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LEGITIMACY AT STAKE: HYBRID ACCOUNTABILITY IN GLOBAL JUSTICE

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I. ABSTRACT

International justice doesn't just belong to the courts anymore. While the International Criminal Court (ICC) and the International Court of Justice (ICJ) once stood out as the main authorities for dealing with crimes and disputes, their reputations are not spotless. Critics point out that these courts struggle with bias, political pressure, and weak enforcement. They often fall short when it matters most. Meanwhile, non-state actors, global NGOs, and international media have stepped into the spotlight. They report atrocities, spark outrage, and shape conversations about justice. This paper examines how these very different players come together, building a messy but powerful system of accountability that goes far beyond traditional courtrooms. The ICC's investigation into war crimes in Ukraine, the ICJ's July 23, 2025, advisory opinion on climate justice, and the way NGOs and media team up to advance human rights. Using a comparative framework, this paper examine how these cases reveal tension between the official authority of institutions and the grassroots push for accountability. NGOs and the media have given more people a voice in the global justice debate, but their growing influence isn't without problems-questions about bias, representation, and their own accountability are hard to ignore, we have to consider the whole ecosystem, crowded with all these actors. By theorizing this hybrid model, this paper highlights both the opportunities and the risks in shifting to a system where legitimacy itself is always up for debate- in courtrooms, in politics, and in public opinion.

II. KEYWORDS

Legitimacy, Accountability, Global Justice, International Court of Justice (ICJ), International Criminal Court (ICC), Non-Governmental Organizations (NGOs), Media and Justice, Hybrid Accountability System.

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III. INTRODUCTION

World justice used to belong almost entirely to states and the big international courts. Bodies like the International Criminal Court (ICC) and the International Court of Justice (ICJ) stand as major attempts to bring some accountability to a world where sovereignty and raw political power usually call the shots. Yet, these tribunals have always struggled with legitimacy. The ICC, for instance, faces constant accusations selective prosecution, overreaching, even partisan behavior. The ICJ isn't much better off. People question whether states really comply, and the court's enforcement powers are weak at best. This legitimacy problem hangs over both institutions, inviting close scrutiny.

But things have shifted. Global justice doesn't stop at courtrooms anymore. Non-state actors especially international NGOs and media organizations, now play a huge role in shaping how justice is pursued, narrated, and understood. Groups like Amnesty International and Human Rights Watch dig up facts, gather evidence, and rally political support. Meanwhile, global media outlets frame international disputes, sometimes amplifying or downplaying court decisions, and influence what people see as legitimate. These actors may not hold any official legal power, but their influence is undeniable. They wield real soft power and help drive accountability in ways the old institutions alone never could.

The landscape that has been brought into existence is that of a hybrid accountability system where state and non-state actors collaborate to outline the environments of global justice. This argumentative paper asserts that the concept of legitimacy in the global justice arenas is not understandable only in terms of judicial authority; on the contrary, the production of legitimacy is becoming more and more a co-production between and among courts, NGOs and media networks. The ICC and the ICJ advisory opinion on climate change are essential examples of this turnover, which involves the investigations of war crimes in Ukraine. In both cases, the institutions of law attempted to establish control, and NGOs and the media were also that which formed narratives, evidence, and expectations of justice.

This study places itself at the intersection of international law, international relations and international media. It poses the question of how global justice forums are maintained when the responsibility is shared between the state and non-state actors and challenges the pledges and traps of this hybrid regime. By answering these questions, the paper seeks to contribute to larger arguments about the future of international justice in the era of controversial sovereignty, transnational activism, and the effects of digital media.

This paper follows in the following manner. In the following section, the theoretical framework is developed based on literature on the topics of legitimacy and accountability in international governance. It then analyses the ICC and ICJ as traditional arenas of international justice and reflects on the issues that they are faced with. The following sections discuss the functions of NGOs and media and then move to the case studies of Ukrainian and climate justice. Lastly, the paper draws conclusions about hybrid accountability on the basis of these findings into a conceptual model and sums up by giving reflection on how these findings might relate to the emerging consideration towards the legitimacy of global justice.

A. LITERATURE REVIEW

Such hybridity has a theoretical basis due to continued criticism of international courts. The book by Schabas (2020) provides the extensive background of the ICC and raises current concerns of legitimacy and selectivity. Traditional literature by Foot (2017) and institutional studies by Chesterman (2021) and reports by two Cambridge Universities reveal how grass root responsibility complements, challenges, or rectify the international law authoritarian rule.

B. RESEARCH OBJECTIVES

1. Reflectively discuss the interactions between litigators (ICC, ICJ) and non-state actors of global justice.
2. Research on the effect of international law on how hybrid models of accountability help resolve legitimacy crises.
3. Determine the strengths and weaknesses of NGO and media-led programs of justice.

