

The Semiotics of Institutional Change in Periods of Instability-- Chief Prosecutor of International Court Is Removed for "Serious Misconduct" After Sexual Misconduct Charge

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Background

In July 2026, member states of the International Criminal Court (ICC), sitting as the Assembly of States Parties (ASP), voted to remove Chief Prosecutor Karim Khan from office following a nearly two-year disciplinary process triggered by allegations of sexual misconduct made by a junior staff member in his office. [1] [2] [3] Reports indicate 82 of the ICC's 125 member states voted in favor of removal. [4] The saga began when Khan first denied allegations raised internally in 2024, took voluntary leave in May 2025 pending a UN Office of Internal Oversight Services (OIOS) investigation, was suspended by the ASP Bureau in June 2026 after it found "serious misconduct" despite a judicial panel's contrary conclusion, and was ultimately voted out at a special session in New York. [5] [6] [7] [8] The process unfolded against the backdrop of Khan's decision to seek arrest warrants for Israeli Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant, as well as Hamas leaders, over the Gaza war, and amid US sanctions on Khan and other ICC officials imposed by the Trump administration. [9] [10]

Arguments Supporting Removal

Proponents of removal emphasize that the disciplinary process, however imperfect, ultimately reached a finding that Khan committed "serious breach of duty and serious misconduct", based on an extensive OIOS investigation and the complainant's account of "months long grooming, psychological coercion, and sexual advances" escalating into non-consensual conduct. [11] [12] The complainant, identified publicly as "Sarah," gave a televised interview standing by her allegations of non-consensual sexual conduct shortly before the vote. [13] A widely circulated legal commentary argues that Khan's fitness for office must be assessed independently of process disputes, contending that the "erosion of confidence" within his own office, the absence of any public assurance to staff who cooperated with investigators that they would face no reprisal, and the practical difficulty of an office functioning under a cloud of leaks and litigation all counsel against his return regardless of how one weighs the underlying facts. [14] [15] That same commentary rejects the argument that procedural irregularities alone should block removal, noting that Article 46(2)(b) of the Rome Statute vests the removal decision in the states parties themselves, not in any advisory panel. [16] [17] A Hague-based diplomat cited by Justice Info captured the institutional argument bluntly: "there was a sense that the office of the prosecutor can no longer function as long as [Khan] is around". [18]

Arguments Opposing Removal

Opponents of removal center their case on due process. Khan's lawyers argued the ASP Bureau's finding "disregards the unanimous conclusion of the independent Judicial Panel appointed by the Bureau itself, which found that the factual findings by OIOS did not establish misconduct or breach of duty," calling the decision "unlawful, procedurally unfair and unsupported by evidence". [19] Khan's legal team also said they were denied accreditation to attend the final ASP session and had "every formal channel" to address the assembly closed to them. [20] Critics point to the Bureau's mid-process decision to collapse a required two-stage vote into one and to lower the removal threshold, changes made without notice to Khan's counsel. [21] More than 160 Palestinian civil society and human rights organizations, while explicitly taking no position on the merits of the allegations, warned that the process "has been reduced to a political referendum following the national interests of individual States Parties" and risks "corroding" the Court's independence. [22] The African Bar Association separately cautioned that a political body departing from "the reasoned conclusions of experienced judges could undermine the institutional credibility of the Court". [23] Former EU foreign policy chief Josep Borrell characterized the vote as "political" and framed it as "part of a larger offensive against the ICC," pointing to US sanctions and threats following the Netanyahu and Gallant arrest warrant applications. [24] This overlaps with the timing argument: US senators and commentators, and Khan's own supporters, have suggested a connection between the sexual misconduct allegations surfacing and Khan's pursuit of warrants against Israeli officials. [25] [26] A former UN oversight chief reportedly went further, describing Khan as the "victim of massive stitch-up". [27] Separately, a legal opinion by a former International Court of Justice judge warned the ICC could face reinstatement orders and up to €1.5 million in compensation liability from the ILO Administrative Tribunal if Khan successfully appeals his removal. [28]

The justsecurity commentary, while ultimately favoring removal, is notable for explicitly rejecting the "state-sponsored fabrication" narrative advanced by some of Khan's supporters as "toxic and inaccurate," noting it has been dismissed by the complainant and reportedly by OIOS itself, and cautioning that conflating genuine US interference with the ICC with the separate misconduct allegations lets "sanctions serve as proof of the fabrication theory, which they are not". [29]

Semiotic Analysis of the Discourse

The discourse surrounding Khan's removal is organized around a small set of competing sign-systems, each mobilized to stabilize a preferred meaning for an underlying set of contested facts.

