

HMDC Topic Discussion (Brainstorming)

Topic: *The United States should accede to the Rome Statute of the International Criminal Court.*

US Membership Weakens the International Criminal Court (ICC)

This list shows how the United States could join the ICC but still make it hard for the court to work effectively. The US could use legal rules, money, and political power to protect itself and its allies from ICC investigations while appearing to cooperate. These actions would make the ICC weaker even though the US would officially be a member.

1. **Legal Obstruction Methods:** The United States could join the ICC but then use its complex legal system to delay and block investigations. When ICC investigators request information, US agencies could file many legal challenges that would take years to resolve in courts. The US could create new laws and regulations that make it very difficult for ICC investigators to actually get the evidence they need.
2. **Financial Control Tactics:** While the United States would have to pay about 22 percent of the ICC's budget, it could use this position to control how money is spent. The US could threaten to delay payments unless the ICC follows US preferences about which cases to investigate. This financial pressure could force the ICC to avoid cases involving US allies or US interests.
3. **Intelligence Information Blocking:** The United States could claim "national security" whenever the ICC requests sensitive information about possible crimes. US intelligence agencies could provide incomplete information or heavily edited documents that hide important details. The US could also share misleading intelligence to direct ICC investigations away from its allies.
4. **Military Evidence Prevention:** The United States military could create special rules that make it very hard for soldiers to testify at the ICC. Military commanders could classify information about battlefield incidents as secret, preventing it from being shared. The US could also refuse to let ICC investigators interview military witnesses by claiming it would harm military operations.
5. **Diplomatic Pressure Campaign:** The United States could use its diplomatic power to convince other countries not to cooperate with ICC investigations. The US could offer military aid or trade deals to countries that sign special agreements promising not to send US citizens to the ICC. US diplomats could work to turn other countries against the ICC by calling it unfair and biased.
6. **Bilateral Immunity Agreements:** The United States could use Article 98 of the Rome Statute to create special deals with many countries. These agreements would prevent those countries from sending American citizens to the ICC for trial. The US could pressure weaker countries to sign these agreements by threatening to cut off aid or trade if they refuse.
7. **Public Relations Attacks:** The United States could start a campaign to damage the ICC's reputation around the world. US officials could make speeches saying the ICC only targets poor countries in Africa and ignores crimes by powerful nations. The US could also claim the ICC wastes money and fails to bring criminals to justice quickly enough.

HMDC Topic Discussion (Brainstorming)

Topic: *The United States should accede to the Rome Statute of the International Criminal Court.*

US Membership Weakens the ICC (Continued...):

8. **Evidence Access Limits:** The United States could create special rules about sharing crime scene evidence with the ICC. US agencies could say they need to do their own investigations first, which would take many years. The US could also claim that sharing evidence would reveal secret investigation methods that must be protected.
9. **Witness Protection Excuse:** The United States could refuse to let ICC investigators talk to important witnesses by claiming it would put those people in danger. US agencies could say they have secret information about threats to witnesses that they cannot share with the ICC. This would prevent the ICC from getting testimony it needs to prove crimes happened.
10. **Resource Drain Strategy:** The United States could overwhelm the ICC with too many documents and requests to handle. US agencies could send thousands of pages of unnecessary files that waste ICC time and money to review. The US could also file many complaints about ICC procedures that require long and expensive legal responses.