



Attempts to Intimidate Judges of the International Criminal Court Violate the Rule of Law

August 24, 2026-An independent judiciary is fundamental to the Rule of Law, as is the impartial administration of justice. As advocates for the Rule of Law around the world, the [International Academy of Trial Lawyers](#) must and will condemn any attempt to intimidate judges.

Recent actions by the United States government to impose sanctions on the President of the International Criminal Court, its presiding judge the Honorable Tomoko Akane of Japan, compel the Academy to say again, [what we have said before](#)¹: Attacks on judges are wrong. We join the International Criminal Court in condemning these attacks on Judge Akane. With them, we say:

These sanctions are a flagrant attack against the independence of an impartial judicial institution which operates pursuant to the mandate conferred by its States Parties from across regions....

Such measures targeting judges, prosecutors and staff who work towards the fulfilment of the mandate that was conferred to the ICC by States undermine the Rule of Law. When judicial actors are threatened for applying the law, it is the international legal order itself that is placed at risk. Threats and coercive measures also impact the ability of victims to seek justice, as they turn to the Court when all other avenues have been exhausted.²

The United States actions against Judge Akane continue a regrettable pattern of U.S. attacks on the International Criminal Court.

The International Criminal Court was created in 2002 pursuant to the Rome Statute³. It provides an effective, international forum to hold accountable those who commit transnational crimes including genocide, crimes against humanity, war crimes, and wars of aggression. Though ratified by 125 nations, neither the United States, nor Israel (on whose behalf the United States has taken these actions)⁴ is a party to the Rome Statute that created the International Criminal Court.

¹ See April 1, 2025. [Joint](#) Statement Defending the Rule of Law Amid Rising Attacks on Judges and the Legal Profession; July 27, 2026. Academy [Condemns](#) Statements by Department of Homeland Security General Counsel.

² See International Criminal Court statement, *"The ICC strongly rejects new US Sanctions designations"* issued on August 19, 2026. Available at: <https://www.icc-cpi.int/news/icc-strongly-rejects-new-us-sanctions-designations>

³ See International Criminal Court core legal texts, Roman Statute of the International Criminal Court. Available at: <https://www.icc-cpi.int/publications/core-legal-texts/rome-statute-international-criminal-court>

⁴ See Executive Order 14203, issued February 6, 2025. Available at: <https://www.whitehouse.gov/presidential-actions/2025/02/imposing-sanctions-on-the-international-criminal-court/>



The United States government had the right to decline to join the International Criminal Court and to criticize its decisions. But it is both fundamentally wrong and contrary to the Rule of Law for the United States government to impose sanctions on the Court's judges.

The U.S. attacks on the International Criminal Court began in February 2025 with Executive Order 14203. In that Order, the President imposed sanctions on the International Criminal Court based on his own "finding" that "the International Criminal Court, as established by the Rome Statute has engaged in illegitimate and baseless actions targeting America and our close ally Israel."⁵

In later actions against ICC presiding Judge Akane, the U.S. Secretary of State, Marco Rubio, invoked Executive Order 14203 again, but went further, admitting that the U.S. attacks on the Court and its presiding judge are intended to *interfere* with and *dismantle* ICC judicial processes.⁶

These actions are wrong.

Targeting Judge Akane with personal sanctions, because he is a judge of the International Criminal Court, is a direct threat to that court's judicial independence. In seeking to coerce a judge, to compel him to do what it wants, the United States has attacked a fundamental principle vital to the Rule of Law: the impartial, independent, and unbiased administration of justice. It is profoundly regrettable that the United States – unquestionably a champion of that principle – has seen fit to engage in these attacks.

The Academy urges the United States to immediately rescind the sanctions on Judge Akane, on the International Criminal Court, and its officers.

About the Academy

The International Academy of Trial Lawyers (the Academy) is a fellowship of lawyers with a singular mission: to protect and promote the Rule of Law. Founded in 1954, the Academy is composed of distinguished trial lawyers recognized for skill, experience, ethics, and civility. It includes both plaintiff and defense counsel in civil litigation, as well as prosecutors and defense

⁵ See Executive Order 14203 at 1. In issuing this Order, the President relied on the International Emergency Economic Powers Act, 50 U.S.C. §1701, the same statute he invoked earlier to impose "emergency" tariffs on Canada, Mexico, and China. Those tariffs were struck down by the U.S. Supreme Court in *Learning Resources, Inc. v. Trump*, 607 U.S. ____ (2026), which ruled that the statute did not (as the President had claimed) grant him "the independent power to impose tariffs on imports from any country, of any product, at any rate, for any amount of time."

⁶ See "Advancing the United States' Campaign to Address the Threat Posed by the International Criminal Court." Press Statement by Marco Rubio, Secretary of State. August 18, 2026. 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>



lawyers in criminal cases. The Academy includes trial lawyers from the United States, Canada, and more than 30 other countries. Fellowship is by invitation only. Nominees must have distinguished themselves through careers defined by exceptional trial skills, professionalism, and integrity. They become Fellows only after a rigorous vetting process that includes both peer and judicial review.

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