

BRIEFING SUBMITTED TO THE PORTFOLIO
COMMITTEE ON JUSTICE AND CORRECTIONAL
SERVICES IN RESPONSE TO THE CALL FOR PUBLIC
COMMENT ON THE PROPOSED IMPLEMENTATION OF
THE ROME STATUTE OF THE INTERNATIONAL
CRIMINAL COURT REPEAL BILL (THE REPEAL BILL)

SUBMITTED ON 8 MARCH 2017

Amnesty International is a global movement of more than 7 million people who campaign for a world where human rights are enjoyed by all.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

© Amnesty International March 2017

Except where otherwise noted, content in this document is licensed under a Creative Commons (attribution, non-commercial, no derivatives, international 4.0) licence.

<https://creativecommons.org/licenses/by-nc-nd/4.0/legalcode>

For more information please visit the permissions page on our website: www.amnesty.org

Where material is attributed to a copyright owner other than Amnesty International this material is not subject to the Creative Commons licence.

First published in 2017

by Amnesty International Ltd

Peter Benenson House, 1 Easton Street

London WC1X 0DW, UK

Index: AFR 01/5844/2017

Original language: English

amnesty.org

**AMNESTY
INTERNATIONAL** 

CONTENTS

I. SOUTH AFRICA'S COMMITMENT TO HUMAN RIGHTS AND THE FIGHT AGAINST IMPUNITY SHOULD IMPEL IT TO REMAIN WITHIN THE ROME STATUTE SYSTEM	2
II. ASSESSMENT OF THE REASONS FOR WITHDRAWAL PROVIDED BY THE GOVERNMENT OF SOUTH AFRICA	3
III. CONSEQUENCES OF WITHDRAWAL	5
IV. ALTERNATIVES TO WITHDRAWAL THAT THE GOVERNMENT OF SOUTH AFRICA CAN PERUSE	6
V. RECOMMENDATIONS	8

Amnesty International welcomes the opportunity to submit its opinion on the proposed Bill to repeal the Implementation of the Rome Statute of the International Criminal Court Act 2002 (Repeal Bill).¹

In these submissions, Amnesty International highlights the many reasons why South Africa's continued membership in the Rome Statute system is critical, particularly at a time when the International Criminal Court (ICC) needs it the most. The submissions also address some of the reasons that the Government of South Africa has provided for its withdrawal from the Rome Statute, and outlines alternatives the Government could have pursued in order to remedy its concerns instead of immediately taking the drastic measure of withdrawal.

I. SOUTH AFRICA'S COMMITMENT TO HUMAN RIGHTS AND THE FIGHT AGAINST IMPUNITY SHOULD IMPEL IT TO REMAIN WITHIN THE ROME STATUTE SYSTEM

South Africa was instrumental in building consensus for the creation of the ICC nearly twenty years ago to bring an end to impunity for crimes such as genocide, crimes against humanity and war crimes. South Africa signed the Rome Statute on 17 July 1998, and ratified it on 27 November 2000.

The International Criminal Court is one of the key avenues to justice for millions of victims of war crimes, crimes against humanity and genocide. The Rome Statute criminalizes genocide, war crimes, and crimes against humanity, including apartheid as a crime against humanity.² At a time when crimes under international law continue to be committed, often with impunity, the International Criminal Court often presents the last chance for many victims of Rome Statute crimes to gain truth, justice and reparation.

When the ICC was established 14 years ago, the Government of South Africa commented wisely that "it is our actions and not just commitments that will earn us the privilege to be associated with the establishment of this Court." Withdrawal from the ICC would belie South Africa's long-standing commitment to the fight against impunity, and as a defender of the rights of victims.

Respect for the sanctity of human life, condemnation and rejection of impunity is also one of the key objectives and key organising principles of the African Union's (AU) Constitutive Act, to which South Africa is a party. The African Charter and other regional human rights instruments binding on South Africa also stipulate the promotion and protection of human rights as key objectives of member states. Article 4(h) of the AU Constitutive Act grants the AU the right to intervene if war crimes, crimes against humanity and acts of genocide are being committed in a members states. Article 4(m) requires the AU to respect human rights while article 4(o) requires it to ensure the sanctity of human life and to reject impunity. As such, South Africa's possible withdrawal from the ICC risks undermining these objectives and organising principles of the AU.

