

# Blinken Grilled for Maintaining Trump's Sanctions on War Crimes Court

By [Matthew Petti](#)

Global Research, March 16, 2021

[Responsible Statecraft](#) 11 March 2021

Region: [Middle East & North Africa, USA](#)

Theme: [Law and Justice](#)

All Global Research articles **can be read in 27 languages by activating the “Translate Website”** drop down menu on the top banner of our home page (Desktop version).

\*\*\*

**Secretary of State Antony Blinken** defended the Trump administration's position on the International Criminal Court at a Wednesday congressional hearing and refused to say whether U.S. sanctions against war crimes investigators would be lifted.

Blinken told the House Foreign Affairs Committee that the Biden administration wants a “productive relationship” with the ICC, but echoed the Trump administration's “concerns” about the Hague-based war crimes court attempting to investigate Israeli and U.S. troops.

“Are you saying there is legitimacy to the sanctions that were placed under Trump on the ICC?” **Rep. Ilhan Omar** (D-Minn.) asked.

“No, all I'm saying is that it's something that is under review, and at the same time we have real concerns about some of the assertions of jurisdiction with which we disagree,” Blinken replied.

He declined to answer why the sanctions had not been lifted, or whether they would be lifted at all.

The Hague had angered the Trump administration last year by opening investigations into alleged war crimes by multiple sides — including U.S. and Israeli forces, as well as their opponents — in Afghanistan and the Palestinian territories. The investigation is also looking into the CIA's alleged torture of prisoners captured in Afghanistan and rendered to third countries.

**Then-Secretary of State Mike Pompeo** responded by freezing the assets of two ICC prosecutors, **Fatou Bensouda** and **Phasiko Mochochoko**, and banning their family members from entering the United States.

“The Trump administration's perverse use of sanctions, devised for alleged terrorists and drug kingpins, against prosecutors seeking justice for grave international crimes, magnifies the failure of the U.S. to prosecute torture,” **Richard Dicker**, international justice director for Human Rights Watch, said in a [statement](#) at the time.

The Trump and Biden administrations have maintained that the ICC lacks the jurisdiction to investigate Americans or Israelis, as neither country had ratified the Rome Statute, the treaty that established the court.

Afghanistan, however, is a signatory to the Rome Statute. So is the semi-autonomous Palestinian Authority, which the ICC recognizes as a state but the United States and Israel do not.

Blinken reaffirmed in a [statement](#) last week that the United States does not recognize Palestinian Authority as an independent state.

Israeli prime minister **Benjamin Netanyahu** has argued that the court's ruling places Israel's "[heroic and moral](#)" troops "under attack" and represents "the essence of antisemitism." The Palestinian militant group Hamas, which is also under investigation for alleged war crimes, [welcomed](#) the ICC's investigation.

The current standoff is not the first disagreement between a U.S. administration and the ICC.

The Clinton administration signed the Rome Statute in 2000, but the Bush administration reversed course soon after to the extent of threatening other countries that ratified the Statute with a cut-off in U.S. assistance. In 2002, then-President George W. Bush signed the American Servicemen Protection Act, also known as the "Hague Invasion Act," which bans U.S. support to the ICC and authorizes the use of military force to free American citizens held by it.

The Obama administration took a middle path, adopting a policy of "[positive engagement](#)" with some ICC investigations while also attempting to [exempt U.S. forces](#) from prosecution.

The Biden administration seems to be framing its policy in similar terms.

"We of course share the goal — the broad goal — of international accountability for atrocity crimes. That's not the issue," Blinken said at Wednesday's hearing. "We have the capacity ourselves to provide accountability."

"We've spoken out, we've been clear, and we'll see going forward how we can most effectively engage the ICC to avoid these assertions of jurisdiction when they're not warranted," he concluded.

\*

Note to readers: please click the share buttons above or below. Forward this article to your email lists. Crosspost on your blog site, internet forums. etc.

*Featured image: Tony Blinken At His Confirmation Hearing, Senate Foreign Relations Committee, Jan. 19, 2021. Screenshot.  
via Mondoweiss*

The original source of this article is [Responsible Statecraft](#)  
Copyright © [Matthew Petti](#), [Responsible Statecraft](#), 2021

---

## [Comment on Global Research Articles on our Facebook page](#)

## [Become a Member of Global Research](#)

Articles by: [Matthew Petti](#)

**Disclaimer:** The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: [publications@globalresearch.ca](mailto:publications@globalresearch.ca)

[www.globalresearch.ca](http://www.globalresearch.ca) contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: [publications@globalresearch.ca](mailto:publications@globalresearch.ca)