C. RESEARCH METHODS

The article relies on the theory of qualitative comparative analysis; the author utilizes books, including Schabas (2020), Chesterman (2021), or Foot (2017), articles published in peer-reviewed journals, including Groff (2022), Dskeloff (2021), Agogh (2024), and institutional reports prepared by Amnesty International and Human Rights Watch. Examples of case studies include current investigations by ICC and the advisory opinions of ICJ on climate justice.

D. RESEARCH GAPS

The critical weaknesses encompass a lack of a single theory of legitimacy of hybrid tribunals, a paucity of empirical research on voices that are local or excluded in processes of justice, and little research on watchdog and media accountability.

E. RESEARCH QUESTIONS

1. Which issues are filled by hybrid accountability systems where traditional international courts have failed?
2. What are the main opportunities and threats of NGOs and the media as actors of justice?
3. What can be done to make hybrid systems more inclusive, transparent and with procedural legitimacy?

F. HYPOTHESIS

By rallied around formal courts, Hybrid accountability models complement the legitimacy and the reach of global justice by integrating the roles of the NGOs and media. Nevertheless, without open monitoring and open involvement, they may perpetuate bias and divided powers and constantly require fine-tuning to maintain efficiency and credibility.

IV. THEORETICAL FRAMEWORK – LEGITIMACY AND HYBRID ACCOUNTABILITY

Legitimacy stands as a core idea in global justice. It shapes how we judge not just the legitimacy itself but also the effectiveness of global legal institutions and their hybrid

accountability structures. Traditionally, international law has tied legitimacy to state consent and official authority. Yet, as justice systems grow more complex, we need to look deeper. It's no longer enough to simply point to legal rules, social, political, and moral factors matter just as much, sometimes even more.

Schabas (2020) argues that the International Criminal Court's legal foundations only hold up if they rest on broader legitimacy, which grows out of public trust, transparency, and fairness in practice. That's where hybrid accountability comes in. It steps in where rigid, formal judicial systems fall short. These hybrid approaches pull in non-state players NGOs, the media, civil society groups and give them a real role. Groff (2022) and Chesterman (2021) both say that this mix makes the system more flexible. By blending international norms with local realities, hybrid mechanisms build a stronger, more grounded sense of legitimacy.

We see this in action. Hybrid tribunals in Sierra Leone and Cambodia have boosted public approval by bringing justice closer to the people. They adapt the process to local contexts and give affected communities a real voice. That kind of direct participation doesn't just look good on paper; it changes how people experience justice.

However, the phenomenon of hybridity is accompanied by some substantive problems. Dskeloff (2021) warns that there is a risk of the formation of the so-called accountability webs, where multiple jurisdictions between courts, non-governmental organisations and media entities become blurry about who is responsible and legitimate. Chalagachy (2021) questions the unequal power of NGOs, which is often pre-programmed with the demands of donors and media narrative, which puts a risk of bending priorities of consequential justice and excluding the views of locals. As noted by Foot (2017), this is only after engaging transparent accountability desks, avoiding advocacy bias, and enabling an inclusive dialogue with the affected that NGOs and media can be considered legitimate.

According to Van'Schaack (2016), hybrid accountability is never static or fixed but an iterative and a networked concept whose legitimacy is always negotiated in the form of multiple dimensions of interaction that combine legal norms and social demands.

Based on this, effective systems of hybrid justice have to keep on evolving, which is based on participatory governance, procedural flexibility pragmatic but not utopian, and fairness and impact evaluation is ceaseless.

Overall, the conceptual premise of hybrid accountability relies upon the understanding of the multidimensional and controversial nature of legitimacy itself, as a construct, which requires a balance of the power of law with the broad social functioning, as well as the institutional reflexivity of the globally interconnected environment.

V. INSTITUTIONAL LEGITIMACY AND CRISIS - ICC AND ICJ UNDER SCRUTINY

The international criminal court and the international court of justice remain central institutions of universal juristic, and they have yet to receive the challenges and insecurity that have brought about unprecedented challenges to their legitimacy and efficiency. The ICC since it was established in 2002 under the Rome Statute has tried to bring individuals in charge who commit atrocities like genocide, war crimes and crime against humanity. Nevertheless, in the recent happenings, some deep cracks in the international reputation of the court have been exposed.

The main crisis is the political opposition to the power of influential states. The major powers like the United States, Russia and China, have refused to ratify the Rome Statute, which limits the jurisdiction of the ICC and its ability to enforce its judgment. In 2025, legal sanctions and sanctions on ICC officials who were involved in investigating the allegation of war crimes in Afghanistan and Israel by the United States and its allies posed a great threat to the survival of the court. Such retaliatory measures denote the vulnerability of the court to geopolitical demands and bring up material concerns regarding the court capacity to prosecute the great powers without any bias.

