



# SADC-CNGO

**Southern African Development Community - Council of Non-Governmental Organisations**

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## STATEMENT OF SADC COUNCIL OF NGOs ON THE SANCTIONS IMPOSED ON OFFICIALS OF THE INTERNATIONAL CRIMINAL COURT

### “NO TO TRUMP AGGRESSION AGAINST THE ICC”

The Southern African Development Community Council of NGOs (SADC-CNGO), an umbrella of civil society coordinating bodies in the SADC region has studied carefully the recent global development regarding the Trump administrations latest aggression targeting the International Criminal Court (ICC).

The announcement made by the current administration of the United States of America that imposes sanctions on ICC staff has shocked the entire civil society community in SADC. As reported in the media:

“The sanctions are directed at Prosecutor [Fatou Bensouda](#) and the court's head of jurisdiction [Phakiso Mochochoko](#) who were both [added](#) on Wednesday to the Treasury Department's ‘Specially Designated Nationals’ list. [The designation](#) freezes any assets they might have in the U.S. or subject to U.S. law.

The move builds on [an executive order](#) issued by President Trump against court officials in June.”

The sanctions imposed on the ICC officials are a direct threat to the independence and impartiality of ICC. The unilateral, punitive and discriminatory action by the USA government to undermine global human rights, rule of law and protections afforded institutions such as the ICC further reduces the standing of the Trump’s administration in the eyes of civilised, democratic and peace loving nations of the world. The sanctions are wide ranging and according to US Secretary of State, Mike Pompeo, will target those who "materially support those individuals risk[ing] exposure to sanctions as well". Although not a signatory of the Rome Statute, precisely to avoid accountability for its own alleged war crimes, these unprecedented attacks on the ICC by Trump is serious warning of its intent to stage further assaults of the norms, institutions and legal protections of international law and morality.

There is no doubt that the USA’s action can also be viewed as racist and discriminatory towards ICC officials who are Africans, based on the fact only these two African officials are targeted and citizens from other countries have not been similarly sanctioned. Trump and his administration may behave as if they are unaccountable to the justice system in their own country, where they have consistently undermined its impartiality and independence. World opinion must remind them that human rights and justice cannot be manipulated for political or personal gain. Global institutions supporting the rule of law and human rights will not be reduced or diminished by their belligerence, bluster and dishonest attacks.

Accordingly, the SADC Council of Non-governmental Organisations resolved as follows:

#### **Aware that:**

ICC under the Rome Statute is mandated to investigate crimes against humanity and as such, no state has immunity to continue to commit crimes against humanity with impunity.

We are also aware that the ICC decided to investigate USA crimes against humanity, as early as March 2020.

***Acknowledge that:***

The efforts by African states and civil society organisations that condemn this act by the USA that degrade human dignity, and we strongly encourage them to sustain the fight until the USA authority understands that respect for human rights must be upheld by everyone including the USA.

***Convinced that:***

The sanctions imposed on ICC officials by the USA government are an attempt to undermine the efforts of the ICC in attaining justice for victims of gross human rights abuse and protect those accused of war crimes.

The targeted officials are employees of an international body established by the Rome Statute 2002 and should not be victimised for undertaking their duties as directed by the Court.

***Therefore:***

The SADC-CNGO stands in solidarity with the Court, officials and justice- loving nations in condemning this racist act by the USA in all strongest terms it deserves.

***Demand:***

The USA government should reverse its decision to sanction ICC officials;

The African Union and SADC engage the USA government and demand revoking these inhumane, immoral and illegal sanctions;

All justice and peace loving nations to denounce the USA's illegal and immoral sanctions and stand in solidarity with ICC, including protecting the integrity of UN agencies against hegemonic tendencies that pose a threat to global justice and human rights protections.



SADC Council of NGOs

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