South Africa also leaves the Court just when it is needed most. Challenging yet hopeful times lie ahead. The ICC has recently opened a preliminary examination in Palestine and investigations in Georgia, both of which will engage the interests of permanent members of the Security Council. Meanwhile it has been reported that the ICC would open an investigation into crimes committed in Afghanistan, which could see the Court investigate US personnel for torture committed in the country. In light of the backlash that these investigations will face from powerful states, the ICC needs states such as South Africa to defend it. South Africa's history of struggle against racial discrimination gives it the moral authority to lead much needed reform of the ICC.

Last month, President Adama Barrow's newly elected government rescinded Gambia's withdrawal from the Rome Statute system which had been deposited by Yahya Jammeh's government in October 2016. The AU's adoption of a so-called "ICC withdrawal strategy" at the 28th AU Summit in January, which came also with notable reservations from several African states, was also in fact anything but a "withdrawal strategy". Instead the strategy outlined a roadmap for continued engagement by the AU with the ICC and other stakeholders. This followed many positive affirmations of support for the ICC, particularly from African states at the last meeting of the Assembly of States Parties to the ICC in November 2016.

¹ B-23 -2016. As introduced in the National Assembly (proposed section 75); explanatory summary of Bill published in Government Gazette No. 40403 of 3 November 2016, available online at: http://pmg-assets.s3-website-eu-west-1.amazonaws.com/161103_b_23_-_2016_implementation_of_rome_statute_act_repeal.pdf.

² Rome Statute, Articles 6-8.

These developments demonstrate that there continues to be widespread support for international justice across Africa and confirm that the decisions by South Africa and Burundi to withdraw from the ICC marks them as outliers rather than trend setters. South Africa should not ally itself with Burundi, a state which appears to have purely self-interested motives for taking this step. Instead, it should align itself with the majority of African states parties, which have chosen to uphold their commitments to international justice and the fight against impunity, and to make meaningful changes to the ICC from within the Rome Statute system.

II. ASSESSMENT OF THE REASONS FOR WITHDRAWAL PROVIDED BY THE GOVERNMENT OF SOUTH AFRICA

1. SOUTH AFRICA'S CONTINUED MEMBERSHIP IN THE ICC WILL NOT INTERFERE WITH THE PEACEFUL RESOLUTION OF CONFLICTS

In its Declaratory Statement which accompanied its notification of withdrawal to the United Nations (Declaratory Statement)³ as well as in the Repeal Bill,⁴ the Government of South Africa indicates that one of the prime reasons for its withdrawal is that it feels that South Africa's continued membership of the ICC will impede the government's ability to engage in negotiations for peace. It has held that its continued membership of the Rome Statute was interfering with its "important role in resolving conflicts on the African continent and in encouraging the peaceful resolution of conflicts wherever they occur."⁵

The government however has indicated that it is constrained by the Implementation of the Rome Statute of the International Criminal Court Act 2002 to arrest heads of state of foreign countries even in circumstances where South Africa is actively involved in promoting, peace and stability in these countries.⁶ The only assumption that can be made is that this argument is related to the Government's experience in the case of Omar Al Bashir, Sudanese President, where it felt that its obligation under the Rome Statute to arrest Al Bashir interfered with its ability to invite and host him for the 25th AU Summit in June 2015.

However, beyond the Al Bashir case, it is difficult to see how continued membership of the ICC would interfere with its role in resolving such conflicts, as there are very few cases before the ICC where the issue of head of state immunity would arise.

Amnesty International submits that, as established in regional and international norms as well as state practice, the pursuit of justice and peace are mutually reinforcing ideals as opposed to conflicting strategies, even in situations such as Sudan (Darfur) where it involves debate on the immunity of a head of state alleged to have committed crimes under international in the context of conflicts. States have a duty to investigate and, if there is sufficient admissible evidence, prosecute all those suspected of criminal responsibility for crimes under international law. This obligation is non-negotiable. Impunity for crimes under international law and a persistent denial of justice, truth and reparation for victims of these crimes creates the very environment and cycle in which crimes under international law are likely to be committed again.

The Preamble of the Rome Statute for instance is clear that peace and justice are not mutually exclusive. The Preamble 'recognises that [crimes under the Rome Statute] threaten the peace, security and well-being of the world' and that putting an end to impunity for the perpetrators of these crimes contributes to the prevention of these crimes.

