



General Assembly

Distr.: General
12 June 2026

English and Spanish only

Human Rights Council

Sixty-second session

15 June–10 July 2026

Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

**Joint written statement submitted by American Association
of Jurists, International Association of Democratic Lawyers
(IADL), non-governmental organizations in special
consultative status, Mouvement contre le racisme et pour
l'amitié entre les peuples, a non-governmental organization
on the roster***

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 May 2026]

* Issued as received, in the language of submission only.



Sanctions of the United States of America Against International Justice: Obstruction of the Work of the International Criminal Court (ICC) and the United Nations Special Procedures, and a Guarantee of Impunity for Crimes Committed in Gaza

American Association of Jurists (AAJ), International Association of Democratic Lawyers (IADL), the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP) and Courage International AISBL - Courage, in the context of the aforementioned issue, and in relation to this session's report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (A/HRC/62/22), which focuses on civilian deaths and injuries caused by non-state actors, including Israeli settlers and Palestinian armed groups. The Human Rights Council is meeting at a time when accountability mechanisms are being actively obstructed.

We draw the Council's attention to the fact that the unilateral sanctions imposed by the government of the United States of America against officials of the International Criminal Court (ICC), against Francesca Albanese, Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, and against Palestinian non-governmental organizations that have filed complaints, constitute a deliberate act of obstruction of justice whose direct and immediate effect is the perpetuation of impunity for the perpetrators of the crimes this Council is investigating.

I. Sanctions: Facts and Scope

Since February 2025, the United States of America Executive Branch has imposed economic and immigration sanctions on eleven (11) ICC judges and prosecutors, as well as Special Rapporteur Albanese. The sole and stated reason for these measures is the exercise of their mandates, jurisdictional functions, and oversight duties regarding crimes committed in Gaza. Among those sanctioned are Chief Prosecutor Karim Khan—who requested the arrest warrants against Prime Minister Netanyahu and former Minister Gallant—and the judges who issued or ratified them, as well as Albanese, who was sanctioned for her official reports to this Council and her recommendations to the International Criminal Court.

On September 4, Trump sanctioned three more non-governmental organizations: Al-Haq (founded in 1979, a pioneer in documenting violations in Gaza and the West Bank), the Al-Mezan Center for Human Rights, and the Palestinian Center for Human Rights (PCHR). All three were sanctioned for their work related to the ICC. The UN High Commissioner for Human Rights, Volker Türk, demanded the immediate withdrawal of all these sanctions, warning that they “will deepen impunity, silence the voices of victims, and encourage human rights violations.”

The sanctions entail asset freezes, a ban on entry into the United States of America that extends to family members, and—due to extraterritorial effects—exclusion from the financial system and digital platforms of the United States of America companies—including European bank accounts, international credit cards, and communication services—out of fear of secondary sanctions against the financial institutions themselves. The ICC president denounced that its officials had been officially equated with “terrorists and drug traffickers.”

II. The Core Legal Impact: Impunity for the Perpetrators

We emphasize before this Council the most serious legal consequence of these sanctions: by paralyzing investigative and prosecutorial bodies, they directly and intentionally result in impunity for those who commit the crimes documented by the Commission.

This link is not rhetorical, but structural. The Commission has concluded in previous reports that Israel is responsible for war crimes—including the use of starvation as a method of warfare and deliberate attacks against the civilian population—and that structural impunity is precisely the root cause of the conflict's recurrence. By issuing arrest warrants against

Netanyahu and Gallant, the ICC activated the only international legal mechanism with the authority to break that cycle. The United States of America sanctions are an explicit and declared response to that activation: their objective is to halt the process, and their identified beneficiary is the state whose leaders face those warrants.

The deterrent effect on the system as a whole is equally grave. When a judge is sanctioned for the content of their ruling, all judges realize that certain rulings carry an unbearable personal cost. When a UN rapporteur is financially blocked because of their reports, all independent experts take note that certain issues invite reprisals. This effect of systematic intimidation on international justice mechanisms benefits exclusively those who have an interest in ensuring that these mechanisms do not function: the alleged perpetrators of the crimes.

Under international law, the conduct of the United States of America may be characterized as: (a) obstruction of an international tribunal in the exercise of its jurisdiction; (b) a violation of the duty not to impede the prosecution of international crimes, derived from the norms of *ius cogens* that prohibit impunity for genocide and crimes against humanity; and (c) facilitation of impunity, insofar as the direct and identified beneficiary of the sanctions is the State whose leaders face arrest warrants.

III. Violated International Laws

The sanctions constitute concurrent violations of: Article 105.2 of the UN Charter, which guarantees UN officials the immunities necessary to carry out their mandate independently; the Convention on the Privileges and Immunities of the United Nations (1946), to which the United States of America is a party, which protects the words and acts of UN experts on mission; Articles 14, 17, and 19 of the International Covenant on Civil and Political Rights—ratified by the United States of America—which guarantee due process, the inviolability of property, and freedom of expression; the UN Basic Principles on the Independence of the Judiciary (Res. AG 40/32, 1985), which prohibit any reprisal against judges for the content of their rulings; and the customary principle of non-interference in the functioning of international organizations.

IV. Conclusion and Recommendations to the Council

Accountability is not an abstract value. It is the only mechanism that can break the cycle of impunity that this Council, through the Independent International Commission, has identified as the structural cause of the perpetuation of crimes against the Palestinian people. Attacking judges and Rapporteurs is an attack on the victims and justifies the perpetrators' escape from justice.

The undersigned organizations call on the Human Rights Council to:

1. Condemn the sanctions imposed by the United States of America against the eleven judges and prosecutors of the ICC and Special Rapporteur Albanese, as they constitute a violation of the UN Charter and international law, and an act of obstruction of justice whose direct effect is to ensure impunity for the alleged perpetrators of crimes in Gaza.
2. Demand the immediate and unconditional lifting of all these sanctions.
3. Declare that sanctioning a United Nations judicial official or expert for the exercise of their mandate not only violates their functional immunity but also constitutes an act that actively benefits the perpetrators of international crimes by dismantling accountability mechanisms, and that consequently gives rise to international responsibility on the part of the State imposing them.
4. Request that all States adopt positive measures to counteract the extraterritorial effects of sanctions on protected international officials, including ensuring access to basic financial services within their territories.

5. Include in the resolution on the Occupied Palestinian Territory a paragraph affirming that accountability for crimes committed in Gaza is inseparable from the effective protection of the independence of the bodies responsible for investigating and prosecuting them, and that any measure intended to obstruct such bodies undermines both the rule of law, as well as the rights of victims.

Courage International AISBL - Courage, NGO(s) without consultative status, also share the views expressed in this statement.