

TIMELINE OF THE STATUS OF CASES BEFORE THE INTERNATIONAL CRIMINAL COURT

The International Criminal Court has launched investigations into seven situations. Three of these occurred following state referrals from States Parties to the Rome Statute: the Democratic Republic of the Congo (DRC), Uganda and the Central African Republic (CAR). Two of them – Libya and Darfur, Sudan – were brought before the Court by referral of the UN Security Council. Pre-Trial Chambers authorized the Prosecutor's investigations in the Kenya and Cote d'Ivoire situations. The Court has issued public arrest warrants for 19 people, six of whom are in ICC custody, and nine public summonses to appear.

In Custody / Trial Phase:**Democratic Republic of the Congo**

April 19, 2004	The Office of the Prosecutor announces that the Government of the DRC referred the situation of crimes allegedly committed within the state since the Statute entered into force.
June 23, 2004	The Office of the Prosecutor announces the launch of formal investigations into the situation in the DRC.
<i>Thomas Lubanga Dyilo</i>	
February 10, 2006	Pre-Trial Chamber I issues a sealed arrest warrant for Lubanga; accused of war crimes in the Ituri region of DRC.
March 17, 2006	Pre-Trial Chamber I unseals the warrant for Lubanga. On the same day Congolese authorities arrest Lubanga and transfer him to The Hague. This is the ICC's first warrant in the DRC situation and its first arrest.
November 9, 2006	The Court conducts a confirmation of charges hearing in of the case of The Prosecutor v. Thomas Lubanga Dyilo.
January 29, 2007	Pre-Trial Chamber I confirms the charges against Lubanga.
March 6, 2007	The Presidency of the ICC issues a Decision constituting Trial Chamber I. It determines that Trial Chamber I is composed of Judge Elizabeth Odio Benito, Judge René Blattmann, and Judge Adrian Fulford and refers the Lubanga case to the Chamber.
June 16, 2008	The Trial Chamber imposes a stay on the proceedings of the Lubanga case. Unless this stay is lifted, the trial process in all respects will remain at a halt.
July 2, 2008	The Trial Chamber issues a decision stating that the Office of the Prosecutor should have disclosed evidence that may have potential value in proving the innocence of the accused. Having failed to do so, the Trial Chamber orders his release.
September 3, 2008	Trial Chamber I renders a public decision, subject to any appeals, rejecting the application of the Office of the Prosecutor to lift the stay of proceedings in the Lubanga case.
October 13, 2008	The Appeals Chamber issues a decision rejecting the Prosecutor's application to submit additional details on documents at the appeals stage that were unavailable at the trial stage.
October 14, 2008	The Prosecution informs the Trial Chamber that it is now in a position to



	comply with each of the Trial Chamber's pre-conditions to its review of the Undisclosed Evidence. There are, out of those 93 documents, only 5 documents for which methods of disclosure have not been identified.
October 21, 2008	The Appeals Chamber issues a decision accepting that, at the time the Trial Chamber made its rulings, a fair trial would have not been possible because the prosecutor could not have shown the confidential evidence to the court and the defense. The Appeals Chamber also accepts the legitimacy of the decision to halt the proceedings. The Appeals Chamber, however, overturns the Trial Chamber's decision to immediately release Lubanga. The Appeals Chamber remands the case to the Trial Chamber to determine whether Lubanga should remain in custody or should be released with or without conditions, "taking into account all relevant factual developments at the time of the new determination." Trial Chamber I reacts to the Appeals Chamber's decision by requesting the prosecution, defense and legal representatives of victims to make submissions on Lubanga's pre-trial detention by October 31.
October 22, 2008	Trial Chamber I states that it will go through all of the evidence and decide which sections have potential value in proving the innocence of the accused. Such evidence will have to be disclosed to the defense for there to be a fair trial.
November 18, 2008	Trial Chamber I issues a decision lifting the stay of proceedings, stating that the reasons for imposing the stay have "fallen away."
December 9, 2008	Trial Chamber I issues a decision which states that victim protection is the responsibility of the Victims and Witnesses Unit, not the Office of The Prosecutor. For any witnesses to appear in court or to give testimony, they must first be in the Court's protection program and the Prosecutor must submit the relevant documents to the Victims and Witnesses Unit. The Prosecutor cannot speak to witnesses until these steps have occurred.
January 26, 2009	Trial Chamber I opens Lubanga trial; Lubanga pleads not guilty to three war crimes charges.
July 14, 2009	The prosecution rests its case in Lubanga trial after calling 28 witnesses over 74 days of hearings.
October 2, 2009	Trial Chamber I delays the start of the presentation of the defense case until the Appeals Chamber decides on an appeal related to the legal characterization of the facts of the case, specifically whether Lubanga could be convicted of other crimes based on the evidence presented.
December 8, 2009	The Appeals Chamber reverses the Trial Chamber decision on the legal characterization of the facts of the case, ruling that any additional charges must be based on facts presented in the Prosecutor's charges.
January 27, 2010	The defense begins presenting its case.
July 9, 2010	Trial Chamber I suspends proceedings due to the refusal of the prosecution to comply with one of its orders to disclose to the defense the name of a witness intermediary.
October 8, 2010	Appeals Chamber reverses stay of trial, reasoning that other, less drastic measures were available such as sanctions.

