

Defending Cases before the International Criminal Court

ICC Summer School, June 2026





What Just Happened: With ICC Sanctions

What happened? As part of his omnibus day one executive order (E.O.) called “Initial Recissions of Harmful Executive Orders and Actions,” President Donald Trump has [revoked](#) former President Joe Biden’s April 1, 2021, E.O. that terminated controversial

[☀](#) [Signups for A.M. & P.](#)



TRUMP'S SANCTIONS AGAINST ICC JUDGES IS AN ATTACK ON ACCOUNTABILITY FOR VICTIMS

President Trump's sanctions on four judges of the International Criminal Court punishes victims pursuing justice and protects perpetrators.

GIAI STATEMENT



Cour
Pénale
Internationale

International
Criminal
Court

EN

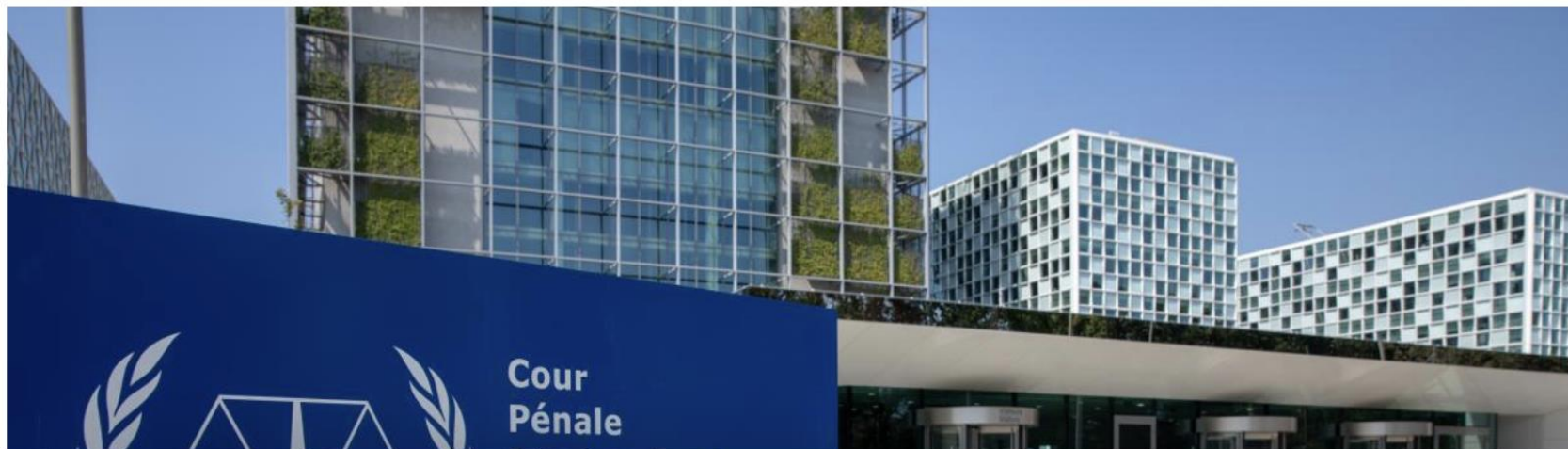
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Press Release: 18 May 2025 | [Español](#) [العربية](#)

Statement of the Presidency of the Assembly of States Parties on current situation in the Office of the Prosecutor





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**DEFENDING CASES
AT THE
INTERNATIONAL
CRIMINAL COURT:
FAIR TRIALS**



**"WE MUST NEVER FORGET
THAT THE RECORD ON WHICH
WE JUDGE THESE DEFENDANTS
IS THE RECORD ON WHICH
HISTORY WILL JUDGE US
TOMORROW"**





FAIR TRIALS





THE RIGHTS OF THE ACCUSED

ARTICLE 14(3)
ICCPR

RIGHTS OF THE ACCUSED: ARTICLE 67(1)

