



**Statement of ASIL President Oona A. Hathaway
Regarding the United States Sanctions on the International Criminal Court**

October 13, 2026

The United States has imposed sweeping new sanctions on the International Criminal Court. States established that Court in 2002 to provide accountability for the most egregious crimes—genocide, war crimes, crimes against humanity, and the crime of aggression—when domestic accountability failed. Since then, often with the support and assistance of the United States, the Court has provided a path to justice for victims and survivors of atrocities who would otherwise have had none.

The United States has previously penalized judges and other officials at the Court. But on October 9, in a dramatic escalation, it placed the entire Court on the Treasury Department’s Specially Designated Nationals and Blocked Persons list. In doing so, it promised that “the United States will continue its campaign to dismantle the ICC, brick by brick, until Americans are threatened no longer.”

This is a deeply concerning development. These sanctions directly affect members of our Society who are working to sustain the international rule of law. The United States is entirely within its rights not to become a party to the Rome Statute that created the Court. But it should not actively seek to destroy an institution that is supported by 125 other states. In announcing the sanctions, the Administration expressed concern that the Court will prosecute Americans. Yet, because the United States is not a party, the Court only has jurisdiction over U.S. persons for serious international crimes committed in the territory of states that are parties—and then only if the United States fails to address the matter itself. It is uncontested that those states would be within their rights to prosecute U.S. persons for those same crimes in their own courts.

These new sanctions arrived on the same day as the welcome announcement that Navi Pillay, a former judge at the International Criminal Court and honorary member of the Society, was awarded the Nobel Peace Prize. The prize committee celebrated her efforts to “promote peace and international law,” reminding us that “[i]n historic international court cases, she has shown that legal measures can help prevent acts of war and violence.” The committee recognized a fundamental truth that those who have sanctioned the Court ignore: “Leaders and populations alike have come to the same conclusion: international law is a foundation for a more peaceful world.”

At this challenging moment, the American Society of International Law reiterates its commitment to establishing and maintaining international relations on the basis of law and justice, and it calls on all states to work together toward that end.

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The American Society of International Law is a nonprofit, nonpartisan, membership organization. Its mission is to foster the study of international law and to promote the establishment and maintenance of international relations on the basis of law and justice.