March 30, 2011	Trial resumes after a four month suspension.
April 12, 2011	Trial Chamber I schedules closing arguments for August 25 and 26, 2011.
May 20, 2011	Judges order the closing of evidence.
Current Status:	Evidence phase of trial has concluded. Lubanga remains in ICC custody. A verdict is expected in late 2011 or early 2012.
<i>Germain Katanga</i>	
July 2, 2007	Pre-Trial Chamber I issues a sealed warrant of arrest for Katanga.
October 17, 2007	The Congolese authorities arrest Katanga, an alleged commander of the Force de Resistance Patriotiques en Ituri, and transfer him to the Hague.
<i>Mathieu Ngudjolo Chui</i>	
July 6, 2007	Pre-Trial Chamber I issues a sealed warrant of arrest for Ngudjolo.
February 7, 2008	The Congolese authorities arrest Ngudjolo, an alleged former leader of the National integrationist Front (FNI) and a colonel in the National Army of the Government of the DRC, and transfer him to The Hague.
<i>The joinder of the Ngudjolo and Katanga cases</i>	
March 11, 2008	The ICC Pre-Trial Chamber I joins the cases of The Prosecutor v. Germain Katanga and The Prosecutor v. Mathieu Ngudjolo Chui. Both Katanga and Ngudjolo are accused of alleged co-responsibility for the crimes allegedly committed during and in the aftermath of the attack on the village of Bogoro, Ituri in February 2003.
September 26, 2008	Pre-Trial Chamber I confirms charges against Katanga and Ngudjolo.
October 24, 2008	The Presidency refers the case against Katanga and Ngudjolo to Trial Chamber II, which is composed of Judges Fatoumata Dembele Diarra, Fumiko Saiga and Bruno Cotte.
November 27, 2008	Katanga and Ngudjolo plead not guilty.
March 27, 2009	Trial Chamber II sets a trial date of September 24, 2009.
June 12, 2008	Trial Chamber II dismisses a challenge by Katanga, concluding that the case against him is admissible.
August 31, 2009	Trial Chamber II announces that the trial will begin on November 24, not September 24, due to several outstanding procedural issues.
September 25, 2009	The Appeals Chamber upholds the admissibility of the case against Katanga.
November 24, 2009	Trial Chamber II opens the trial; both defendants plead not guilty.
December 8, 2010	The prosecution finishes presenting its case.
Current Status:	Trial in progress, set to resume on February 21, 2010 with the testimony of four victims. The defense is expected to begin presenting its case of March 21, 2011. Katanga and Ngudjolo are currently in custody.