The floating signifier of "political." Both camps deploy the word "political" as a delegitimizing label pointed at the opposing narrative, which suggests it functions less as a descriptive term than as a rhetorical weapon. Khan's supporters call the ASP process "a political vote" and "political referendum" that overrode the judicial panel's factual findings, while institutional voices frame the misconduct proceeding as a properly adjudicated legal matter that opponents are attempting to recast, illegitimately, as geopolitics. [22] [30] [31] Al Jazeera's own headline, "ICC prosecutor Karim Khan removed over 'political' sex abuse claims," places scare quotes around "political," a

typographic device that signals the outlet is reporting a contested characterization rather than asserting it as fact — itself a semiotic hedge that manages the outlet's epistemic liability.

Binary oppositions and moral coding. The discourse repeatedly organizes itself around paired oppositions that do interpretive work beyond their literal content: "witch hunt"/"stitch-up" versus "accountability"/serious misconduct; "victim" versus "predator"; "due process" versus "political overreach". [32] [33] Each pairing imports a pre-existing cultural script — the #MeToo script of institutional abuse and power imbalance on one side, and the "lawfare against international prosecutors who target powerful states" script on the other — and invites the reader to resolve ambiguous facts by reference to whichever script feels more familiar, rather than by reference to the facts themselves. [34] Notably, the justsecurity piece explicitly names and resists this move, warning that casting the case as "a contest of East versus West, Global North versus Global South, or a referendum on the validity of the Israel arrest warrants" is a framing built atop an unproven fabrication claim, and insists the two registers — misconduct and geopolitics — must remain "analytically distinct". [35] [36] That the commentary must expend effort disentangling them is itself evidence of how strongly the discourse tends to fuse them.

Metaphor as agency-management. Descriptions of the episode lean heavily on metaphors of natural or architectural crisis rather than deliberate human action: Khan "steps aside in the storm", the confluence of pressures amounts to "a total disaster", and Secretary of State Marco Rubio threatens to "dismantle the ICC — brick by brick". [37] [38] [39] Storm and demolition metaphors cast the institution as a passive object buffeted or attacked by external force, which has the semiotic effect of either diffusing agency (the "storm" framing) or concentrating it dramatically onto a single external actor (the "brick by brick" framing) — two very different rhetorical effects produced by structurally similar metaphors of physical destruction.

Naming and anonymization as power signals. The complainant is rendered through shifting descriptors — "a third party," "junior colleague," "member of staff," and eventually the pseudonym "Sarah" once she spoke publicly. [40] [41] Each label encodes a different relation to institutional power and credibility: "junior colleague" foregrounds hierarchy and vulnerability, while the personal name "Sarah" humanizes her account for a media audience in a way official terms do not. Khan, by contrast, is consistently named and titled ("Chief Prosecutor," "Mr. Khan," "the 56-year-old barrister"), preserving his institutional stature in the very syntax used to describe allegations against him — a naming asymmetry that itself signals the unequal starting positions of accuser and accused in this kind of discourse. [42]

Quantification as legitimization. Numbers recur as symbols of democratic and moral weight independent of their content: "82 of 125" states voting for removal, "63 votes" needed for an absolute majority, and "more than 160" or "175" signatory organizations opposing the process. [4] [22] [43] [44] These figures function rhetorically to signal breadth of consensus — legal or civil-society — even though the underlying question (misconduct, or process fairness) is not actually settled by vote counts or petition tallies.

Verb choice as connotative framing. Headlines describing the same event use verbs with markedly different connotations: "votes to dismiss" (neutral/procedural), "ousted" (implies forceful ejection, loss of status), "removed" (bureaucratic-legal), and "fired" (informal,

employment-framed, used by an outlet emphasizing the domestic political angle of the Netanyahu warrant). [\[45\]](#) [\[46\]](#) This variance shows how the choice of a single verb, seemingly a neutral reporting decision, encodes an implicit editorial stance toward the legitimacy and gravity of the outcome.

Taken together, the discourse around Khan's removal illustrates how a legally technical dispute — governed by terms like "beyond reasonable doubt," "serious misconduct," and "due process" that both sides invoke as authoritative — becomes a site where competing narrative frames (feminist/institutional-accountability versus anti-imperialist/lawfare) compete to fix its meaning, with each side's vocabulary choices, metaphors, and naming conventions functioning as much to secure interpretive terrain as to describe events. [\[47\]](#)

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