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War Crimes Prosecution Watch is a bi-weekly e-newsletter that compiles official documents and articles from major news sources detailing and analyzing salient issues pertaining to the investigation and prosecution of war crimes throughout the world. To subscribe, please email [warcrimesswatcheditors@case.edu](mailto:warcrimesswatcheditors@case.edu) and type "subscribe" in the subject line.

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**Malawi president orders troops to withdraw from DR Congo (BBC)** By Paul Njie and Basillioh Rukanga  
February 6, 2025

Malawi's President Lazarus Chakwera has ordered the military to begin preparing to withdraw from their peacekeeping mission in the volatile eastern Democratic of Congo.

The Malawian troops are part of the southern African regional bloc's military mission (SAMIDRC) deployed to DR Congo to help tackle armed groups.

At least 20 peacekeepers, including 14 South Africans and three Malawians, were killed as the M23 rebels captured the key city of Goma, the capital of North Kivu province, last week.

President Chakwera said on Wednesday that his decision was meant to "honour the declaration of a ceasefire by the parties", even though the fighting is continuing.

In a statement read on state TV on Wednesday evening, he said the withdrawal of troops would "pave the way for their planned negotiations towards a lasting peace".

Malawi Information Minister Moses Kunkuyu told the BBC Newsday programme that the planned withdrawal was being "made in good faith".

He said a meeting by southern African leaders last week in Tanzania, on the sidelines of the Africa Energy Summit, had passed a resolution "to call for a ceasefire from all parties in the conflict, just to pave way for peaceful negotiations".

"It is pursuant to that agreement that the president of Malawi has seen it fit to contribute to the peace-building effort by withdrawing troops from the region so that there is that peaceful negotiation".

He did not indicate exactly when the troops would leave, but said what remained were the "operational aspects" and that they had communicated the decision to the DR Congo president and the southern Africa bloc.

On Monday, the Rwanda-backed M23 rebel group declared a unilateral ceasefire "for humanitarian reasons", which was due to start the following day.

However, fighting has since resumed, and the rebels have reportedly taken the mining town of Nyabibwe in the South Kivu province.

The Malawian president has been under pressure to withdraw his country's forces from DR Congo in the wake of the deaths of peacekeepers.

South Africa has faced similar pressure, but President Cyril Ramaphosa has vowed to keep his troops in DR Congo, saying they are subject to the SAMIDRC mission "which has operational timeframes and an end date". The mission was initially deployed in 2023 and was last year extended until December this year.

The SAMIDRC mission was authorised by the southern African bloc (Sadc) to have 5,000 troops from South Africa, Malawi and Tanzania.

South Africa, which leads the mission, was to deploy 2,900 troops and the rest shared between Malawi and Tanzania - although it is not clear how many troops are currently there.

Malawi also has some soldiers in DR Congo serving under the UN peacekeeping force Monusco.

Sadc leaders are due to meet in Tanzania this Saturday in a special joint summit with East African heads of states to address

the DR Congo crisis.

Bitter rivals DR Congo President Félix Tshisekedi and Rwanda's President Paul Kagame are both expected to attend.

Meanwhile, the Ugandan military has denied reports it has sent troops to eastern DR Congo because of the fighting in and around Goma.

Since their capture of Goma, the rebels have been seeking to seize territories in South Kivu, especially the capital Bukavu. Congolese authorities have enlisted hundreds of civilian volunteers to help defend the city.

The rebel group has appointed top officials including a governor of North Kivu, to administer the territory.

For the first time since they seized Goma, the M23 on Thursday held a rally in the city that saw rebel leader Corneille Nangaa address large crowds at the Unity Stadium.

A warrant for Nangaa's arrest has been issued by a military court in Kinshasa, accusing him of war crimes and treason.

The UN says nearly 3,000 people were killed during the M23's violent campaign to seize Goma.

There are fears that diseases such as Mpox and cholera could spread beyond the city.

The International Criminal Court has said its prosecutors are closely following events in DR Congo "including the grave escalation of violence over the past week".

**Worst may be coming in east Congo conflict, says UN rights head (Reuters)** By Emma Farge  
February 7, 2025

The worst could be yet to come in east Congo's escalating crisis, U.N. human rights chief Volker Turk said on Friday, warning that abuses including rape and sexual slavery may increase.

He spoke at an emergency meeting of the U.N. Human Rights Council called by Congo to investigate massive rights violations it blames on Rwandan-backed M23 rebels who have taken the city of Goma and are seizing more territory.

"If nothing is done, the worst may be yet to come, for the people of the eastern DRC (Democratic Republic of Congo), but also beyond the country's borders," Turk told a packed room of diplomats and rights groups in Geneva. "All those with influence must act urgently to put an end to this tragic situation."

Turk said he was horrified by emerging, multiple reports of rape, gang rape and sexual slavery. "This is likely to worsen in the current circumstances," he said.

Rwanda's envoy rejected allegations that it was responsible, saying it had proof of an intended major attack by its western neighbour.

Dozens of countries at the meeting condemned rights violations in Congo including several African states. Washington, formerly a vocal council member, left its seat empty after President Donald Trump announced the U.S. was leaving.

Congo has submitted a motion seeking the creation of a U.N. Fact-Finding Mission which would be due to provide a full report on eastern Congo abuses by September 2025.

The motion was adopted by consensus on Friday. An internal United Nations memo on the negotiations seen by Reuters ahead of the decision showed Rwanda was the only dissenting voice.

While the council has no legally binding power, its debates carry political weight and scrutiny can raise global pressure on governments. Sometimes, investigations mandated by the council can lead to prosecutions for war crimes in international courts.

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**EUROPE**

# Russia

## **U.S. funding freeze threatens Ukraine investigations of alleged Russian war crimes (Reuters)** By

Anthony Deutsch and Dan Peleschuk

February 10, 2025

The Trump administration's freeze of foreign funding has begun impacting an international effort to hold Russia responsible for alleged war crimes in Ukraine, according to eight sources and a Ukrainian document seen by Reuters, halting dozens of jobs and tens of millions of dollars in aid.

Ukraine has opened more than 140,000 war crime cases since Moscow's February 2022 invasion, which has killed tens of thousands, ravaged vast swathes of the country and left behind mental and physical scars from occupation. Russia consistently denies war crimes have been committed by its forces in the conflict.

U.S.-funded international initiatives such as the Atrocity Crimes Advisory Group for Ukraine (ACA) have provided expertise and oversight to Ukrainian authorities. Kyiv has been praised by its Western partners for probing alleged crimes while the war is still raging.

