



# AFRICAN BAR ASSOCIATION

ASSOCIATION DU BARREAU AFRICAINE

OFFICE OF THE PRESIDENT

نقابة المحامين الافارقة

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## AFRICAN BAR ASSOCIATION CONDEMNS POLITICIZED CAMPAIGN AND DUE PROCESS VIOLATIONS TARGETING ICC PROSECUTOR KARIM KHAN KC

The African Bar Association (AfBA) is deeply alarmed by the unprecedented and highly politicized campaign currently being waged against Mr. Karim A. A. Khan KC, the Prosecutor of the International Criminal Court (ICC). Evidence now publicly available including the Whistle-blower recording and other recent disclosures reveals a coordinated effort to discredit Mr. Khan, manipulate investigative processes, and undermine the independence of the Court itself.

The AfBA notes with grave concern the sustained and simultaneous media campaign, apparently designed to influence and pressure ongoing investigations, damage Mr. Khan's reputation, and apply improper pressure on the ICC's independent organs and the external investigators. This calculated manipulation of public discourse is wholly inconsistent with the principles of fairness, impartiality, and institutional independence on which the Court was founded. There has been no condemnation at all by the Court or the ASP of this media onslaught directed at the Prosecutor.

Last month, the African Bar Association formally submitted its observations regarding an applicant who openly threatened the ICC Appeals Chamber, warning judges that failure to decide a matter concerning the Venezuela situation — against Mr. Khan — would result in calls for sanctions against them. The complainant invoked U.S. Senator Marco Rubio and tagged Israeli Prime Minister Benjamin Netanyahu. This is nothing short of an assault on judicial independence. (link to submission: Registry Transmission of "Observations from the African Bar Association and the International Association of Democratic Lawyers regarding the International Criminal Court Prosecutor Karim A.A. Khan's Request to be Excused from the Venezuela I Situation | International Criminal Court)

It has now emerged that Mr. Khan is being targeted from all directions, with interference reaching deep into the very structures designed to uphold fairness. The Assembly of States Parties (ASP) Bureau — which should remain a neutral arbiter — has shown deeply troubling signs of prejudgment. If members of the Presidency and Bureau are engaging with complainants or forming pre-determined views, this amounts to interference at the most extreme level and a direct betrayal of their mandate. It is unacceptable that political appointees in the

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form of the bureau who have created a novel external process have been prejudging the outcome of that process before it concludes.

Statements by a senior US politician reportedly made to Mr. Khan that “this Court is for Africa and thugs like Putin” reflect a deeply entrenched bias that the African Bar Association finds wholly unacceptable. Such remarks strip the institution of moral legitimacy and risk reinforcing perceptions of double standards in international justice. Importantly, Mr. Khan’s leadership — particularly in recent actions — has demonstrated the legitimacy of the Court and the independence of his Office, at a time when that credibility was urgently needed. Attempts to reverse or undermine this progress through backdoor channels, smear campaigns, media pressure, and political threats must be condemned.

The African Bar Association therefore calls for:

1. An Independent and Impartial Review of all actions taken to date against Mr. Khan — including those by ICC staff and officials briefing the press — and of the impact of external political and media interference.
2. The Immediate Removal of ASP Bureau Members who have demonstrated prejudgment, engaged with complainants, or otherwise conducted themselves in a manner incompatible with neutrality. A formal and transparent investigation must be launched into these actions, and its findings made public.
3. Immediate Safeguards to protect ICC judges, prosecutors, and staff from intimidation, threats, and orchestrated disinformation campaigns — from both internal and external actors.
4. A Public Commitment from the ASP and ICC leadership to uphold prosecutorial independence, institutional integrity, and due process for all Court officials, regardless of nationality or the political sensitivity of their work.

The African Bar Association reaffirms its unwavering commitment to the rule of law, the independence of international institutions, and the rights of victims of atrocity crimes everywhere. We stand firmly for justice — but justice must never be compromised by political agendas, backdoor pressure, or media manipulation.

True justice requires fairness and fairness demands courage.

Date at Abuja, Nigeria this 6<sup>th</sup> day of October 2025



**High Chief Ibrahim Eddy Mark**  
**President**