Central African Republic

January 7, 2005	The Office of the Prosecutor announces that the Government of the CAR, referred the “situation of crimes within the jurisdiction of the Court committed anywhere on the territory of the Central African Republic since 1 July 2002.”
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May 22, 2007	The Office of the Prosecutor announces the launch of formal investigations into the situation in the CAR. The investigation looks into grave crimes allegedly committed in the CAR during the peak of violence occurring in 2002 and 2003 with a focus on sexual violence.
<i>Jean-Pierre Bemba Gombo</i>	
May 9, 2008	The Office of Prosecutor submits an application for Warrant of Arrest for Bemba.
May 23, 2008	Pre-Trial Chamber III issues a sealed warrant of arrest, which is unsealed the following day. Bemba was the alleged President and Commander in Chief of the Mouvement de Libération du Congo and former Vice President of the DRC. The warrant of arrest contains two counts of crimes against humanity: rape and torture, as well as four counts of war crimes: rape; torture; outrages upon personal dignity, in particular humiliating and degrading treatment; and pillaging a town or place.
June 10, 2008	Belgian authorities arrest Bemba.
July 3, 2008	Belgian authorities transfer Bemba to the ICC following national proceedings to determine the legitimacy of the transfer.
July 4, 2008	Initial appearance before Pre-Trial Chamber III.
January 12, 2009	The Court conducts a confirmation of charges hearing in of the case of The Prosecutor v. Jean-Pierre Bemba Gombo.
March 4, 2009	Pre-Trial Chamber III issues a decision adjourning the confirmation of charges hearing and asking the Prosecutor to submit amended charges relating to Bemba accountability as a superior.
June 15, 2009	Pre-Trial Chamber II confirms five counts of crimes against humanity and war crimes against Bemba, affirming the charges of rape and torture allegedly committed in the CAR but declining to confirm charges of torture and outrages upon personal dignity.
August 14, 2009	Pre-Trial Chamber II grants interim release to Bemba, though the decision requires that several conditions be met and the Prosecutor has appealed it.
September 18, 2009	The Presidency constitutes Trial Chamber III and refers the Bemba case to it.
December 2, 2009	The Appeals Chamber reverses the decision of Pre-Trial Chamber II to provisionally release Bemba prior to trial following an appeal by the Prosecutor.
July 7, 2010	Trial Chamber III postpones the beginning of the trial set for July 14, 2010 pending an appeal by the defense.
October 19, 2010	The Appeals Chamber dismisses the defense's arguments on the admissibility of the case and abuse of process.
November 22, 2010	Trial Chamber II opens the trial; Bemba pleads not guilty.
Current Status:	Trial in progress. Bemba currently in custody.

Darfur, Sudan

March 31, 2005	The UN Security Council refers the situation in Darfur, Sudan to the ICC with the adoption of Resolution 1593 and in accordance with the Rome Statute.
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June 6, 2005	The Office of the Prosecutor announces the launch of formal investigations into the situation in Darfur, Sudan.
November 20, 2008	The Prosecutor presents evidence to Pre-Trial Chamber I against rebel commanders for their alleged responsibility for crimes committed against African Union peacekeepers in Haskanita camp, North Darfur on September 29, 2007
<i>Abdallah Banda Abakaer Nourain and Saleh Mohamed Jerbo Jamus</i>	
August 27, 2009	Pre-Trial Chamber I issues a sealed summons to appear for Abdallah Banda Abakaer Nourain (Banda) and Saleh Mohamed Jerbo Jamus (Jerbo), rebel commanders, in connection with the Haskanita attack.
June 17, 2010	Banda and Jerbo appear voluntarily before the Court.
December 8, 2010	Confirmation of charges hearing begins
March 7, 2011	Pre-Trial Chamber I confirms the charges.
March 16, 2011	The Presidency assigns the case to Trial Chamber IV.
Current Status:	Banda and Jerbo to face trial; date has not yet been set.

