

## Symposium

### Professionals and Professionalism(s) in International Criminal Justice

# Conceptualizing Professionalism(s) in International Criminal Justice

## Editors' Introduction

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## ABSTRACT

This symposium examines competing and converging assumptions about professionalism, professional behaviour, and a professional sense of self held among those who work within and around the field of international criminal justice. By asking what 'counts' as professional behaviour in international criminal justice, contributions to the symposium examine how different types of expertise are navigated in the field, which kinds of professionalism are overlooked, and what tensions exist among different conceptions of professionalism. Ultimately, however, what counts as professionalism at times becomes implicitly defined by its opposite, namely, behaviour that amounts to *un*professional conduct. Contributions therefore also examine boundaries of professionalism, a focus that has gained further urgency amidst recent accusations of unprofessional behaviour levelled against senior professionals in the field. The symposium brings together a diverse group of contributors, including academics and practitioners, who provide fresh insights into the multifaceted nature of professional identity and conceptions of professionalism in international criminal justice, enriching our understanding and fostering a continuing discussion of what it means to be a professional in this complex field.

## 1. INTRODUCTION

This symposium brings together contributions from both academics and practitioners to critically examine conceptions of professionalism within the field of international criminal justice. The articles interrogate the foundational assumptions that inform professional norms and behaviours and analyse how these are interpreted and negotiated among a diverse range of actors — including prosecutors, defence counsel, and others — who engage with the field from varied disciplinary and professional backgrounds. The collection further reflects on the forms of professional practice that are frequently marginalized or undervalued and considers the behaviours that are commonly characterized as constituting unprofessional conduct. By doing so, contributions to this symposium are structured around three focal points: contested and competing assumptions about professional behaviour; professional conduct that tends to be overlooked and undervalued, with a focus on emotional labour; and boundaries of professional conduct.

As a starting point, this symposium is based on the observation that the legal framework and institutions of international criminal justice are ultimately shaped by the professionals who work within them,<sup>1</sup> and their assumptions about what constitutes appropriate and professional behaviour in this field. Their expectations and shared practices surrounding professionalism and professional behaviour are thereby key, influencing and shaping a contested and fragmented professional identity. Since we issued our initial call for papers for a workshop on professionals and assumptions about professionalism in early 2023,<sup>2</sup> however, the topic of professionalism has grown even further in importance. Recent events have underscored the relevance and urgency of a conversation about professional assumptions and practices, crystallized by the scrutiny of International Criminal Court (ICC) practitioners at its uppermost echelons. On 16 May 2025, the current ICC Prosecutor took leave from his position pending the outcome of an investigation by the United Nations Office of Internal Oversight Services<sup>3</sup> into ‘widely reported allegations of sexual misconduct’.<sup>4</sup> Furthermore, in April 2024, the Disciplinary Board of the ICC upheld claims of harassment and bullying against senior ICC Defence lawyers.<sup>5</sup> While unrelated and factually distinct, both developments echo the 2020 findings of the Independent Expert Review 2020,<sup>6</sup> which detailed an at times toxic working culture that appears to ‘stubbornly persis[t]’ five years on.<sup>7</sup> At the same time, the ICC operates in a context of immense pressure and scrutiny,

<sup>1</sup> To paraphrase F. Mégret, ‘International Criminal Justice as a Juridical Field’, XIII Champ Pénal/Penal Field (2016) § 9; see also J. D’Aspremont et al. (eds), *International Law as a Profession* (Cambridge University Press, 2017), at 2.

<sup>2</sup> In addition to an initial workshop held at the School of Law at the University of Leeds in July 2023, the symposium benefited from a follow-up workshop at the University of Copenhagen in June 2024. We are grateful for the generous support provided for these workshops by the School of Law and the School of Politics and International Studies at the University of Leeds and the European Research Council (ERC) under the European Union’s Horizon 2020 Research and Innovation Program (JustSites: StG-802053).

<sup>3</sup> International Criminal Court (ICC), ‘Statement of the Presidency of the Assembly of States Parties on current situation in the Office of the Prosecutor’, Press Release 18 May 2025, available online at <https://www.icc-cpi.int/news/statement-presi-dency-assembly-states-parties-current-situation-office-prosecutor> (visited 3 October 2025).

<sup>4</sup> UN News, ‘International Criminal Court: Deputies Take Over Amid Prosecutor misconduct probe’, 19 May 2025, available online at <https://news.un.org/en/story/2025/05/1163421#:~:text=The%20investigation%20into%20widely%20reported,Khan%20has%20denied%20the%20allegations> (visited 3 October 2025). This source also reports that Mr Khan has denied the allegations.

<sup>5</sup> M. Capacci, ‘Harassment at the ICC: A Defence Lawyer Heavily Sanctioned’, *JusticeInfo*, 25 April 2025, available online at <https://www.justiceinfo.net/en/144635-harassment-icc-defence-lawyer-heavily-sanctioned.html> (visited 15 August 2025); Disciplinary Board of the ICC, *Disciplinary Complaint Against Ms Melinda Taylor—Decision of the Disciplinary Board*, 18 April 2024 SDO-2024-51-DB Decision.

<sup>6</sup> ICC, ‘Independent Expert Review of the International Criminal Court and the Rome Statute System, Final Report 30 September 2020’ (‘IER Report’), available online at [https://asp.icc-cpi.int/sites/asp/files/asp\\_docs/ASP19/IER-Final-Report-ENG.pdf](https://asp.icc-cpi.int/sites/asp/files/asp_docs/ASP19/IER-Final-Report-ENG.pdf) (visited 3 October 2025).

<sup>7</sup> M. Karnavas, ‘Workplace Harassment at the ICC Stubbornly Persistent—Part 1: Willful Blindness, Callous Indifference, Blissful Incompetence or Institutional Protectiveness?’, available online at <https://michaelgkarnavas.net/blog/2025/05/26/icc-workplace-harassment-part-1/> (visited 3 October 2025).

ranging most recently from United States sanctions against ICC officials<sup>8</sup> to the detection of cybersecurity incidents targeting the court.<sup>9</sup>

Thus, in the current climate of perma-crisis and post-critique,<sup>10</sup> to dedicate a symposium to professionals and professionalism(s) in the field of international criminal justice is to simultaneously discuss concepts and themes that are not only highly topical, but that also appear both self-evident and deeply contested. Within the literature, the symposium builds on a growing body of scholarship that employs empirical and socio-legal approaches to examine the lawyers and legal scholars who work within and around international criminal justice.<sup>11</sup> The relational and power dynamics among actors within and beyond the courtroom have previously received attention,<sup>12</sup> indicating, among other factors, that the motivations and assumptions within this diverse group of professionals can differ considerably in practice.<sup>13</sup> Several contributions thereby touch upon aspects that are closely linked to a sense of professionalism, such as viewing international criminal justice as a marketplace of professional expertise.<sup>14</sup> The academic literature on assumptions about professionalism and professional behaviour, more specifically, however, remains surprisingly sparse. Existing scholarship tends to conceptualize legal professionalism in a narrow and technical manner, often framing it as either a serious breach of conduct or a procedural error stemming from an incorrect legal interpretation.<sup>15</sup> Professionalism has also been identified, but not further defined, as an intrinsic element of ethics<sup>16</sup> and integrity in international criminal law.<sup>17</sup>

