

https://dspace.org/

Organised hypocrisy? African union and the international criminal court

Ntlhakana, Sethelile Joyce

2017

https://hdl.handle.net/10539/24767

Ntlhakana, Sethelile Joyce (2017) Organised hypocrisy? African union and the international criminal court, University of the Witwatersrand, Johannesburg, <https://hdl.handle.net/10539/24767>

Downloaded from a DSpace repository. https://dspace.org/

ABSTRACT

A feud between the African Union (AU) and the International Criminal Court (ICC) has been dragging for a while now. The indictment of President Omar Hassan Ahmad al-Bashir of Sudan and President Uhuru Kenyatta and his deputy president William Ruto in Kenya altered the cosy relations between the two organisations. Firstly, the AU contends that the ICC cannot prosecute heads of states that have immunity under international law. Secondly, the ICC disturbs the ongoing peace processes with its investigations. The AU accused the ICC of selecting African states for prosecution; as a protracted form of imperialism by prevailing western powers. Withstanding, some of the AU member states that are party to the ICC have willingly signed up to its jurisdiction. Besides, the AU's founding documents support the fight against grave atrocities. Nonetheless, the AU has failed dismally to live up to the principles it endorses- which tantamount to hypocrisy. The contradictory rhetoric of the AU towards the ICC is not exclusive to the AU, but to international organisations due to conflicting pressures in external environments. The paper explains this empirical phenomenon by applying Organised Hypocrisy (OH) to capture such contradictory behaviour prone to international organisations.

Keywords: hypocrisy; organisational environments; political organisations; action organisation; organised hypocrisy; AU; ICC; Rome Statute; immunity; impunity