- (a) To be informed promptly and in detail of the nature, cause and content of the charge, in a language which the accused fully understands and speaks;
- (b) To have adequate time and facilities for the preparation of the defence and to communicate freely with counsel of the accused's choosing in confidence;
- (c) To be tried without undue delay;
- (d) Subject to article 63, paragraph 2, to be present at the trial, to conduct the defence in person or through legal assistance of the accused's choosing, to be informed, if the accused does not have legal assistance, of this right and to have legal assistance assigned by the Court in any case where the interests of justice so require, and without payment if the accused lacks sufficient means to pay for it;

RIGHTS OF THE ACCUSED: ARTICLE 67(1)

(e) To examine, or have examined, the witnesses against him or her and to obtain the attendance and examination of witnesses on his or her behalf under the same conditions as witnesses against him or her. The accused shall also be entitled to raise defences and to present other evidence admissible under this Statute;

(f) To have, free of any cost, the assistance of a competent interpreter and such translations as are necessary to meet the requirements of fairness, if any of the proceedings or documents presented to the Court are not in a language which the accused fully understands and speaks;

(g) Not to be compelled to testify or to confess guilt and to remain silent, without such silence being a consideration in the determination of guilt or innocence;

(h) To make an unsworn oral or written statement in his or her defence; and

(i) Not to have imposed on him or her any reversal of the burden of proof or any onus of rebuttal.



United Nations International Residual Mechanism for Criminal Tribunals

Legacy website of the International Criminal Tribunal for Rwanda

Since the ICTR's closure on 31 December 2015, the Mechanism maintains this website as part of its mission to preserve and promote the legacy of the UN International Criminal Tribunals. [Visit the Mechanism's website.](#)

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GATETE, Jean Baptiste (ICTR-00-61)



GATETE, Jean Baptiste

The Cases

- [AKAYESU, Jean Paul](#)
- [BAGARAGAZA, Michel](#)
- [BAGILISHEMA, Ignace Bagosora et al. \(Military I\)](#)
- [BIKINDI, Simon](#)
- [BISENGIMANA, Paul](#)
- [BIZIMANA, Augustin Bizimungu et al. \(Government II\)](#)
- [BUCYIBARUTA, Laurent](#)



DEFENCE COUNSEL AT THE ICC





Assisting the Judges in testing the Prosecution's case, and advocating for the protection of fair trial rights

THE PROSECUTION IS
SEEKING TO PROVE
BEYOND A REASONABLE
DOUBT THAT:

- That the underlying acts occurred
- That the underlying acts rise to the level of a crime within the jurisdiction of the court
- That the accused is responsible for them.