Mapping the breach and observance of ethical standards of behaviour, however, is not the only way in which professionalism is relevant to international criminal justice and its practice. As a discipline that draws people from multiple distinct legal, professional, and social traditions, there has long been a debate about the existence of a uniform culture of international criminal justice.<sup>18</sup> Therefore, the study of professionalism is also an inquiry into contested power relations across diverse contexts. In this respect, professionalization cannot be seen as inherently or unquestionably beneficial without further analysis; as Haslam and Edmunds note, it can undermine

<sup>8</sup> ICC, 'Presidency of the Assembly of States Parties expresses deep concern and objects to additional U.S. sanctions targeting ICC elected officials', Statement, 21 August 2025, available online at <https://www.icc-cpi.int/news/presidency-assembly-states-parties-expresses-deep-concern-and-objects-additional-us-sanctions> (visited 3 October 2025).

<sup>9</sup> ICC, 'ICC Detects and Contains New Sophisticated Cyber Security Incident', Statement, 30 June 2025, available online at <https://www.icc-cpi.int/news/icc-detects-and-contains-new-sophisticated-cyber-security-incident> (visited 3 October 2025).

<sup>10</sup> S. Vasiliev, 'The Crises and Critiques of International Criminal Justice', in K.J. Heller et al. (eds), *The Oxford Handbook of International Criminal Law* (Oxford University Press, 2020) 626–651; M. Burgis-Kasthala and B. Sander, 'Contemporary International Criminal Law After Critique: Towards Decolonial and Abolitionist (dis-)Engagement in an Era of Anti-Impunity', 22 *Journal of International Criminal Justice (JICJ)* (2024) 127–150.

<sup>11</sup> E.g. K. Lohne, *Advocates of Humanity: Human Rights NGOs in International Criminal Justice* (Oxford University Press, 2019); N. Eltringham, *Genocide Never Sleeps: Living Law at the International Criminal Tribunal for Rwanda* (Cambridge University Press, 2019); N. Stappert, 'A New Influence of Legal Scholars? The Use of Academic Writings at International Criminal Courts and Tribunals', 31 *Leiden Journal of International Law (LJIL)* (2018) 963–980; M.J. Christensen, 'The Professional Market of International Criminal Justice: Divisions of Labour and Patterns of Elite Reproduction', 19 *JICJ* (2021) 783–802.

<sup>12</sup> P. Dixon and C. Tenove, 'International Criminal Justice as a Transnational Field: Rules, Authority and Victims', 7 *International Journal of Transitional Justice* (2013) 393–412; Mégret, *supra* note 1.

<sup>13</sup> Eltringham, *supra* note 11, at 41–44; A. Batesmith, 'International Prosecutors as Cause Lawyers', 19 *JICJ* (2021) 803–830.

<sup>14</sup> Christensen, *supra* note 11; M.J. Christensen, 'The Creation of an Ad Hoc Elite and the Value of International Criminal Law Expertise on a Global Market', in Heller et al. (eds), *supra* note 10, 89–105.

<sup>15</sup> L. Arbour, 'Legal Professionalism and International Criminal Proceedings', 4 *JICJ* (2006) 674–685.

<sup>16</sup> T. Roosevelt, 'Ethics for the Ethical: A Code of Conduct for the International Criminal Court Office of the Prosecutor', 24 *Georgetown Journal of Legal Ethics* (2011) 835–851.

<sup>17</sup> G. Ekeløve-Slydal, 'Sir Thomas More and Integrity in Justice', in M. Bergsmo and V. Dittrich (eds), *Integrity in International Justice* (Torkel Epsahl Academic EPublishers, 2020) 151–212.

<sup>18</sup> K. Campbell, 'The Making of Global Legal Culture and International Criminal Law', 26 *LJIL* (2013) 155–172; M. Bohlander, 'Language, Culture, Legal Traditions, and International Criminal Justice', 12 *JICJ* (2014) 491–513; L. Swigart, 'The Impacts of English-language Hegemony on the ICC', in F. Jeßberger et al. (eds) *International Criminal Law—A Counter-Hegemonic Project?* (TMC Asser Press, 2022) 239–263.

inclusive, participatory ideals by reinforcing distance and knowledge hierarchies.<sup>19</sup> As well as being a normative anchor and locus of power hierarchies, professionalism is also central to the identity of international criminal justice professionals. As the contributions in this symposium demonstrate, professionalism is shaped by role expectations, institutional pressures, personal professional identity, and a myriad of contextual factors. Professionalism is also performed differently by the disparate actors of international criminal justice; to this, we can add the increasing challenges of geopolitics, technological change and the growing complexity of atrocity crime investigations.

Thus, we argue that professionalism in international criminal justice, given its complexities, is a valuable conceptual lens for studying underlying assumptions and power hierarchies, as well as for structuring engagement with practitioners and other participants in the field. It provides a common language for discussing ethical standards, institutional expectations and interpersonal dynamics, while also serving as a site for critical reflection and contestation. We posit that collaborative research and dialogue between (often antagonistic or distant) actors about professionalism can illuminate the tensions and ambiguities that shape their daily work.<sup>20</sup> It also opens a space for rethinking the normative foundations of the practice of international criminal justice, particularly in light of critiques that challenge the field's claims to neutrality, objectivity and universality, all topics that are under considerable scrutiny today.<sup>21</sup>

By doing so, the symposium adds to existing empirical and socio-legal research by emphasizing thus far overlooked and undervalued professional practices, including emotional labour, contested assumptions about what constitutes professional behaviour, as well as empirical and conceptual explorations of the boundaries of professional conduct. Before providing an overview of its contributions, this introduction begins by conceptualizing professionalism and its contestations, identifying three partly overlapping reasons why different views on what constitutes professional behaviour in international criminal justice may be held among those working in the field. To some extent, such contestations are a common occurrence in any workplace, where people with different professional experiences navigate how to conduct themselves and perform their tasks. In international criminal justice, such dynamics are amplified, given the diverse professional training of its practitioners, as well as the fast-developing and institutionally fragmented character of the field. We have thus opted to occasionally refer to professionalism in the plural, emphasizing that, when approached as an empirical object of study,<sup>22</sup> diverging views on professionalism may exist, which can be traced through empirical research. At the same time, potential future discussions among practitioners on the topic may support a process where such expectations could be further clarified and harmonized.

