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# BRICS Summit 2023 In August

## Why Putin Won't Go To South Africa For The Summit

### Why In The News?

- South Africa Has Said That President Vladimir Putin Of Russia Will Not Attend A Scheduled Summit Of The **BRICS Grouping In Johannesburg From August 22-24**.
- The Decision Has Been Taken By “**Mutual Agreement**”, South Africa, Which Has The BRICS Presidency, Said.



### The Story Behind

- On March 17, **The International Criminal Court (ICC)** Had Issued “Warrants Of Arrest For Two Individuals In The Context Of The Situation In Ukraine: **Mr Vladimir Putin** And **Ms Maria Alekseyevna Lvova Belova** - Commissioner For Children’s Rights In The Office Of The President Of The Russian Federation.
- The ICC, Which Is Headquartered In **The Hague, Netherlands**, Is An **Independent Judicial Body** That Began Functioning On July 1, 2002, To Prosecute The Most Heinous Offences Where A Country’s Own Legal Machinery Failed To Act - Like In **Rwanda** And Erstwhile **Yugoslavia**.
- Unlike The **International Court Of Justice (ICJ)**, Which Deals With Countries And Inter-state Disputes, The **ICC Prosecutes Individuals** - It “Investigates And, Where Warranted, Tries Individuals Charged With The Gravest Crimes Of

Concern To The International Community: Genocide, War Crimes, Crimes Against Humanity And The Crime Of Aggression”.

- **South Africa Has Said It Is Neutral In The War In Ukraine.** But As A Member Of The ICC, It Is In Theory Obligated To Execute The Warrant For Arrest.



## Does The ICC Have The Authority To Prosecute Putin?

- **Russia Has Repeatedly Said That It Does Not.** The ICC’s Jurisdiction Is Limited To Offences That Occurred After It Came Into Existence On July 1, 2002, And Were Committed Either In A Country That Has Ratified The Agreement, Or By A National Of A Country That Has Ratified The Agreement.
- **Russia Is Not One Of The 123 States Parties To The Rome Statute That Recognise The Authority Of The ICC.** The **United States Isn’t A Signatory Either,** And It Has Over The Years Repeatedly And Aggressively Denounced The ICC. **China And India Too Do Not Recognise The ICC’s Jurisdiction.**
- **Even Ukraine Is Not A State Party To The Rome Statute.** However, In 2014, It Accepted “The Jurisdiction Court Over Alleged Crimes Committed On Its Territory From 21 Nov 2013 To 22 Feb 2014” And Then, In 2015, Accepted The ICC’s Jurisdiction “From 20 Feb 2014 Onwards, With No End Date”.



## Is There A Risk Of Arrest For Putin Outside Russia?

- **Only If He Travels To A State Party To The ICC - Like South Africa - And Only In Theory.**
- **This Is The First Time That The ICC Has Issued An Arrest Warrant Against The Head Of One Of The Five Permanent Members Of The UN Security Council.**

## Any Earlier Such Instances Of Arrest Warrants?

- **Sudan's Former President Omar Al Bashir And Libya's Muammar Gaddafi Are The Only Other Leaders To Have Been Indicted By The ICC While Serving As Head Of State. The Charges Against Gaddafi Were Dropped After He Was Overthrown And Killed In 2011.**
- **Bashir, Who Was Indicted In 2009, Remained President Until 2019 And Travelled To Many ICC Member States During This Period. Out Of Power, He Has Been Tried In Sudan, But He Has Not Been Handed Over To The ICC.**
- **The ICC Charged Kenya's William Ruto And Uhuru Kenyatta Before They Became President Of Their Country, But Subsequently Dropped The Charges.**



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