TESTING THE EVIDENCE



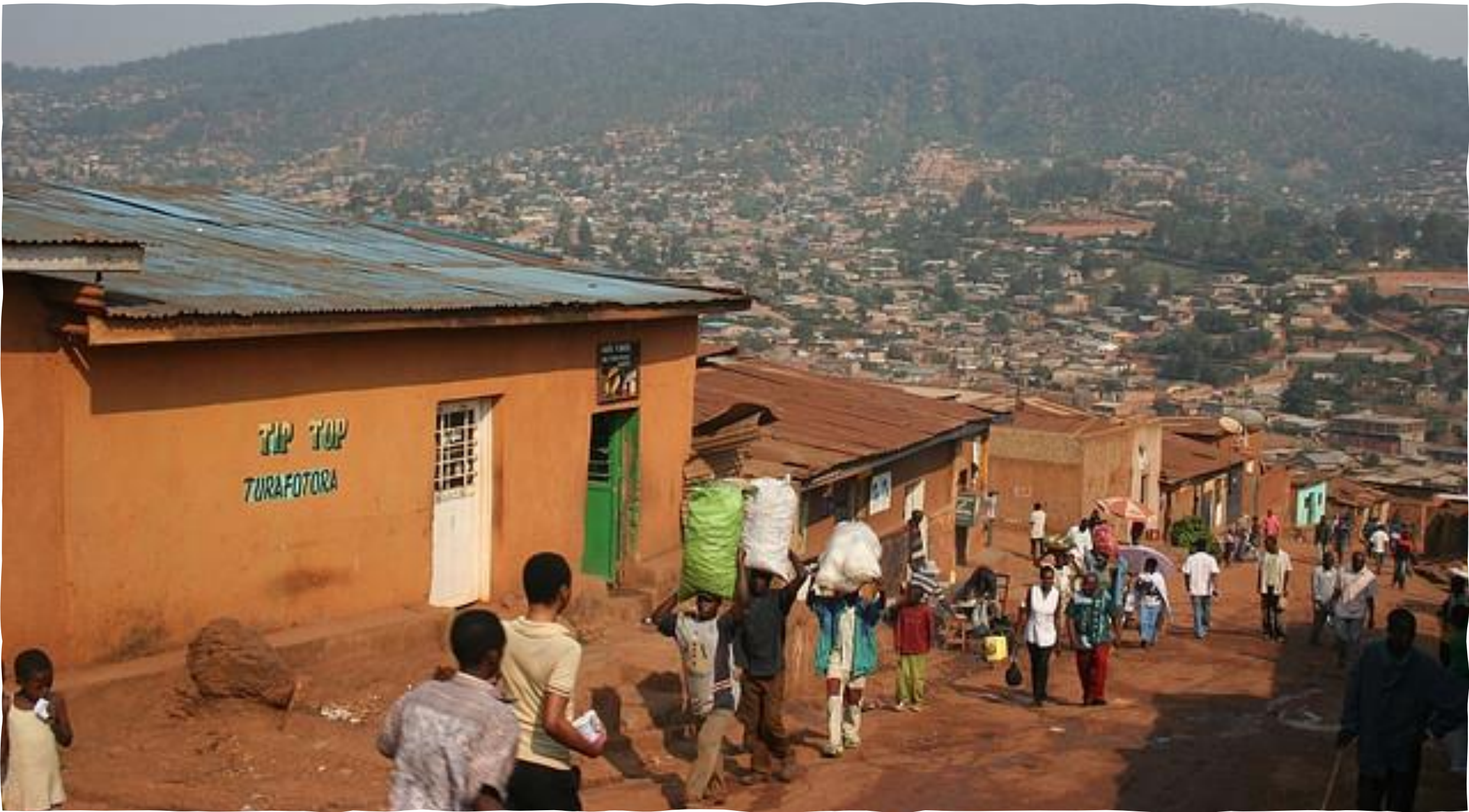


THE IMPORTANCE OF TESTING THE EVIDENCE: WITNESSES





TIP TOP
TURAFOTORA







DEFENCE INVESTIGATIONS



- The Prosecution v Thomas Lubanga Dyilo









Bemba Case

The Prosecutor v. Jean-Pierre Bemba Gombo

ICC-01/05-01/08

[Closed](#)



Acquitted

Jean-Pierre Bemba Gombo

President and Commander-in-chief of the Mouvement de libération du Congo (Movement for the Liberation of Congo) (MLC), at time of warrant. Arrest warrant: 10 June 2008

Charges: two counts of crimes against humanity: murder and rape; and three counts of war crimes: murder, rape and pillaging, allegedly committed between 2002 and 2003 in CAR.



