Side Event at the 25th Session of the Assembly of States Parties of the International Criminal Court

"Sanctioned for Seeking Justice: The US Campaign Against the ICC and Palestinian Civil Society Cooperating with It"

Co-sponsored by the State of Palestine and the Republic of South Africa
Together with: Al-Haq Organisation, Al Mezan Centre for Human Rights, the Palestinian Centre for Human Rights, Amnesty International, the Coalition for the ICC, International Federation for Human Rights (FIDH), European Centre for Constitutional and Human

Date and time: Wednesday, 2 December 2026, at 13:15 - 14:45 CET
Location: The World Forum, The Hague, Rooms: Europe 1 and 2.

On 13 July 2026, US Secretary of State Mark Rubio announced a campaign to "dismantle" the Court, expressly including diplomatic pressure on States Parties to withdraw from the Rome Statute, alongside the ongoing sanctions against those working with or supporting the Court, including ICC judges, prosecutors, a UN Special Rapporteur and three Palestinian human rights organisations - Al Haq, Al Mezan and the Palestinian Centre for Human Rights.

The campaign is directed not only at the Court, its officials or CSOs engaging with it, but also at the States that have – through a sovereign act– accepted the jurisdiction of the Court pursuant to the Rome Statute. The US campaign - and the pressure it seeks to apply - targets sovereign states who are parties to the Statute, as well as their international law obligations to fund the Court and cooperate with it. On 9 October 2026, the designation of the Court as an institution marked the culmination of the US's sustained and escalating campaign against international law.

The Situation in the State of Palestine lies at the centre of this campaign, with demands on the Court and its officials to cease investigations and cases, including arrest warrants against Benjamin Netanyahu and Yoav Gallant, which implicate the individual criminal responsibility of Israeli nationals. In addition, recent sanctions against the ICC as an institution, with a 6-month 'wind-down' period, should be seen as a final ultimatum to state parties to amend the Rome Statute's provisions and extinguish ICC jurisdiction over nationals from non-state parties, including those from the US, even where this flows from the foundational principle of a state's territorial jurisdiction.

Alongside the situation in the State of Palestine, all situations before the Court are now detrimentally affected by the US campaign and its recent institutional sanctions, which are intended to completely isolate the institution and bring a halt to all forms of services and support to the ICC, including financial services, and cooperation provided by CSOs and other crucial stakeholders.

At ASP24, States Parties adopted a joint declaration of solidarity with the Court and, for the first time, the Omnibus resolution condemned sanctions against civil society and United Nations independent experts. However, these commitments have not been translated into concrete protection of the Court or CSOs, nor led to effective opposition to the US campaign.

At ASP25, a willingness to enter into 'dialogue' with the US on its 'concerns' has been expressed by a number of States Parties. Such 'dialogue' appears impossible given the US's demands and the current nature of the US's stance vis-a-vis the Court and States Parties. In addition, it is likely that the US's campaign will not stop at the ICC – indeed, other multilateral institutions, including the International Court of Justice, which is also considering Israel's responsibility for genocide, but also national jurisdictions, could soon become subject to the US sanctions.

Consequently, it is imperative that states parties, and the Assembly as a whole, oppose US sanctions on the ICC and attacks on international law more broadly and reject any attempt to weaken the Court, its jurisdiction or sideline the Palestine investigation or any other investigation. States must also – urgently – provide practical solutions and protective measures to the Court and civil society organisations engaging with it, including the immediate activation of the EU Blocking Statute and national-level blocking legislation to stop the extraterritorial effect of US sanctions; ensure banking and technological arrangements without a US nexus for the Court and those cooperating with it; and shield the civil society organisations, lawyers, victims and other critical stakeholders who cooperate with the Court from the impact of these coercive measures.

With this background in mind, the State of Palestine and the Republic of South Africa, together with Al-Haq Organisation, Al Mezan Centre for Human Rights, the Palestinian Centre for Human Rights, Amnesty International, the Coalition for the ICC, International Federation for Human Rights (FIDH), European Centre for Constitutional and Human Rights, the Australian Centre for International Justice, Democracy for the Arab World Now (DAWN), the International Association of Democratic Lawyers and No Peace Without Justice are honoured to extend this invitation to a side event organised on the margins of ASP25. The event will give Court officials, the designated Palestinian organisations and other international experts an opportunity to address States Parties directly on the consequences of the sanctions for their work and for victims and will invite States to consider concrete measures to protect the Court, its officials and civil society cooperating with it. It will also examine what the campaign means for the sovereign right of States to remain party to the Rome Statute, and for the integrity of the international legal order as a whole.

Moderator: Ahmed Abofoul, Legal Adviser, Al Haq Organisation.

Speakers:

- Judge Kimberly Prost, International Criminal Court
- Judge Solomy Balungi Bossa, International Criminal Court
- Ms Agnès Callamard, Secretary General of Amnesty International
- Mr Raji Sourani, Director of the Palestinian Centre for Human Rights (PCHR)

Closing Remarks:

- H.E. Ammar Hijazi, Ambassador and Permanent Representative of the State of Palestine to International Organisations in The Hague.