Kenya

November 26, 2009	The Office of the Prosecutor files an application on for permission to open an investigation into the situation in the Republic of Kenya in relation to the post-election violence of 2007-2008.
March 31, 2010	Pre-Trial Chamber II authorizes an OTP investigation into alleged crimes against humanity related to post-election violence.
<i>William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang</i>	
December 15, 2010	The ICC Prosecutor requests summonses to appear for William Samoei Ruto, Minister of Higher Education, Science and Technology; Henry Kiprono Kosgey, Minister of Industrialization and Orange Democracy Movement Chairman; and Joshua Arap Sang, Head of Operations, KASS FM.
March 8, 2011	Pre-Trial Chamber II issues summonses to appear for the three suspects.
April 7, 2011	The suspects make appearances at initial hearings in The Hague.
May 30, 2011	Pre-Trial Chamber II confirms the admissibility of the case following a challenge by the Government of Kenya.
September 1-8, 2011	Pre-Trial Chamber II conducts a confirmation of charges hearing.
January 23, 2012	Pre-Trial Chamber II confirms crimes against humanity charges against William Samoei Ruto and Joshua Arap Sang, and commits them to trial; Henry Kiprono Kosgey will not face trial unless new evidence is presented.
Current Status:	The two remaining suspects remain free; awaiting trial.
<i>Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohamed Hussein Ali</i>	
December 15, 2010	The ICC Prosecutor requests summonses to appear for Francis Kirimi Muthaura, Head of the Public Service and Secretary to the Cabinet and Chairman of the National Security Advisory Committee; Uhuru Muigai Kenyatta, Deputy Prime Minister and Minister of Finance; and Mohamed



	Hussein Ali, Chief Executive of the Postal Corporation of Kenya and former Commissioner of the Kenya Police.
March 8, 2011	Pre-Trial Chamber II issues summonses to appear for the three suspects.
April 8, 2011	The suspects make appearances at initial hearings in The Hague.
May 30, 2011	Pre-Trial Chamber II confirms the admissibility of the case following a challenge by the Government of Kenya.
September 21-October 5, 2011	Pre-Trial Chamber II conducts a confirmation of charges hearing.
January 23, 2012	Pre-Trial Chamber II confirms crimes against humanity charges against Francis Kirimi Muthaura and Uhuru Muigai Kenyatta, and commits them to trial; Mohamed Hussein Ali will not face trial unless new evidence is presented.
Current Status:	The two remaining suspects remain free; awaiting trial.

In Custody / Pre-Trial Phase:

Cote d'Ivoire

April 18, 2003	Cote d'Ivoire, which is not a State Party to the ICC, accepts the Court's jurisdiction. The government reaffirms this acceptance on December 14, 2010 and May 3, 2011.
October 3, 2011	Pre-Trial Chamber III grants the Prosecutor's application to open investigations into crimes allegedly committed in Cote d'Ivoire since November 28, 2010.
<i>Laurent Koudou Gbagbo</i>	
November 23, 2011	Pre-Trial Chamber III issues a sealed arrest warrant for the former president of Cote d'Ivoire on four counts of alleged crimes against humanity in connection with post-election violence.
November 30, 2011	Gbagbo is arrest and transferred to the ICC in The Hague. The arrest warrant is unsealed.
December 5, 2011	The suspect appears before ICC judges who verify his identity and advise him of his rights. The judges schedule a confirmation of charges hearing for June 18, 2012.
Current Status:	The suspect remains in custody; awaiting the confirmation of charges hearing on June 18, 2012.

Arrest Warrants Issued:

Northern Uganda

December 2003	The Office of the Prosecutor announces that the Government of Uganda referred the situation in Northern Uganda to the Court.
July 29, 2004	The Office of the Prosecutor announces the launch of formal investigations

	into the situation in Uganda.
May 6, 2005	The Prosecutor files an application for warrants of arrest for crimes against humanity and war crimes against five senior leaders of the Lord's Resistance Army: Joseph Kony, Vincent Otti, Raska Lukwiya, Okot Odhiambo and Dominic Ongwen
October 14, 2005	Pre-Trial Chamber II unseals the arrest warrants for the five LRA commanders in Uganda issued on July 8 2005.
March 10, 2008	The officials of the ICC Registry meet with the Ugandan LRA delegation in The Hague to discuss procedural issues related to the legal representation of those accused before the ICC as well as procedure and time limits for the filing of documentation and materials with the Registry.
October 21, 2008	Pre-Trial Chamber II asks the Government of the DRC to explain what it has done towards securing the arrest of the four Ugandan's against whom the Court has issued an arrest warrant.
March 10, 2009	Pre-Trial Chamber II determines that the case against Joseph Kony et al. is admissible under Article 17 of the Rome Statute.
<i>Joseph Kony</i>	
Current Status:	At large.
<i>Raska Lukwiya</i>	
Current Status:	Died in August 2006. The Court has confirmed this and terminated the proceedings against Lukwiya.
<i>Okot Odhiambo</i>	
Current Status:	At large, rumored to have died in April 2008. His name remains in the case.
<i>Dominic Ongwen</i>	
Current Status:	At large.
<i>Vincent Otti</i>	
Current Status:	At large, rumored to have died in 2007. His name remains in the case.

