

CCBE Statement on the invasion of Ukraine

25/02/2022

The Council of Bars and Law Societies of Europe (CCBE) represents the bars and law societies of 45 countries, and through them more than 1 million European lawyers. Since its creation, the CCBE has been at the forefront of advancing and defending the legal principles upon which democracy and the rule of law are based.

The CCBE joins EU institutions and the international community in their demand that Russia immediately ceases its illegal invasion of Ukraine. All States must respect the fundamental obligations, values, principles and freedoms set out in the Charter of the United Nations, the Statute of the Council of Europe, the European Convention on Human Rights, Budapest Memoranda on Security Assurances, and other general principles of public international law, including the Rome Statute of the International Criminal Court.

The CCBE strongly condemns the actions which breach these fundamental and generally accepted principles of international law. Respect for international laws and treaties must be maintained and upheld. In the current tragic context in which the Ukrainian people find themselves, the need to uphold the rule of law is of paramount importance.

The CCBE unequivocally condemns the invasion of Ukraine by Russia. The unwarranted invasion of a sovereign state represents an egregious attack on the rule of law. We welcome the statement of the Prosecutor of the International Criminal Court.

"I remind all sides conducting hostilities on the territory of Ukraine that pursuant to the declaration lodged on 8 September 2015, accepting jurisdiction of the International Criminal Court ("ICC" or the "Court"), my Office may exercise its jurisdiction over and investigate any act of genocide, crime against humanity or war crime committed within the territory of Ukraine since 20 February 2014 onwards.

Any person who commits such crimes, including by ordering, inciting, or contributing in another manner to the commission of these crimes, may be liable to prosecution before the Court, with full respect for the principle of complementarity. It is imperative that all parties to the conflict respect their obligations under international humanitarian law."

We call on the Prosecutor to commence an immediate investigation in this respect with a view to the trial of the President of Russia, Vladimir Putin, and his accomplices. The Ukrainian people deserve the protection of the international legal order.

The CCBE attaches particular importance to the respect of the universal values of human dignity, freedom, equality and solidarity and, therefore, insists that Europe must remain an area of peace, freedom, security and justice. In particular, we express solidarity with our Ukrainian colleagues under attack.

We are mindful also of the position of those Russian colleagues who do not feel able to speak out against this illegal war for fear of their lives.

The CCBE additionally stresses that the right to asylum should be respected and assured in this context and humanitarian assistance provided to those in need. EU Member States and other European States are, therefore, encouraged to take the necessary measures in the field of border management and asylum to help people fleeing conflict and violence. Finally, the CCBE encourages lawyers to provide legal assistance to people seeking international protection and welcomes the fact that many legal professionals are already engaged in such actions.