At stake are six U.S.-funded projects at the Prosecutor General's Office (PGO) valued at \$89 million, according to a Ukrainian document on the U.S. funding and cuts seen by Reuters.

Funding for at least five of those projects has already been frozen, according to five sources directly involved, who cited interruptions in payments. The affected worked on issues ranging from the preservation of evidence from the battlefield to anti-corruption initiatives and reform of Ukraine's prosecution system.

Two of the listed projects were funded by USAID, three by the Bureau of International Narcotics and Law Enforcement and one directly by the Department of State, the document showed. Of that funding, \$47 million was directly allocated to war crimes accountability, the document showed.

The impacts on war crimes programmes described by the sources and the document have not previously been reported. Nearly all of the sources spoke on condition of anonymity due to the sensitivity of the issue.

While the programmes do not directly impact Ukraine's frontline efforts to fend off Russia's onslaught, supporters say they represent the best chance of extensively documenting reported battlefield atrocities in Europe's biggest conflict since World War Two, now grinding toward a fourth year.

Reuters could not establish whether the affected projects were specifically targeted or victims of the broad sweep of the 90-day freeze on foreign aid Trump announced upon taking office on January 20.

The White House, the State Department and Ukraine's prosecutor did not respond to requests for comment about the impact and purpose of the cuts.

### **NO MONEY TO PAY STAFF**

Among the impacts of the spending freeze, nearly 40 experts provided through Georgetown's International Criminal Justice Initiative, ACA's lead implementing entity, have stopped working, according to two of the sources.

ACA and Georgetown's press office did not respond to a request for comment. Two members of the programme declined to comment.

On its website, ACA, which is also funded by the EU and Britain, said it has provided more than 150 experts with "decades of experience" to help Ukrainian prosecutors.

One source involved in supplying outside legal experts to Ukraine said: "Some partners have no more money to pay their staff."

Another source said an advisor in the PGO was put on leave and a project to provide support for the victims of conflict-related sexual violence had also been suspended.

Ukrainian non-governmental organisations have also been impacted. Representatives from two such groups have told Reuters that their work collecting evidence from victims and documenting damages could be impacted, or had already been frozen.

"Our organization...will continue to exist, but we will look for alternative sources of independent funding and accordingly will continue working in this field, just in a limited way," said Oleksandr Pavlichenko of the Ukrainian Helsinki Human Rights Union, an alliance of Ukrainian human rights groups.

The group has halted the work of its regional offices in Ukraine after the U.S. freeze cut around 75% of its annual budget.

The head of another Ukrainian organisation that assists in the collection of war crimes evidence and trains legal professionals said the group also had to partly cease operations.

If new funding is not found, jobs will be cut in three months, the source said, requesting anonymity to speak frankly on a sensitive issue that has not yet been resolved.

#### SYSTEM IN PLACE

Since the first weeks of Russia's invasion, Ukraine's international partners have made accountability for alleged Russian crimes a key part of their support for the war-torn country.

Yevhen Krapyvin of the Centre for Policy and Legal Reform in Kyiv said U.S. support, particularly from USAID, had been vital earlier in the war.

For example, it funded an 800-page handbook for judges adjudicating war-crimes trials for the first time. Foreign experts have proven valuable because of the know-how they brought from previous conflicts, he added.

Ukrainian authorities had since gained valuable experience as a result of the infrastructure Kyiv's foreign partners put in place, he said, downplaying the negative impact of the funding cut on Ukrainian efforts to investigate and prosecute alleged crimes.

"Right now, this system is more or less stable, and the experts are there," Krapyvin said. "Of course, you always want more of them, but this system has been built."

However, a loss of U.S. leadership in the effort could have wide-ranging effects, said a source with direct knowledge of the matter, who spoke on condition of anonymity due to the sensitivity of the issue. "Perpetrators are emboldened and we all lose," the source said.

Many NGOs have come to rely on American assistance and people are "in shock," said a source at a Ukrainian advocacy group with a long history of war-crimes related work, who also asked not to be named to speak about sensitive matters.

The freeze has also impacted the planned launch of an American-funded case management system that is part of a broader effort to help modernise Ukraine's judiciary, said Leonid Sapelnikov, deputy head of Ukraine's State Judicial Administration, in charge of digitisation. Cleaning up and strengthening the judicial system is central to Kyiv's bid to join the European Union.

"If the (case management) system works, we expect that the effectiveness of the judiciary will increase and it will be possible to hear more cases," Sapelnikov said, adding that Ukraine would seek alternative sources of funding for the project, without giving details.

**HLS Clinic To File War Crimes Complaint With ICC Against Russia (The Harvard Crimson)** By Caroline G. Hennigan and Bradford K. Kimball  
February 14, 2025

Harvard Law School Professor Susan Farbstein, director of Harvard's International Human Rights Law Clinic, announced plans to submit evidence of Russian war crimes in Ukraine to the International Criminal Court at a Thursday panel.

Farbstein said the clinic plans to submit an Article 15 complaint to the ICC, alleging crimes against humanity, after documenting Russian military actions against civilians for over two years.

"This is a real chance for us, through our work, to help advance accountability," Farbstein said.

Russia invaded Ukraine in February 2022, beginning the largest and deadliest conflict in Europe since World War II. The war is still ongoing, though U.S. President Donald Trump and Russian President Vladimir Putin agreed to begin peace negotiations on Wednesday.

Farbstein acknowledged that a period of rare polarization for the ICC may complicate the complaint process. Last week, Trump signed an executive order placing sanctions on the ICC for “illegitimate and baseless actions targeting America and our close ally Israel.” The ICC declared arrest warrants on Israeli Prime Minister Benjamin Netanyahu and former defense minister Yoav Gallant in November.

“We hope that, despite the recent executive order, that we will still be sending that in a few weeks,” Farbstein added.

The Thursday event, which was hosted by the IHRC, was moderated by Anastasiya Donets, an HLS graduate and head of the Ukraine Legal Team for the International Partnership for Human Rights. Atlantic Council lawyer Celeste Kmiotek, IPHR legal officer Nazar Solomakha and Ioannis Kalpouzo, co-founder of the Global Legal Action Network and a visiting professor at the law school, also spoke on the panel.

“We still have international interest in the situation in Ukraine and bringing Russia to account for its war of aggression and its crimes,” Donets said.

Farbstein said that Russia has made 223 attacks on “critical energy infrastructure” across Ukraine. “This is really about disrupting and destabilizing the entire energy system in Ukraine on such a scale that it's going to inflict profound harm on civilians,” she said.