## 2. PROFESSIONALISM AND ITS CONTESTATIONS

At first glance, defining professional behaviour in international criminal justice is seemingly relatively straightforward. After all, professionalism is repeatedly referred to within

<sup>19</sup> E. Haslam and R. Edmunds, 'Managing a New "Partnership": "Professionalization", Intermediaries, and the International Criminal Court', 24 *Criminal Law Forum* (2013) 49–85.

<sup>20</sup> In this context, we are grateful for valuable discussions at a conference convened by the Law School at Tilburg University in June 2024, entitled 'Joined Up Justice: The ICC as a Justice Hub, Pragmatic Complementarity and Domestic ICL Enforcement', where two of the guest editors presented the concept of the Symposium, as well as a call for the development of a network of practitioners and scholars on professionals and professionalism in international criminal justice. For details, see Tilburg University, 'Joined-Up-Justice Conference', 13–14 June 2024, programme available online at <https://www.joinedupjustice.com/juj-conference-2024> (visited 7 October 2025).

<sup>21</sup> As they have been for some time: J. Hagan, *Justice in the Balkans: Prosecuting War Crimes in The Hague Tribunal* (University of Chicago Press, 2003); F. Mégret, 'What Sort of Global Justice is "International Criminal Justice"?', 13 *JICJ* (2015) 77–96.

<sup>22</sup> J.v. H. Holtermann and M.R. Madsen, 'European New Legal Realism and International Law: How to Make International Law Intelligible', 28 *LJIL* (2015) 211–230.

institutional and occupational codes of conduct. For example, the Code of Conduct for the Office of the Prosecutor at the International Criminal Court (COC-OTP) requires prosecutors to ‘displa[y] the highest standards of integrity, independence, impartiality, *professionalism* and confidentiality’.<sup>23</sup> This is further defined in the COC-OTP as a requirement to act ‘honourably, professionally, faithfully, impartially and conscientiously’, and also to ‘uphold the highest standards of integrity and relevant standards on confidentiality, fairness, honesty and truthfulness in all matters affecting work and status’.<sup>24</sup> In the equivalent regulations for defence counsel and victims’ lawyers, Article 7 of the Code of Professional Conduct for Counsel appearing at the ICC (‘CPCC-ICC’) enumerates the components of professional conduct, which predominantly comprise respect and courtesy, competence, and compliance with the ICC Statute and its other rules and regulations.<sup>25</sup> Professionalism is also listed as one of the ‘Core Competencies’ of the ICC and is defined as the application of professional and technical expertise, being cognisant of organizational aspects and ‘produc[ing] workable solutions to a range of problems’.<sup>26</sup>

Within these institutional codes, professional behaviour is given meaning with reference to a combination of broader legal principles, such as honourable and faithful conduct, that are supposed to guide behaviour. The Codes also provide further interpretive guidance, for example, by specifying that ‘faithful conduct includes’, among others, ‘loyalty to the aims, principles and purposes of the Court’.<sup>27</sup> However, there are several instances in which these further specifications also more resemble broader legal principles. Considering that the everyday work of (among others) prosecutors and defence counsel consists of a wider range of tasks and duties, relying on such broader principles to define professionalism has the advantage of providing guidance even in situations that could not have been anticipated when these guidelines were drafted.

At the same time, such legal principles allow for considerable interpretive latitude. This is especially true within international criminal justice, given that it is not embedded within a long-established national legal system but is still a relatively new subfield of international law with considerable influences from different domestic legal systems that have served to clarify its legal provisions. Moreover, within its counterparts in national legal systems, guidelines of professional conduct are typically produced and institutionally supported by professional bodies, such as bar associations, helping to constitute and reinforce common expectations about what amounts to unprofessional conduct.

Within international law, this role has been partially assumed by the International Bar Association (IBA), which has its own long-standing International Code of Ethics.<sup>28</sup> While more general in its applicability compared to the more specialized institutional codes governing work at the ICC, it is nevertheless instructive when examining guidelines on professionalism in international criminal justice. In particular, the IBA’s International Code of Ethics articulates legal principles that closely align with those set out in the institutional

<sup>23</sup> ICC, *Code of Conduct for the Office of the Prosecutor* (‘COC-OTP’) (5 September 2013) OTP2013/024322, available online at <https://www.icc-cpi.int/publications/core-legal-texts/code-conduct-office-prosecutor> (visited 3 October 2025), Introduction, Five Fundamental Rules, Rule 2 (emphasis added).

<sup>24</sup> COC-OTP, Arts 20(a) and (c).

<sup>25</sup> ICC, *Code of Professional Conduct for Counsel* (‘CPCCICC’) (2011) ICC-PIOS-LT-03-002/15\_Eng, available online at <https://www.iccpi.int/sites/default/files/Publications/Code-of-Professional-Conduct-for-counsel.pdf> (visited 3 October 2025).

<sup>26</sup> ICC, *Administrative Instruction ICC/AI/2019/003, Annex I, ‘The Core Competencies of the ICC’*, 22 February 2019, available online at [https://www.icc-cpi.int/sites/default/files/Vademecum/OT2567394\\_ICC%20AI%202019%20003%20Annex%201%20%28ENG%29%20-%20PERFORMANCE%20APPRAISAL%20SYSTEM.PDF](https://www.icc-cpi.int/sites/default/files/Vademecum/OT2567394_ICC%20AI%202019%20003%20Annex%201%20%28ENG%29%20-%20PERFORMANCE%20APPRAISAL%20SYSTEM.PDF) (visited 3 October 2025), at 5–6.

<sup>27</sup> COC-OTP, Art. 27(a).

<sup>28</sup> International Bar Association, *International Code of Ethics* (‘IBA Code of Ethics’) (1988), available online at <https://www.ibanet.org/MediaHandler?id=DAD036E7-AF03-4BFC-806B-6ASCA4A0775A> (visited 3 October 2025).

codes of the ICC, such as requiring lawyers to ‘treat their professional colleagues with the utmost courtesy and fairness’, and to ‘maintain the honour and dignity of their profession’.<sup>29</sup> Notably, the IBA Code, in its opening rule, defers to national professional standards, requiring lawyers to follow the professional norms of the jurisdiction in which they were admitted, as well as those applicable in the jurisdiction where they are practising.<sup>30</sup>

The IBA’s International Code of Ethics and the more specialized institutional codes of the ICC thus provide room for considerable interpretive leeway. The precise meaning of conducting oneself ‘honourably’ or ‘faithfully’ in any given context, and of demonstrating loyalty to the Court’s ‘aims, principles and purposes’, remains open to subjective interpretation. In order to give substantive meaning to these broader legal principles, lawyers’ understanding of what amounts to professional conduct is likely shaped — both consciously and unconsciously — by the norms and frameworks embedded in their domestic legal training. After all, as mentioned, the IBA’s Code explicitly reiterates the applicability of national professional standards, including those of the jurisdiction in which the lawyer was admitted. Furthermore, in the case of the ICC’s institutional codes (or, for that matter, any organization-specific set of guidelines), any understanding of what constitutes appropriate and professional conduct is at least partly learned through practical experience.<sup>31</sup> As new employees are exposed to existing working processes and routines — in the case of international criminal justice, ranging from evidence disclosure procedures to interpersonal dynamics, for example — how these new employees perceive professional conduct is shaped, reinforced, and potentially questioned through engagement with existing staff and their prevailing practices.<sup>32</sup>

