Joint statement: Urgent Call for Action: States Must Act Now to Protect the International Criminal Court from Unlawful US Attacks

The Coalition for the International Criminal Court (CICC), the more than 120 undersigned organisations from over 60 countries representing all regions, and dozens of legal experts, human rights defenders and members of the European Parliament, condemn unequivocally and in the strongest terms the decision byco the United States (US) to impose unlawful sanctions on the International Criminal Court (ICC). This unprecedented measure represents a direct attack against the rule of law, the independence of the Court and international justice, ultimately undermining the rights of millions of victims and survivors of mass atrocities worldwide.

The ICC has shown remarkable resilience in steadfastly discharging its mandate in the face of escalating attacks. Now, States Parties must match this commitment by defending the Court they themselves established and protecting those who cooperate with it. Condemnations alone are not enough; coordinated action is urgently needed to protect the Court's ability to function.

On 9 October 2026, the US announced the imposition of sanctions against the ICC as an institution under Executive Order 14203. These sanctions mark the gravest escalation in the sustained campaign carried out by the US with the declared aim of dismantling the ICC "brick by brick" for having investigated crimes allegedly committed on the territory of a State Party by US nationals or their allies, in particular Israeli nationals. Under the Rome Statute, the Court may exercise jurisdiction over crimes committed on the territory of a State Party, irrespective of the nationality of the alleged perpetrator.

Since February 2025, the Trump administration has imposed sanctions on the former ICC Prosecutor, Karim Khan; both Deputy Prosecutors; the ICC President and eight other judges; a staff member and judicial candidate; a UN Special Rapporteur; and three Palestinian human rights organisations.

These measures aim to undermine the Rome Statute system as a whole and to prevent the investigation and prosecution of international crimes.

Executive Order 14203 prohibits US persons from providing material support or services to designated persons and entities, including financial services, and exposes non-US persons to the risk of secondary sanctions for engaging in conduct prohibited under the Executive Order. US persons who violate it may face criminal penalties of up to 20 years' imprisonment and fines of up to 1 million USD, as well as civil penalties.

Although the Executive Order contains a six month wind-down period and exemptions for certain services, significant risks remain. Given the global reliance on the US financial and IT systems, even non-US service providers, including banks, may stop rendering their services to the ICC out of fear of penalties or reprisals from the US Treasury. This could impact the

Court's ability to maintain a bank account, receive financial contributions from States Parties, make payments, pay staff and maintain essential operations.

The Netherlands, as the host country, and all States Parties are responsible for ensuring the ICC can maintain access to services critical to its operations. The Court must be able to continue to carry out its core functions, including investigating alleged crimes; holding hearings; protecting victims and witnesses; and providing legal aid services.

For victims, survivors and witnesses in more than a dozen situation countries under investigation by the Court across the globe, the consequences could be profound. Many have waited years for justice, recounted traumatic experiences and placed their trust in the ICC as a last resort for justice. Any disruption to the ICC's mandate and operations risks impeding their right to justice. It threatens decades of advances in accountability and justice efforts, leaving victims of war crimes, crimes against humanity and genocide without a meaningful prospect for accountability, truth and reparations.

The sanctions are already undermining justice efforts. The three Palestinian NGOs designated for cooperating with the Court immediately lost access to their bank accounts, funds, IT services and partners, impeding their work. The damage does not end with those targeted; the sanctions have created a chilling effect and impacted freedom of expression and association worldwide. Sanctions on the Court as an institution risk deepening that effect. Ultimately, victims, families of victims and survivors will pay the biggest price.

The US, which is not a State Party, is blatantly attacking the world's only permanent international criminal court through measures that leverage its position within the global financial system. If the 125 States Parties to the Rome Statute allow these attacks to undermine the Court's ability to function, the consequences would extend far beyond the ICC, threatening the broader rule of law, states' sovereignty and systems of justice at the national, regional and international levels.

Statements of concern and condemnations are no longer a sufficient response to this attack. A coordinated response can no longer be delayed. Three decades ago, States made a promise that no one, no matter how powerful, will be shielded from accountability for international crimes. Victims and survivors have waited decades for a Court capable of delivering justice regardless of power or nationality, and today, the ICC is facing unprecedented pressure precisely because it seeks to apply the law equally. States Parties established the Court and are uniquely placed to safeguard its independence and effectiveness. Failure to respond decisively risks weakening the international justice system they pledged to uphold.

The CICC calls on all States Parties, individually and collectively, to:

- **Denounce publicly, unequivocally, in the strongest terms possible and at the highest political level** the institutional sanctions against the ICC and those cooperating with it as an unlawful attack on judicial independence, the rule of law and victims.
- **Immediately adopt or activate blocking measures** at the national and regional level - including the immediate adoption of the EU Blocking Statute (Council Regulation (EC) No 2271/96) and equivalent domestic legislation elsewhere - to shield those designated, including the Court and its officials, the

UN Special Rapporteur and civil society organisations, from the extraterritorial reach of these sanctions.

- **Guarantee that the Court and those cooperating with it can have access to banking and other essential services,** including by:
    - Providing **legal certainty to service providers** by taking a clear legal position on the non-extraterritorial application of sanctions and making this legal position publicly available through letters or written statements.
    - Engaging proactively and regularly with banks, financial institutions, IT companies and others to **reaffirm the unlawfulness of the sanctions**, clarify that they **should not be enforced extra-territorially,** reject over-compliance or de-risking strategies and **stop automatic or externalised compliance**.
- Ensure that **all relevant ministries**, including foreign affairs, justice, finance, treasury and digital affairs, **coordinate**, including at the regional level, to **develop whole-of-government solutions**.
- **Apply protection and solutions equally to civil society, human rights defenders and survivors targeted with sanctions or at risk due to their cooperation with the Court, extending every statement, solution, démarche and funding measure to include civil society organisations** designated and those at risk, without distinction.
- Find concrete **measures to mitigate the impact of sanctions on civic space, freedom of speech and freedom of association.**
- **Build and invest in economic, financial and tech sovereignty and resilience** to reduce structural dependency on US service providers.
- Explore all possible **diplomatic and legal avenues to challenge the sanctions and their legality under international law**, including by supporting any legal challenge raised by designated persons in the US and through a referral to the International Court of Justice.
- **Publicly and strongly reaffirm their commitment to the Rome Statute** and **continue to comply fully with their obligations under the Rome Statute**, including funding, cooperation and the arrest and surrender of all persons subject to ICC warrants, without exception, delay, or selectivity.
- **Publicly and clearly oppose any initiatives aimed at weakening the Court**, including attempts to amend the Rome Statute to limit its jurisdiction or independence and attempts to influence prosecutorial priorities, including efforts to sideline specific situations, such as Afghanistan or Palestine.
- **Refuse, without exception, coercion by a non-State Party to influence votes, positions, or conduct within the ASP** or any other body of the Rome Statute system.
- Ensure **any ICC-related meeting is held in a country that ICC officials and staff and civil society organisations**, including those designated, **can access safely** and without threats.