The IHRC has been gathering evidence of Russia’s alleged war crimes through witness interviews and official statements. The team has been especially focused on analyzing the precision capabilities of Russia’s weapons to determine the scale of civilian attacks.

“These attacks are really intended to terrorize and demoralize Ukrainians so that they might either flee or surrender,” Farbstein said.

“When these weapons are used in a way that violates international law, that’s not because of some technical error, that’s not because of some glitch, that’s because they’ve been programmed and are being used in this precise way to hit these targets,” she said.

Farbstein also said that over 700 medical facilities and 1500 schools have been damaged or destroyed.

Kmiotek said that the IPHR’s research indicated that Iran was “aiding and abetting” in alleged Russian war crimes at the event.

Kmiotek said there are other potential avenues for accountability beyond the ICC, citing domestic jurisdictions with extraterritorial authority such as EuroJust, an investigative agency within the European Union.

“We’re hoping to submit to them, to even further broaden the scope and of who we're submitting to, and ensure that there's some kind of collaboration and make it more efficient,” Kmiotek added.

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## MIDDLE-EAST

### Israel and Palestine

**Trump signs order imposing sanctions on International Criminal Court over investigations of Israel (AP News)** By Darlene Superville and Joshua Goodman

February 7, 2025

President Donald Trump signed an executive order imposing sanctions on the International Criminal Court over investigations of Israel, a close U.S. ally.

Neither the U.S. nor Israel is a member of or recognizes the court, which has issued an arrest warrant for Israeli Prime Minister Benjamin Netanyahu for alleged war crimes over his military response in Gaza after the Hamas attack against Israel in October 2023. Tens of thousands of Palestinians, including children, have been killed during the Israeli military's response.

The order Trump signed Thursday accuses the ICC of engaging in "illegitimate and baseless actions targeting America and our close ally Israel" and of abusing its power by issuing "baseless arrest warrants" against Netanyahu and his former defense minister, Yoav Gallant.

"The ICC has no jurisdiction over the United States or Israel," the order states, adding that the court had set a "dangerous precedent" with its actions against both countries.

Trump's action came as Netanyahu was visiting Washington. He and Trump held talks Tuesday at the White House, and Netanyahu spent some of Thursday meeting with lawmakers on Capitol Hill.

The order says the U.S. will impose "tangible and significant consequences" on those responsible for the ICC's "transgressions." Actions may include blocking property and assets and not allowing ICC officials, employees and relatives to enter the United States.

Human rights activists said sanctioning court officials would have a chilling effect and run counter to U.S. interests in other conflict zones where the court is investigating.

"Victims of human rights abuses around the world turn to the International Criminal Court when they have nowhere else to go, and President Trump's executive order will make it harder for them to find justice," said Charlie Hogle, staff attorney with American Civil Liberties Union's National Security Project. "The order also raises serious First Amendment concerns because it puts people in the United States at risk of harsh penalties for helping the court identify and investigate atrocities committed anywhere, by anyone."

"You can disagree with the court and the way it operates, but this is beyond the pale," Sarah Yager, Washington director of Human Rights Watch, said in an interview prior to the announcement.

Like Israel, the U.S. is not among the court's 124 members and has long harbored suspicions that a global court could arbitrarily prosecute U.S. officials. A 2002 law authorizes the Pentagon to liberate any American or U.S. ally held by the court. In 2020, Trump sanctioned chief prosecutor Karim Khan's predecessor, Fatou Bensouda, over her decision to open an inquiry into war crimes committed by all sides, including the U.S., in Afghanistan.

However, those sanctions were lifted under President Joe Biden, and the U.S. began to tepidly cooperate with the tribunal — especially after Khan in 2023 charged Russian President Vladimir Putin with war crimes in Ukraine.

Driving that turnaround was Sen. Lindsey Graham, R-S.C., who organized meetings in Washington, New York and Europe between Khan and GOP lawmakers who have been among the court's fiercest critics.

Now, Graham says he feels betrayed by Khan — and is vowing to crush the court as well as the economy of any country that tries to enforce the arrest warrant against Netanyahu.

"This is a rogue court. This is a kangaroo court," Graham said in an interview in December. "There are places where the court makes perfect sense. Russia is a failed state. People fall out of windows. But I never in my wildest dreams imagined they would go after Israel, which has one of the most independent legal systems on the planet."

"The legal theory they're using against Israel has no limits and we're next," he added.

Biden had called the warrants an abomination, and Trump's national security adviser, Mike Waltz, has accused the court of having an antisemitic bias.

Any sanctions could cripple the court by making it harder for its investigators to travel and by compromising U.S.-developed technology to safeguard evidence. The court last year suffered a major cyberattack that left employees unable to access files for weeks.

Some European countries are pushing back. The Netherlands, in a statement late last year, called on other ICC members "to cooperate to mitigate risks of these possible sanctions, so that the court can continue to carry out its work and fulfil its mandate."

The U.S. relationship with the ICC is a complicated one. The United States participated in negotiations that led to the adoption of the Rome Statute that established the court as a tribunal of last resort to prosecute the world's worst atrocities — war crimes, crimes against humanity and genocide — if individual governments did not take action.

The U.S. voted against the Rome Statute in 1998. Then-U.S. President Bill Clinton signed the statute in 2000 but did not send the treaty to the U.S. Senate to be ratified.

When George W. Bush became president in 2001, he effectively canceled the U.S. signature and led a campaign to pressure countries to enter bilateral agreements not to hand over Americans to the ICC.

### **Some Israeli soldiers traveling abroad are targeted for alleged war crimes in Gaza (AP News) By**

Molly Quell

February 11, 2025

An Israeli army reservist's dream vacation in Brazil ended abruptly last month over an accusation that he committed war crimes in the Gaza Strip.

Yuval Vagdani woke up on Jan. 4 to a flurry of missed calls from family members and Israel's Foreign Ministry with an urgent warning: A pro-Palestinian legal group had convinced a federal judge in Brazil to open a war crimes investigation for his alleged participation in the demolition of civilian homes in Gaza.

A frightened Vagdani fled the country on a commercial flight the next day to avoid the grip of a powerful legal concept called "universal jurisdiction," which allows governments to prosecute people for the most serious crimes regardless of where they are allegedly committed.

Vagdani, a survivor of Hamas' deadly Oct. 7, 2023, attack on an Israeli music festival, told an Israeli radio station the accusation felt like "a bullet in the heart."

The case against Vagdani was brought by the Hind Rajab Foundation, a legal group based in Belgium named after a young girl who Palestinians say was killed early in the war by Israeli fire as she and her family fled Gaza City.