In sum, to give such broad guidelines concrete meaning, these institutional and occupational codes on professional behaviour are underpinned by a multitude of unwritten cultural scripts and overlaid situated socializations,<sup>33</sup> which function as tacit, shared assumptions on what ‘honourable’ or ‘faithful’ conduct may amount to. In theoretical terms, one way to conceptualize such assumptions more broadly is as background knowledge shared among a group of practitioners (or ‘community of practice’),<sup>34</sup> which furthermore resonates with the Bourdieusian concept of habitus.<sup>35</sup> Such background knowledge does not consist of abstract principles or codified rules typically found in legal textbooks or commentaries. Instead, it is embedded in practice — ‘bound up in the performance’<sup>36</sup> — and enacted each time an abstract norm is given concrete meaning.<sup>37</sup> In this way, professional behaviour resembles a repertoire of skills more than a body of theoretical knowledge. It is shaped and negotiated intersubjectively within a social context,<sup>38</sup> such as among employees at a workplace or members of a professional community.

<sup>29</sup> IBA Code of Ethics, Rules 2 & 4.

<sup>30</sup> IBA Code of Ethics, Rule 1.

<sup>31</sup> E. Wenger, *Communities of Practice: Learning, Meaning, and Identity* (Cambridge University Press, 1998); J. Lave and E. Wenger, *Situated Learning: Legitimate Peripheral Participation* (Cambridge University Press, 1991), at 32–34.

<sup>32</sup> Lave and Wenger, *ibid.*, at 29–58.

<sup>33</sup> *Ibid.*, at 32–34.

<sup>34</sup> Wenger, *supra* note 31. See also E. Adler and V. Pouliot, ‘Introduction and Framework’, in E. Adler and V. Pouliot (eds), *International Practices* (Cambridge University Press, 2011) 3–35, at 16.

<sup>35</sup> P. Bourdieu, *Outline of a Theory of Practice* (Cambridge University Press, 1977), at 78–87. On such conceptual connection points especially as applied to international lawyers, see J. v. H. Holtermann, M.R. Madsen, and N. Stappert, ‘International Lawyers, Legal Norms, and Contestations of Legal Validity’, in P. Orchard and A. Wiener (eds), *Contesting the World: Norm Research in Theory and Practice* (Cambridge University Press, 2024), at 182–196.

<sup>36</sup> Adler and Pouliot, *supra* note 34, at 8.

<sup>37</sup> Lave and Wenger, *supra* note 31, at 32–34.

<sup>38</sup> Adler and Pouliot, *supra* note 34, at 8.

Compared to other forms of everyday behaviour shaped by such intersubjectively shared, tacit background knowledge, expectations around professional conduct are arguably underpinned by particularly strong normative assumptions.<sup>39</sup> This is evident in expressions such as conducting oneself ‘honourably’, which signal that professional behaviour is not only expected as part of ‘competent (workplace) performances’,<sup>40</sup> but is also morally commendable. Such conduct is sharply contrasted with behaviour deemed *unprofessional*, which is often viewed as crossing a normative boundary. Unprofessional conduct can be perceived as so ethically problematic that it risks damaging the reputation of the individual involved, while also potentially undermining the legitimacy of the organization and/or professional group they represent.<sup>41</sup> In turn, this can erode public trust and may impact a sense of institutional identity and professional self-worth among staff working within that organization.<sup>42</sup>

While certain types of unprofessional behaviour — such as harassment, bullying, or improperly sharing information — may be comparatively easy to identify, what constitutes exemplary professional conduct can be more open to interpretation and debate. In the pluralistic field of international criminal justice, the ongoing negotiation of what constitutes professionalism is particularly complex. This complexity arises from the field’s evolving institutional landscape,<sup>43</sup> the transnational composition of its institutions and the professionals who work within and around them, the interplay between domestic legal traditions, and the existence of crystallizing or competing international norms.<sup>44</sup> Within International Relations literature, it is firmly established that norms — defined as ‘standard[s] of appropriate behavior’ within world politics<sup>45</sup> — are continuously contested,<sup>46</sup> including among international lawyers.<sup>47</sup> Such research offers valuable insights for the field of international criminal justice, providing both theoretical and empirical tools to examine how norms are contested in shaping appropriate responses to mass atrocities.<sup>48</sup> Within the introduction to this symposium, we identify, distinguish and discuss three distinct forms of contestation of professionalism within the field of international criminal justice: contestation across professional backgrounds and roles within the field; contestation across international criminal justice institutions and ‘sites’;<sup>49</sup> and contestation over time, as new professionals enter the field and may question prevailing standards. Such a typology of different forms of contestation is thereby

<sup>39</sup> On how normativity is enacted and contested in practice, see also generally F. Gadinger and H. Niemann, ‘Normativity in Practice: Ordering through Enactment, Learning, and Contestation in Global Protests’, 51 *Review of International Studies* (2025) 1–20.

<sup>40</sup> Adler and Pouliot, *supra* note 34, at 6.

<sup>41</sup> See similarly, S. von Billerbeck, ‘No Action Without Talk? UN Peacekeeping, Discourse, and Institutional Self-Legitimation’, 46 *Review of International Studies* (2020) 477–494, at 486. On practices of legitimation and delegitimation of global governance institutions more generally, see M. Bexell, K. Jönsson, and A. Uhlin (eds), *Legitimation and Delegitimation in Global Governance: Practices, Justifications, and Audiences* (Oxford University Press, 2022).

<sup>42</sup> For a general discussion on the (self-)legitimation practices of international organisations in relation to their own personnel, and the implications for organisational identity, see S. von Billerbeck, ‘Mirror, Mirror on the Wall: Self-Legitimation by International Organizations’, 64 *International Studies Quarterly* (2020) 207–219.

<sup>43</sup> M.J. Christensen, ‘From Symbolic Surge to Closing Courts: The Transformation of International Criminal Justice and its Professional Practices’, 43 *International Journal of Law, Crime and Justice* (2015) 609–625.

<sup>44</sup> N. Stappert, ‘Practice Theory and Change in International Law: Theorizing the Development of Legal Meaning Through the Interpretive Practices of International Criminal Courts’, 12 *International Theory* (2020) 33–58.

<sup>45</sup> M. Finnemore and K. Sikkink, ‘International Norm Dynamics and Political Change’, 52 *International Organization* (1998) 887–917, at 891.

<sup>46</sup> A. Wiener, *A Theory of Contestation* (Springer, 2014).

