

DECLARATION OF THE INSTITUTE OF INTERNATIONAL LAW ON THE CHALLENGES TO THE INTERNATIONAL LEGAL ORDER FOLLOWING THE MILITARY OPERATION IN VENEZUELA

1. The Institute of International Law, regrettably, is called upon once more to issue a declaration condemning violations of international law by a State. Pursuant to Article 1(1) of its Statutes, the Institute is mandated to promote the progress of international law including by contributing, ‘within the limits of its competence, to the maintenance of peace and international security (...)’. In keeping with the tradition that earned it the Nobel Peace Prize in 1904, it has denounced several serious violations of the most fundamental principles of the Charter of the United Nations (Bruges Declaration on the Use of Force, 2003; Declaration on the Aggression against Ukraine, 2022; Declaration on the Current Situation in the Middle East, 2023). This is all the more necessary when such violations are accompanied by rhetoric that seeks to undermine international law itself as a framework for guiding and regulating the conduct of states.
2. It is in this context that the Institute emphasizes that the military operation carried out by the United States in Venezuela on 3 January 2026 violates and challenges fundamental core principles underpinning the international legal order, including: the prohibition of aggression and the use of force, respect for the territorial integrity and sovereignty of States, the principle of non-intervention in the affairs of other States (Resolution on The Protection of Human Rights and the Principle of Non-intervention in Internal Affairs of States of 1989 adopted at the Session of Santiago de Compostela), a State’s right to control its natural resources, and the inviolability of Heads of State in accordance with international law. This unilateral military operation cannot be justified either under the inherent right of self-defense provided for in Article 51 of the Charter, in the absence of an armed attack, nor as an action taken pursuant to a Security Council resolution adopted under Chapter VII of the Charter (Resolutions on Current Problems in the Use of Force in International Law, 2007 and 2011). International law does not recognize claims relating to domestic security concerns or the fight against drug trafficking as providing valid legal justifications for acts of this nature. Similarly, the

prosecution of international crimes that may have been committed in Venezuela does not in any way justify a State to launch a military operation against another State.

3. In condemning these violations of international law, the Institute in no ways condones any act of the Venezuelan government that violates its own human rights obligations and other rules of international law in its own territory. Condemning the illegality of this operation cannot be interpreted as legitimizing authorities accused of unlawful actions.
4. More generally, the Institute of International Law observes with great concern the recurring violations of international law by other States undermining the Charter of the United Nations and the principles and rules of international law essential to maintaining a peaceful world order. In this context, the Institute urges all States of the international community, to adhere to the most fundamental rules of the United Nations Charter aimed at ‘protecting present and future generations from the scourge of war’. Only the rule of law, and not the reign of force or a return to imperial logics, can achieve this objective. That is why the Institute reiterates that ‘in this period of multiple and serious international tensions, persistent wars and injustices around the world, the Charter remains the cornerstone of the current world order’ (Rabat Declaration on the occasion of the 80th anniversary of the United Nations Charter, 2025).

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