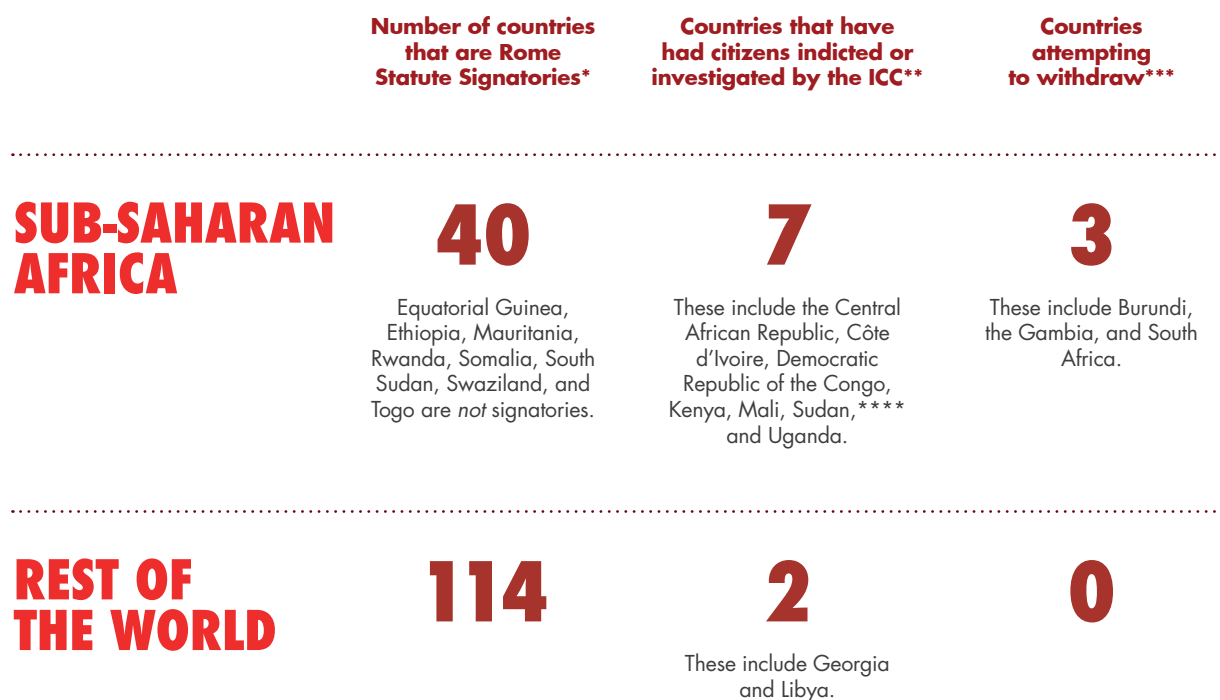


## FIGURE 6.4. THE INTERNATIONAL CRIMINAL COURT AND AFRICA: INDICTMENTS AND WITHDRAWALS

In 2016, three sub-Saharan African countries—Burundi, the Gambia, and South Africa—announced their intention to withdraw from the International Criminal Court. The year 2017 could see more withdrawals too, as other countries, such as Kenya, Namibia, and Uganda have discussed leaving the Rome Statute. African leaders cite not only a bias in the ICC, but also paternalism and even neo-colonialism: The majority of its investigations and indictments have been in African countries. In fact, only two countries outside of sub-Saharan Africa—Georgia and Libya—have faced ICC investigations or charges. Given the sensitivities around the crimes examined by the ICC as well as recent civil wars on the continent, the topic is certainly a controversial one.



\*Including those signatories pending approval/acceptance/accession/ratification. Not included are Israel, Russia, and the United States who originally signed but have expressed their desire to not pursue approval/acceptance/accession/ratification.

\*\*This does not include situations under preliminary examination. According to the ICC, before an official investigation can be launched, "the Office of the Prosecutor must determine whether there is sufficient evidence of crimes of sufficient gravity falling within the ICC's jurisdiction, whether there are genuine national proceedings, and whether opening an investigation would serve the interests of justice and of the victims. If the requirements are not met for initiating an investigation, or if the situation or crimes are not under the ICC's jurisdiction, the ICC's Prosecution cannot investigate." Available at: <https://www.icc-cpi.int/about/how-the-court-works/Pages/default.aspx#legalProcess>.

\*\*\*Includes those countries that ratified the statute but have given notice to withdraw.

\*\*\*\*According to the United Nations Treaty Collection: "In a communication received on 26 August 2008, the Government of Sudan informed the Secretary-General of the following: '....., Sudan does not intend to become a party to the Rome Statute. Accordingly, Sudan has no legal obligation arising from its signature on 8 September 2000.'"

Source: United Nations Treaty Collection Online. Available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-10&chapter=18&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-10&chapter=18&clang=en).