<sup>47</sup> Holtermann, Madsen and Stappert, *supra* note 35.

<sup>48</sup> A. Beresford and D. Wand, ‘Understanding Bricolage in Norm Development: South Africa, the International Criminal Court, and the Contested Politics of Transitional Justice’, 46 *Review of International Studies* (2020) 534–554; Y. Han and S. Rosenberg, ‘Claiming Equality: The African Union’s Contestation of the Anti-Impunity Norm’, 23 *International Studies Review* (2021) 726–751.

<sup>49</sup> M.J. Christensen, ‘Justice Sites and the Fight against Atrocity Crimes’, 48 *Law & Social Inquiry* (2023) 1399–1427.

meant to add conceptual clarity, including for empirical studies of contestations of professionalism in international criminal justice, for example, as provided by Gabrielė Chlevickaitė's contribution to this symposium.<sup>50</sup>

To begin with, as the term 'professionalism' itself implies, expectations around professional conduct are fundamentally shaped by the values and standards of the legal profession itself. As we discussed above, the IBA's International Code of Ethics explicitly requires lawyers to 'maintain the honour and dignity of their profession'<sup>51</sup> — a phrase that highlights the centrality of the profession itself as the source and guardian of ethical behaviour. As a first reason for potential uncertainty or contestation over what may constitute professional behaviour in international criminal justice, one may begin by asking whether there is, in fact, a shared profession within this field, and thus a shared sense of professional identity. When examining the construction of professionalization within international law more generally, D'Aspremont cautions against treating legal professionals as a homogenous group, noting the diversity of contexts, evolving roles, and competitive dynamics that characterize this larger field.<sup>52</sup>

Such caution is equally, if not even more, warranted within international criminal justice, more specifically. As the contributions to this symposium further examine,<sup>53</sup> the landscape of international criminal justice encompasses a range of practitioners with diverse professional backgrounds beyond lawyers, including expert witnesses, interpreters, field office intermediaries, NGO professionals, and forensic experts, among others,<sup>54</sup> which are often trained within and identify themselves as part of professions other than — or in addition to — (international) law. These practitioners in turn negotiate among and between themselves how to interpret the meaning of professional conduct, as well as a professional sense of self. In addition, among those with a legal background working within international criminal justice, assumptions on professional behaviour are arguably developed in the context of different professional roles, such as defence counsel and prosecutors. After all, in enacting professionalism, the disparate practitioners of international criminal justice stake jurisdictional claims that seek to monopolize the field, including among those that mostly see themselves as part of a broader legal profession. For instance, prosecutors appeal to impartiality, diligence and rigour,<sup>55</sup> whereas defence counsel may emphasize zealous advocacy, client loyalty, and procedural fairness.<sup>56</sup> In addition, as Karen McGregor Richmond points out in her contribution to this symposium, considerable uncertainty may exist on how judges navigate and potentially defer to non-legal professional expertise within the courtroom.<sup>57</sup> One may therefore expect that one type of contestation of what amounts to professional behaviour in

<sup>50</sup> G. Chlevickaitė, 'Documenting Conflict-related Crimes in Ukraine: Civil Society Innovations, Adaptations and Networks in the Accountability Ecosystem', in this issue of the *Journal*.

<sup>51</sup> IBA Code of Ethics, Rule 2 (emphasis added).

<sup>52</sup> D'Aspremont et al, *supra* note 1, 7–1409.

<sup>53</sup> M.J. Christensen, 'Field and Extra-Field Professionals in International Criminal Justice: Localized and Mixed Intellectual, Manual and Emotional Labour', in this issue of the *Journal*. Chlevickaitė, *supra* note 50.

<sup>54</sup> For a similarly broad conceptualization of the field of international criminal justice, see Christensen, *supra* note 49, at 1400–1401, 1408–9.

<sup>55</sup> F. Mégret, 'International Prosecutors: Ethics and Accountability', Leuven Centre for Global Governance Studies Working Paper No. 18 (2008), available online at <https://ghum.kuleuven.be/ggs/research/ipp/publications/megret.pdf> (visited 3 October 2025); Batesmith, *supra* note 13; A. Oriolo, 'Ethical Standards for International Prosecutors', *Max Planck Encyclopedia of International Procedural Law* (2022), available online at <https://opil.ouplaw.com/display/10.1093/law-mpei/pro/e3143.013.3143/law-mpeipro-e3143> (visited 3 October 2025).

<sup>56</sup> M. Karnavas, 'Defence Counsel Ethics, the ICC Code of Conduct and Establishing a Bar Association for ICC List Counsel', 16 *International Criminal Law Review* (2016) 1048–1116; K. Gibson, 'Defense Counsel in International Criminal Trials', in C. Romano et al. (eds), *The Oxford Handbook of International Adjudication* (Oxford University Press, 2014); Batesmith, *supra* note 13.

<sup>57</sup> K. McGregor Richmond, 'The Influence of the Expert Witness in International Criminal Justice: Deference or Education?', in this issue of the *Journal*.

international criminal justice is rooted in differences across professional backgrounds and roles.

A second type of contestation regarding what constitutes professional behaviour may occur across the institutions and 'sites' of international criminal justice.<sup>58</sup> Research across sociology, economics and education has also underscored that professional conduct is, to a significant extent, acquired through practical experience, by engaging with and being exposed to established workplace norms and practices, typically embedded within particular institutions or organizational settings.<sup>59</sup> These learning processes are thus facilitated through sustained interaction with colleagues or fellow practitioners with whom one interacts most closely (forming what Wenger describes as 'mutual engagement' within 'communities of practice').<sup>60</sup> Among other scenarios, these practitioners can be co-workers based in the same office environment, for example.<sup>61</sup> Within international criminal justice's fragmented institutional landscape, differences have thus been detailed regarding specific professional practices across international and hybrid criminal courts, for example, regarding witness proofing,<sup>62</sup> a point that is again taken up within the practitioner's roundtable included in this symposium.<sup>63</sup>

At the same time, international criminal justice as a field can be understood more broadly than simply encompassing international and hybrid criminal courts. It also includes a wider range of actors and institutions, such as intermediaries collecting evidence in situation countries,<sup>64</sup> national war crimes units, and policy-focused organizations such as think tanks.<sup>65</sup> Mikkel Jarle Christensen recently developed the term 'justice sites' to conceptualize these diverse 'physical localities where social (often, professionalized and organizationally embedded) labour with international criminal justice takes place', which 'has the aim of affecting practices and goals in the field of international criminal justice'.<sup>66</sup> Within Christensen's conceptualization, socially located practices enacted within these different 'sites' are shaped not only by their engagement with practices at other sites and neighbouring fields, but also by location-specific processes and resources, ranging from the availability of copy machines to organization-specific rules and procedures.<sup>67</sup> We posit that such location-specific factors are also likely to shape what counts as professional behaviour within this 'site,' which may diverge from professional practices that developed within another organization or localized 'site' relevant within the field of international criminal justice. Both Chlevickaitė's as well as Jarle Christensen's follow-up contributions included within this symposium further underline the relevance of examining such location-specific factors, including beyond international and hybrid criminal courts, when analysing assumptions about professional behaviour and its contestations within international criminal justice.<sup>68</sup>

<sup>58</sup> Christensen, *supra* note 49.

