

# **Durbin, Graham, Issue Statement On Biden's Decision To Support ICC Investigation Into Atrocities In Spain**

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WASHINGTON – U.S. Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee and Co-Chair of the Senate Ukraine Caucus, and U.S. Senator Lindsey Graham (R-SC), Ranking Member of the Senate Judiciary Committee, released

the following statement after the Biden Administration announced its support of the International Criminal Court's (ICC) investigation into the atrocities committed in Ukraine:

“For more than a year, the world has borne witness to the unspeakable horrors that Putin and his forces have inflicted on the Ukrainian people: bombing maternity wards, beheading prisoners, raping women, torturing and executing civilians, and abducting thousands of Ukrainian children. Ukraine's Office of the Prosecutor General has documented more than 92,000 war crimes, and the number continues to grow with each passing day.

“Ensuring that the United States is doing all that it can to hold the perpetrators of atrocities in Ukraine accountable is essential to help our Ukrainian friends and to send a clear message to Putin: The United States will not tolerate these horrific crimes.

“After pressing the Administration for months, we are pleased that the Administration is finally supporting the ICC's investigation. We will continue to work in the Senate to ensure those responsible for atrocities are held accountable, including by working to close the gap in U.S. law for crimes against humanity.”

Last month, Durbin and Graham sent a [letter](#) to President Joe Biden once again urging his Administration to support the ICC investigation. Durbin and Graham previously [wrote](#) to President Biden in March to emphasize the urgency of aiding the ICC's investigation into Russian atrocities in Ukraine. Yet the Administration—reportedly at the behest of the Department of Defense—had still failed to implement the additional authorities provided to it by Congress last December. In addition to Durbin and Graham, Senators Bob Menendez (D-NJ) and Thom Tillis (R-NC) also joined the letter.

In December, Congress enacted bipartisan changes in the law to enable the United States to provide more robust support to the ICC's work to bring perpetrators of war crimes and crimes against humanity to justice. In the Fiscal Year 2023 (FY23) Omnibus, Congress provided the executive branch with greater flexibility to assist the ICC through information sharing, technical assistance, and financial support. The FY24 State and Foreign Operations appropriations bill, just voted out of the Senate Appropriations Committee, included language reinforcing this provision.

In May, Durbin and Graham [pressed](#) Secretary of Defense Lloyd Austin to support the ICC's investigation into the atrocities committed in Ukraine at a Senate Appropriations Subcommittee on Defense hearing.

Earlier this year, a bipartisan group of Senators [met](#) with ICC Prosecutor Karim Khan, who described how the ICC is helping Ukraine investigate and prosecute Russian forces and leadership who are responsible for these heinous crimes.

In April, the Senate Judiciary Committee held a [hearing](#) entitled “Holding Russian Kleptocrats and Human Rights Violators Accountable for their Crimes Against Ukraine,” with Deputy Attorney General Lisa Monaco.

Following Russia’s full-scale invasion of Ukraine in February 2022, Durbin, Senator Chuck Grassley (R-IA), and Graham introduced the bipartisan *Justice for Victims of War Crimes Act* – which updated the current war crimes statute to enable prosecution of war criminals in the United States regardless of the nationality of the perpetrator or victim. The bill was [signed into law](#) by President Biden. Durbin-authored legislation restricting U.S. recognition of any forcibly annexed areas of Ukraine by Russia also passed as part of the Fiscal Year (FY) 2023 *National Defense Authorization Act* and was retained in the FY 2024 *National Defense Authorization Act* currently being considered by the Senate.