

CASE CONCERNING THE DETENTION OF ANGIE PEARL

1. The State of Aprepluya and the Republic of Ravaria are neighboring countries in the region of Crovetia. Both Aprepluya and Ravaria joined the United Nations in 1947 and acceded to the Statute of the International Court of Justice. Both States have filed declarations accepting the Court's compulsory jurisdiction under Article 36(2) of the Statute.
2. In 1998, Aprepluya became an original party to the Rome Statute establishing the International Criminal Court, and remains a party to that treaty. Ravaria is not a party to the Rome Statute.
3. Ms. Angie Pearl is one of the wealthiest citizens of Ravaria. From 1979 to 2016, she served as a founder and chief executive officer of the Ravairan Robotics Corporation (RRC), a privately-held company. RRC advises governments on computerized and autonomous defense and security systems; designs, develops and implements these systems in conflict zones around the world; and provides training in their use. Ms. Pearl and her company have been the subjects of mixed publicity. In 1998, Forbes Magazine named her one of "The 20 Women Who Will Make a Mark in the 21st Century." In 2000, Human Rights Watch accused Ms. Pearl and RRC of "active complicity in keeping some of the worst despotic regimes in the world securely in power."
4. In August 2014, the Prosecutor of the International Criminal Court opened an investigation concerning war crimes and crimes against humanity that were alleged to have occurred during the 2007-2009 civil war in the Republic of Farintia, a remote island state (not a party to the present case or otherwise involved in the dispute). The Prosecutor noted that "several private foreign enterprises sold weapons systems and provided training to government militias, and such systems and training materially aided the [regime then in power] in its unlawful conduct." The referral specifically mentioned RRC as one of the accused foreign contractors, and cited Ms. Pearl as having been personally responsible for its activities.
5. In January 2022 Ms. Angie Pearl was appointed as Ravarian Minister of Foreign Affairs. Upon her nomination, Ms. Pearl resigned her post at RRC and divested herself of any direct financial stake in the company. Shortly after her appointment, investigative reporters for the Paris-based daily newspaper *Opportunité* obtained and published what it claimed were previously-undisclosed memoranda from Ms. Angie Pearl to her staff at RRC approving the clandestine supply of arms and the training of military personnel in numerous conflict zones. Ravairan human rights groups protested Ms. Pearl's appointment as Foreign Minister, and the opposition party in parliament was unanimous in voting against it. As of the time of her nomination to the cabinet, neither RRC nor Ms. Pearl had been charged with crimes in any domestic or international tribunal. Her appointment was confirmed by parliament on 15 January 2022.
6. On 13 April 2023, the Prosecutor of the International Criminal Court announced that, pursuant to Article 58 of the Rome Statute, she was requesting the issuance of a warrant for the arrest of Minister Pearl, assigning to her criminal responsibility for certain alleged activities of RRC in Farintia between 2007 and 2009. The charged acts included war crimes, and "other serious violations of the laws and customs applicable to armed conflicts not of an international character," within Articles 8.2(a) and 8.2(e) of the Rome Statute. The indictment specifically cited the training and supervision of paramilitary forces that perpetrated such crimes, the sale and use of prohibited weapons systems, and the conduct of unauthorized surveillance of civilians that allegedly led to their becoming the targets of violent repression.
7. On 18 June 2023, Minister Pearl, representing Ravaria, arrived in Aprepluya for the four-day diplomatic conference. On 20 June 2023, a Pre-Trial Chamber of the ICC granted the

Prosecutor's 13 April 2023 request and issued a warrant of arrest for Minister Pearl. Two days later, on 22 June 2023, Aprepluyan police officers approached Minister Pearl as she was leaving her hotel. After ascertaining her identity, they took her into custody. She did not resist but informed the arresting officers that she "enjoyed diplomatic immunity."

8. The Foreign Ministry of Aprepluya promptly notified the Ravarian Ambassador of Minister Pearl's arrest, and Ravarian consular agents were provided access to her. She was then brought before a magistrate, who confirmed that she was the person named in the indictment. Minister Pearl's counsel (whom she selected freely and without interference) argued that she was entitled to immunity while on Aprepluyan soil in her official capacity, but the magistrate rejected that argument, noting that, "the Rome Statute of the ICC makes no exception for sitting government ministers." A judicial appeal was denied, as was a request for the Minister's provisional release.
9. The Aprepluyan Ministry of Justice informed the ICC Office of the Prosecutor that it had apprehended the indictee and would arrange for her transfer to The Hague.
10. In addition to the treaties and other international agreements referenced elsewhere in this Case, at all relevant times both Aprepluya and Ravaria have been parties to the four Geneva Conventions of 1949, the Vienna Convention on Diplomatic Relations, and the Vienna Convention on the Law of Treaties