<sup>59</sup> Lave and Wenger, *supra* note 31; Wenger, *supra* note 31.

<sup>60</sup> Wenger, *supra* note 31, at 73–77.

<sup>61</sup> *Ibid.*

<sup>62</sup> W.J. Jordash, 'The Practice of 'Witness Proofing' in International Criminal Tribunals: Why the International Criminal Court Should Prohibit the Practice', 22 *LJIL* (2009) 501–523.

<sup>63</sup> "Professionals and Professionalism(s) in International Criminal Justice: Views from Practice" ('Views from Practice'), in this issue of the *Journal*, at 6 (online first at <https://doi.org/10.1093/jicj/mqaf034>).

<sup>64</sup> L. Ullrich, 'Beyond the "Global—Local Divide": Local Intermediaries, Victims and the Justice Contestations of the International Criminal Court', 14 *JICJ* (2016) 543–568; N. De Silva, 'Intermediary Complexity in Regulatory Governance: The International Criminal Court's Use of NGOs in Regulating International Crimes', 670 *Annals of the American Academy of Political and Social Science* (2017) 170–88.

<sup>65</sup> Christensen, *supra* note 49, at 1408–1409.

<sup>66</sup> *Ibid.*, at 1408, 1400.

<sup>67</sup> *Ibid.*, at 1408–1413.

<sup>68</sup> Chlevickaitė, *supra* note 50; Christensen, *supra* note 49.

A third type of contestation may occur over time as part of a collective learning process, not only as the institutional landscape of international criminal justice has changed, but also as new members to the professional community enter the field. As they begin working in a new context, these new members may challenge ‘old ways of doing things’, potentially leading to conflict or even change in what is considered appropriate professional conduct.<sup>69</sup> Such generational shifts in what is perceived as professional behaviour within international criminal justice are taken up as an example of contestation within the practitioner’s roundtable included in this symposium.<sup>70</sup> At the same time, there are limits to how far those joining a field or an institution anew can challenge existing routines and practices, especially those holding junior positions, not least because they must establish themselves in a new work environment.<sup>71</sup> Ultimately, the responsibility of ‘setting the right tone’ falls to more senior professionals, especially those with personnel responsibilities. In international criminal justice, however, seniority can be relatively complex and not merely confined to working within one institution or even field, as many of those active within the field have typically worked across different institutions and contexts, including within adjacent fields, such as domestic (criminal) law, human rights advocacy, academia or even corporate practice. Therefore, even those new to a particular institution or team can bring considerable work experience with them. Thus, it would be no surprise if, given the institutionalization and latterly contraction of the field, what counts as ‘professional’ behaviour has shifted, particularly as professionals enter from adjacent fields. Each of these cohorts brings with them competing understandings of professionalism that will play out differently in inter-party negotiations, field operations, and in the other ‘sites’ of international criminal justice.<sup>72</sup>

These three types of contestations of professional behaviour across different actors within the field of international criminal justice, however, do not occur within a vacuum. Instead, they are influenced by underlying power hierarchies shaping, in this case, the field of international criminal justice, as well as international law and world politics more generally.<sup>73</sup> As Yves Dezalay and Bryant Garth have described in other transnational legal contexts,<sup>74</sup> the competition to mobilize symbolic and other forms of capital<sup>75</sup> — including academic and practice-based domestic credentials, networks and other markers of prestige — is at work within international criminal justice as global and national legal cultures interact.<sup>76</sup> Professionalism is also, therefore, socially constructed by those with power, whose understandings of professional behaviour prevail, whether in courtroom etiquette, engagement with clients and witnesses, or even evidentiary standards.<sup>77</sup> Consequently, research conducted in neighbouring disciplines has not only understood professionalism as a value

<sup>69</sup> As observed and theorized in the context of apprenticeship training by Lave and Wenger, *supra* note 31, at 57–58, 115.

<sup>70</sup> Views from Practice, *supra* note 63, at 7–8 (online first).

<sup>71</sup> As equally pointed out by Lave and Wenger, *supra* note 31, at 115.

<sup>72</sup> As was originally observed in a much broader context — Abbott argues that different occupational groups exist in competition with one another in specific tasks, knowledge domains, and institutional authority: A. Abbott, *The System of Professions: An Essay on the Division of Expert Labor* (University of Chicago Press, 1988).

<sup>73</sup> As acknowledged in passing by Lave and Wenger, *supra* note 31, at 42. See also A. Contu and H. Willmott, ‘Re-Embedding Situatedness: The Importance of Power Relations in Learning Theory’, 14 *Organization Science* (2003) 283–96. From the perspective of norm contestation, see also A. Wiener, *Contestation and Constitution of Norms in Global International Relations* (Cambridge University Press, 2018), at 1–21.

<sup>74</sup> Y. Dezalay and B. Garth, *Dealing in Virtue: International Commercial Arbitration and the Construction of a Transnational Legal Order* (University of Chicago Press, 1996).

<sup>75</sup> P. Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (Routledge, 2010).

<sup>76</sup> Specifically, regarding the field of international criminal justice, see also e.g. M.J. Christensen, ‘State Nobility in the Field of International Criminal Justice: Divergent Elites and the Contest to Control Power over Capital’, 102 *Social Forces* (2023) 753–770.

<sup>77</sup> J.E. Wallace and F.M. Kay, ‘The Professionalism of Practising Law: A Comparison Across Work Contexts’, 29 *Journal of Organizational Behavior: The International Journal of Industrial, Occupational and Organizational Psychology and Behavior* (2008) 1021–1047.

system or moral community,<sup>78</sup> but also as an elite monopolistic practice to gain market share<sup>79</sup> or as a method of organizational or occupational control.<sup>80</sup>

Within international criminal justice, such dynamics create a fertile ground for privileging some professional cultures while sidelining others, which may involve the marginalization of alternative professional models that do not conform to dominant norms, thereby reinforcing hierarchies within the field. Markers such as dress, speech, and educational background, as Pierre Bourdieu<sup>81</sup> and Sara Ahmed<sup>82</sup> note in other contexts, often carry implicit class, race, and gender dimensions that exclude stakeholders from being considered 'professional'. Within international criminal justice, critical literature has highlighted the enduring relevance of underlying power hierarchies in shaping its legal framework and core decisions, such as regarding prosecutorial strategy.<sup>83</sup> The question of how underlying power structures may shape a sense of professionalism in the field has been less explored. The insights that could be generated by such research are foreshadowed by existing empirical studies on diplomats, for example, which have traced how diplomatic practice is shaped by one's ability to dress, speak and socialize in the 'right' way, thereby reinforcing social stratifications along class, racial, and gender lines.<sup>84</sup> Acknowledging and studying this 'dark side' of professionalism in international criminal justice is arguably essential for developing a more reflexive understanding of the field.