Furthermore, the traditional focus of the ICC on African cases has brought about allegations of neo- colonial rogue edifice and as such has weakened its credibility of many states in the Global South. Western and Russian interest alignment indictments

and enforcing authorities in recent cases have been shown in a disparate manner, although they claim honesty. The way Kenya, France and Poland have refused to fulfill an arrest warrant especially against leaders like Israeli Prime Minister Benjamin Netanyahu is an example of the stalemate of the court during the process of execution. Such contradiction betrays the credibility of the ICC and creates the impression of international justice that selectively dispenses justice depending on political expediency.

In its turn, the ICJ is less overtly political and faces growing demands in the wake of its postulates on climate justice in 2023. Members states are still split as much as the brave innovation in its legal aspects has been praised, and substantive action is still not being taken because of baseless worries over sovereignty and jurisdiction. The legitimacy of the moral authority held by the court is in danger in case its decisions cannot become binding promises.

At the same time, the so-called hybrid tribunals have been created in Cambodia, Sierra Leone, and Kosovo, which in turn tries to avoid some of the pitfalls by uniting international legal norms with national ownership and flexibility in the form of procedures. Even though their presence on the local level increases the legitimacy of society, these tribunals are often faced with shortages of funds, political power, and inappropriate relationships between the guidelines of international law and local regulations.

Overall, any legitimacy crises of the ICC and the ICJ are exacerbated by geopolitical crises, challenges in enforcement, and concerns about biased justice. Although hybrid courts have a bright future, they are not free of chronic defects; however, they are a sensible development to achieve more validity by introducing accountability controls closer to the subjects of such changes and decentralizing sources of power.

VI. THE ROLE OF NGO'S AND MEDIA - GRASSROOTS ACCOUNTABILITY

Today, global justice isn't just about courts like the ICC or ICJ. NGOs and the media have stepped into the spotlight. They don't just watch from the sidelines, they expose

abuses, push for change, and hold powerful players accountable when the law falls short or moves too slowly. Their reach often extends far beyond the courtroom. At the same time, though, their growing influence brings its own set of challenges. This chapter digs into how these actors reshape accountability on the world stage and look honestly at where things can go wrong.

A. The Growing Influence of NGOs in Global Justice

NGOs such as Amnesty International and Human Rights Watch have become indispensable actors in documenting human rights abuses, assisting victims, and advocating for justice at international forums.² Their detailed field investigations and strategic litigation efforts often set the legal agenda by flagging atrocities that might otherwise remain overlooked by states or international courts. Groff (2022) and Chalagachy (2021) demonstrate that NGO-reporting directly influences prosecutions, especially in complex or inaccessible conflict zones where court access is limited.³

Through persistent advocacy, NGOs also pressure institutions like the ICC to take on politically sensitive cases, as seen in campaigns around Ukraine, Palestine, and Myanmar.⁴ Beyond evidence-gathering, NGOs engage in public education, civil society capacity-building, and liaising between victims, international advocates, and legal professionals. This multi-dimensional role expands the democratic and participatory contours of global justice.

B. Media as a Catalyst and Watchdog

Independent media outlets amplify public awareness and mobilize global opinion, shaping narratives and exerting pressure on institutions perceived as slow or selective. Investigative journalism has unveiled mass atrocities, war crimes, and human rights violations that may never reach formal courts without media attention.⁵ Groff (2022) details how real-time media coverage and social media campaign

² Amnesty International, 2023 and HRW, 2023

³ Groff P.M., 2022

⁴ Amnesty Internal Campaigns, 2023 and HRW Reports, 2023

⁵ Groff P.M., Investigative Media and Justice, 2021

mobilized international diplomatic and institutional responses to crises like the Rohingya genocide and the Syrian civil war.⁶

Nevertheless, media's influence is a double-edged sword. Coverage bias, sensationalism, and the pursuit of dramatic narratives can distort complex conflicts and overshadow less visible but equally urgent abuses. Some scholars caution about "trial by media" phenomena, where public opinion shapes or pressures legal proceedings prematurely, risking fairness and impartiality.

C. Accountability and Transparency Challenges

While NGOs and media bolster transparency and public scrutiny, their own accountability mechanisms often lack formalization. Dskeloff (2021) highlights the risks of donor-driven priorities and the homogenization of advocacy narratives that may sideline marginalized voices or local perspectives.⁷ Chalagachy (2021) further notes the tendency of international NGOs to project Western-centric frameworks that sometimes clash with indigenous notions of justice.⁸

To counter these risks, Foot (2017) recommends that watchdog institutions establish transparent internal policies, ethical guidelines, and participatory governance structures to ensure legitimacy equivalent to that demanded of formal courts.⁹ Institutionalizing multi-layered accountability—where NGOs, media, and courts engage in mutual scrutiny—promotes more balanced and equitable justice outcomes.

