



Ms Ursula von der Leyen

President of the European Commission
European Commission
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CC:

Mr António Costa

President of the European Council

Ms Kaja Kallas, EU High Representative for Foreign Affairs and Security Policy/Vice-President European Commission

Mr Michael McGrath, European Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection

Ms Maria Luís Albuquerque, Commissioner for Financial Services and the Savings and Investments Union

Open Letter to the European Commission President Ursula von der Leyen: Immediately Activate the EU Blocking Statute to Protect the ICC from US Sanctions

20 October 2026

Dear President von der Leyen,

I am writing in my capacity as Executive Director of the Coalition for the International Criminal Court (CICC), a global network of over 2,500 civil society organisations in more than 150 countries working to support the International Criminal Court (ICC), strengthen the Rome Statute system, and ensure justice for victims of genocide, war crimes, crimes against humanity, and the crime of aggression.

On 9 October 2026, the United States (US) have imposed unprecedented sanctions on the ICC as an institution, marking the gravest escalation to date in its concerted efforts to

"dismantle" the Court. These measures constitute the most serious attack the international justice system has faced in the past decades. By attacking the Court, the US is directly undermining the ability of victims and survivors of international crimes around the world to seek justice and hold perpetrators to account. At stake is the preservation of the rules-based multilateral order, the independence of justice, European civic space –including the ability of civil society organisations to support the work of the Court without fear of retaliation – and the sovereignty of the 125 States Parties to the Rome Statute.

The Coalition has already witnessed how sanctions risk undermining the ability of civil society organisations to continue cooperating with the Court across all situations, including by filing briefs, providing evidence, legally representing victims, attending meetings, conducting advocacy, or funding projects, for fear of retaliation by the United States, including through the imposition of secondary sanctions.

Without the immediate activation of the EU Blocking Statute Council Regulation ((EC) No 2271/96), the EU risks enabling the continued shrinking of European civic space and undermining freedom of speech, affecting accountability efforts on all ICC investigations and cases. [Executive Order 14203](#) prohibits US persons from providing material support or services to designated persons and entities, including financial services, and exposes non-US persons to the risk of secondary sanctions for engaging in conduct prohibited under the Executive Order.

While we acknowledge that the institutional sanctions against the Court are subject to a six-month wind-down period and that exemptions apply to certain services, this period should be used to protect the Court, its operations and those cooperating with it, including by immediately activating the EU Blocking Statute, and not become a justification for further inaction. Without this immediate step, the EU risks allowing unlawful foreign sanctions to dictate the boundaries of European civic space, chilling freedom of speech and undermining democratic freedoms and the rule of law in Europe.

The designation of the ICC as an institution creates significant risks for European natural and legal persons, including banks, financial institutions, technology companies and insurers, that provide services to or transact with the Court, as well as to civil society organisations and individuals working or cooperating with the Court, including risks of secondary sanctions, penalties and other forms of retaliation. Given the global reliance on the US financial and IT systems, even non-US service providers, including banks, may stop rendering their services to the ICC out of fear of penalties or reprisals from the US Treasury, including during the wind-down period.

The CICC has already [documented](#) instances of over-compliance by European service providers, and the chilling effect on the international justice ecosystem generated by the US campaign against the Court. Institutional sanctions are likely to intensify these effects. Over-compliance and de-risking could disrupt the Court's access to services essential to its operations, including hearings, investigations, the provision of reparations to victims, and the protection of witnesses. The cumulative effect of these disruptions could alter the way the Court operates, severely constrain its investigative and judicial activities and, in the most serious scenario, threaten its ability to operate at all.

The European Union has both the means and the duty to act to mitigate these risks.

All 27 EU Member States are States Parties to the Rome Statute and among the Court's largest financial contributors. The EU itself has repeatedly [recognised](#) the ICC as the cornerstone of the international criminal justice system and the global fight against impunity. We have taken note of the statements issued by the [President of the European Council](#), by the [European Commission](#), and by the [High Representative on behalf of the EU](#) in response to the sanctions. Diplomatic engagements with the US should solely aim at securing the full revocation of the sanctions and must not entail concessions concerning any of the demands laid out by the US, including changing the jurisdiction of the ICC or sidelining certain investigations. In any case, efforts to revoke the sanctions must not delay the adoption of concrete measures to protect the Court. The six-month wind-down period announced by the US administration cannot become an excuse for inaction. The European Commission must activate the EU Blocking Statute without delay by adding Executive Order 14203 to its Annex by means of a delegated act.

The CICC has long warned the EU and its Member States of the serious risk that the US sanctions regime would progressively expand to target the Court itself, as well as those supporting and cooperating with it, and the need for a strong and coordinated response from States Parties to protect the Court. Regrettably, our warnings have gone unheeded. With institutional sanctions now in place, we urge the European Commission to act without further delay and deploy the instruments at your disposal to protect the Court and those cooperating with it.

Words of condemnation of the US sanctions must now be matched by concrete action: the EU must deploy all the instruments at its disposal, starting with the immediate activation of the EU Blocking Statute (Council Regulation (EC) No 2271/96) by adding Executive Order 14203 to its Annex by means of a delegated act. The EU should also continue to find concrete solutions for the ICC's operations, and ensure these solutions extend to civil society organisations targeted for their cooperation with the Court, notably [the three Palestinian](#)

[human rights organisations](#) – Al-Haq, Al-Mezan, and the Palestinian Center for Human Rights (PCHR) – designated under EO14203.

[Belgium](#), [France](#), [Spain](#), [Slovenia](#), the [European Parliament](#), [civil society organisations](#), [designated individuals](#) and [members of national parliaments of EU Member States](#) have already publicly called for the activation of the EU Blocking Statute in response to sanctions against ICC officials. In a [joint statement](#) in reaction to the institutional sanctions, the chairs of the European Parliament's Committee on Foreign Affairs (AFET), Committee on International Trade (INTA), Committee on Legal Affairs (JURI), Subcommittee on Human Rights (DROI), and Delegation for Relations with the United States (D-US) openly called on the European Commission to immediately activate the EU Blocking Statute to shield the Court and European actors the extraterritorial reach of these sanctions US sanctions. On 12 October, over 200 civil society organisations from more than 60 countries and individuals have [joined](#) the CICC in calling on the European Commission to immediately activate the EU Blocking Statute, as well as dozens of legal experts, international lawyers, human rights defenders and members of the European Parliament.

It is now imperative that the European Commission act on these calls.

The EU stands at a crossroads: it can either translate its longstanding commitments into concrete measures to protect the Court and those supporting it, or risk allowing a non-State Party to leverage its influence over global financial market, IT, and other service-providers to undermine the Court's ability to function in support of victims and survivors across the globe.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L. Alia A. Smith'.

Alison Smith

Executive Director

Coalition for the International Criminal Court