ACA EUROPE

IAJ International Association of Judges

NETWORK OF THE PRESIDENTS OF THE SUPREME JUDICIAL COURTS OF THE EUROPEAN UNION

RÉSEAU DES PRÉSIDENTS DES COURS SUPRÊMES JUDICIAIRES DE L'UNION EUROPÉENNE

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Brussels

On measures affecting the independence of the ICC

The work of the International Criminal Court is of critical importance. It involves the investigation and, where appropriate, the bringing to justice of persons suspected of genocide, war crimes, crimes against humanity and the crime of aggression.

For the rule of law to exist, it is crucial that there is respect for both national and international legal orders and the judicial institutions established to uphold them. States should respect the independence of courts established under international treaties. The independence of the judiciary is not a privilege granted to judges, but a fundamental guarantee of the rule of law and the protection of human rights. Judges must be able to perform their functions free from external influence. In particular, measures designed to prevent the ability of a court to operate are incompatible with the principles of the rule of law and judicial independence.

On 13 July 2026, the US Secretary of State announced a campaign against the ICC, which included threats of additional sanctions. The actions stated to be under consideration included visa revocations and travel bans for ICC personnel, increased sanctions against the ICC and affiliated organisations, and diplomatic efforts to urge other Member States to withdraw from the ICC.

This development follows sanctions on individual judges, prosecutors and deputy prosecutors of the ICC by the Government of the USA in 2025. The sanctions have been condemned by the judicial community, not least by a joint statement of the ENCJ, the European Association of Judges and ACA-Europe in January 2026. Both measures undermine the operation of the International Criminal Court.

The European Network of Councils for the Judiciary, ACA-Europe, the International Association of Judges and the Network of Presidents of the Supreme Judicial Courts of the European Union reaffirm our support for the independence of the International Criminal Court, including its judges, prosecutors and staff.

We are united in our condemnation of this most recent initiative by the US Government against the International Criminal Court.

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