Aided by geolocation data, the group built its case around Vagdani's own social media posts. A photograph showed him in uniform in Gaza, where he served in an infantry unit; a video showed a large explosion of buildings in Gaza during which soldiers can be heard cheering.

Judges at the International Criminal Court concluded last year there was enough evidence to issue an arrest warrant for Israeli Prime Minister Benjamin Netanyahu for crimes against humanity for using "starvation as a method of warfare" and for intentionally targeting civilians. Both Israel and Netanyahu have vehemently denied the accusations.

Since forming last year, the Hind Rajab Foundation has made dozens of complaints in more than 10 countries to arrest both low-level and high-ranking Israeli soldiers. Its campaign has yet to yield any arrests. But it has led Israel to tighten restrictions on social media usage among military personnel.

"It's our responsibility, as far as we are concerned, to bring the cases," Haroon Raza, a co-founder of the foundation, said from his office in Rotterdam in the Netherlands. It is then up to authorities in each country — or the International Criminal Court — to pursue them, he added.

The director general of Israel's Foreign Ministry, Eden Bar Tal, last month said fewer than a dozen soldiers had been targeted, with no warrants issued, and dismissed the attempted arrests as a futile public relations stunt. "It's sponsored by this very low number of entities that have direct connections to terrorist organizations," he said.

Universal jurisdiction is not new. The 1949 Geneva Conventions -- the post Second World War treaty regulating military conduct — specify that all signatories must prosecute war criminals or hand them over to a country who will. In 1999, the United Nations Security Council asked all U.N. countries to include universal jurisdiction in their legal codes, and around 160 countries have adopted them in some form.

"Certain crimes like war crimes, genocide and crimes against humanity are crimes under international law," said Marieke de Hoon, an international law expert at the University of Amsterdam. "And we've recognized in international law that any state has jurisdiction over those egregious crimes."

Israel used the concept to prosecute Adolf Eichmann, an architect of the Holocaust. Mossad agents caught him in Argentina in 1960 and brought him to Israel where he was sentenced to death by hanging.

More recently, a former Syrian secret police officer was convicted in 2022 by a German court of crimes against humanity a decade earlier for overseeing the abuse of detainees at a jail. Later that year, an Iranian citizen was convicted by a Swedish court of war crimes during the Iran-Iraq war in the 1980s.

In 2023, 16 people were convicted of war crimes through universal jurisdiction, according to TRIAL International, a Swiss organization that tracks proceedings. Those convictions were related to crimes committed in Syria, Rwanda, Iran and other countries.

In response to Brazil's pursuit of Vagdani, the Israeli military has prohibited soldiers below a certain rank from being named in news articles and requires their faces to be obscured. It has also warned soldiers against social media posts related to their military service or travel plans.

The evidence Hind Rajab Foundation lawyers presented to the judge in Brazil came mostly from Vagdani's social media accounts.

"That's what they saw and that's why they want me for their investigation," he told the Israeli radio station Kan. "From one house explosion they made 500 pages. They thought I murdered thousands of children."

Vagdani does not appear in the video and he did not say whether he had carried out the explosion himself, telling the station he had come into Gaza for "maneuvers" and "was in the battles of my life."

Social media has made it easier in recent years for legal groups to gather evidence. For example, several Islamic State militants have been convicted of crimes committed in Syria by courts in various European countries, where lawyers relied on videos posted online, according to de Hoon.

The power of universal jurisdiction has limits.

In the Netherlands, where the Hind Rajab Foundation has filed more than a dozen complaints, either the victim or perpetrator must hold Dutch nationality, or the suspect must be in the country for the entirety of the investigation — factors likely to protect Israeli tourists from prosecution. Eleven complaints against 15 Israeli soldiers have been dismissed, some because the accused was only in the country for a short time, according to Dutch prosecutors. Two complaints involving four soldiers are pending.

In 2016, activists in the U.K. made unsuccessful attempts to arrest Israeli military and political leaders for their roles in the 2008-09 war in Gaza.

Raza says his group will persist. "It might take 10 years. It might be 20 years. No problem. We are ready to have patience."

There is no statute of limitations on war crimes.

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## AMERICAS

### Venezuela

#### **Elected president of Venezuela meets with the Chief Prosecutor of the International Criminal Court (CiberCuba) February 16, 2025**

The elected president of Venezuela, Edmundo González, held a meeting with the Chief Prosecutor of the International Criminal Court (ICC), Karim Khan, during the 61st Munich Security Conference, where they discussed the progress of investigations into crimes against humanity in the South American country.

"I have expressed that we are respectful of the investigation processes being carried out by the ICC and that, as a concerned stakeholder representing Venezuelans, I came away very satisfied from this meeting," González stated on his social media.

For his part, Prosecutor Khan emphasized the importance of international cooperation to ensure justice in cases related to human rights violations in Venezuela, in accordance with the Rome Statute.

In addition to his meeting with the ICC, Edmundo González gave a conference at the prestigious forum, accompanied by Roberta Metsola, President of the European Parliament.

During his speech, he denounced the impact of the Nicolás Maduro regime on regional stability and reinforced his commitment to democracy.

On the social media platform X, María Corina Machado described the day as "especially productive," highlighting the importance of international alliances needed to establish political change in Venezuela.

He also made a new appeal to the citizens of his country: "Venezuelans, do not allow the demoralizers who promote inaction to discourage you."

He added, "Our tactical diversity is our strength. Each of these meetings and conversations contributes to our ultimate goal: to dislodge the regime and transform Venezuela into a fundamental ally of Freedom and Democracy in the Western Hemisphere."

Frequently Asked Questions about the Political Situation in Venezuela and Edmundo González

What was the reason for the meeting between Edmundo González and Karim Khan?

The meeting between Edmundo González and Karim Khan, Chief Prosecutor of the International Criminal Court (ICC), aimed to discuss the progress of investigations into crimes against humanity in Venezuela. This meeting took place during the 61st Munich Security Conference, and González expressed his commitment to respecting the ICC's investigative processes.

What role does the International Criminal Court play in the crimes against humanity in Venezuela?

The International Criminal Court (ICC) is responsible for investigating and prosecuting crimes against humanity, war crimes, genocide, and crimes of aggression. In the case of Venezuela, the ICC is examining possible crimes against humanity committed since 2014, in the context of protests and repression against opponents of the government of Nicolás Maduro. Venezuela is a party to the Rome Statute, which allows the ICC to investigate these crimes.

What has been the international reaction regarding Edmundo González and his recognition as the president of Venezuela?