D. Synergy within Hybrid Accountability Systems

The interaction between formal courts, NGOs, and media constitutes a complex hybrid accountability ecosystem. Amnesty International and Human Rights Watch provide crucial evidence and advocacy that bolster ICC prosecutions and public legitimacy.¹⁰ Media amplifies this evidence, raises awareness, and pressures governments to cooperate with international justice mechanisms.

⁶ Groff P.M., *Social Media and Conflicts Narratives*, 2022

⁷ Dskeloff N., *Accountability Web*, 2021

⁸ Chalagachy A, *Western Influence on NGO Advocacy*, 2021

⁹ Foot k., *Activists Beyond Borders*, 2017

¹⁰ Amnesty International, 2023 and HRW Reports, 2023

This synergy facilitates a more resilient and inclusive justice system but requires careful balancing. Hybrid models must guard against instrumentalization, where NGOs or media are co-opted by states or donors. They must also nurture meaningful victim participation and ensure diverse representation within advocacy and reporting platforms.¹¹

E. Pathways for Strengthening Hybrid Accountability

A more accountable hybrid system hinges on several key reforms:

1. Inclusive Participation: Empowering victims and local communities as decision-makers and legal partners, not merely subjects of evidence collection.
2. Enhanced Transparency: Formalizing standards and reviews for NGO and media practices, including funding and advocacy priorities.
3. Institutional Collaboration: Establishing ongoing coordination mechanisms among courts, NGOs, media, and governments to optimize efficiency and reduce duplication.
4. Capacity Building: Supporting local civil society actors to reduce overreliance on international NGOs and to preserve culturally grounded justice methods.¹²

Through these reforms, hybrid accountability systems can better realize the promise of democratized, just, and effective global justice that responds equitably to atrocity and systemic abuse.

VII. RECOMMENDATIONS

To harness the promise of hybrid accountability while mitigating its risks, this research recommends:

1. Institutionalize Inclusive Victim Participation: Victims and affected communities should have meaningful roles in decision-making processes, case selection, and reparative justice beyond passive testimony.¹³

¹¹ ICTJ Reports, 2021 and Agyogh F., 2024

¹² ICTJ Report, 2021 and Cambridge University Reports, 2021

¹³ Van Schaack B., Building Blocks of Hybrid Justice, 2016

2. Enhance Transparency and Oversight Mechanisms: Courts, NGOs, and media actors require accountable governance structures with clear standards, conflict of interest safeguards, and independent review processes.¹⁴
3. Promote Coordination and Institutional Synergy: Strengthen cooperation channels among international courts, NGOs, and media to streamline advocacy efforts, avoid duplication, and unify justice narratives.¹⁵
4. Support Local Capacity Building: Invest in empowering local civil society, legal professionals, and community organizations to sustain justice initiatives culturally relevant and regionally grounded.¹⁶
5. Balance Legal and Restorative Justice: Integrate formal accountability with reconciliation mechanisms addressing systemic harm and community healing.¹⁷

VIII. CONCLUSION

Global justice is changing. We are seeing a real move toward hybrid accountability modelssystems that mix the formal power of institutions like the ICC and ICJ with the grassroots reach of NGOs and the media. This blend gives these mechanisms a shot at real legitimacy. They draw in more voices, react faster on the ground, and hand more ownership to local communities. That makes them better at tackling the limits of old-school international courts, especially when it comes to the messy realities of prosecuting atrocity crimes and deep-rooted injustices.

Still, hybrid models are not a perfect fix. Political meddling, cherry-picking which cases to pursue, and infighting between all these different players can erode trust and make the system feel fragmented. NGOs and media outlets do a lot, they push for action and dig up evidencebut without solid, transparent governance, they can end up reinforcing old biases or leaving marginalized groups out of the conversation. Even when victims get a seat at the table, real empowerment takes more than just symbolic gestures. It demands ongoing support to turn participation into real influence.

¹⁴ Dskeloff N., Accountability Webs in Hybrid Systems, 2021

¹⁵ Chesterman S., UN Security Council and Hybrid Courts, 2021

¹⁶ ICTJ Report, 2021 and Cambridge University Reports, 2021

¹⁷ Groff P.M., Hybrid Justice Innovation, 2022

From my analysis, hybrid accountability models represent the most viable path to achieving meaningful global justice amid the realities of geopolitics and social complexity. The blending of formal legal authority with grassroots advocacy and media engagement empowers diverse voices and adapts justice processes to contested contexts. Nonetheless, this hybridity demands vigilance to prevent new forms of exclusion, politicization, or fragmentation. My view is that only through continuous, inclusive dialogue, transparent governance, and institutional humility can global justice mechanisms earn sustainable legitimacy and deliver impactful justice worldwide.

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