

Ms President Päivi Kaukoranta
President of the Assembly of States Parties
International Criminal Court
Oude Waalsdorperweg 10
The Hague,
The Netherlands

**Open Letter to the President of the Assembly of States Parties to the Rome Statute:
Palestinian Organisations Call on President to Take Action Against U.S. Sanctions**

Dear Madam President,

Ahead of the upcoming Assembly of States Parties, Al-Haq, Al Mezan Center for Human Rights (Al Mezan) and the Palestinian Centre for Human Rights (PCHR) write to express our grave concern regarding the sustained harassment, intimidation, threats, and sanctions directed by the United States (U.S.) and Israel against officials of the International Criminal Court (ICC), as well as against non-governmental organisations and individuals cooperating with the Court. Such actions directly undermine the independence of the judiciary, obstruct the Court's mandate under the Rome Statute, and threaten the safety and integrity of all those engaged in the pursuit of justice.

We call on you to unequivocally condemn the U.S. sanctions imposed against our human rights organisations who have been leading the work from Palestinian civil society in cooperating with the ICC to ensure international criminal accountability for perpetrators of atrocity crimes in Palestine. Draconian U.S. sanctions have been imposed under [Executive Order 14203](#) on our organisations for “directly engag[ing] in efforts by the ICC to investigate, arrest, detain, or prosecute Israeli nationals, without Israel's consent”. By [sanctioning](#) our organisations, the U.S. has chosen to safeguard and entrench Israel's settler-colonial apartheid regime and its unlawful occupation. Our organisations have been indispensable in providing the Office of the Prosecutor (OTP) with information regarding alleged Israeli crimes within the jurisdiction of the Court. The U.S. sanctions represent an act of “tampering with or interfering [ing] with the collection of evidence”, which may amount to “offences against the administration of justice” as stipulated by Article 70 of the Rome Statute.

The Presidency of the Assembly of States Parties (ASP) to the Rome Statute of the ICC plays a crucial role in supporting the Court. As [affirmed](#) by the Presidency of the ASP in the past, this support extends to the “Court and its staff as well as **those cooperating with it** in implementing its judicial mandate.” In the ‘Omnibus Resolution’ ([Resolution](#) ICC-ASP/20/Res.5) on “Strengthening the ICC and the ASP”) adopted in December 2021, the ASP expressed again, *inter alia*, its appreciation of the “invaluable assistance that has been provided by civil society to the Court,” and voiced its concerns “by the recent reports of **threats and intimidation directed at some civil society organizations cooperating with the Court.**” In addition, the ASP reaffirmed “the importance of supporting all those cooperating with the Court [...] in order to secure the ability of the Court to fulfil its critical mandate of holding accountable perpetrators of the most serious crimes of concern to the international community and delivering justice to victims.”

Although it is clear that the U.S. sanctions targeting our organisations aim to hinder the work of the ICC, there has been no reaction by the ASP. The U.S. sanctions have been rejected and condemned widely, including by the UN [High Commissioner](#) for Human Rights, the UN Special Rapporteur on military toxics ([at 9:00](#)) renowned legal experts, and [numerous reputable civil society](#) and [human rights](#)

[organisations](#). The ASP should not only join, but lead such principled positions rejecting and condemning these egregious and illegal sanctions.

The U.S. and Israel have been attending the ASP as observer States, despite their continuing efforts to undermine the work of the Court and attack Palestinian CSOs cooperating with it. Palestinian CSOs have repeatedly [appealed](#) to the ASP, on several occasions, to condemn such actions, and have warned of further repressive steps if the ASP does not act, but unfortunately no concrete actions or any statement have been issued by the ASP. Authoritarian and repressive regimes have always implemented such tactics of intimidation and harassment of human rights defenders to obstruct their work and this is no exception. Recent reports exposed Israel's decade-long [campaign](#) of spying, hacking of the ICC, as well as, its threats and intimidation against ICC officials, including current and former Prosecutors.

