

To: Ms Ursula von der Leyen, President of the European Commission,
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Monday, 31st August 2026

Dear President von der Leyen,

Subject: The EU must step up its efforts to defend the International Criminal Court and all those that support its work

We are writing to you on behalf of 11 members¹ of the International Network of Civil Liberties Organizations (INCLO), a global network of major national civil liberties organizations that come together to strengthen the international human rights movement.

We are alarmed by the recent announcement² that the United States Department of State will escalate its legal and political campaign against the International Criminal Court (ICC), with the stated aim of ‘dismantling’ the institution ‘brick by brick’. This campaign poses a new level of credible threat to the ICC, and erodes the foundations of the multilateral system and of institutions that adjudicate international law.

As national human rights organizations working across every region of the world, we regard the ICC as a cornerstone of the international rule of law, accountability, and respect for human rights³. For many survivors of the gravest human rights violations, the Court has offered the only avenue to justice and remedy, and its continued existence and effectiveness stand as a deterrent against further atrocities.

¹ The American Civil Liberties Union (United States of America), the Canadian Civil Liberties Association (Canada), Centro de Estudios Legales y Sociales (Argentina), Conectas Direitos Humanos (Brazil), Dejusticia (Colombia), the Irish Council on Civil Liberties (Ireland), the Human Rights Law Centre (Australia), the Human Rights Legal Network (India), the Hungarian Civil Liberties Union (HCLU), the Kenya Human Rights Commission (Kenya), and the Legal Resources Centre (South Africa).

² Press release available at:

<https://www.state.gov/releases/office-of-the-spokesperson/2026/07/state-department-launches-campaign-to-dismantle-international-criminal-courts-threat-to-american-sovereignty>

³ See statement by 10 INCLO members: <https://inclo.net/latest/defend-the-icc/>

This month, the U.S. sanctioned the ICC's President, Tomoko Akane, and Senior Trial Lawyer Abdoulaye Seye.⁴ This adds to a growing list of individuals and organizations targeted by the United States for their work with the Court, including ICC judges, prosecutors, a UN independent expert and three Palestinian human rights organisations. It is a direct attack on the independence of international institutions and international rule of law⁵. The sanctions violate the fundamental rights of judges, staff, and human rights practitioners, and threaten the continued operation of civil society organizations that support the Court's work.

We have seen first-hand the chilling effect of these sanctions on organizations engaged in the pursuit of international justice for the most serious crimes, and on those who seek to support or cooperate with them. The sanctions impact freedom of expression and association across the human rights sector.

Because many essential financial, payment, and digital services are provided by US companies with global reach, a US listing can cut a person off from ordinary life almost anywhere, including in the EU.

We welcome the EU's continued financial and political support for the Court, and the public reaction by several EU spokespersons against past and announced sanctions by the United States. The EU has a major role to play in defending the ICC, given that it hosts the Court and has long positioned itself as a champion of international law and human rights on the world stage. The Union itself was established to ensure the worst atrocities in modern history are not repeated. The EU's commitment to defending a robust civic space and to protect freedom of expression and association are also at play.

The actions taken so far, however, **have not matched the scale of the sanctions**, leaving individuals and organizations within EU jurisdiction without adequate protection.

At stake is not only the ICC's independence and the ability of CSOs to safely engage with the Court, but also fundamental questions of sovereignty, including the ability of states to support and engage with the international legal system, and to decide who can access essential financial and digital services within their own jurisdiction, free from a third country's extraterritorial reach.

Given the recent announcement that this campaign against the ICC will now escalate to a new and more severe level, we call on the EU to urgently **step up its efforts to defend the ICC against these attacks**, and to protect the ICC's judges, staff, and the individuals and organizations that cooperate with it. In particular, we respectfully urge you to direct the European Commission to:

- Protect individuals and organizations targeted by US sanctions from their extra-territorial reach by immediately activating the Council Regulation (EC) No 2271/96 ('the Blocking Statute'), including by adopting a delegated act to incorporate such sanctions within the regulation.

⁴ Press release available at:

<https://www.state.gov/releases/office-of-the-spokesperson/2026/08/advancing-the-united-states-campaign-to-address-the-threat-posed-by-the-international-criminal-court>

⁵ For an overview of impacts, see:

<https://coalitionfortheicc.org/news/cicc-launches-criminalising-accountability-report>

- Issue interpretive guidance⁶ to clarify that EU banks, payment processors, and other operators may not pre-emptively de-risk against ICC staff, judges, or cooperating NGOs, and facilitate concrete banking alternatives for designated individuals and institutions.
- Propose the adoption of Council Conclusions to ensure that EU institutions and Member States have a clear, unified position in defence of the ICC.
- Systematically denounce sanctions against civil society organizations that engage with the ICC, on top of those against ICC judges and staff. This would include ensuring that civil society organizations and individual experts, not only the Court and its officials, are included in any coordinated response to the sanctions, and that they are extended emergency support, including banking solutions and funding, given the financial impact of sanctions.
- Ensure that the EU plays a leading role in a coordinated diplomatic offensive in bilateral, regional, and multilateral settings, to protect the ICC and civil society organisations supporting its work. This could include actions such as: outreach to Member States to prevent further withdrawals from the Rome Statute in the context of the US campaign, and to encourage ratification; ensure strategic, long-term coordination with initiatives such as the Hague Group; and seeking further engagement on this issue by multilateral bodies such as the UN General Assembly, the Human Rights Council, the UN human rights system, and international courts, to ensure that the multilateral system is clearly positioned against tin support of the ICC.
- Sustain diplomatic engagement with the United States through public and private channels in order to secure the withdrawal of the sanctions and an end to the campaign against the ICC.
- Ensure that EU Member States maintain full operational cooperation with the ICC under the Rome Statute, including the prompt arrest and surrender of individuals subject to ICC warrants regardless of office, nationality, or political sensitivity.

We would appreciate the opportunity to meet your team virtually at your earliest convenience in order to discuss these recommendations in further detail.

Sincerely Yours,



Diana Esther Guzman

Co-Chair, International Network of Civil Liberties Organizations

⁶ The 2018 guidance on the Blocking Statute could serve as precedent:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.CI.2018.277.01.0004.01.ENG>