Investigating conceptions of professionalism, therefore, offers a rich ground to study and make visible the often unspoken — and at times also contested — normative assumptions underlying the practice of international criminal justice. At the same time, considering ongoing allegations of sexual impropriety, harassment and bullying, articulating the often-unspoken normative assumptions underpinning professional conduct may prove especially valuable in shaping current discussions on how to promote and safeguard professional behaviour within the field.

### 3. OVERVIEW OF THE SYMPOSIUM

Building on the initial conceptual discussion of professionalism(s) and their contestations in international criminal presented in this editorial introduction, Gabrielè Chlevickaitė's contribution advances the analysis by exploring competing standards of professionalism among civil society organizations (CSOs) operating in Ukraine. She explores how these organizations navigate the tension between adhering to international standards and fulfilling their mandates. Drawing upon semi-structured interviews and a desk-based analysis of CSO materials, this contribution seeks to deepen understanding of the practices of these organizations and how they engage with, interpret, and enact the concept of professionalism. Chlevickaitė argues that the work of CSOs has been increasingly influenced by documentation practices that align with established and widely accepted standards in international criminal justice.

<sup>78</sup> É. Durkheim, *Professional Ethics and Civic Morals* (Cornelia Brookfield tr, Routledge, 2019).

<sup>79</sup> M.S. Larson, *The Rise of Professionalism: A Sociological Analysis* (University of California Press, 1977).

<sup>80</sup> J. Evetts, 'Explaining the Construction of Professionalism in the Military: History, Concepts and Theories', 44 *Revue française de sociologie* (2003) 759–776.

<sup>81</sup> Bourdieu, *supra* note 75.

<sup>82</sup> S. Ahmed, *On Being Included: Racism and Diversity in Institutional Life* (Duke University Press, 2012).

<sup>83</sup> E.g. C. Rudolph, 'Power, Principle, and Pragmatism in Prosecutorial Strategy', in C. Rudolph, *International Criminal Court in Turbulent Times* (Cornell University Press, 2017) 113–143; K.M. Clarke, 'Why Africa?', in R.H. Steinberg (ed.), *Contemporary Issues Facing the International Criminal Court* (Brill Nijhoff, 2016) 326–332.

<sup>84</sup> I.B. Neumann, 'The Body of the Diplomat', 14 *European Journal of International Relations* (2008) 671–695; D. Nair, 'Sociability in International Politics: Golf and ASEAN's Cold War Diplomacy', 14 *International Political Sociology* (2020) 196–214; M. Kuus, 'Symbolic Power in Diplomatic Practice: Matters of Style in Brussels', 50 *Cooperation and Conflict* (2015) 368–384.

While these guidelines have enhanced the professionalism and expertise of CSOs, they have also steered their work towards Western, technocratic approaches that may constrain innovation and inadvertently foster exclusion. In response, some CSOs have developed their own guidelines, creating a counter-hegemonic movement that challenges dominant norms of professionalism in international criminal justice. The contribution also highlights a growing debate about CSOs' relationships with law enforcement and the institutions of international criminal justice. As CSOs become more closely aligned with formal institutions, their work risks losing its critical edge and unconventional character. Chlevickaitė identifies proximity as a key factor shaping CSOs' practices, driven by internal dynamics such as experience and resources, as well as external influences like coalitions, partnerships, and the broader international accountability framework. Employing Christensen's 'justice sites' framework,<sup>85</sup> she illustrates how CSOs' operations and conceptions of professionalism, particularly in the Ukrainian context, are shaped by historical legacies and interconnected sites of justice that bridge national and international practices.

Following Chlevickaitė's contribution, the theme of contested professionalism is further explored in Morten Boe's contribution, which focuses on judges and disqualification procedures (an area that also delineates the boundaries of acceptable professional conduct). Judicial professionalism, like the broader notion of professionalism in international criminal justice, lacks a common definition and remains a contested concept. Boe offers an innovative analysis by examining disqualification proceedings, which reveal conflicting perspectives on judicial professionalism and professional identity in international criminal justice. Drawing on role theory, he outlines the contested nature of the role of international criminal judges and how professionalism is informed by the perception of the judicial profession by judges and other professionals in international criminal justice. Discussing the case law, he highlights intra-role conflicts, such as judges performing overlapping tasks within the same case, navigating the dual demands of administrative and adjudicative responsibilities that may give rise to conflicts of interest, and assuming diplomatic roles that challenge the principle of judicial impartiality. These tensions highlight the ambiguity surrounding judicial professionalism and the difficulty of reconciling judges' traditional responsibilities with broader institutional expectations. Boe argues that international criminal justice's judges are often required to merge their role as case adjudicators with that of gatekeepers of the field's broader institutional objectives. This dual expectation creates tension between judges' cosmopolitan-humanist aspirations and their more traditional judicial responsibilities they are expected to uphold. Without structural reform, this tension remains difficult to resolve and may compromise judges' capacity to assess disqualification cases impartially. In response, Boe calls for a clearer delineation of judicial functions and a more precise articulation of the objectives of international criminal tribunals.

The symposium then turns to its second theme, namely, overlooked and undervalued professional practices. Mikkel Jarle Christensen applies his 'justice sites' framework<sup>86</sup> to investigate professionals operating at the periphery of the international criminal justice field, those so-called 'extra-field' professionals typically embedded within localized organizations. Drawing on existing literature and empirical observations, Christensen examines the often-overlooked social conditions underpinning international criminal justice, with a particular focus on the labour and practices of these extra-field professionals. His contribution expands our understanding of the diverse range of professionals engaged in the international criminal justice project and the varied forms of labour they perform. It prompts a necessary reflection

<sup>85</sup> Christensen, *supra* note 49.

<sup>86</sup> *Ibid.*

on the often marginalized yet essential roles they play in sustaining the operations of international criminal tribunals. Christensen examines the difficult relationship between professionals traditionally recognized as the leading actors of international criminal justice and those who perform their (equally valuable) duties in the background, emphasizing the hierarchical dynamics that shape their interactions. These include the North/South divide and a distinction between real and formal divisions of labour, between those at the forefront of the work of international criminal tribunals (such as judges) and those working behind the scenes (for example, interns and other professionals drafting legal documents). By foregrounding the contributions of these marginalized workers, Christensen calls for a more nuanced and empirically grounded view of international criminal justice labour, recognizing the essential role of extra-field professionals in sustaining the daily operations and legitimacy of international criminal justice institutions.