Democratic Republic of the Congo

June 2004	Investigation opened (see above).
<i>Bosco Ntaganda</i>	
April 29, 2008	Pre-Trial Chamber I unseals the arrest warrant against Ntaganda, alleged former Deputy Chief of the General Staff of the Forces Patriotiques pour la Libération du Congo, and alleged current Chief of Staff of the Congrès national pour la défense du peuple armed group, active in North Kivu in the DRC, for alleged war crimes.
Current Status:	At large.

Darfur, Sudan

March 31, 2005	The UN Security Council refers the situation in Darfur, Sudan to the ICC with the adoption of Resolution 1593.
June 6, 2005	The Office of the Prosecutor announces the launch of formal investigations into the situation in Darfur, Sudan.
February 27, 2007	The Prosecutor submits an application to Pre-Trial Chamber I requesting that the Chamber issue summonses in respect of Ahmad Muhammad Haroun (former Minister of State for the Interior of the Government of Sudan) and Ali Kushayb (militia leader also known as Ali Muhammad Ali Abdal-Rahman) to direct them to appear before the Court for initial proceedings.
April 27, 2007	Pre-Trial Chamber I issues arrest warrants for Haroun and Kushayb.
June 16, 2008	The Security Council adopts a Presidential Statement urging the Government of Sudan and other parties to end impunity in Darfur and cooperate fully with the International Criminal Court.
<i>Ahmed Haroun</i>	
Current Status:	At large.
<i>Ali Kushayb</i>	
Current Status:	In custody of the Government of Sudan. On October 13, 2008 a Sudanese minister announces that Kushayb was brought into custody in Sudan to be tried in domestic courts. The ICC will have to determine the genuineness of these proceedings to decide whether Kushayb could be tried by the ICC.
<i>Omar Hassan Ahmad al-Bashir</i>	
July 14, 2008	Prosecutor Luis Moreno-Ocampo requests Pre-Trial Chamber I to issue an arrest warrant for Sudanese President Bashir for the situation in Darfur, Sudan. The Prosecutor files ten charges of genocide, crimes against humanity and war crimes.
March 4, 2009	Pre-Trial Chamber I issues an arrest warrant for Bashir on five count of crimes against humanity and two counts of war crimes, including murder, extermination and rape. The warrant did not include the charge of genocide.
July 6, 2009	The Prosecutor files an appeal seeking to overturn the Pre-Trial Chamber's decision to exclude the charge of genocide in the arrest warrant. The appeal argues that the Pre-Trial Chamber applied the wrong standard of proof. The Pre-Trial Chamber granted leave to appeal its arrest warrant decision on June 24, 2009.
February 3, 2010	The Appeals Chamber reverses Pre-Trial Chamber I's decision not to include a charge of genocide in the arrest warrant, determining that the majority of pre-trial judges had made an error of law by setting a standard of proof that was too high.
July 12, 2010	Pre-Trial Chamber I decides, based on the Appeals Chamber ruling and new submissions, to issue a second arrest warrant for Bashir which adds three counts of genocide to the charges against him.

Current Status:	Bashir remains in office as president of Sudan. Sudan refuses to cooperate with the ICC and has stated that it will not hand Bashir over to the Court.
<i>Abdelrahim Mohamed Hussein</i>	
December 2, 2011	The Prosecutor requests Pre-Trial Chamber I to issue an arrest warrant for the Defense Minister of Sudan for war crimes and crimes against humanity allegedly committed in 2003 and 2004.
Current Status:	Awaiting the decision of the ICC judges to issue an arrest warrant.

