

CCBE Statement on the Protection of International Law and Justice

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The International Rule of Law

In recent times, the international legal order has come under growing strain. Threats directed at States, pressure placed on international judicial institutions, and measures affecting judges, prosecutors, and lawyers signal a broader and deeply troubling trend. The consequences are profound - when the rule of law is weakened, justice and international cooperation are endangered.

The rule of law is not a political preference, or a matter of convenience. It is a universal principle and the cornerstone of international justice and cooperation. Its protection is essential not only for institutions, but for the rights and dignity of individuals around the world. The rule of law is also inseparable from the effective protection of fundamental rights and freedoms - where the rule of law is undermined, fundamental rights are placed at immediate and serious risk.

International law governs relations among sovereign States through the creation of legal rules, the interpretation of those rules and their enforcement in order to restrain arbitrariness, to ensure accountability, and to provide peaceful means for resolving disputes. These requirements derive in particular from the Charter of the United Nations, the treaties establishing international courts and tribunals and universal and regional instruments for the protection of human rights.

International Courts and the Administration of Justice

International judicial institutions, including the International Court of Justice and the International Criminal Court, are central to the enforcement of international law and embody the principle that no State, authority, or individual stands above the law. Attempts to intimidate, discredit, or obstruct these courts, or those who serve within them, strike at the heart of the rule of law itself. International courts and tribunals play a vital role not only in resolving disputes between States, but also in upholding fundamental rights, ensuring accountability for serious violations, and giving effect to the principle that law protects individuals as well as States.

Sovereignty, Legal Obligations and Compliance

Equally, the rule of law requires that States respect one another's sovereignty and territorial integrity which is a cornerstone of international law and an essential condition for peaceful coexistence among nations. Sovereignty is not a matter of political convenience or strategic

calculation - it is a foundational principle of international law that guarantees equality among States and protects them from coercion, threat, or interference. Any conduct - whether expressed through pressure, unilateral measures, or assertions of control - that disregards this principle undermines the international legal order and erodes mutual trust between States. The rule of law at an international level requires that relations between States be governed by consent, legality, and respect for territorial integrity, not by power or expediency. The protection of sovereignty is therefore inseparable from the protection of international law and justice itself.

The prohibition on the threat or use of force against the territorial integrity or political independence of any State, as set out in [Article 2\(4\) of the UN Charter](#) and as part of customary international law, is a cornerstone of the international legal order. The prohibition of the use of force ultimately serves the fundamental rights of people rather than those of States themselves. The legality of the use of force cannot depend on the perceived character or legitimacy of the targeted government.

Furthermore, as armed conflicts unfold, international humanitarian law must be respected by all parties. States, and other actors where applicable, must resort to international criminal law mechanisms for the purpose of post-conflict reconciliation, enforcing human rights, and restoring the international rule of law.

Just as sovereignty cannot be compromised without weakening the international order, so too must States observe their legal obligations and judicial decisions consistently. Selective adherence, political pressure, or open disregard for binding obligations erode trust between States and weaken the foundations of the international legal system. Compliance with international judicial decisions is not optional - it is an essential expression of good faith and legal certainty.

The Independence of the Legal Profession and the Judiciary

However, law alone cannot function without those who interpret, apply, and defend it. An independent judiciary and an independent legal profession are indispensable to justice at every level. Judges, prosecutors, and lawyers must be able to perform their professional duties freely and without fear, interference, or reprisal. Attacks on their independence - whether direct or indirect - undermine the administration of justice and place fundamental rights at risk worldwide. Justice simply cannot exist without independence.

Lawyers, as essential intermediaries between litigants and courts, play a decisive role in giving effect to the rights enshrined in international law. Their ability to advise, represent and defend without fear of interference or reprisals is a concrete condition for access to justice, the protection of victims and the fight against impunity. Any measure aimed at intimidating, deterring or punishing lawyers for the legitimate exercise of their duties directly undermines the rule of law and confidence in the judiciary.

The Responsibility to Defend International Law

The CCBE stands resolutely for a legal order governed by law, not power. The protection of international law and justice is an urgent and shared responsibility. The defence of international law is not the responsibility of courts alone - it is a shared obligation of States, institutions, and the legal profession. Upholding the rule of law demands vigilance, courage, and collective commitment; without it, even the strongest legal institutions risk erosion.

The CCBE calls upon States, international organisations, and public authorities to reaffirm, in word and in action, their commitment to:

- **respect for and compliance with** international law and the rule of law at all levels including the effective protection of fundamental rights and freedoms guaranteed under international law;
- **the independence, authority, and effective functioning of** international courts and tribunals;
- **the protection of** judges, prosecutors, and lawyers from intimidation or retaliation;
- **full and good-faith compliance with** international legal obligations and judicial decisions as a necessary condition for legal certainty, accountability, and the protection of fundamental rights.
- **refraining from** any measures of reprisal, denigration or sanction directed against international judicial institutions, their members and the legal professionals who practice therein, and to put an end to them when they occur;
- **to cooperate fully with** international courts and tribunals, in particular by enforcing their decisions, providing the necessary mutual assistance, facilitating the work of legal professionals and respecting the procedural guarantees of litigants and their defenders.

The preservation of a world governed by law requires active defence. The erosion of the international rule of law does not begin with collapse, but with indifference to its weakening.

Upholding the rule of law is a legal obligation - not a political choice, and as the representative voice of European lawyers who defend European values - democracy, human rights, the rule of law, freedom, and solidarity - the CCBE stands unwaveringly for the rule of law, the independence of legal professionals, and the protection of justice at every level.