

International Conference on Research in
HUMANITIES AND SOCIAL SCIENCES

27 - 29 March 2026

Oxford, United Kingdom

Sustainability and legitimacy in international criminal justice: Balancing accountability and human rights

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Abstract

International criminal justice has increasingly been evaluated not only in terms of its capacity to prosecute perpetrators of serious international crimes, but also in terms of its long-term sustainability and institutional legitimacy. This paper examines the relationship between accountability mechanisms and the protection of fundamental human rights within the evolving architecture of international criminal justice. While international tribunals and courts are designed to combat impunity for crimes such as genocide, crimes against humanity, and war crimes, their effectiveness depends on maintaining a careful balance between the pursuit of justice and adherence to fair trial guarantees and human rights standards.

The study adopts a doctrinal and interdisciplinary approach, integrating perspectives from international criminal law, human rights law, and legal psychology to analyze how accountability processes influence the perceived legitimacy and resilience of international judicial institutions. Particular attention is given to the role of procedural safeguards, victim participation, and state cooperation in shaping sustainable justice mechanisms. The paper also discusses the structural and political challenges faced by international courts, including selective enforcement, resource constraints, and tensions between global justice norms and state sovereignty.

The analysis suggests that the sustainability of international criminal justice depends on strengthening the normative alignment between accountability and human rights protection. By promoting transparent procedures, consistent legal standards, and victim-centered approaches, international justice institutions can enhance their legitimacy and contribute to a more resilient global legal order. Ultimately, achieving a sustainable model of international criminal justice requires balancing the imperative to punish grave crimes with the obligation to uphold the fundamental rights and dignity of all individuals involved in the judicial process.

Keywords: International Criminal Justice; Sustainability; Institutional Legitimacy; Accountability; Human Rights Protection; International Criminal Law; Fair Trial Guarantees; Systemic Resilience; Global Justice; Rule of Law