyn Balais-Serrano recently traveled to Thailand as part of ongoing advocacy efforts.

EUROPE

France—The French Coalition for ICC, the International Federation for Human Rights (FIDH), Amnesty International, Human Rights Watch and Action des chrétiens pour l'abolition de la torture (ACAT) **engaged with** various political parties and candidates in the run-up to the 2012 French presidential and legislative elections on the ICC, RS, implementing legislation, justice and human rights issues. The groups underlined the importance for France to recommit to justice and human rights and reiterated their concerns about shortcomings in recent legislation implementing ICC crimes into French law.

Bosnia and Herzegovina—TRIAL and UN Women have published a **guide** on defending the rights of female sexual violence victims during the conflict in Bosnia and Herzegovina.

United Kingdom—On 16 March, PGA and the Royal Institute of International Affairs **organized a meeting** of experts, parliamentarians and other stakeholders to improve the relationship between the ICC and the UN Security Council.

Luxembourg—In February, Luxembourg adopted a **law on cooperation with the ICC** and necessary **amendments** to the criminal code to fully implement the RS.

Liechtenstein—In March, Liechtenstein's parliament approved the amendments to the RS

adopted at the 2010 Review Conference, including on the crime of aggression.

Turkey—On 19 April, during the **12th forum of the Association for Women's Rights & Development (AWID)**, the Women's Initiatives for Gender Justice **screened** two documentaries produced in collaboration with 15 partners in Uganda and the DRC and WITNESS. The videos feature the demands for justice of women living in conflict and post-conflict environments.

MENA

Tunisia—On 16-21 April, the Coalition's MENA team went on mission to Tunis with **No Peace Without Justice**, opening a dialogue with key stakeholders on ensuring that Tunisia's new constitution is in line with the RS and other human rights treaties, as well as exploring areas of collaboration with Tunisian stakeholders.

Morocco—In March, Coalition MENA Regional Coordinator Leila Hanafi met with several Moroccan ministers, parliamentary committee heads and the European Union delegation to discuss Morocco's RS ratification status and its recently adopted constitution, which affirmed for the first time in its legal history the preeminence of international law over national legislation.

Iraq—On 18 March, the Network of Organizations Against Mass Killings in the Kurdistan region of Iraq **called on** the Iraqi government to arrest Sudanese President and ICC suspect Al-Bashir upon his trip to the Arab summit in Baghdad.

Egypt—On 6 March, the Arab Center for the Independence of the Judiciary and the Legal Profession **called on** Sudan to cooperate with the ICC and hand over ICC suspect and Sudanese Minister of Defense Abdel Raheem Mohamed Hussein.

Syria—On 14 March, an **appeal** was made by 144 international and Arab NGOs from over 20 countries, including several Coalition members, seeking an international strategy to end human rights violations in Syria and calling on the UN Security Council to refer Syria to the ICC.

GLOBAL PARTNERS

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