Beyond established norms, recent history and living experience of many conflicts around the world, including in Africa demonstrate that long term peace cannot be achieved without justice. For instance from Sudan, South Sudan to Central African Republic, impunity is a common denominator in most conflicts in Africa, with those suspected of criminal responsibility for crimes under international law rarely held to account. All too often, national governments are unwilling or unable to conduct prompt, independent,

³ Note Verbale No. 568//2016 from Republic of South Africa to the Secretary-General of the United Nations, Declaratory Statement by the Republic of South Africa on the Decision to Withdraw from the Rome Statute, pp. 2-3.

⁴ Repeal Bill, Preamble and Memorandum on the Objects of the Implementation of the Rome Statute of the International Criminal Court Repeal Bill, 2016, Provision 1.2.

⁵ See The Minister of Justice and Correctional Services's Announcement to Parliament, dated 20 October 2016

⁶ Repeal Bill, Preamble and Memorandum on the Objects of the Implementation of the Rome Statute of the International Criminal Court Repeal Bill, 2016, Provision 1.2.

impartial, and effective investigations into allegations of crimes under international law, and ultimately to bring all those suspected of criminal responsibility to justice. And in many of these situations, such as in Darfur, South Sudan, CAR and Syria, the lack of justice and accountability has undermined the possibility of peace and the cycle of impunity in turn continues to fuel violence and mass atrocities.

Moreover, experience suggests that it is indeed possible to pursue successful investigations and prosecutions at the same time as peace processes are ongoing. In Sierra Leone, for example, the establishment of the Special Court for Sierra Leone was a crucial precondition for fostering peace in the country after the civil war. Similar approaches are being pursued in Central African Republic and South Sudan.

In conclusion, contrary to the government's assertion, the pursuit of justice and peace are not mutually exclusive. There is sufficient state practice that demonstrate how these two ideals can be pursued at the same time to ensure lasting peace and security. By withdrawing from the ICC, South Africa fails to prioritize the human rights of victims, including their right to justice, and denies them the opportunity to achieve long-term peace.

2. SOUTH AFRICA'S WITHDRAWAL WILL NOT AFFECT ITS OBLIGATIONS UNDER INTERNATIONAL LAW WITH RESPECT TO HEADS OF STATE

The Government of South Africa has further argued in the Repeal Bill that in withdrawing from the ICC, it "wishes to give effect to the rule of customary international law which recognizes the diplomatic immunity of heads of state".⁷ However, Amnesty International is of the view that South Africa's assessment of customary international law is incorrect, and that customary international law does not require states to grant immunity to heads of state for genocide, crimes against humanity and war crimes. South Africa therefore cannot evade its international obligations to arrest heads of state solely by withdrawing from the Rome Statute.

Recent practice shows a steady trend towards the exclusion of immunities for heads of state and other government officials, not only before international tribunals, but also before "hybrid" tribunals (national tribunals with international elements). All constitutive instruments and judgments of international criminal courts, as well as the practice of a significant number of states, have rejected immunity from prosecution of government officials for genocide, crimes against humanity and war crimes. Against this background, the inescapable conclusion is that customary international law does not require states to grant immunity *rationae personae* to heads of state for genocide, crimes against humanity and war crimes.

While the Arrest Warrant Case before the International Court of Justice (ICJ) held that there was no exception to such immunities under customary international law for international crimes,⁸ this case was incorrect as a matter of law. There is no convincing evidence of a customary international law rule that such government officials are immune from prosecution in a foreign court or international court for war crimes and crimes against humanity while in office and the ICJ itself cited no evidence of state practice or *opinio juris*. Indeed, the evidence of instruments adopted by the international community shows a consistent rejection of immunity from prosecution for crimes under international law for any government official since the Second World War.⁹

In addition, specifically in the case of Al Bashir and others charged with genocide, whether or not South Africa passes the Repeal Bill, the country would still be required under international law to arrest President Bashir and either try him for genocide or transfer him to a tribunal that would be willing to do so. Article VI of the Genocide Convention, interpreted in light of the object and purpose of the Convention, imposes a strong

⁷ Repeal Bill, Preamble, and Memorandum on the Objects of the Implementation of the Rome Statute of the International Criminal Court Repeal Bill, 2016, Provision 1.3.

⁸ International Court of Justice, Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium), Judgment, 14 February 2002 (Arrest Warrant Case).

