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## WCPW Volume 21, Issue 3, April 23, 2025

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Wed, Apr 23, 2025 at 9:00 AM

To: warcrimeswatch - War Crimes Prosecution Watch <warcimeswatch@case.edu>



War Crimes  
Prosecution  
Watch



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Volume 21  
- Issue 3  
April 23,  
2025

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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 [warcimeswatcheditors@case.edu](mailto:warcimeswatcheditors@case.edu) and type "subscribe" in the subject line.

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## AFRICA

### Sudan & South Sudan

Official Website of the International Criminal Court  
ICC Public Documents - Situation in Darfur, Sudan

Threats and intimidation in the Lundin trial (JusticeInfo.Net) By Martin Schibbye  
April 3, 2025

The air in the hotel room is heavy, curtains drawn against the blinding South Sudanese sun. A fan hums quietly on the ceiling, barely cutting the heat. George Tai sits on the edge of the bed, his phone in one hand, scrolling through old call logs.

“Here. Five minutes. Then again – three minutes. And this one, only two.” He taps the screen, showing a list of numbers. The calls had come in rapid succession, just after he discovered someone had been inside his home.

A year earlier the human rights lawyer had returned from Sweden, where he gave interviews about the historic war crimes trial against former executives of Lundin Oil, a Swedish petroleum company. In court, he listened to defense lawyers arguing that violence in Unity State, north of South Sudan, where Lundin Oil started operations 25 years ago, was due to tribal conflict, not oil. But Tai disagrees: “They tried to make it all about our traditions, but I was there. This was about clearing land for drilling.”

Back in Juba he had no idea what awaited him in his own apartment. “I knew something was wrong the moment I put the key in the lock,” Tai says.

Inside, chaos. Clothes and papers strewn across the floor. A laptop shoved off the desk. Torn-up banknotes fluttering in the still air. Nothing had been taken but to him the message was unmistakable. Someone had been there. Someone wanted him to know. Later that evening, his phone rang. A man’s voice was on the other end, speaking Arabic with icy calm:

“George, we know what you said in Sweden. Lies about Lundin. Stop, or we will stop you.”

The calls didn’t stop. Neighbors reported two men loitering in the area, asking for him. Tai didn’t sleep that night. The following day, he fled.

“We will assassinate you one by one”

It all began in 2018. Tai was scrolling Facebook when he saw a post from a South Sudanese organization in Stockholm, announcing preparations for a lawsuit against an oil company – Lundin – that had operated in Block 5A. He was stunned. “I thought nobody still talked about this,” he recalls. He clicked “Like.” He left a comment. The next day, a Swedish investigator called. They agreed to meet. That’s when the messages started.

“We heard you’re talking to Europeans about crimes in Unity State,” one voice warned. “Stop spreading lies. If you don’t, you’ll pay with your life.”

Tai is not an isolated case. Throughout the Swedish investigation of Lundin, there have been persistent allegations that witnesses were bribed or threatened into silence. The Swedish police’s war crimes unit first launched an investigation into obstruction of justice in 2019, led by prosecutor Thomas Ahlstrand. It was closed in 2023 due to lack of conclusive links between the threats and the Lundin leadership. But now, as the main trial has entered its second year, Kalla Fakta, a Swedish investigative TV program, has presented new evidence. A prosecution witness, plaintiff Liah Diu Gatkuoth, said he received a WhatsApp voice message in September 2024: “This informs those who went to Sweden for the Lundin case. We have your names, and we will assassinate you one by one.”

The recording, sent from a South Sudanese number, went on to describe how airport security officials would be ordered to track and kill those involved in the trial. Kalla Fakta also interviewed a former Lundin employee who had been contacted by his old manager before the trial began. He was sent photos of two prosecution witnesses who had been interrogated by Swedish police. His task: locate them. Instead, he chose to warn them.

The most serious cases of threats and violence were reported in 2017 and 2018. During that time, two British consultants worked for Lundin in South Sudan, attempting to find witnesses who could speak in the company’s favor and monitor those expected to testify against it, according to documents obtained by Kalla Fakta. One man interviewed by the TV program confirmed he worked closely with the consultants and the company’s former security chief, who is suspected of being behind many of the threats and attacks. The man admitted to being shown photos of witnesses and tasked with locating them, including outside South Sudan. Another man told Kalla Fakta he was assigned to find witnesses so they could be killed: “If we kill them, there’s no case.”

When people refused to cooperate, violent methods were reportedly used. In one instance, a man who declined to testify was run over by a car in front of his brother. A second car then drove over him again.

One of the men pointed out by the plaintiffs confirmed he worked for Lundin in 2017-2018, trying to influence witnesses and assist in intelligence-gathering. He denied involvement in killings, claiming six witnesses died of natural causes.

