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International Criminal Court Defies Borders, Threats and Intrigue in Pursuit of Global Justice in P.O.V.'s "The Reckoning," Tuesday, July 14, 2009, on PBS

Filmmakers Follow ICC Prosecutors Investigating Crimes Against Humanity in Uganda, Congo, Colombia and Sudan — Where the President Is Accused of Genocide in Darfur

Film to Stream in its Entirety for 30 Days Following the Broadcast on www.PBS.org

"[The film] conveys the extreme trickiness of achieving both peace and justice amid politically loaded situations." — Dennis Harvey, Variety

MEDIA ALERT – FACT SHEET

National Air

Date:

Tuesday, July 14, 2009 at 10 p.m. on PBS. (Check local listings.) The **P.O.V.** series (a cinema term for "point of view"), now in its 22nd year on PBS, is broadcast June through September, with primetime specials in the fall and winter.

Summary:

Over 120 countries have united to form the International Criminal Court (ICC), the first permanent court created to prosecute perpetrators, no matter how powerful, of crimes against humanity, war crimes and genocide. **The Reckoning: The Battle for the International Criminal Court** follows dynamic ICC Prosecutor Luis Moreno-Ocampo and his team for three years across four continents as he issues arrest warrants for Lord's Resistance Army leaders in Uganda, puts Congolese warlords on trial, shakes up the Colombian justice system, and charges Sudan's President Omar al-Bashir with genocide in Darfur. Like a deft thriller, **The Reckoning** keeps you on the edge of your seat. Will the prosecutor succeed? Will the world ensure that justice prevails?

The Reckoning is two riveting dramas — the prosecution of three cases of unspeakable crimes against humanity and the ICC's fight for its own survival and effectiveness. The film shows the lead-up to the court's most recent and sensational action, the indictment of Sudan's President Omar al-Bashir on March 4, 2009, for crimes against humanity and war crimes.

Statement:

Moreno-Ocampo writes in a *New York Times* op-ed on July 2, 2009: "Decisions of the ICC are felt well beyond the courtroom. . . . Colombia is prosecuting hundreds of paramilitaries and guerrillas. In Kenya, our existence triggered discussions on accountability for crimes committed during the last elections. Impunity is no longer an option. . . .

"Ratifications keep growing. This week, Chile becomes the 109th state party. But universal ratification is required to apply one standard all over the world. Today the court has no jurisdiction to investigate alleged crimes committed in Iraq, Lebanon, Sri Lanka, Burma or Somalia. . . .

"Step by step, the Rome Statute is in motion, moving ahead. Even critics of the court are talking about ending impunity. Sometimes the process is painful and sometimes it is controversial, but it is changing international relations forever."

<http://www.nytimes.com/2009/07/02/opinion/02iht-edocampo.html?scp=1&sq=moreno%20ocampo&st=cse>

Filmmaker

Statement: "I started out thinking that **The Reckoning** would be about the ICC's cases and trials, like any good crime thriller," says director Pamela Yates. "I quickly realized I had to expand the film's vision to include the far-reaching effects the ICC was having at the local level, with the tremendous amount of controversy as well as hope that its investigations were causing. The Court itself became the protagonist of **The Reckoning**, and all the cinematic elements were developed in realizing this idea."

People in the
Film:

Luis Moreno-Ocampo is the first Chief Prosecutor of the International Criminal Court, established in 2002. From 1984 to 1992, as a prosecutor in Argentina, he was involved in precedent-setting prosecutions and convictions of top military commanders accused of masterminding the "dirty war" that included mass killings, disappearances and other human rights abuses against civilians.

In 1992, Moreno-Ocampo established a private law firm in Buenos Aires, specializing in corruption control programs for large organizations, as well as criminal and human rights law. He also took on a number of pro bono activities: legal representative for the victims in the extradition of former Nazi officer Erich Priebke to Italy, in the trial of the chief of the Chilean secret police for the murder of General Carlos Prats, and in several cases concerning political bribery, protection of journalists and freedom of expression.

Moreno-Ocampo has been a visiting professor at both Stanford University and Harvard University. He recently wrote an article explaining how the ICC could make a difference in the case of Darfur: http://www.poder360.com/article_detail.php?id_article=2018

Benjamin Ferencz, at 88 years old, is one of the only living prosecutors from the Nuremberg Trials. He was just 27 years old when he prosecuted his first case ever — convicting leaders of the Nazi murder squad *Eitengruppen* of genocide. Ferencz's primary objective was then and remains now the establishment of a legal precedent that would encourage a more humane and secure world.

