

Statement of the President of the Osaka Bar Association in Support of the International Criminal Court (ICC), Protesting the Sanctions Imposed by the United States Government on ICC President Tomoko Akane and Others, and Calling upon the Government of Japan to Take Every Possible Measure to Safeguard the Independence of the ICC and Uphold the Rule of Law

1. The International Criminal Court (the “ICC”), “Mindful that during this century millions of children, women and men have been victims of unimaginable atrocities that deeply shock the conscience of humanity” and “Affirming that the most serious crimes of concern to the international community as a whole must not go unpunished,” is a permanent international criminal judicial institution established under the Rome Statute of the International Criminal Court (the “Rome Statute”) to investigate and prosecute individuals responsible for the crime of genocide, crimes against humanity, war crimes and the crime of aggression, and to hold such individuals criminally responsible.

The ICC currently has 125 member states, and Japan joined in 2007. The current President of the ICC is Tomoko Akane, a Japanese national (hereinafter referred to as “President Akane”), who was elected as a judge of the ICC by the State Parties following a nomination by the Japanese government. During a visit to Japan in July 2026, President Akane delivered a lecture organized by the Osaka Bar Association, in which she emphasized the importance of the role played by the ICC as the last bulwark of the rule of law.

2. On August 18, 2026, the United States Government announced that it had designated both President Akane and Mr. Abdoulaye Seye, Senior Trial Lawyer at the Office of the Prosecutor - for sanctions pursuant to Executive Order 14203. As a result of these designations, their property and interests in property within the United States are blocked, their entry into the United States is prohibited, and their ability to use the U.S. financial system is severely restricted. Consequently, these measures may also impose significant restrictions on their everyday lives even outside the United States.

These latest sanctions were imposed at a time when eight of the ICC’s eighteen judges had already been subjected to U.S. sanctions and may be regarded as a further acceleration of the United States Government’s movement toward “rule by force.” In this regard, U.S. Secretary of State Marco Rubio went so far as to state: “Using all the tools at our government’s disposal, working beside every ally with whom we can make common cause, we will dismantle the ICC.” This series of actions and statements by the United States Government, aimed at weakening the ICC through the exercise of power, could even lead to the emergence of an international society in which impunity for grave humanitarian crimes is tolerated, and these are wholly unacceptable.

The Osaka Bar Association strongly protests these measures taken by the United States

Government, which constitute a grave threat to independence of the ICC and the rule of law.

3. The Japanese government is the ICC's largest financial contributor and has supported the ICC's activities to date by, among other things, consistently appointing judges to the court.

Regarding the U.S. government's sanctions mentioned above, while Prime Minister Sanae Takaichi's statement on August 19 of this year was limited to, "I consider the announced measures to be very unfortunate. The Government will continue to respond to this matter while maintaining communication with the United States and other related countries", later, on the 25th of the same month, she explicitly stated that "This is incompatible with the Japanese position and we take them seriously." and "We have consistently supported the ICC to ensure the rule of law. As the largest financial contributor, we must protect it." The Japanese government, which has made significant contributions to the ICC both financially and in terms of personnel, should collaborate with other State Parties to strongly urge the United States to lift these measures and to comply with and respect the international rule of law. Furthermore, Japan should provide as much support as possible to ensure that ICC officials - including President Akane, who is subject to sanctions - can fulfill their duties, and should consider concrete measures to prevent any adverse effects on individuals and entities that have conducted transactions with those subject to sanctions.

4. On March 7, 2025, the Osaka Bar Association issued the "Statement of the President of the Osaka Bar Association in Support of the Independence of the International Criminal Court (ICC) and Calling for Respect of Its Judgments, Decisions, Orders, and Operations.," expressed its strong support for the independence of the ICC, which plays a vital role in maintaining the rule of law in the international community, and declared that it would spare no effort in strongly supporting and upholding the independence of the ICC. Through this Statement, the Osaka Bar Association hereby reaffirms that commitment. At the same time, we strongly protest the sanctions imposed by the United States Government on President Tomoko Akane and other ICC officials, and call upon the Government of Japan to take every possible measure to safeguard the independence of the ICC and uphold the rule of law.

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