Lundin and its former executives have consistently denied all accusations. “We take these allegations

seriously but see them as completely unfounded,” said press officer of the company renamed Orron Energy in March, Robert Eriksson. The company also stated that it has not been formally informed of any new suspicions in the investigation on obstruction that was reopened in June 2024 by the Swedish Police. “It is incomprehensible that these baseless accusations continue to be used to discredit the company and its representatives,” wrote the spokesperson in an email on March 19.

In late March, these alleged threats were addressed directly in the courtroom in Stockholm. Egbert Wesselink from the Dutch peace organization PAX testified that already in 2016, he warned prosecutors about the risks to plaintiffs like Andrew Jagei, a radio operator who had received threats urging him to “switch sides.” Jagei initially chose to stay in Juba, where his family lived. But after his neighbor was killed, he feared he was the true target and fled. Wesselink said others also reported threats from individuals believed to be working on behalf of Lundin.

“More and more people came forward,” he said in court. “Even if we couldn’t assess the risk, we believed them. They were ready to leave their old lives behind.”

Bluff and easy asylum?

Petter Bolme, who helped prosecutors locate witnesses during the long investigation, also testified. He said threats were often received via text, voice messages, or accompanied by photos of injuries. When asked about witness credibility, Bolme acknowledged skepticism was necessary, but that the material often could be verified.

Lundin’s defense lawyer Per E. Samuelson raised doubts by pointing to a handwritten note by Jagei, allegedly offering to testify for Lundin in exchange for \$50,000. “He later told us it was a bluff,” said Bolme. “He said he was told to write down what he wanted. He wanted the note back afterward.”

“Why would he lie?” asked Samuelson.

“I think he was playing a game,” Bolme replied. “But that didn’t affect how I gathered information. I always doubt, I always verify.”

Defense lawyers also emphasized that many witnesses were later relocated to Europe or the U.S. with the help of the UN High Commission for Refugees. Swedish police reportedly sent formal letters supporting emergency resettlement. “These letters made it easier for some to be accepted as refugees,” Bolme confirmed.

No one has yet been formally charged in the reopened obstruction investigation, but prosecutor Linda Wiking confirms it is now being treated as a serious case. “People have tried to influence or stop witnesses from testifying. That qualifies as gross obstruction of justice,” she said to Kalla Fakta. Authorities are also concerned for the safety of witnesses still in South Sudan. “We’ve already documented harm, and we don’t want anyone else to be hurt,” Wiking said.

For Tai, the new information only confirms what he already knew. He believes some former Lundin collaborators are now speaking out due to a guilty conscience. In Juba, reflecting on his visit to Sweden, he says: “I lost my job, my home, my country because of this trial. But I survived war as a child, and now I must speak out.”

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## **Democratic Republic of the Congo**

Official Website of the International Criminal Court  
ICC Public Documents - Situation in the Democratic Republic of the Congo

Americans convicted in Congo of failed coup attempt now face U.S. charges (PBS) By Hannah Schoenbaum and Eric Tucker  
April 9, 2025

Three Americans repatriated to the United States from Congo this week have been charged with participating in an elaborate coup attempt aimed at overthrowing the African nation's government last year, the U.S. Justice Department said Wednesday.

A fourth man alleged by prosecutors to be an expert in explosives was also charged with aiding the plot.

The criminal charges arise from the same set of allegations that led to three of the defendants being detained in Congo and receiving death sentences. The sentences were later commuted to punishments of life imprisonment before the men were ultimately transferred Tuesday into U.S. custody to face charges in an American court.

A criminal complaint unsealed by prosecutors Wednesday follows a long-running FBI investigation and accuses the men of conspiring to provide weapons, explosives and other support to a rebel army that was formed to try to overthrow the government.

Among the three Americans is 22-year-old Marcel Malanga, son of opposition figure Christian Malanga, who led the coup attempt that targeted the presidential palace in Kinshasa. The elder Malanga livestreamed from the palace during the attempt and was later killed while resisting arrest, Congolese authorities said.

Prosecutors say the goal of the plot was to establish a new government known as New Zaire and install Christian Malanga as its president. The younger Malanga identified himself as the "Chief of Staff of the Zaire army" and acted as a leader of the rebel forces, court documents say.

Christian Malanga, who was born in the Congolese capital of Kinshasa, had described himself on his website as a refugee who settled in the U.S. with his family in the 1990s. The self-proclaimed leader of a shadow government in exile sold used cars and dabbled in gold mining before persuading his Utah-born son to join in the foiled coup. Christian Malanga was convicted in Utah of assault with a firearm in 2001 and had charges dismissed in several other criminal cases.

Marcel Malanga, Tyler Thompson Jr., 22, and Benjamin Zalman-Polun, 37, were returned to the U.S. Tuesday. They were expected to make their first court appearance in Brooklyn.

The alleged explosives expert, Joseph Peter Moesser, 67, was due to appear in court in Salt Lake City on Thursday. Prosecutors say that as part of the plot, he provided explosives training and instructions at his Utah home and contributed equipment and firearms.

Thompson's attorney, Skye Lazaro, said Wednesday she did not yet have information to share. No attorneys were listed in court documents for the other three defendants.

