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US: Trump Authorizes International Criminal Court Sanctions

ICC Member Countries Should Support Court, Defend Justice



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February 6, 2025, that authorizes asset freezes and entry bans on ICC officials and others supporting the court's work.

“Trump’s executive order on the International Criminal Court effectively puts the United States on the side of war criminals at the expense of victims of grave crimes seeking justice,” said [Liz Evenson](#), international justice director at Human Rights Watch. “ICC member countries should publicly and forcefully support the court for doing the job it was set up to do: ensuring no one is above the law.”

Trump’s order, issued during the week Israeli Prime Minister Benjamin Netanyahu was in Washington, DC, makes clear that his administration seeks to shield US and Israeli officials from facing [war crimes](#) and [crimes against humanity](#) charges before the ICC. ICC judges issued [warrants of arrest](#) for Netanyahu and former Israeli Defense Minister Yoav Gallant in November 2024.

The ICC judges found reasonable grounds to believe that Netanyahu and Gallant are responsible for [war crimes](#) and [crimes against humanity](#) in the Gaza Strip beginning, at least, on October 8, 2023, including the starvation of civilians, intentionally directing attacks against a civilian population, murder, and persecution.

The judges also issued an [arrest warrant](#) for Mohammed Diab Ibrahim al-Masri (known as Mohammed Deif), commander-in-chief of the Qassam Brigades, Hamas’ military wing. The Qassam Brigades [announced](#) on January 30 that Deif had been killed during the hostilities.

The ICC is the [permanent international court](#) created to try people, including senior officials, accused of [war crimes](#), [crimes against humanity](#), genocide, and the crime of aggression. Currently, [125 countries](#), nearly two-thirds of United Nations members, have joined the court.

The ICC is a court of last resort, stepping in when national authorities are unable or unwilling to conduct genuine proceedings. In addition to its Palestine investigation, the court has opened

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Sanctions can also be applied to others supporting the ICC's investigations, while entry bans can be applied to family members of those sanctioned and to other ICC staff. The executive order requires the US treasury secretary, after consultation with the secretary of state, to submit to the president a report on additional persons to be sanctioned within 60 days.

The US House of Representatives [passed legislation](#) on January 9, 2025, to allow sanctions targeting the ICC, but on January 28, 2025 the Senate, voted [against](#) moving the bill forward.

In 2020, during his first term President Trump [imposed sanctions](#) on then-ICC Prosecutor Fatou Bensouda and another senior court official following Bensouda's [decision](#) to request authorization to open an investigation into the situation in Afghanistan, which included potential cases against US nationals. Many governments [criticized](#) the sanctions, which were challenged in [two lawsuits](#) in US federal court. The Biden administration [rescinded](#) the sanctions. There are no pending ICC cases against US nationals.

US sanctions have [serious effects](#) on those targeted, who lose access to their assets in the United States and are denied commercial and financial dealings with "US persons," including banks and other companies. US sanctions also have a chilling effect on non-US banks and other companies outside of US jurisdiction that could themselves lose access to the US banking system if they do not support the sanctions. US persons face penalties, including fines and imprisonment, for violating sanctions.

The order appears designed not only to intimidate court officials and staff involved in the court's critical investigations, but also to chill broader cooperation with the ICC, affecting the rights of victims globally, Human Rights Watch said.

US sanctions are adding to other efforts to undermine international justice, Human Rights Watch said. On May 1, 2024, Netanyahu [called](#) on governments to prevent the court from issuing warrants. The Israeli parliament is currently [considering](#) a bill aimed at shielding Israeli officials from the ICC

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Russian forces, and the US Congress [acted](#) to authorize [US cooperation with the court's Ukraine investigation](#).

As the threat of US sanctions loomed, [ICC member countries](#), the [leadership body of the court's Assembly of States Parties](#), the [European Union](#), [UN experts](#), and [civil society organizations](#) have [spoken out](#) against efforts to obstruct the court's work.

ICC member countries should reaffirm their [commitment](#) to defend the court, its officials, and those cooperating with it from any political interference and pressure, Human Rights Watch said. They should also put in place measures to protect the court's essential work from sanctions, including by enacting blocking statutes and other similar measures. The European Union should promptly impose its [blocking statute](#) to mitigate the effects of US sanctions.

"US sanctions could have a wide-ranging impact on the ICC's work, undermining every situation on its docket," Evenson said. "ICC member countries should demonstrate that they will ensure that the ICC continues to deliver justice for the worst crimes, whoever is responsible."

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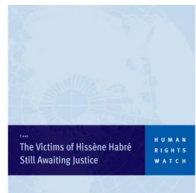
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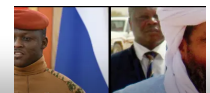
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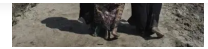
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