Ferencz became a lifelong advocate for international justice and in 1980 wrote *An International Criminal Court: A Step Toward World Peace*, which called for an international court that would replace the rule of force with the rule of law. He participated in the Rome Conference in 1998, where the constitution for the ICC was drawn up and passed by 120 countries. Veteran human-rights defenders considered this founding document of the Court one of the most remarkable achievements of their lifetime.

Ferencz continues to mobilize support for the ICC by writing and speaking worldwide for international law and global peace.

Christine Chung was the first senior trial attorney to work in the Office of the Prosecutor of the ICC. She directed the investigation that led to the issuance of the first ICC arrest warrants, naming the leadership of the Lord's Resistance Army, a Ugandan rebel group. Chung also participated in the ICC's investigation and prosecution in Darfur and led the investigation in the Democratic Republic of Congo that resulted in the case *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*.

Before her ICC appointment, Chung served as a federal prosecutor at the U.S. Attorney's Office in Manhattan, where she prosecuted gangs, organized crime, white-collar fraud and terrorism cases. She is a visiting lecturer and senior fellow at the Schell Center for International Human Rights at Yale Law School and is a graduate of Yale College and Harvard Law School.

Fatou Bensouda is the Deputy Prosecutor of the ICC. She was Minister of Justice and Attorney General of the West African country The Gambia, where she brought unprecedented attention to crimes committed against women and girls. She also worked as trial Attorney and senior legal advisor to the International Criminal Tribunal for Rwanda (ICTR), which investigated and convicted perpetrators of the 1994 Rwandan genocide.

Filmmaker Bio: **Pamela Yates, Director**

Pamela Yates is the co-founder (with Peter Kinoy) of Skylight Pictures, Inc., a New York-based multi-media company committed to producing artistic and socially relevant independent documentary films on issues of human rights and the quest for justice. The recipient of a 2008 Guggenheim Fellowship, she directed “When the Mountains Tremble,” which won a Special Jury Prize at Sundance in 1984; produced the Emmy Award–winning “Loss of Innocence”; and executive-produced “Witness to War,” which won the 1985 Academy Award for best documentary short. Her most recent film, “State of Fear,” is the story of Peru’s 20-year “war on terror” and is based on the findings of the Peruvian Truth and Reconciliation Commission.

Yates also produced and directed “Living Broke in Boom Times,” a trilogy of films about poor people’s movements in America; “Takeover” (1991 Official Sundance Selection; 1992 P.O.V. broadcast); “Poverty Outlaw” (Sundance 1995) and the ITVS presentation “Outriders” (1999). A native of Scranton, Pa., she lives in New York City.

Paco de Onís, Producer

Paco de Onís grew up in several Latin American countries and is multi-lingual (Spanish, Portuguese, English, Italian and French). Prior to his work on **The Reckoning**, he produced “State of Fear,” based on the findings of the Peruvian Truth and Reconciliation Commission. He has produced documentaries for PBS (“On Our Own Terms” with Bill Moyers), National Geographic (“Secrets from the Grave”), New York Times Television (“Police Force,” “Paramedics”) and MSNBC (“Edgewise” with John Hockenberry).

Peter Kinoy, Editor

Peter Kinoy has worked in the New York media industry as a producer and editor for 25 years. Prior to **The Reckoning**, he edited “State of Fear.” His other credits include “Presumed Guilty,” about the role of public defenders in the U.S. criminal justice system, broadcast nationally on PBS in 2002 and presented at the Human Rights Watch International Film Festival, and “Cause for Murder,” which he edited and co-wrote for the PBS series *Wide Angle* in 2002. Kinoy produced and edited “Outriders” (ITVS, 1999) and “When the Mountains Tremble” (winner of a Special Jury Prize at the Sundance Film Festival) and “Teen Dreams” (1995 Official Sundance Selection), which pioneered self-documentation with small-format cameras. With Pamela Yates, Kinoy co-produced and edited “Takeover” (P.O.V. 1992) and “Poverty Outlaw” (Official Sundance Selection 1997).

Related News: In the situation in Darfur, Sudan, three cases are being heard before Pre-Trial Chamber I: The Prosecutor v. Ahmad Muhammad Harun (“Ahmad Harun”) and Ali Muhammad Ali Abd-Al-Rahman (“Ali Kushayb”); The Prosecutor v. Omar Hassan Ahmad Al Bashir and The Prosecutor v. Bahr Idriss Abu Garda. On March 4, 2009, The ICC issued an arrest warrant for President Omar Hassan al-Bashir of Sudan for atrocities committed in Darfur. The suspect Bahr Idriss Abu Garda appeared voluntarily for the first time before Pre-Trial Chamber I on May 18, 2009.

In Uganda, the case The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen is currently being heard before Pre-Trial Chamber II. In this case, five warrants of arrest have been issued against the five top members of the Lords Resistance Army (LRA). Following the confirmation of the death of Mr. Lukwiya, the proceedings against him have been terminated. Four suspects remain at large.