The international reaction has been mixed. While countries like the United States and the European Union have recognized Edmundo González as the legitimate president of Venezuela, others, allied with Maduro's regime, have supported Maduro's reelection. This situation has increased international pressure on Maduro to negotiate a peaceful transition.

What actions has María Corina Machado undertaken in support of Edmundo González?

María Corina Machado has been a key figure in supporting Edmundo González, reaffirming his victory in the July 2024 elections and denouncing human rights violations by the Maduro regime. She has called for mobilizations and urged the international community to support the democratic transition in Venezuela.

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## TOPICS

### Terrorism

Vaux-Montagny  
February 10, 2025

A Tunisian man went on trial in France on Monday on terrorism charges over the killing of three people in a basilica in the French Riviera city of Nice in 2020, one of multiple attacks that year linked to Islamic extremism.

The assailant, who was shot and seriously wounded by police, says he remembers nothing. Brahim Aouissaoui, now 25, was the only person in the dock as the trial opened, with no accomplices or sponsors identified.

The attack was the third in less than two months that French authorities attributed to Islamic extremists, and prompted the government to raise its security alert to the maximum level. It came while France was holding a trial over the 2015 attacks on satirical newspaper Charlie Hebdo, which published caricatures of Islam's prophet. France at the time faced anger from many Muslims around the world for defending the cartoons and for its policies against Islamic radicalism.

France remains on high alert today, notably for domestic extremist threats stoked on online platforms.

As Monday's proceedings began in Paris, Aouissaoui spoke through a translator. He is facing charges of terrorist murder and attempted terrorist murder, and faces up to a life sentence if convicted.

On Oct. 29, 2020, Aouissaoui allegedly killed worshippers Nadine Vincent, 60, and Simone Barreto, a 44-year-old French-Brazilian woman, and church worker Vincent Loquès, 55.

Police officers fired at the assailant as he lunged at them, shouting "Allahu Akbar" (God is great) and wielding a knife. Seriously wounded, Aouissaoui underwent two operations and was placed in intensive care.

He has repeatedly told investigators that he can't remember anything and has nothing to say. He has claimed that his parents are dead, when in fact they are not, and said he didn't recognize himself on CCTV footage of him entering the basilica.

Expert psychiatrists and a neurologist determined that he does not suffer total memory loss. "The systemic and opportunistic nature of the allegedly lost memories was part of a defense system and a refusal to cooperate with the judicial authorities," they said, according to investigative documents seen by The Associated Press.

They described him as someone who experienced a period of addiction, then a period of "rigor and asceticism" and then passed into a period of "radical commitment and then terrorist action."

With behavioral problems in detention, Aouissaoui has been in and out of five prisons.

Samia Maktouf, the lawyer representing the church worker's family, described the suspect as a "a radicalized, indoctrinated Salafist, close to the theses of al-Qaida, which congratulated him on his action."

Aouissaoui is believed to have left Tunisia on the night of Sept. 18-19, 2020, by boat, according to the investigative documents. He then went to the Italian island of Lampedusa, one of the main European gateways for migrants, before being placed in quarantine. On Oct. 9, he arrived in Bari in southern Italy, where he was notified of an obligation to leave the country. But he returned to Sicily and worked to pay for a train ticket to Rome and then Nice.

According to investigators who examined his postings on social networks, Aouissaoui was aware of the threats made against France by media close to al-Qaida following the opening of the trial of the Charlie Hebdo attack. He described France as "a country of miscreants and dogs," investigators said.

He repeatedly scouted out the basilica ahead of the attack, and investigators said it had been premeditated for several weeks.

### **Paris Trial Begins Over 2013 Islamic State Kidnappings of Westerners in Syria (RFI)**

February 17, 2025

Among the accused is Frenchman Mehdi Nemmouche, who is currently serving a life sentence for the deadly attack on the Jewish Museum in Brussels in 2014.

The trial – expected to last until 21 March – will revisit a period in which foreign journalists and humanitarian workers were targeted by the Islamic State group.

The defendants, two of whom are presumed dead, stand accused of the kidnap and torture, in connection with a terrorist organisation, of French journalists Didier François, Édouard Elias, Nicolas Hénin and Pierre Torres, Italian aid worker Federico Motka, British aid worker David Haines and Spanish journalist Marcos Marginedas Izquierdo.

The four French nationals, Motka and Marginedas Izquierdo were released in 2014, but Haines was executed by Islamic State in the same year.

### French Connection

France's DGSI intelligence agency played a key role in identifying the perpetrators.

Three of the accused – Nemmouche, Abdelmalek Tanem and Kais Al-Abdallah – are either French citizens or have ties to France.

French authorities have long been at the forefront of efforts to bring justice to victims of terrorism, particularly those linked to the Islamic State's reign in Syria and Iraq, and French anti-terrorism judges have been leading investigations into crimes committed by French jihadists abroad.

Nemmouche – a 38-year-old French national of Algerian descent – was convicted in Belgium for the Brussels attack. Prosecutors allege that before carrying out that atrocity, he was actively involved in the abduction and torture of Western hostages in Syria. His trial in Paris is expected to shed new light on the extent of his role within extremist networks.

### Testimonies of Torture

The testimonies of the former hostages will be central to the prosecution's case. They have provided harrowing accounts of their time in captivity, describing physical abuse, psychological torture and staged executions.

Their statements have been instrumental in identifying the accused and reconstructing the timeline of events.

Security around the trial is expected to be tight, given the high-profile nature of the defendants and the sensitive details involved.

### **3 Defendants Released, 2 Remain Jailed in Trial of High School Girls on Terrorism Charges (Turkish Minute)**

February 18, 2025

A Turkish court has ruled to release three defendants while ordering the continued detention of two others in the ongoing trial of 41 people, including 14 high school students, who are accused of terrorism for engaging in routine social and religious activities, the TR724 news website reported on Tuesday.

According to the report by Sevinç Özarslan of TR724, the İstanbul 24th High Criminal Court ordered the release of H.A., G.Ş. and R.B.G. but ruled that R.Ç. and Z.Ş.T. would remain in custody ahead of the next hearing, scheduled for April 25.

The defendants are charged with alleged membership in a terrorist organization, as part of a decade-long crackdown on the Gülen movement.

The Turkish government, led by President Recep Tayyip Erdoğan, has accused the faith-based Gülen movement of orchestrating a failed coup in 2016, although the late Turkish cleric Fethullah Gülen, who inspired the movement, and the movement deny any involvement.