Alex Batesmith and Chalen Westaby analyse another overlooked dimension of professional practice in international criminal justice: emotional labour. Drawing upon interviews with international criminal justice professionals together with an analysis of professional codes of conduct and normative role expectations, their contribution explores emotional labour through three themes: (i) its role and significance in the daily work of international criminal justice professionals; (ii) its institutional invisibility within the international criminal justice framework; and (iii) the need to incorporate emotional labour into professional development and training. They highlight how emotional labour manifests across different roles and sites — from managing interpersonal dynamics to navigating internal emotional responses — and argue for its recognition as a key component of professional practice. Batesmith and Westaby critically assess how emotional labour is both undervalued and hidden within dominant narratives of international criminal justice professionalism. Their findings highlight the importance of initiating a substantive conversation around emotional labour in the field, one that moves beyond its association with individual well-being to recognize it as a vital component of professional practice. They argue that meaningful attention to emotional labour should include its formal recognition and integration into legislative and policy frameworks, thereby ensuring that it is properly supported and regulated within international criminal justice's institutions. Without a recognition of the centrality of emotional labour to professional practice, they argue, the impact is detrimental to both the work of international criminal justice professionals and the trust and legitimacy of international criminal justice institutions.

Karen McGregor Richmond's contribution opens the discussion on the boundaries of professionalism in international criminal justice. Her intervention focuses on the influence of expert witnesses and their complex relationship with the judiciary. Ultimately, her contribution addresses the question of how to navigate competing conceptions of professional behaviour when members of different professions interact, exploring their external boundaries and asking how judges should engage with technical, non-legal expert input in advancing case findings. The knowledge and expertise gap that judges experience, particularly in highly technical cases (such as those at the Special Tribunal for Lebanon), creates the risk of undue deference to the work of expert witnesses, thereby missing the opportunity for joint work across professions. McGregor Richmond argues that the lack of structured approaches to expert evidence not only strains relationships between professional groups but also threatens core principles of international criminal law, including fair trial standards and the integrity and impartiality of adjudication. Her contribution discusses the power dynamics and tensions among different professions operating in international criminal justice and the significant role they play in the education/deference dichotomy. The absence of a shared understanding of scientific standards, along with limited appreciation for the role of expert

witnesses, and the tendency of international criminal justice institutions to endorse a singular model of truth-finding, can lead to confusion and inconsistency in the adjudication of international criminal law cases. McGregor Richmond calls for clearer frameworks to guide the integration of expert knowledge, ensuring that professional boundaries enhance rather than hinder the pursuit of international criminal justice's objectives.

In the following contribution, Kalika Mehta explores the boundaries of professional behaviour outside international criminal proceedings. She focuses on non-state actors engaged in strategic litigation and examines how they fit within the international criminal justice community. Mehta argues that strategic litigators should be recognized as professionals in this field, capable of influencing how professionalism is understood and practiced within international criminal justice institutions. This recognition enriches and complicates the landscape, challenging the traditional state-driven legal framework and opening space for alternative approaches to professionalism. Mehta emphasizes the 'unsettling' nature of strategic litigators' work, which brings fresh perspectives by combining legal tactics with socio-political goals. These professionals disrupt conventional hierarchies and roles, reframing professionalism as grounded in normative commitments and collaborative, coalition-driven expertise. While such a reconfiguration may produce constructive outcomes, it also necessitates the articulation of robust standards to maintain credibility and legitimacy within the international criminal justice community. Mehta highlights the dual nature of strategic litigators' work: balancing a drive for social and political change with the aspiration to conform to traditional professionalism. This tension calls for a rethinking of professionalism itself, moving towards a more hybrid concept. Ultimately, Mehta argues that strategic litigators challenge and expand our understanding of professionalism in international criminal justice. Her work raises important questions about legitimacy and the democratic deficit in international lawmaking, urging a more inclusive and dynamic approach to defining professional conduct in this field.

The symposium concludes with a roundtable discussion with four international criminal justice practitioners, Sareta Ashraph, Fabricio Guariglia, Wayne Jordash and Natalie von Wistinghausen, who together reflect on the meaning and boundaries of professionalism in the field. This discussion engages with five key themes: (i) the definition and core values of professionalism in international criminal justice; (ii) its standards; (iii) the influence of leadership and power structures; (iv) identity and diversity; and (v) the future of professionalism in international criminal justice. Drawing on decades of experience, the practitioners identify and discuss two foundational pillars of international criminal justice professionalism: 'hard' skills, such as effective engagement with legal proceedings and evidence, and 'soft' skills, including respectful and collaborative interpersonal conduct. These are underpinned by values such as self-awareness, collegiality, transparency, courtesy and respect. The discussion also acknowledges the absence of shared standards and the challenges of cultivating a professional environment. These include the strategic distortion of principles, the dominance of particular legal cultures and the lack of enforcement mechanisms to uphold core professional values. Leadership and power dynamics further complicate the picture, with practitioners emphasizing the importance of constructive disagreement, the ability to challenge superiors and the need for robust accountability mechanisms to address problematic leadership behaviours. Diversity is identified as a key feature in shaping professionalism, especially in light of the absence of a unified professional identity in international criminal justice. Despite these challenges, the roundtable ends on a hopeful note. The practitioners reject the notion that the system is irretrievably broken, instead affirming that the field is mainly composed of competent and principled individuals. These professionals, they argue, represent the strongest potential for shaping and improving the international criminal justice system.

#### 4. CONCLUDING REMARKS

Taken together, the contributions to this symposium suggest that professionalism in international criminal justice is defined by responsiveness to ethical complexity, diverse practices, and the shifting interplay between legal norms and political realities. Professional boundaries are not confined to rigid codes or institutional hierarchies; they are being reimagined through lived experience, critical reflection, and normative innovation. This redefinition invites a more inclusive, reflexive, and contextually grounded understanding of professional conduct in a fragmented and evolving legal landscape. It also prompts future dialogue and policy development aimed at implementing a practice-based analysis framework better suited to capture the needs of international criminal justice professionals. The symposium advances the discussion on the topic by reframing the notion of professionalism as dynamic, contested, and context-dependent. Moving beyond a mere theoretical understanding, it examines how professionalism is experienced and enacted in practice. We propose a hybrid epistemic model that explores professionalism through the lived realities of international criminal justice professionals and underexplored themes such as overlooked localized institutional settings and emotional labour. Drawing on novel empirical research and a roundtable discussion among practitioners, the Symposium promotes a dialogic and reflective approach, encouraging interdisciplinary exchange between scholars and practitioners.

Finally, the symposium seeks to serve as a platform to shape a future research agenda on professionalism in international criminal justice. Contributions highlight the need for more interdisciplinary and practice-based analysis to map the evolution of professional standards across institutions and time. Future studies could include comparative analyses of professionalism at different international criminal tribunals and longitudinal research on how professional standards adjust to legal and political developments over time.

#### ACKNOWLEDGEMENTS

This project was partly conducted under the auspices of the Danish National Research Foundation's Center of Excellence for Global Mobility Law (MOBILE; Grant no. DNRF169).