⁹ For an extended discussion of these arguments, see Amnesty International, Bringing power to justice: Absence of immunity for heads of state before the International Criminal Court (Index: IOR 53/017/2010), available online at: <https://www.amnesty.org/en/documents/ior53/017/2010/en/> and Amnesty International, Universal Jurisdiction: Belgian Court has Jurisdiction in the Sharon Case to investigate 1982 Sabra and Chatila Killings, March 12, 2002, available online at: <https://www.amnesty.org/download/Documents/120000/ior530012002en.pdf>.

obligation of result for parties to that Convention (such as South Africa) to arrest and surrender President al-Bashir and all others (including heads of state) charged with genocide to the ICC, if he is on their territory.¹⁰

South Africa therefore cannot evade its obligations under customary international law, and in certain cases such of that of Al Bashir, including as per its obligations under the Genocide Convention, to arrest, try or transfer to other countries or the ICC, any individual, including heads of state, suspected of crimes under international law.

3. PERCEIVED UNFAIRNESS AND FOCUS ON AFRICAN STATES

In its Declaratory Statement, the government of South Africa also cites the perceived focus on African states as a reason for its withdrawal.¹¹ While indeed legitimate questions should be raised about the Court's lack of progress on situations outside of Africa, Amnesty International believes that the government's contention of undue targeting of African states is wrong and misrepresentation of the facts.

It is true that the Office of the Prosecutor (OTP) has almost exclusively opened investigations in African countries to date (although its most recent situation was opened in Georgia). However, it is also important to note that most African situations before the Court have been referred by those African countries themselves, including those in Uganda, Mali, Central African Republic and Democratic Republic of Congo. Most recently, the Gabonese authorities referred the situation in Gabon to the OTP and a preliminary examination (the precursor to an investigation) was opened on 29 September 2016. The situations in Darfur (Sudan) and Libya were referred by the UN Security Council – without dissent by African States represented on the Security Council – and the investigation in Kenya was only commenced after the Prosecutor had given Kenya the opportunity to investigate the crimes committed during the post-election violence in 2007-2008 and a Kenyan commission of inquiry had forwarded the results of its inquiry into crimes committed during the violence to the ICC via a mediator, the former UN Secretary General Kofi Annan.

Moreover, the OTP is currently undertaking preliminary examinations in states outside Africa, including in Palestine, Afghanistan, Colombia and Ukraine. These preliminary examinations have considered crimes under international law allegedly committed by nationals of non-African states, including nationals of the USA and Russia.

As such, the statement that Africans are being 'targeted' is misplaced and misrepresentation of facts and certainly one that cannot be presented as a genuine reason for withdrawing from the Rome Statute. The ICC exists so that victims of the most serious crimes can gain truth, justice and reparation in situations in which states themselves are unable or unwilling to bring suspected perpetrators to justice. It is therefore often the last recourse for victims. However, Amnesty International agrees that the ICC has failed victims of crimes outside Africa and will continue to fight on behalf of such victims.

States such as South Africa can play a critical role in discussing openly and honestly with member states of the Rome Statute, without politicising the Court, the need to ensure a broader range and number of investigations in all regions across the world and the allegations of the politicisation of the Court.

III. CONSEQUENCES OF WITHDRAWAL

Beyond its implications with respect to the ICC itself, the Repeal Bill has the consequence that South Africa may become a safe haven for perpetrators of crimes under international law. The Implementation Act provides universal jurisdiction for genocide, war crimes and crimes against humanity, which has been used, in cases such as in the case of *the National Commissioner of the South African Police Service vs SALC and another*,¹² to ensure that suspected perpetrators who commit these crimes outside the Republic of South Africa, who are subsequently found in South Africa or likely to travel to South Africa, are investigated and prosecuted.

¹⁰ For an extended discussion of the legal basis for this argument, see Amnesty International, Application for Admission as *Amicus Curiae* in *The Minister of Justice and Constitutional Development and others vs SALC* (CCT 75/2016), 2 September 2016, paras. 13-26 (attached).

¹¹ Declaratory Statement, p. 1.

¹² Case CCT 02/14. In this case, the Constitutional Court of South Africa held that crimes against humanity committed in Zimbabwe, by Zimbabweans, against Zimbabweans must be investigated in South Africa in terms of the Implementation Act.

There is also no viable option at the regional level which provides for accountability for crimes under international law. There are currently no regional alternatives to the ICC, and the option currently being proposed under the Protocol on Amendments to the Protocol on the Statute of the African Court of Justice and Human Rights (hereafter: Malabo Protocol), suffers from several shortcomings.¹³ In any event, at this stage, no states have yet ratified the Malabo Protocol (although there are some signatories), so it will some time before this option becomes a viable reality.