Such extra-legal threats continued on several occasions, including during the ASP's special session on the review of the amendments on the crime of aggression held at the UN in New York from 7 to 9 July 2025, when the U.S. representative threatened that the US will "use all appropriate and effective diplomatic, political and legal instruments to block ICC overreach." He further asserted that the U.S. "expect all ICC actions against the United States and our ally Israel — that is, all investigations and all arrest warrants — to be terminated", threatening that "[i]f not, all options remain on the table".

The right of participation of observer States in the Assembly promotes a key goal of universality, but this participation should be understood as carrying with it responsibilities to act in a manner that respects the court's mandate. The U.S. sanctions on Palestinian CSOs, apparently at least in part due to their advocacy for justice before the Court, are not compatible with support for the ICC's mission. Article 112 of the Rome Statute and Rule 94 of the Rules of Procedure of the Assembly of States Parties make clear that participation of non-States Parties as observers is a privilege extended at the Assembly's discretion, not a right. Where conduct by such states is manifestly incompatible with the object and purpose of the Rome Statute, the Assembly is entitled — and indeed obliged — to reconsider such invitations in order to safeguard the Court's integrity.

In light of the persistent and escalating measures taken by the U.S. and Israel to obstruct the Court's work, we respectfully request that the Presidency place on the agenda of the Assembly, or its Bureau as appropriate, consideration of the suspension or withdrawal of observer invitations extended to these States. Such a step would send a clear and principled signal that the Assembly will not tolerate attempts to intimidate or interfere with the Court, its officials, or those cooperating with it.

Madam President, the ASP [proposal](#) for the implementation of recommendation 169 of the Independent Expert Review reaffirmed its commitment to "uphold and defend the principles and values enshrined in the Rome Statute and to preserve its integrity undeterred by any threats or measures against the Court, its officials and **those cooperating with it**, and renews its resolve to stand united against impunity." Moreover, the proposal reiterates that the Presidency of the ASP, "**bears the main responsibility for coordinating an appropriate response** from the Assembly to any threat or attack against the Court, its officials and those cooperating with it, which has the potential to undermine the integrity, effectiveness or impartiality of the Court." The proposal listed concrete steps that the ASP can take to ensure an immediate response to such attacks, including, issuing a statement, convening an urgent meeting of the Bureau, and proposing additional measures to be adopted by the Bureau, which could include individual or joint statements and other forms of communication and outreach, and other private or public diplomacy initiatives.

We recall that when the Court and its staff were threatened and sanctioned, by the Trump administration under US Executive Order 13928, civil society and human rights defenders from across the world, including ourselves, stood up for the Court and called on the threats to stop and sanctions to be rescinded. Palestinian CSOs have played a vital role in the defence of justice and human rights and played a pivotal role in achieving the State of Palestine's accession to the Rome Statute. We now call on your support and ask you to respond to the U.S. sanctions and Israel's latest attacks on the Court, its officials and Palestinian CSOs and defend human rights defenders cooperating with the Court and supporting its mandate. The duty to defend and promote Palestinian victims' rights to access justice is a shared one. To that end, we will continue to be active stakeholders of the Rome Statute system, continue our cooperation with the Court and support its investigation into the Situation in the State of Palestine.

In conclusion, we call on you to:

1. Place on the agenda of the Assembly, or its Bureau as appropriate, consideration of the suspension or withdrawal of observer invitations extended to the U.S. and Israel;
2. Publicly condemn the U.S. sanctions and defend the human rights defenders and CSOs cooperating with the ICC;
3. Send a letter to the U.S. administration to condemn their attacks on Palestinian CSOs and demand their unlawful sanctions be rescinded;
4. Inform the ASP Bureau and ICC States Parties of the threats and sanctions against Palestinian CSOs and encourage them to express their support and take actions to protect Palestinian civil society organisations;
5. Encourage EU Member States who are party to the Rome Statute to implement the EU [Blocking Statute](#);
6. Implement the ASP Presidency's [proposal](#) for the implementation of recommendation 169 of the Independent Expert Review adopted by the Bureau on 29 July 2022.

We remain at your disposal and stand ready to provide further information to assist you.

Yours sincerely,

Shawan Jabarin, Al-Haq

Issam Younis, Al Mezan Center for Human Rights

Raji Sourani, Palestinian Centre for Human Rights