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Florida Attorney General's Office News Release

Attorney General Moody Urges Senate to Pass the Illegitimate Court Counteraction Act



TALLAHASSEE, Fla.—Attorney General Ashley Moody, along with a 20-state coalition of state attorneys general, is strongly urging the United States Senate to pass the Illegitimate Court Counteraction Act, or the ICC Act. The legislation, which passed the U.S. House of Representatives on a bipartisan basis, deters the International Criminal Court from further efforts to assert unlawful authority.

Attorney General Ashley Moody said, “The International Criminal Court proved that it has no interest in respecting the scope of its authority when it unlawfully sought an arrest warrant for Israeli Prime Minister Benjamin Netanyahu and Israeli Defense Minister Yoav Gallant. Prime Minister Netanyahu and Defense Minister Gallant are merely defending their sovereign nation, Israel, from terrorists, and Israel is not party to the International Criminal Court’s Rome Statute. The court’s actions set a dangerous precedent not just for our ally Israel but also for civilian and military leaders in the United States. The Senate must pass this important legislation to ensure that Americans will not be subject to the same unlawful prosecutions.”

In a letter to Senate leaders, Attorney General Moody and the coalition state, “On May 20, 2024, Karim A.A. Khan, the ICC prosecutor, announced that he was filing applications for arrest warrants against Yahya Sinwar and two other Hamas leaders for war crimes and crimes against

humanity committed against Israel since October 7, 2023...But in the same announcement, the ICC prosecutor also stated that he was filing applications for arrest warrants against Israeli Prime Minister Benajmin Netanyahu and Defense Minister Yoav Gallant. He preposterously claimed that since October 8, 2023, Israel has committed war crimes and crimes against humanity against what he called the 'State of Palestine,' ... The sole basis for the arrest warrants is the Rome Statute, which is the international treaty that established the International Criminal Court."

The attorneys general go on to say, "Besides implying a false equivalence between Hamas's atrocities and the operations of the Israel Defense Forces, the ICC prosecutor's effort to obtain arrest warrants against Netanyahu and Gallant also lacks any proper legal basis under international law. To start, the ICC prosecutor's action is unlawful because—contrary to his announcement—there is no 'State of Palestine,' ... But most obviously, the ICC prosecutor's action is unlawful because Israel is a sovereign state that is not party to the Rome Statute and has not consented to be bound by it... The ICC prosecutor's action, therefore, constitutes the unjustified assertion of a new and expansive authority to prosecute any nation's civilian and military officials, regardless of whether those nations have consented to it."

The legislation takes swift action to deter persons involved with the International Criminal Court from furthering efforts to assert unlawful authority. Specifically, as already passed by the House, the ICC Act would impose sanctions on any foreign person who the president determines has engaged in, aided, or materially assisted the court's illegitimate prosecutorial actions. Those actions include any effort by the court to investigate, arrest, detain, or prosecute any American citizen, any person who is currently or formerly either a member of the U.S. Armed Forces, an elected or appointed U.S. government official, or a person employed by or working on behalf of the U.S. government, as well as any entity organized under the laws of the U.S. or any jurisdiction within the United States. Sanctions are similarly triggered by International Criminal Court actions against any citizen of a NATO ally or major non-NATO ally that has not consented to International Criminal Court jurisdiction or is not a party to the Rome Statute.

Attorney General Moody is joined on the letter by Arkansas Attorney General Tim Griffin as well as the attorneys general from the following states: Alaska, Georgia, Indiana, Iowa, Kentucky, Louisiana, Missouri, Montana, Nebraska, New Hampshire, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia and West Virginia.

To read the letter, click [here](#).

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