

Twelve SA leaders charged at ICC, The Hague

Written by Adriana Stuijt

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The International Criminal Court has confirmed receipt of the detailed complaints by a Rustenburg farmer against twelve of South Africa's top politicians - including the country's president Jacob Zuma -- on charges of genocidal hate-speech and human-rights violations.

Among the many charges, there's also a mention of incitement to kill Afrikaner farmers by youth league president Julius Malema because of his publicly chanting "Shoot the Farmer" at many youth league meetings countrywide.

There are twelve co-respondents in the case, said Fanie van der Walt, the farmer's lawyer in a media statement, published by "Radio Sonder Grense" Afrikaans-language radio station, Afrikaans news media, and by the Sowetan newspaper. (Telephone number for Fanie van der Walt: South Africa 27 - 836584249 or 27 145925675)

Background videos:

- Video of Malema chanting an altered version of the "Shoot the Boer": chant which still includes the chant 'Shoot to Kill' - he changed the original chant "Shoot the Boer" to "kiss the Boer" after allegedly being reprimanded by the ANC leadership: http://www.youtube.com/watch?v=OlsO78kkJP0&feature=player_embedded

- The significance -- and the meaning of the songs chanted by the ANC in Xhosa often change -- whenever they sing them in English: http://www.youtube.com/watch?v=YT34ymDKMhQ&feature=player_embedded



In the sworn statements handed in to the ICC in The Hague, the leading South Africans who are

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included in the charges are: President Jacob Zuma, ANC youth league leader Julius Malema, SAPS minister Nathi Mthethwa, SAPS head Bheki Cele, former national police commissioner Jackie Selebi, Minister of agriculture, forestry and fisheries Tina Joemat Peterson, Defence minister Lindiwe Sisulu, Intelligence minister Siyabonga Cwele, ex-Intelligence minister Ronnie Kasrils, African National Congress party's secretary-general Gwede Mantashe, and the ministers for rural development and for land affairs, Gugile Nkwinti and Pali Lehohla. The charges are genocide and crimes against humanity, reports the Afrikaans-language news media: <http://www.nuus24.com/Suid-Afrika/Nuus/Malema-saak-Lys-van-name-bekend-20100609>

□ Sowetan newspaper quotes the Rustenburg farmer's lawyer Fanie van der Walt as saying in a statement: "The office of the prosecutor of the ICC confirmed in writing the receipt of the complaints which will now receive attention." One of the charges against Malema involves one alleging his incitement for genocide in his public singing of the chant "shoot the Boer" - and noting the fact that he had defied two High Court rulings which had placed a ban on the public chanting of the song, which the High Court rulings described as genocidal hate speech.

The unidentified Rustenburg farmer and his family reportedly left South Africa two weeks ago, fearing for their safety after deciding to lay the charge against Malema. They have also asked the international court for a guarantee of protection - and won't return to South Africa unless they can obtain the assurances that they will be safe from retribution.

"The submission of information to the office of the prosecutor did not automatically trigger an investigation", Van der Walt was quoted by Sowetan. "In accordance with the Rome Statute, the office must analyse all information submitted in order to determine whether the rigorous criteria of the statute are satisfied. "Once a decision is reached whether or not a reasonable basis to proceed with an investigation exists, the office of the prosecutor will promptly inform [us] thereof, along with reasons for the decision.

□ We believe however that the ICC will decide to formally investigate the complaints because they comply with the very specific and defined jurisdiction and mandate of the [court] as defined by the Rome Statute. □ <http://www.sowetan.co.za/News/Article.aspx?id=1152504>

The political significance of the Shoot the Boer and Kill the Boer chants:

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