

Judge Halts Sanctions on Americans Aiding International Court

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A federal judge has blocked the enforcement of Trump administration sanctions targeting American human rights advocates who work with the International Criminal Court, citing free speech violations under the First Amendment.

In a firm rebuke of government overreach, U.S. District Judge Nancy Torresen issued an injunction on Friday barring the federal government from enforcing Executive Order 14203

against two American citizens, Matthew Smith, director of a human rights nonprofit, and Akila Radhakrishnan, a legal expert. The executive order, signed by former President Donald Trump, authorized sweeping sanctions against individuals assisting the International Criminal Court (ICC), even in cases unrelated to the United States.

The plaintiffs challenged the order on constitutional grounds, asserting that it punished them for their speech and advocacy, both protected under the First Amendment of the United States Constitution. Judge Torresen agreed, writing in her ruling that the order “burdens substantially more speech than necessary.” The ruling emphasized that the plaintiffs’ work with the ICC’s Office of the Prosecutor (OTP) focused on atrocity crimes in countries like Myanmar, Bangladesh, and Afghanistan, far removed from the order’s stated concern about U.S. and Israeli interests.

Executive Order 14203, titled “Imposing Sanctions on the International Criminal Court,” was issued in response to what the Trump administration described as “illegitimate and baseless” ICC investigations into actions by U.S. and Israeli personnel. The administration argued the sanctions were necessary to protect national sovereignty and foreign policy interests. However, Judge Torresen found the executive order too broad and insufficiently tailored to serve those interests without infringing upon constitutionally protected freedoms.

Despite the government’s claims that the sanctions were not intended for individuals like Smith and Radhakrishnan, the court found the possibility of enforcement credible enough to warrant legal protection. The plaintiffs’ activities focused on crimes such as the persecution of the Rohingya people and gender-based violence were deemed lawful and unrelated to any ICC inquiry into U.S. or allied military conduct.

Torresen’s ruling concluded that the plaintiffs would suffer irreparable harm if the government proceeded with sanctions. The decision sends a strong message about the limits of executive power, especially when it collides with fundamental constitutional rights. The court declined to rule on whether the order also exceeded authority under the International Emergency Economic Powers Act (IEEPA), focusing instead on the stronger First Amendment claim.

In her final remarks, Judge Torresen rejected the administration’s argument that the injunction would harm national security, stating that the government had failed to demonstrate how supporting ICC investigations in unrelated countries posed any threat to

U.S. interests. The injunction ensures that Smith and Radhakrishnan may continue their work with the ICC without fear of penalties.

This case underscores a fundamental legal principle: no matter the political climate, American citizens retain the right to engage in peaceful, lawful advocacy even on the global stage.