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## Admin Reportedly Pushing ICC to Exempt Trump From War Crimes Prosecution

“This is rogue state behavior,” one expert said.

By Sharon Zhang, TRUTHOUT  
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International Criminal Court (ICC) President and Judge Tomoko Akane arrives prior to the announcement of the ICC verdict on November 20, 2024 at the ICC court in The Hague.

EVA PLEVIER / ANP / POOL / AFP VIA GETTY IMAGES

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**T**he Trump administration is reportedly trying to strongarm the International Criminal Court (ICC) into changing its founding document to carve out an exception for President Donald Trump and his top officials ensuring that they are never prosecuted by the court for potential war crimes.

The administration is threatening the ICC with yet more sanctions if they do not amend the Rome Statute, which established the court in 2002, to ensure Trump and his administration's top officials are never prosecuted, *Reuters reports* (<https://www.reuters.com/world/us/us-threatens-new-icc-sanctions-unless-court-pledges-not-prosecute-trump-2025-12-10/>), citing a Trump administration official.

U.S. officials are also demanding that the ICC drop its investigations into Israeli Prime Minister Benjamin Netanyahu and former Israeli Defense Minister Yoav Gallant over charges related to Gaza (<https://truthout.org/articles/icc-issues-arrest-warrants-for-netanyahu-gallant-for-crimes-against-humanity/>), as well as a probe into potential war crimes committed by U.S. troops in Afghanistan.

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These demands have been made known to the court by the U.S. government, *Reuters reports*.

“There is growing concern ... that in 2029 the ICC will turn its attention to the president, to the vice president, to the secretary of war and others, and pursue prosecutions against them,” the Trump administration official told *Reuters*. “That is unacceptable, and we will not allow it to happen.”

The official said there is “open chatter” within the international legal community about the possibility of prosecuting Trump and other top officials in relation to international human rights violations.

The official did not specify why the administration would be afraid of such charges being issued.

Experts say that the Trump administration is committing war crimes and crimes against humanity in its boat strike (<https://truthout.org/articles/un-expert-says-us-boat-strikes-are-crime-against-humanity-with-61-killed/>), campaign and its military support (<https://truthout.org/articles/report-us-spent-over-30b-backing-israel-regional-wars-in-2-years-of-genocide/>), of Israel as it commits genocide in Gaza. Immunity could also effectively grant top Trump officials a blank check to violate international law without fear of being prosecuted as individuals. The ICC says it has not received requests to investigate the U.S. in relation to its boat strike campaign.

“This is rogue state behavior,” said (<https://x.com/dylanotes/status/1998763376613437708>) Dylan Williams, the Center for International Policy's vice president for government affairs, of the demands on social media. “Trump's current sanctions on the ICC are already hurting the rule of law and human security.”

“Lawmakers should undo them legislatively and repeal the ‘Hague Invasion Act’ — or at least amend it to no longer shield the President and Defense Secretary,” Williams went on, referring to a [2003 law](https://truthout.org/articles/us-response-to-icc-netanyahu-warrant-could-deal-death-blow-to-international-law/) [\(https://truthout.org/articles/us-response-to-icc-netanyahu-warrant-could-deal-death-blow-to-international-law/\)](https://truthout.org/articles/us-response-to-icc-netanyahu-warrant-could-deal-death-blow-to-international-law/), permitting the U.S. to use military force to extract any official from the U.S. or an allied country who is detained by the ICC in the Hague.

Rep. Sean Casten (D-Illinois) [said](https://x.com/SeanCasten/status/1998795221640032345) [\(https://x.com/SeanCasten/status/1998795221640032345\)](https://x.com/SeanCasten/status/1998795221640032345) the demands are evidence that the Trump admin sees the writing on the wall with regards to his actions.

“This is the behavior of a man who can hear the footsteps of the defense catching up to him. He’s panicking,” said Casten.

The Trump administration already [sanctioned eight ICC judges](https://www.politico.com/news/2025/06/05/us-sanctions-international-judges-israel-afghanistan-probes-00390891) [\(https://www.politico.com/news/2025/06/05/us-sanctions-international-judges-israel-afghanistan-probes-00390891\)](https://www.politico.com/news/2025/06/05/us-sanctions-international-judges-israel-afghanistan-probes-00390891) [and prosecutors](https://www.state.gov/imposing-sanctions-in-response-to-the-iccs-illegitimate-actions-targeting-the-united-states-and-israel/) [\(https://www.state.gov/imposing-sanctions-in-response-to-the-iccs-illegitimate-actions-targeting-the-united-states-and-israel/\)](https://www.state.gov/imposing-sanctions-in-response-to-the-iccs-illegitimate-actions-targeting-the-united-states-and-israel/) over its probes into Israeli officials and U.S. troops earlier this year. Further sanctions would be a drastic escalation of the Trump administration’s attacks on the ICC.

An amendment to the Rome Statute would be subject to the 125 states that are party to the statute, requiring a significant majority to pass. The U.S. is not a member, but many of its top allies, including the EU, have signed onto the treaty.

The U.S.’s existing sanctions have already taken a massive toll on the targeted judges, who say their personal lives have been effectively upturned by the sanctions, while human rights workers [have been completely obstructed](https://www.pbs.org/newshour/show/how-sanctions-imposed-by-trump-are-taking-a-toll-on-the-international-criminal-court) [\(https://www.pbs.org/newshour/show/how-sanctions-imposed-by-trump-are-taking-a-toll-on-the-international-criminal-court\)](https://www.pbs.org/newshour/show/how-sanctions-imposed-by-trump-are-taking-a-toll-on-the-international-criminal-court) in their work to help prosecute people accused of some of the worst human rights violations across the world.

Canadian [ICC judge Kimberly Prost](https://www.youtube.com/watch?v=mR2jqhaIB88) [\(https://www.youtube.com/watch?v=mR2jqhaIB88\)](https://www.youtube.com/watch?v=mR2jqhaIB88), one of the four people sanctioned by the Trump administration in August, told *Al Jazeera* that she has lost access to all credit cards and bank accounts because of the administration’s financial restrictions. Though banks outside of the U.S. aren’t compelled to comply with the restrictions, Prost pointed out that international banks make business decisions based off of the sanctions, and “don’t want to be involved.”

“How do you order an Uber? How do you get a hotel? How do you do basic transactions?” Prost said. What the sanctioned individuals are “most shocked about is all the companies and services you depend on you don’t think about,” which has made life “very difficult.”

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