



[ICC President Criticizes the Undermining of Its Investigations](#)

This Monday, International Criminal Court (ICC) President Tomoko Akane opened the ICC's annual meeting by [denouncing](#) efforts to punish the tribunal's members, saying that the court has faced "coercive measures, threats, pressure, and acts of sabotage." While not directly naming either, Akane's comments were deemed as critical of various U.S. and Russian political figures in particular who have expressed opposition to the ICC's decision to issue arrest warrants against Israeli and Russian officials for their war crimes and human rights abuses in Gaza and Ukraine, respectively. Formally issued just over two weeks ago, the ICC's most recent warrants call for the arrests of Israeli Prime Minister Benjamin Netanyahu, Former Israeli Defense Minister Yoav Gallant, and Hamas Military Chief Mohammed Deif.

ICC President Akane's remarks were partly in reference to [recent statements](#) from U.S. Senator Lindsey Graham who expressed that "If you are going to help the ICC as a nation and enforce the arrest warrants against Bibi (Netanyahu) and Gallant...I will put sanctions on you as a nation." Graham's response to the ICC arrest warrants is not without precedent, as back in 2020, then-President Trump imposed sanctions on the ICC's top prosecutor Fatou Bensouda after she launched investigations into alleged war crimes committed by the United States in Afghanistan. Akane appeared to clearly allude to Graham's comments in her opening statements, saying "The court is being threatened with draconian economic sanctions by another permanent member of the Security Council as if it was a terrorist organization." These troubling reactions to the serious investigations of an independent and impartial global-level tribunal are not exclusive to Graham, as evidenced by the Biden administration and the incumbent president's own negative response to the warrant. Throughout the course of the Gaza War, the Biden administration has been legitimately criticized for its mishandling of the conflict, which has included vetoing ceasefire proposals at the United Nations and failing to enact policy changes which hold Israel accountable for its human rights abuses. The Biden administration's steadfast diplomatic defense of Israel, even in light of overwhelming evidence of war crimes and human rights violations, has been without parallel compared to other governments that have scaled back their military aid and voiced support for the credibility of the ICC's arrest warrants.

Although many countries have voiced acceptance of the ICC's decision, certain political entities have expressed skepticism or condemnation of the tribunal. The United Kingdom's Shadow Foreign Secretary Priti Patel called the ICC warrants "concerning and provocative." France, who had recently reiterated its "longstanding commitment to supporting international justice," issued statements implying that it would be unlikely to execute the arrest warrant. The French foreign ministry declared that because Israel is "not a party to the ICC" that "such immunities apply to Prime Minister Netanyahu and other ministers in question and must be taken into consideration should the ICC ask us to arrest them and hand them over."

Statements like these draw concern regarding the current state of respect and adherence for international law and justice mechanisms. This has been evidenced in recent years, as seen by a lack of compliance to ICC decisions. For instance, back in September, Russian President Vladimir Putin traveled to Mongolia – an ICC member state – and was met with no threat of arrest despite an outstanding warrant against him for war crimes. Organizations like Human Rights Watch (HRW) labeled Mongolia's lavish red-carpet welcome for Putin as a "betrayal of justice," and

lamented the failure to abide by an international arrest warrant. Although Mongolia is a signatory of the Rome Statute which established the ICC, there was no effort to detain the Russian president. Mongolia, like many other countries, often faces pressures that prevent it from complying with ICC decisions, as the country rests between Russia and Russia-ally China. As such, ICC President Akane hinted at the damaging effect of Russian threats against the institution, like that of the Deputy Chairman of the Security Council of Russia, Dmitry Medvedev, who [stated](#) that “It is quite possible to imagine the targeted use of a hypersonic Onyx missile by a Russian ship in the North Sea at the Hague court building.”

ICC President Akane has a valid point in criticizing the blatant efforts of various entities to try to undermine the tribunal’s legitimacy and effectiveness. After all, institutions like the ICC were specifically set up to impartially and independently investigate highly credible suspicions of war crimes and human rights abuses, and thus, threats against it are damaging to the prospect of upholding standards of international law and justice.