The Malabo Protocol, which extends the jurisdiction of the yet to be established African Court of Justice and Human Rights (ACJHR) to crimes under international law and transnational crimes, was adopted by the African Union Assembly in June 2014. While Amnesty International welcomes all efforts to bring an end to impunity for crimes under international law, including at the regional level, and believes that the expanded ACJHR could play a positive role, it has a number of institutional, legal and human rights concerns with the proposed Court. Primarily, Amnesty International believes that the immunity provision provided in this protocol would violate international consensus and practice by shielding serving heads of state and other senior state officials from prosecution. In addition, the Malabo Protocol grants immunity from the criminal jurisdiction of the ACJHR not only to heads of state and government, but also to an undefined category of senior state officials. The immunity clause stands to bring the whole protocol into disrepute as it will be portrayed (and may indeed have been intended) as a way to protect senior politicians from accountability for their crimes.

Amnesty International is also concerned about the definitions of certain crimes within the protocol including terrorism and unconstitutional change of government and their compliance with the principle of legality. The Protocol provides broad and vague definitions of these crimes and potentially paves the way for arbitrary application in practice. It is also concerned that the protocol will further restrict access for individuals and civil society organisations to the court, and has raised concerns about its proposed structure, financial needs and human capacity.

IV. ALTERNATIVES TO WITHDRAWAL THAT THE GOVERNMENT OF SOUTH AFRICA CAN PERUSE

Moving from the substance of South Africa's reasons for withdrawal, South Africa had several options open to it to address its legitimate concerns with the ICC rather than taking the drastic step of withdrawal.

1. ENGAGEMENT WITH THE ASSEMBLY OF STATES PARTIES (ASP) TO THE ROME STATUTE ON LEGITIMATE REFORM PROPOSALS, INCLUDING ON ITS OWN PROPOSALS WITH RESPECT TO ARTICLE 97 OF THE ROME STATUTE

The Government of South Africa's notification of withdrawal was motivated in part by the application of Article 97 of the Rome Statute by the ICC in the context of the Al Bashir case. South Africa indicates in its note verbale that it was disappointed with the application of Article 97 of the Rome Statute, which provides for consultations between state parties and the ICC if the state identifies problems that may prevent it from complying with a request for assistance from the ICC. The Declaratory Statement explaining the government's reasons for withdrawal states that the experience of consulting with the ICC regarding a request to arrest and surrender Sudanese President Omar Al Bashir in 2015 "left South Africa with the sense that... its fundamental right to be heard was violated".

However, only days before the notification, on 3 October 2016, the Government of South Africa had submitted proposals to add text to the Rules of Procedure and Evidence or Regulations of the ICC to clarify the implementation of Article 97 of the Rome Statute, stating that "there is no clear procedure regarding the structuring of consultations undertaken in terms of Article 97". The Government of South Africa could have continued to pursue the option of having these proposals considered at the ASP. Instead, even before these proposals could be considered, it took the drastic step of withdrawal.

¹³ See Amnesty International, Malabo Protocol: *Legal and Institutional Implications of the Merged and Expanded African Court* (Index: AFR 01/3063/2016), 22 January 2016, available online at: <https://www.amnesty.org/en/documents/afr01/3063/2016/en/>.

Amnesty International disagrees with the legal reasons provided by the government for refusing to cooperate with the ICC and considers that the Government of South Africa had a legal obligation to arrest Omar Al Bashir and surrender him to the ICC to face charges of committing genocide, crimes against humanity and war crimes in Darfur.

However, Amnesty International concurs with the Government of South Africa about the benefit of providing for clearer procedures to be applied under Article 97 and the need to establish a judicial process to rule on the legality of requests when consultations fail to resolve disputes. Amnesty International considers that Rules should be developed that are consistent with the Rome Statute clarifying the procedures to be followed (1) when states want to consult with the Court in accordance with Article 97; and (2) if a dispute raised during consultations cannot be resolved through dialogue and a judicial decision is required to settle the dispute in accordance with Article 119(1). Amnesty International has therefore urged states parties before the ASP to consider South Africa's proposals, noting that the issue at stake is legally complicated and should not be rushed, and making some specific recommendations about how these proposals should be applied.¹⁴

Rather than withdrawing, the Government of South Africa should have continued to engage in discussions about its Article 97 proposals within the Assembly of States Parties.

