

ICC Prosecutor extends preliminary examination of the situation in Ukraine following second article 12(3) declaration

ICC-OTP-20150929-PR1156

On 8 September 2015, the Government of Ukraine lodged a second [declaration](#) pursuant to article 12(3) of the Rome Statute – the founding treaty of the International Criminal Court ("ICC" or the "Court") – accepting the exercise of jurisdiction by the Court over alleged crimes committed "in the territory of Ukraine since 20 February 2014", with no end date.

[The first declaration](#) lodged by the Government of Ukraine on 17 April 2014 related to alleged crimes committed on the territory of Ukraine during the period from 21 November 2013 to 22 February 2014.

Upon receipt of a referral or a valid declaration made pursuant to article 12(3) of the Statute, the Prosecutor, in accordance with Regulation 25(1)(c) of the Regulations of the Office of the Prosecutor, and as [a matter of policy and practice](#), opens a preliminary examination of the situation at hand.

On 25 April 2014, the Prosecutor opened a preliminary examination of the situation in Ukraine, with an initial focus on the so-called "Maidan" events.

Following the second declaration lodged on 8 September by the Government of Ukraine, and bearing its legal effect in mind as well as the inter-connected nature of the events in Ukraine, the Prosecutor has, accordingly, determined to extend the temporal scope of the existing preliminary examination to include any alleged crimes committed on the territory of Ukraine from 20 February 2014 onwards.

The decision to extend the temporal scope of the existing preliminary examination does not prejudice the ability of the Prosecutor to make separate determinations on specific conduct or incidents within the relevant period, as appropriate.

The Office of the Prosecutor of the ICC conducts independent and impartial preliminary examinations, investigations and prosecutions of the crimes of genocide, crimes against humanity and war crimes. The Office of the Prosecutor has opened investigations in nine situations: Uganda; Democratic Republic of the Congo; Darfur (Sudan); Central African Republic (on two occasions); Kenya; Libya; Côte d'Ivoire and Mali. The Office is also conducting preliminary examinations relating to the situations in Afghanistan, Colombia, Georgia, Guinea, Honduras, Iraq, Nigeria, Palestine and Ukraine.

- [Declaration by Ukraine lodged under Article 12\(3\) of the Rome Statute, 8 September 2015.](#)

- The Prosecutor of the International Criminal Court, Fatou Bensouda, opens a preliminary examination of the situation in Ukraine, 25 April 2014.
- OTP Policy Paper on Preliminary Examinations | November 2013.

Source : Office of the Prosecutor