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Federal Judge Halts Enforcement of Trump's ICC Sanctions Order Over Free Speech Concerns

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A U.S. federal judge has temporarily blocked the enforcement of President Donald Trump's executive order aimed at penalizing individuals working with the International Criminal Court (ICC), citing constitutional free speech protections. The ruling, delivered by U.S. District

Judge Nancy Torresen, is seen as a setback to the prior administration's hardline stance against international legal bodies perceived as hostile to American sovereignty.

Judge Torresen issued the decision in response to a lawsuit filed in April by two human rights advocates. The plaintiffs challenged the executive order signed on February 6, which authorized sweeping economic and travel sanctions against those aiding ICC investigations into U.S. personnel or American allies, such as Israel. The ICC, headquartered in The Hague, Netherlands, is an intergovernmental tribunal tasked with prosecuting individuals for international crimes like genocide, crimes against humanity, and war crimes.

In her written opinion, Torresen argued that the executive order likely violates the First Amendment by limiting constitutionally protected speech. "The executive order appears to restrict substantially more speech than necessary to further that end," she wrote. The judge emphasized that the restrictions were overly broad, encompassing any "speech-based services" that might benefit the ICC Prosecutor, even if such services had no direct connection to investigations involving the U.S. or its allies.

The contested order had authorized the U.S. Treasury Department's Office of Foreign Assets Control (OFAC) to sanction individuals such as British prosecutor Karim Khan, currently serving as the ICC's chief prosecutor. Under the sanctions, U.S. citizens could face both civil and criminal penalties for engaging in work that could be interpreted as supportive of Khan or any other sanctioned ICC officials.

While the White House and ICC officials have not issued official responses to the ruling, the order itself drew international backlash when announced. More than a dozen allied nations condemned it, viewing it as an overreach and a move that undermines international justice efforts.

From a center-right perspective, the case raises critical questions about balancing national sovereignty with international accountability. While critics of the ICC have long argued that the court's authority over non-member states like the U.S. undermines national jurisdiction, this ruling underscores the importance of ensuring domestic legal protections, particularly freedom of speech, are not compromised in the process.

The temporary injunction will likely be appealed, but for now, it places a pause on enforcement and allows those working with the ICC to continue their activities without fear of U.S. government retaliation. As legal challenges continue, the broader debate over

America's relationship with international institutions remains a flashpoint in foreign policy circles.