

International Criminal Court

Biden administration signals it will support push to hit ICC with sanctions

Move to censure International Criminal Court a sign of US anger over request for arrest warrants for Israeli officials



US secretary of state Antony Blinken told a Senate hearing on Tuesday: 'We want to work with you on a bipartisan basis to find an appropriate response' © Getty Images

Felicia Schwartz in Washington YESTERDAY

The administration of President Joe Biden will work with Congress on possible sanctions against the International Criminal Court after its prosecutor announced it was seeking arrest warrants for senior Israeli and Hamas officials, US secretary of state Antony Blinken said on Tuesday.

Congressional Republicans have signalled they plan to introduce legislation that will impose costs on the court for its decision and are expected to force a vote on a measure that could lay bare the divisions with the Democrats over the [Israel-Hamas war](#).

Jim Risch, the top Republican on the Senate foreign relations committee, asked Blinken at a hearing whether he would support legislation to counter “the ICC sticking its nose in the business of countries that have an independent, legitimate democratic judicial system”.

Risch said he and other members were working on legislation to address the court’s actions, which he described as “wrong-headed”.

Blinken’s openness to bipartisan co-operation over the ICC is a sign of the level of anger in Washington over its request for [arrest warrants](#) for Israel’s Prime Minister

Benjamin Netanyahu and defence minister Yoav Gallant.

Blinken told the committee that while the “devil’s in the details”, the Biden administration would consider Republican proposals and “take it from there”.

“We want to work with you on a bipartisan basis to find an appropriate response,” Blinken said.

The administration of Donald Trump in 2020 imposed sanctions on top [ICC](#) officials in response to their efforts to investigate alleged US war crimes in Afghanistan. The sanctions were lifted by the Biden administration in 2021, although at the time it said it was opposed to the court’s actions relating to Afghanistan and the Palestinian territories.

The Biden administration lifted the sanctions “to find the best way to protect our service members who served in Afghanistan”, Blinken said, adding that the ICC’s arrest warrant application had changed its calculus.

“Given the events of yesterday I think we have to look at the appropriate steps to take to deal with . . . a profoundly wrong-headed decision,” Blinken told the committee.

Republicans have not indicated who or what they would hit with sanctions, but US officials expect the measures would target prosecutor Karim Khan and others involved in the investigation.

The sanctions could be similar to those imposed by the Trump administration on the ICC’s then chief prosecutor Fatou Bensouda and the court’s head of jurisdiction Phakiso Mochochoko. The sanctions froze their American assets and banned their travel to the US.

White House press secretary Karine-Jean Pierre on Tuesday said the administration “is having discussions . . . with the [Capitol] Hill on the next steps”.

Republicans have signalled they are united in their intention to censure the court. Republican House Speaker Mike Johnson is expected to hold a vote on sanctions as soon as this week.

But the view of the Democrats is less clear. While the Democratic leadership, including Senate majority leader Chuck Schumer and House minority leader Hakeem Jeffries, have criticised the court, they have not yet said whether they would support sanctions.

Progressives such as Senator Bernie Sanders of Vermont have said they supported the

ICC and its actions.

Republican Senator Lindsey Graham praised Schumer's response to the ICC warrant application and urged him "to follow strong words with strong deeds".

"It is imperative that the Senate, in a bipartisan way, comes up with crippling sanctions against the ICC — not only to support Israel but to deter any future action against American personnel," Graham said.

In an interview with MSNBC on Tuesday, Netanyahu said his response to the ICC's announcement was "no different from what President Biden said, this is outrageous and many people across the political spectrum in the United States . . . have called it exactly that".

"It's a rogue prosecutor who's out to demonise the one and only Jewish state," he added.

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