Since the coup, Erdoğan's government has carried out a sweeping crackdown, investigating more than 700,000 people on terrorism-related allegations, many of them for links to the Gülen movement.

The trial, widely criticized by human rights groups, has attracted international attention for criminalizing activities such as praying together, studying, going to the mall and playing sports.

The case has been closely followed by international human rights organizations, with observers attending the latest hearing. Among them were Rebecca Cataldi, director of the Washington-based International Center for Religion & Diplomacy; Andrea Barron, an American human rights advocate; and Anaïs Lefort, a criminal lawyer registered with the Paris Bar Association. Their presence underscores growing international concern over Turkey's judiciary and its treatment of religious and social activities as acts of terrorism.

### Defendants Charged over Daily Activities

The case stems from a mass arrest operation on May 7, 2024, when İstanbul police detained 41 people, including 14 high school students and 12 university students at the order of the İstanbul Chief Public Prosecutor's Office. A total of 29 people were arrested.

Authorities had reportedly wiretapped the students' phones for three months and built a case around their everyday interactions. The indictment, accepted by the court on July 8, 2024, claimed to have identified "120 terrorist activities" involving the defendants.

Among the alleged terrorist activities listed in the indictment were attending an event at a camp house, going to Marmara Park Mall, bowling and visiting friends' homes. Prosecutors also cited as evidence staying in shared student apartments, attending study groups, going to shopping malls, ordering food through a delivery app, going to the movies, organizing a picnic and planning an overseas trip.

The prosecution's main argument is that 12 female university students voluntarily provided English and religious lessons in four different homes in Istanbul, with parents allowing their children to participate. Prosecutors have classified activities such as reading the Quran, praying together and hosting social gatherings as acts of terrorism. The judge has even questioned whether birthday celebrations and study sessions could be linked to an armed terrorist organization.

All these activities have been labeled as criminal solely because of their alleged connection to the Gülen movement, which the Turkish government considers a terrorist organization. In cases like this, routine social interactions and educational activities are reinterpreted as acts of terrorism based on vague and broad legal definitions, allowing authorities to prosecute individuals for even the most ordinary aspects of daily life.

### Judge Questions Religious References in Trial

During the latest hearing, presiding judge Şenol Kartal engaged in a contentious exchange with one of the defendants over religious terminology used in private phone messages. Kartal, himself a graduate of a religious vocational school, questioned a defendant about a phrase found on her phone, asking, "There is a sultan mentioned in your messages, one who is all-powerful. Who is this sultan?" The defendant responded that it referred to God, as mentioned in the *Risale-i Nur*, a religious book. Kartal, however, challenged this explanation, saying, "No, this seems to be someone else. How can there be such a sultan who is all-powerful? Why do you attribute superhuman qualities to this sultan?"

Another defendant clarified that Bediüzzaman Said Nursi, the Islamic scholar who wrote *Risale-i Nur*, frequently used metaphors, allegories and symbolic stories. *Risale-i Nur*, she explained, describes God as the ultimate ruler of the universe through a metaphor of kingship. This courtroom exchange has drawn comparisons to Turkey's past legal battles over *Risale-i Nur*, particularly during the 1960s, when the religious text was banned under the country's staunchly secular government and its followers were prosecuted.

### MP Removed From Courtroom After Criticizing Judge

During the trial's first hearing on September 23, Ömer Faruk Gergerlioğlu, a member of parliament from the Peoples' Equality and Democracy Party (DEM Party), was expelled from the courtroom after criticizing the judge's line of questioning. Gergerlioğlu later alleged that Kartal, who previously worked as a lawyer for Turkey's ruling Justice and Development Party (AKP), had a history of signing politically motivated rulings. He filed a complaint against the judge with the Board of Judges and Prosecutors (HSK), arguing that his removal from the courtroom violated the law.

More recently, Kartal filed a criminal complaint against Gergerlioğlu for his criticism.

### Trial Part of Broader Crackdown

The "Girls' Trial" is part of Turkey's post-2016 crackdown on alleged members of the Gülen movement. The Turkish government accuses the movement of orchestrating a failed coup in 2016, though Gülen and his followers deny any involvement. Since the coup attempt, Turkish authorities have carried out an extensive purge. Thousands have been arrested for alleged links to the movement, often based on tenuous evidence such as using the ByLock messaging app, having an account at the now-closed Bank Asya, sending children to Gülen-affiliated schools, subscribing to Gülen-linked publications or representing Gülen supporters as a lawyer.

The European Court of Human Rights (ECtHR) has repeatedly ruled that Turkey's anti-terror laws are being misused to silence dissent. The court has issued several judgments finding Turkey in violation of its citizens' rights, particularly for the broad and vague application of Article 314 of the Turkish Penal Code, which criminalizes membership in a terrorist organization.

### Surreal Trial

Antonio Stango, chair of the Italian Federation for Human Rights, attended three days of hearings in September and described the proceedings as "surreal." He said the young women are accused of belonging to an armed terrorist group, yet all the evidence suggests they were simply engaging in common social activities. He expressed concern that the defendants were not

afforded the presumption of innocence, a fundamental principle of fair trial and due process. He observed that the judge appeared to be aligned with the prosecution rather than acting as an impartial third party, which he noted was not consistent with democratic judicial standards.

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## **Gender-Based Violence**

**ICC for first time recognizes LGBTQ people as victims of gender persecution (Washington Blade)** By Ankush Kumar  
January 28, 2025

The International Criminal Court on Jan. 23 for the first time recognized LGBTQ people as victims of gender persecution under international criminal law.

Karim Khan, the ICC's chief prosecutor, announced a request for arrest warrants against Taliban officials accused of targeting women and others perceived as defying the group's strict gender norms in Afghanistan. It is the first time LGBTQ people have been explicitly named as victims in a gender persecution case before the court.

Since the Taliban's takeover of Afghanistan in August 2021, there has been a significant escalation in the repression of LGBTQ people and women. A report that Human Rights Watch released in 2022 documented nearly 60 cases of targeted violence against LGBTQ people in the months following the Taliban's return to power.

The Washington Blade in October 2022 reported the Taliban have frequently used the contents of seized cell phones to track and target LGBTQ people, further intensifying the climate of fear, and violence against the community in Afghanistan.

In its February 2023 report, "A Mountain on My Shoulders: 18 Months of Taliban Persecution of LGBTIQ Afghans," Outright International detailed how Taliban security officials systematically targeted LGBTQ people, especially gay men and transgender women, subjecting them to physical and sexual assault as well as arbitrary detention. The report also noted Taliban authorities had carried out public floggings for alleged same-sex relations, with the Taliban Supreme Court publicly defending these punishments on social media at the time.