Libya

February 26, 2011	The UN Security Council unanimously adopts Resolution 1970, referring the Libya situation to the ICC and granting the Court jurisdiction over it.
March 3, 2011	The ICC Prosecutor opens a formal investigation into alleged crimes against humanity in Libya.
March 4, 2011	The Presidency of the ICC assigns the Libya situation to Pre-Trial Chamber I.
<i>Muammar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Sanousi</i>	
May 16, 2011	The Prosecutor requests Pre-Trial Chamber I to issue arrest warrants for alleged crimes against humanity since February 15 by three Libyan leaders, including Col. Muammar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Sanousi.
June 27, 2011	Pre-Trial Chamber I issues arrest warrants for all three suspects for the crimes against humanity of murder and persecution.
November 22, 2011	Pre-Trial Chamber I orders the termination of the cases against Muammar Gaddafi following the confirmation of his death.
Current Status:	Saif Gaddafi is in the custody of Libyan authorities. Al-Sanousi is believed to be at large.

Charges Not Confirmed / Released from Custody:**Darfur, Sudan**

March 31, 2005	The UN Security Council refers the situation in Darfur, Sudan to the ICC with the adoption of Resolution 1593 and in accordance with the Rome Statute.
June 6, 2005	The Office of the Prosecutor announces the launch of formal investigations into the situation in Darfur, Sudan.
November 20, 2008	The Prosecutor presents evidence to Pre-Trial Chamber I against rebel commanders for their alleged responsibility for crimes committed against African Union peacekeepers in Haskanita camp, North Darfur on September 29, 2007.
<i>Bahr Idriss Abu Garda</i>	
May 7, 2009	Pre-Trial Chamber I issues a sealed summons to appear for Bahr Idriss Abu Garda, a Zaghawa rebel leader.

May 18, 2009	Abu Garda appears voluntarily before the Court. Pre-Trial Chamber I sets October 12 for the confirmation of charges hearing.
October 19-30, 2009	Pre-Trial Chamber I holds the confirmation of charges hearing.
February 8, 2010	Pre-Trial Chamber I finds insufficient evidence to send the case to trial and thus declines to confirm the charges.
April 23, 2010	Pre-Trial Chamber I rejects the Prosecutor's application to appeal the confirmation of charges decision.
Current Status:	Abu Garda remains free. The Prosecutor may request confirmation of charges of supported by additional evidence.

Democratic Republic of the Congo

April 19, 2004	The Office of the Prosecutor announces that the Government of the DRC referred the situation of crimes allegedly committed within the state since the Statute entered into force.
June 23, 2004	The Office of the Prosecutor announces the launch of formal investigations into the situation in the DRC.
<i>Callixte Mbarushimana</i>	
August 20, 2010	The Office of the Prosecutor files an application with Pre-Trial Chamber I for Callixte Mbarushimana, a Rwandan national who is the Executive Secretary of the Forces Démocratiques pour la Libération du Rwanda - Forces Combattantes Abacunguzi (FDLR-FCA).
September 28, 2010	Pre-Trial Chamber I issues an arrest warrant for Mbarushimana on five counts of crimes against humanity and six counts of war crimes for alleged attacks against civilians in the North and South Kivus, DRC.
October 11, 2010	French authorities arrest Mbarushimana for surrender to the Court.
January 28, 2011	Mbarushimana appears before Pre-Trial Chamber I after his transfer to The Hague on January 25. A confirmation of charges hearing is set for August 17.
September 16, 2011	Pre-Trial Chamber I, after delay, begins confirmation of charges hearing.
December 16, 2011	Pre-Trial Chamber I, by majority, declines to confirm charges and orders the release of the suspect.
Current Status:	Mbarushimana is no longer in custody; there will be no further proceedings against him unless the Prosecutor successfully appeals the decision or submits sufficient additional evidence.

Kenya

<i>William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang</i>	
January 23, 2012	Pre-Trial Chamber II declines to confirm charges against Henry Kiprono Kosgey. See above.
<i>Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohamed Hussein Ali</i>	
January 23, 2012	Pre-Trial Chamber II declines to confirm charges against Mohamed Hussein Ali. See above.



*Researched and drafted by Veronica Glick
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