In the Democratic Republic of the Congo, three cases are being heard before the

relevant Chambers: The Prosecutor v. Thomas Lubanga Dyilo; The Prosecutor v. Bosco Ntaganda; and The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui. Two cases are at the pre-trial stage, while the proceedings against Thomas Lubanga Dyilo are at the trial stage. The accused Thomas Lubanga Dyilo, Germain Katanga and Mathieu Ngudjolo Chui are currently in the custody of the ICC. The suspect Bosco Ntaganda remains at large.

Former Congolese Vice President Jean-Pierre Bemba is facing five counts of war crimes before the International Criminal Court. Lawyers for the former rebel leader said he did not control his fighters in the neighboring Central African Republic. See complete story at <http://www.voanews.com/english/2009-06-17-voa39.cfm>.

On June 29, 2009, Chile became the 109th member of the ICC and the last South American state to ratify the treaty. With Chile's ratification, each of the 13 countries in South America is now a state party to the Court. In the larger region, El Salvador, Guatemala, Nicaragua and Cuba are the only countries in Latin America that have yet to join the Court. <http://www.rnw.nl/int-justice/article/chile-joins-international-criminal-court>

P.O.V. Web: **The Reckoning** companion website, www.pbs.org/pov/reckoning, offers a streaming video trailer of the film, an interview with the filmmakers, a list of related websites, organizations and books, downloadable discussion and facilitator guides, classroom activities and the following special features:

- Additional video interviews with former U.S. Ambassador to the United Nations John Bolton, Fatou Bensouda and Christine Chung
- Q&A with Christine Chung
- Timeline on the history of the ICC
- Brief survey on viewer perspectives on the ICC
- Experts weigh in on issues in **The Reckoning**, with a special focus on the U.S. position vis-à-vis the ICC and current events in Africa, including essays from Naomi Roht-Arriaza, professor of international law at Hastings Law School and author of *The Pinochet Effect*; Scott Gilmore, researcher, Center for Justice and Accountability and Huffington Post blogger; Anthony Dworkin, editor of Crimes of War project; and representatives from the International Center for Transitional Justice and the American NGO Coalition for the International Criminal Court.

Outreach: P.O.V. is working with public television stations and national and community-based groups across the country to foster community dialogue around the issues presented in the film. For a list of upcoming screening and discussion events for **The Reckoning**, go to: http://www.amdoc.org/outreach_news.php.

P.O.V. also works with nationally recognized media educator Dr. Faith Rogow to develop a discussion guide with background information to help event organizers carry out discussions around the film's content. Cari Ladd has created the lesson plan. Debby DeSoer of the Ellensburg, Wash. Public Library has created a multimedia resource list of related fiction and nonfiction books and videos that further explore the issues. The materials are available free of charge at: www.amdoc.org/outreach.

Festivals: 2009: Sundance Film Festival, International Human Rights Film Festival (Paris), Human Rights Watch International Film Festival (London), Movies That Matter Film Festival (The Hague, Netherlands), San Francisco International Film Festival, Politics in Film Festival (Washington, D.C.), Bahrain Human Rights Film Festival, Ecuadorian Documentary Film Festival, Human Rights Watch International Film Festival (opening night at Lincoln Center), Nantucket Film Festival, Documentary Encounters (Colombia), Nuremberg Human Rights Film Festival (Germany). For a full list of festivals and screenings, go to <http://www.skylightpictures.com/site/screenings>.

Credits: A Film By: Paco de Onís, Peter Kinoy and Pamela Yates
Director: Pamela Yates
Producer: Paco de Onís

Cinematographer: Melle van Essen
Executive Editor: Peter Kinoy
Original Music: Roger C. Miller

Length: 86:46

The Reckoning: The Battle for the International Criminal Court is a production of Skylight Pictures.

Pressroom: Visit P.O.V.'s pressroom, www.pbs.org/pov/pressroom, for press releases, downloadable art, filmmaker biographies, transcripts and special features.

P.O.V.: Produced by American Documentary, Inc. and now in its 22nd season on PBS, the award-winning P.O.V. series is the longest-running showcase on American television to feature the work of today's best independent documentary filmmakers. Airing June through September with primetime specials during the year, P.O.V. has brought more than 275 acclaimed documentaries to millions nationwide, and has a Webby Award-winning online series, *P.O.V.'s Borders*. Since 1988, P.O.V. has pioneered the art of presentation and outreach using independent nonfiction media to build new communities in conversation about today's most pressing social issues. More information is available at www.pbs.org/pov.

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DVD REQUESTS: Please note that a broadcast version of this film is available upon request, as the film may be edited to comply with new FCC regulations.