The report indicates Taliban officials had escalated their efforts to target LGBTQ people, making it a greater priority. They collected intelligence on LGBTQ activists and community members, hunted them down, and subjected them to violence and humiliation as part of their systematic campaign of repression.

Khan has sought charges against the Taliban's Supreme Leader, Haibatullah Akhundzada, the Taliban's supreme leader, and Chief Justice Abdul Hakim Haqqani for crimes against women, girls, and LGBTQ people. Khan said there are reasonable grounds to believe that Akhundzada and Haqqani orchestrated systematic violations of fundamental rights, including physical integrity, autonomy, free movement, free expression, education, private and family life, and free assembly.

Khan further detailed that the Taliban's persecution was committed in connection with other crimes under the Rome Statute, including murder, imprisonment, torture, rape and other forms of sexual violence, enforced disappearance, and other inhumane acts.

Reports indicate the Taliban has banned education for girls beyond sixth grade, severely restricting their access to education and limiting employment opportunities in health and education sectors. Taliban members have also beaten, detained, and tortured women who participated in protests in support of their rights, and have carried out violent attacks against LGBTQ people.

Khan's requests have been submitted to a pretrial chamber comprising three ICC judges, who will decide whether to issue the warrants. The ICC initially authorized the Afghanistan investigation in March 2020, following a preliminary examination that began in 2007. The investigation, however, was paused for several years as the prosecutor and ICC judges considered a request by Afghanistan's former government to defer ICC proceedings in favor of domestic prosecutions the government claimed to be pursuing.

The judges noted any cases pursued by the former Afghan government represented, at most, a "very limited fraction" of those falling within the scope of an ICC investigation. They also observed that the current government displayed no interest in

upholding the deferral request. The ICC, as a result, authorized the resumption of the investigation in October 2022.

“This is a historic moment since it is the first time in history that the ICC has officially recognized the crimes committed against LGBTIQ+ people. This application for an arrest warrant sends a strong message that the international community rejects the gender persecution of LGBTIQ+ people,” said Artemis Akbary, executive director of the Afghanistan LGBTIQ Organization. “LGBTIQ+ people in Afghanistan need our support and solidarity more than ever, and we must ensure that they have access to justice and accountability.”

Outright International in its press release stated this development marks a significant step toward addressing the unique vulnerabilities of LGBTIQ people in conflict and crisis situations.

“The Taliban’s reign of terror over women and LGBTIQ people has been based on the assumption that gender persecution can persist with impunity. The ICC’s recognition of LGBTIQ victims challenges that presumption by recognizing the humanity of our communities,” said Outright International Senior Director of Law, Policy, and Research Neela Ghoshal. “Once arrest warrants are issued against Taliban officials, member states should support the court’s efforts to swiftly bring them to justice.”

Human Rights Watch International Justice Director Liz Evenson also welcomed Khan’s announcement.

“The ICC prosecutor’s request for arrest warrants against two senior Taliban leaders for the crime against humanity of gender persecution should put the Taliban’s oppression of women, girls, and gender nonconforming people back on the international community’s radar,” said Evenson. “With no justice in sight in Afghanistan, the ICC warrant requests offer an essential pathway for a measure of accountability.”

She added the “international crimes committed in Afghanistan are vast, but a broad approach to accountability is needed to break cycles of impunity that have led to more abuses.”

“ICC member countries should ensure the court has the backing and practical assistance it needs to expand its Afghanistan investigations,” said Evenson.

The Afghan Justice Ministry has not responded to the Washington Blade’s request for comment.

“It is truly groundbreaking for the International Criminal Court to recognize our communities among the victims and survivors of the most heinous crimes and their consequences, and to acknowledge gender identity and gender expression among the drivers of human rights violations,” said ILGA World Executive Director Julia Ehrh. “These warrants of arrest highlight human rights violations that civil society has long documented and that the world can no longer ignore.”

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## **Aiding and Abetting**

**Bosnian Prosecutors Seeks Custody for War Criminal Facing New Charges (Balkan Insight)** By Marija Tausan  
February 14, 2025

The Bosnian state prosecution on Friday requested the imposition of measures to stop Vidoje Blagojevic and his four co-defendants – all charged with wartime crimes against civilians in the Zvornik area – from leaving the country.

“There is a high risk of flight,” said prosecutor Mersudin Pruzan, citing cases of other suspects who had fled justice by crossing the border.

The other men indicted alongside Blagojevic are Vlado Matic, Branko Studen, Miladin Ivanic and Cvjetko Stojanovic.

Pruzan also asked for them to be prohibited from having contact with witnesses in the case, noting that some of them were in military units with the accused.

He said that after the indictment was confirmed last month, the accused knew that they were being charged with grave crimes.

“From June 1 to 6 [1992], 700 civilians were killed, and women and children were expelled... This is a very serious case and the accused know that they could receive 45 years in prison,” Pruzan explained.

As wartime commander of the Bratunac Brigade of the Bosnian Serb Army, Blagojevic has already been sentenced to 15 years in prison by the Hague Tribunal for aiding and abetting the murder and persecution of Bosniaks in the Srebrenica area, as well as aiding and abetting the murder of Bosniaks in Bratunac.

He was jailed in a prison in Norway and released in 2012 after serving two-thirds of his sentence. The judge cited his “good behaviour” and said he had showed a “degree of rehabilitation”.

Blagojevic is currently facing charges in another case in Bosnia. He is accused alongside ten others of committing crimes against humanity.

The indictment claims that the suspects participated in the unlawful detention and inhumane treatment of around 700 Bosniak men and boys as guards at the Technical School in the town of Karakaj from late May to early June 1992.

According to the charges, around 20 civilians died because of the inhumane conditions.

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## **Commentary and Perspectives**

### **US: Trump Authorizes International Criminal Court Sanctions (Human Rights Watch) February 7, 2025**

US government sanctions targeting the International Criminal Court (ICC) would undermine international accountability for the worst crimes and deprive victims around the globe of justice, Human Rights Watch said today. US President Donald Trump issued an executive order on February 6, 2025, that authorizes asset freezes and entry bans on ICC officials and others supporting the court’s work.

“Trump’s executive order on the International Criminal Court effectively puts the United States on the side of war criminals at the expense of victims of grave crimes seeking justice,” said Liz Evenson, international justice director at Human Rights Watch. “ICC member countries should publicly and forcefully support the court for doing the job it was set up to do: ensuring no one is above the law.”

