

TERMINATION OF EMERGENCY WITH RESPECT TO
THE INTERNATIONAL CRIMINAL COURT

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A NOTIFICATION OF THE TERMINATION OF THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 13928, WITH RESPECT TO SANCTIONS AGAINST CERTAIN PERSONS ASSOCIATED WITH THE INTERNATIONAL CRIMINAL COURT (ICC), PURSUANT TO 50 U.S.C. 1703(b); PUBLIC LAW 95-223, SEC. 204(b); (91 STAT. 1627)



APRIL 5, 2021.—Referred jointly to the Committees on Foreign Affairs and the Judiciary, and ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

THE WHITE HOUSE,
Washington, April 2, 2021.

Hon. NANCY PELOSI,
Speaker of the House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Consistent with subsection 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b), I hereby report that I have issued an Executive Order that terminates the national emergency declared in Executive Order 13928 of June 11, 2020, and revokes that Executive Order.

The President issued Executive Order 13928 to block property of certain persons associated with the International Criminal Court. In Executive Order 13928, the President authorized the imposition of sanctions against certain persons associated with the International Criminal Court (ICC).

I have determined that, although the United States continues to object to the ICC's assertions of jurisdiction over personnel of such non-States Parties as the United States and its allies absent their consent or referral by the United Nations Security Council and will vigorously protect current and former United States personnel from any attempts to exercise such jurisdiction, the threat and imposition of financial sanctions against the Court, its personnel, and those who assist it are not an effective or appropriate strategy for addressing the United States' concerns with the ICC. For this reason I have determined that it is necessary to terminate the national emergency declared in Executive Order 13928 and that there is no further need for the blocking of assets and other sanctions measures imposed by Executive Order 13928. Accordingly, I revoke Executive Order 13928.

I am enclosing a copy of the Executive Order I have issued.

Sincerely,

JOSEPH R. BIDEN, JR.

EXECUTIVE ORDER

TERMINATION OF EMERGENCY WITH RESPECT TO THE INTERNATIONAL CRIMINAL COURT

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code,

I, JOSEPH R. BIDEN JR., President of the United States of America, find that, although the United States continues to object to the International Criminal Court's (ICC) assertions of jurisdiction over personnel of such non-States Parties as the United States and its allies absent their consent or referral by the United Nations Security Council and will vigorously protect current and former United States personnel from any attempts to exercise such jurisdiction, the threat and imposition of financial sanctions against the Court, its personnel, and those who assist it are not an effective or appropriate strategy for addressing the United States' concerns with the ICC.

Accordingly, I hereby terminate the national emergency declared in Executive Order 13928 of June 11, 2020 (Blocking Property of Certain Persons Associated With the International Criminal Court), and revoke that order, and further order:

Section 1. In light of the revocation of Executive Order 13928, the suspension of entry as immigrants and nonimmigrants of individuals meeting the criteria set forth in section 1(a) of that order will no longer be in effect as of the date of this order and such individuals will no longer be treated as persons covered by Presidential Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

Sec. 2. Pursuant to section 202(a) of the NEA (50 U.S.C. 1622(a)), termination of the national emergency declared in Executive Order 13928 shall not affect any action taken or proceeding pending not finally concluded or determined as of the date of this order, any action or proceeding based on any act committed prior to the date of this order, or any rights or duties that matured or penalties that were incurred prior to the date of this order.

Sec. 3. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE, *April 1, 2021.*