Internationale

International
Criminal
Court

trying individuals for genocide, war crimes, crimes against humanity, and

aggression

EN

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NIGER

CHAD

SUDAN

NIGERIA

**CENTRAL AFRICAN
REPUBLIC**

**SOUTH
SUDAN**

CAMEROON

★ **BANGUI**

**REP.
OF THE
CONGO**

UGANDA

**DEMOCRATIC
REPUBLIC
OF THE CONGO**

*ATLANTIC
OCEAN*

*INDIAN
OCEAN*







Assembly of States Parties
Assemblée des États Parties







**Cour
Pénale
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**International
Criminal
Court**





Trust Fund for Victims





THE CLIENT





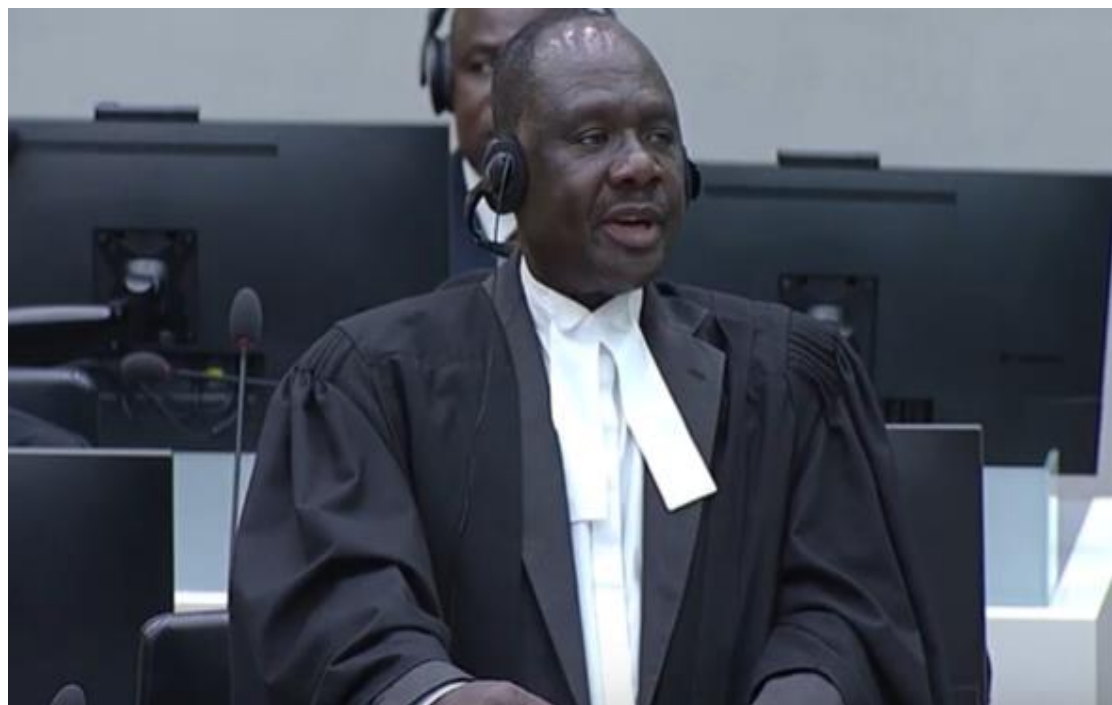
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IMPACT ON WITNESSES



INTERPRETATION





EVIDENCE AND CULTURE



[Home](#) › [Uganda](#) › Kony

Kony Case

The Prosecutor v. Joseph Kony

ICC-02/04-01/05

[Pre-trial](#)



Joseph Kony

Alleged Commander-in-Chief of the Lord's Resistance Army (LRA), at time of warrant. Arrest warrant: 8 July 2005

Charges: According to the Prosecution's submission of the [Document containing the charges](#), Joseph Kony is suspected of 36 counts of war crimes and crimes against humanity, allegedly committed between at least 1 July 2002 until 31 December 2005 in northern Uganda. While case originally involved Raska Lukwiya, Okot Odhiambo and Vincent Otti, proceedings against them were terminated due to their passing.

Article 61

Confirmation of the charges before trial

1. Subject to the provisions of paragraph 2, within a reasonable time after the person's surrender or voluntary appearance before the Court, the Pre-Trial Chamber shall hold a hearing to confirm the charges on which the Prosecutor intends to seek trial. The hearing shall be held in the presence of the Prosecutor and the person charged, as well as his or her counsel.
2. The Pre-Trial Chamber may, upon request of the Prosecutor or on its own motion, hold a hearing in the absence of the person charged to confirm the charges on which the Prosecutor intends to seek trial when the person has:
 - (a) Waived his or her right to be present; or
 - (b) Fled or cannot be found and all reasonable steps have been taken to secure his or her appearance before the Court and to inform the person of the charges and that a hearing to confirm those charges will be held.

In that case, the person shall be represented by counsel where the Pre-Trial Chamber determines that it is in the interests of justice.

3. Within a reasonable time before the hearing, the person shall:
 - (a) Be provided with a copy of the document containing the charges on which the Prosecutor intends to bring the person to trial; and



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