Trump’s order, issued during the week Israeli Prime Minister Benjamin Netanyahu was in Washington, DC, makes clear that his administration seeks to shield US and Israeli officials from facing war crimes and crimes against humanity charges before the ICC. ICC judges issued warrants of arrest for Netanyahu and former Israeli Defense Minister Yoav Gallant in November 2024.

The ICC judges found reasonable grounds to believe that Netanyahu and Gallant are responsible for war crimes and crimes against humanity in the Gaza Strip beginning, at least, on October 8, 2023, including the starvation of civilians, intentionally directing attacks against a civilian population, murder, and persecution.

The judges also issued an arrest warrant for Mohammed Diab Ibrahim al-Masri (known as Mohammed Deif), commander-in-chief of the Qassam Brigades, Hamas’ military wing. The Qassam Brigades announced on January 30 that Deif had been killed during the hostilities.

The ICC is the permanent international court created to try people, including senior officials, accused of war crimes, crimes against humanity, genocide, and the crime of aggression. Currently, 125 countries, nearly two-thirds of United Nations members, have joined the court.

The ICC is a court of last resort, stepping in when national authorities are unable or unwilling to conduct genuine proceedings. In addition to its Palestine investigation, the court has opened investigations into alleged atrocities in 16 situations, including in Darfur, Sudan, Bangladesh/Myanmar, Ukraine, and Venezuela.

The February 6 executive order authorizes sanctions against non-US persons who assist in investigations to which the US administration objects. It provides for asset freezes and entry bans against “the person listed in the Annex to this order.” The annex has not been made public. The order also provides for asset freezes and entry bans against “any foreign person...directly engag[ing] or otherwise aid[ing] any effort by the International Criminal Court to investigate, arrest, detain, or prosecute” a “protected person,” defined as any US person or any citizen or lawful resident of US allies that are not ICC member countries or have not consented to the ICC’s jurisdiction over that person.

Sanctions can also be applied to others supporting the ICC's investigations, while entry bans can be applied to family members of those sanctioned and to other ICC staff. The executive order requires the US treasury secretary, after consultation with the secretary of state, to submit to the president a report on additional persons to be sanctioned within 60 days.

The US House of Representatives passed legislation on January 9, 2025, to allow sanctions targeting the ICC, but on January 28, 2025 the Senate, voted against moving the bill forward.

In 2020, during his first term President Trump imposed sanctions on then-ICC Prosecutor Fatou Bensouda and another senior court official following Bensouda's decision to request authorization to open an investigation into the situation in Afghanistan, which included potential cases against US nationals. Many governments criticized the sanctions, which were challenged in two lawsuits in US federal court. The Biden administration rescinded the sanctions. There are no pending ICC cases against US nationals.

US sanctions have serious effects on those targeted, who lose access to their assets in the United States and are denied commercial and financial dealings with "US persons," including banks and other companies. US sanctions also have a chilling effect on non-US banks and other companies outside of US jurisdiction that could themselves lose access to the US banking system if they do not support the sanctions. US persons face penalties, including fines and imprisonment, for violating sanctions.

The order appears designed not only to intimidate court officials and staff involved in the court's critical investigations, but also to chill broader cooperation with the ICC, affecting the rights of victims globally, Human Rights Watch said.

US sanctions are adding to other efforts to undermine international justice, Human Rights Watch said. On May 1, 2024, Netanyahu called on governments to prevent the court from issuing warrants. The Israeli parliament is currently considering a bill aimed at shielding Israeli officials from the ICC investigations by "prohibiting all formal cooperation" between Israeli authorities and the ICC and punishing individuals who assist the court.

After US senators in April 2024 threatened the ICC prosecutor with sanctions, the prosecutor's office called for all attempts "to impede, intimidate or improperly influence" the office to cease immediately. Russian authorities have criminalized cooperation with the ICC and issued arrest warrants against ICC judges and the court's prosecutor in retaliation for the court's arrest warrant against Russian President Vladimir Putin for the alleged unlawful transfer and deportation of children from occupied areas of Ukraine to Russia.

While the US is not an ICC member, the sanctions reverse growing support for the court among US officials in recent years. Following Russia's full-scale invasion of Ukraine in 2022, Republican and Democratic elected officials lauded the court's efforts to address alleged war crimes in Ukraine by Russian forces, and the US Congress acted to authorize US cooperation with the court's Ukraine investigation.

As the threat of US sanctions loomed, ICC member countries, the leadership body of the court's Assembly of States Parties, the European Union, UN experts, and civil society organizations have spoken out against efforts to obstruct the court's work.

ICC member countries should reaffirm their commitment to defend the court, its officials, and those cooperating with it from any political interference and pressure, Human Rights Watch said. They should also put in place measures to protect the court's essential work from sanctions, including by enacting blocking statutes and other similar measures. The European Union should promptly impose its blocking statute to mitigate the effects of US sanctions.

"US sanctions could have a wide-ranging impact on the ICC's work, undermining every situation on its docket," Evenson said. "ICC member countries should demonstrate that they will ensure that the ICC continues to deliver justice for the worst crimes, whoever is responsible."

Update: On Monday, February 10, the annex to the February 6 Executive Order authorizing sanctions relating to the International Criminal Court (ICC) was published. The annex contains the name of the first person sanctioned under the Executive Order: Karim Khan, Prosecutor of the ICC.

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**WORTH READING**

## **“These Are not Ordinary Criminals!” The First War Crimes Trial at the People's Tribunal and Its Implications in Post-Holocaust Romania**

**(Central European History)** By Stefan Cristian Ionescu

February 11, 2025

This article examines the neglected war crimes trials of Holocaust perpetrators that took place at the People's Tribunal in early postwar Romania, focusing especially on the first trial (the “Macici group”). The article shows that in spite of the political interferences by the new pro-communist regime and the USSR, the Macici group trial in particular, and the first war crimes trials in general, were not Stalinist show trials or fake trials and they sentenced real war criminals and accurately captured Romania's participation in the Holocaust. Unlike the Antonescu group trial – that indicted the former pro-Nazi dictator and his closest collaborators – the first war crimes trial was not a typical political trial. In general, it respected the rule of law of the era. Resembling the cases of other trials of Nazi perpetrators and collaborators in postwar Europe, the Romanian perpetrators invoked superior orders as their main line of defense. In spite of the public perception and the communist regime's propaganda, the primary sources show that the People's Tribunal proved rather lenient and inefficient. Additionally, these trials had an important political-social role in postwar Romania and helped the communist regime discredit political adversaries, purge the judiciary, gain legitimacy, and increase its control of local society.

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