2. ENGAGEMENT FROM WITHIN THE ROME STATUTE SYSTEM TO RESOLVE OTHER LEGITIMATE CONCERNS

Beyond its Article 97 proposals, Amnesty International fundamentally believes that States Parties' concerns, including those of South Africa, can and should be addressed from within the Rome Statute system and the ASP.

As the Government of South Africa rightly points out in its Declaratory Statement,¹⁵ many powerful countries are not members of the Court – including Russia, China and the USA, all permanent members of the Security Council.

Pressure must be placed on all states to join the Rome Statute, particularly the permanent members of the UN Security Council (UNSC), whose egregious use of the veto to block referrals to the ICC has exacerbated accusations of the Court's politicisation. This pressure should come from countries such as South Africa. Unfortunately South Africa leaving the Rome Statute system does the opposite, as it gives cover and comfort to the hypocrisy of the permanent members of the Security Council who refuse to join.

The permanent members of the UN Security Council should also voluntarily refrain from using their veto in situations involving crimes under international law and other serious violations of international human rights. South Africa, and other countries that have faced, struggled with and vanquished inhumanity should take the lead in reforming the Security Council's practice and actively pressuring the Security Council to refer cases to the ICC. States such as South Africa should actively seek to counter the UN Security Council's selectivity and politicization, and should not be afraid to speak up when the Security Council's inaction betrays victims of the most heinous crimes.

Another legitimate critique is that the ICC will not be able in principle to try nationals of certain powerful states for crimes in the ICC's statute because their states have not ratified it - unless the crimes are committed in countries that are party to the ICC statute, or the situation is referred to the ICC by the UN Security Council. However, the ICC has recently opened a preliminary examination in Palestine and investigations in Georgia, both of which will engage the interests of permanent members of the Security Council. Meanwhile it has been reported that the ICC would open an investigation into crimes committed in Afghanistan, which could see the Court investigate US personnel for torture committed in the country. In light of the backlash that these investigations will face from powerful states, the ICC needs states such as South Africa to defend it.

States such as South Africa can also play a critical role in discussing openly and honestly within the ASP, without politicising the Court, the need to ensure a broader range and number of investigations in all regions across the world and the allegations of the politicisation of the Court. These discussions with other states should underscore the egregious use and threat of the veto by permanent members of the Security Council to block referrals of situations to the ICC in the face of mass violations of international criminal and

¹⁴ These recommendations can be found in Amnesty International: International Criminal Court: Recommendations to the 15th Session of the Assembly of States Parties (16 to 24 November 2016 (Index: IOR 53/5130/2016, pp. 8-12, available online at: <https://www.amnesty.org/en/documents/ior53/5130/2016/en/>).

¹⁵ Declaratory Statement, p. 1.

humanitarian law, and previous efforts by major powers to undermine the Court's work and jurisdiction. States such as South Africa should also advocate for Security Council referrals to the ICC in all cases of crimes against humanity, war crimes and genocide. In fact, there is precedent for this, as the Government of South Africa supported Resolution 1970 to refer the situation in Libya to the ICC was negotiated and adopted when it was a member of the Security Council in 2011.¹⁶

V. RECOMMENDATIONS

Amnesty International therefore recommends that the Parliament of South Africa should:

- Not enact the Repeal Bill;
- Call on the Government of South Africa to engage constructively with the ICC to resolve any legitimate concerns, including with respect to its Article 97 proposals and other issues of concern;
- Demand that the Government of South Africa act in the interests of the victims of crimes under international law committed across the world by defending the integrity and independence of the ICC against all political and other attacks on the Court.

Amnesty International is available to make an oral presentation should the Portfolio Committee request this.

¹⁶<http://www.un.org/press/en/2011/sc10187.doc.htm>.

**AMNESTY INTERNATIONAL
IS A GLOBAL MOVEMENT
FOR HUMAN RIGHTS.
WHEN INJUSTICE HAPPENS
TO ONE PERSON, IT
MATTERS TO US ALL.**

CONTACT US



info@amnesty.org



+44 (0)20 7413 5500

JOIN THE CONVERSATION



www.facebook.com/AmnestyGlobal



[@AmnestyOnline](https://twitter.com/AmnestyOnline)

INDEX: AFR 01/5844/2017
MARCH 2017
LANGUAGE: ENGLISH

amnesty.org