The men are charged with crimes including conspiracy to use weapons of mass destruction, conspiracy to bomb government facilities and conspiracy to kill or kidnap persons in a foreign country. Those charges, which taken together could result in lengthy prison sentences in the event of a conviction, could change if and when the defendants are indicted by a grand jury.

The complaint provides the most detailed chronicle to date of the planned May 2024 overthrow of Congolese President Félix Tshisekedi. At least six people, including Christian Malanga, died when armed men in camouflage fatigues led an attack on the homes of the president and a deputy prime minister.

The charging document makes clear that the alleged coup was the result of a months-in-the-making plot rather than a haphazard idea, with the men accused of recruiting friends in the U.S., acquiring a drone and military-style weapons and also participating in extensive firearms training. The men are also alleged to have hijacked a bus and raided a police station to obtain weapons for the deadly attack.

Malanga told a Congolese judge that his father threatened to kill him if he did not follow his orders.

"We're about to go take out some terrorists," Malanga is alleged to have told a friend he was recruiting to go to Africa. The friend is not named in the complaint.

Other friends told The Associated Press that Malanga had offered up to \$100,000 to join him on a mysterious "security job" in Congo.

Prosecutors are seeking to keep all four men in jail as the case moves forward.

“The four defendants pose an extreme danger to the community and present an unmanageable risk of flight,” the Justice Department said in a detention memo.

It notes that Moesser, a longtime associate of Christian Malanga, faced allegations of criminal conduct years earlier when he was accused of trying to place explosive black powder on an plane departing from the Salt Lake City airport. He pleaded guilty to a misdemeanor and was sentenced to a form of probation.

Prosecutors say defendants include a drone specialist and bomb-making expert.

Thompson, a friend and former high school football teammate of Marcel Malanga in Utah, is identified in court documents as a drone specialist who prosecutors say shopped for a flamethrower attachment that he planned to use to “light people on fire.” His family has said he flew to Africa for what they believed was his first vacation abroad, paid for by Christian Malanga.

Witnesses observed Thompson and the younger Malanga conducting drone test flights and firing handguns and rifles at a shooting range near Salt Lake City before they left for Africa, according to the complaint.

Moesser allegedly helped Thompson and Malanga install the flamethrower attachment and showed them how to use drones to drop pipe bombs. Messages obtained by investigators show Moesser conspiring with Christian Malanga to ship explosives and AR-15 rifles to Congo, the complaint said.

Zalman-Polun reportedly traveled to Utah to help Malanga recruit soldiers for their rebel army. If the plot had been successful, Zalman-Polun would have become Christian Malanga’s chief of staff or would “work in finance” in the new administration, court documents say.

The complaint also places three of the defendants at the scene itself, using images and posts from the men’s social media accounts, including livestream videos that Christian Malanga recorded.

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## **Ethiopia**

**Victims Of The Tigray War File The First-Ever Criminal Complaint In Germany (Forbes News) By Dr. Ewelina U. Ochab April 6, 2025**

In March 2025, eight survivors of the Tigray War filed a groundbreaking criminal complaint with the German Federal Public Prosecutor alleging that twelve senior Ethiopian and Eritrean government officials and military officers committed war crimes and crimes against humanity during the conflict.

The Tigray War began on November 4, 2020, when “Prime Minister Abiy Ahmed ordered the Ethiopian Defense Forces (EDF) to militarily engage with the Tigray Regional Paramilitary Police and militia loyal to the Tigray People Liberation Front (TPLF) in what he stated was a response to multiple attacks by the Tigray security forces on the EDF North Command base in Mekelle and other military camps in Tigray Region.” A few days later, evidence of ethnic-based targeting and the commission of mass atrocities began to emerge. These crimes include murder, rape, sexual violence including sexual slavery and forced pregnancy, persecution, and other inhumane acts. These violations were predominantly committed against Tigrayan civilians by Ethiopian and Eritrean forces, as well as allied militia groups. The exact numbers of victims are not known, with reports suggesting between 300,000 and 800,000 fatalities, in addition to thousands of victims of other crimes. In November 2022, the Government of Ethiopia and the TPLF signed the Cessation of Hostilities Agreement (CoHA). While the agreement silenced the bullets, atrocities continue to this day, including conflict-related sexual violence.

The eight survivors filing a criminal complaint are said to be victims and witnesses of sexual violence, arbitrary detention, torture, and starvation. As it stands, the crimes have not been investigated or prosecuted in Ethiopia, leaving the individuals deprived of the chance to see justice and accountability. As some of the eight currently reside in Germany, they have requested the German Federal Public Prosecutor open an investigation into the crimes under the principle of universal jurisdiction.

The principle of universal jurisdiction allows for the prosecution of crimes such as genocide, war crimes, crimes against humanity, and torture committed on foreign territory by persons who are not nationals of the jurisdiction in question. Among others, the use of universal jurisdiction enabled German domestic courts to prosecute members of Daesh (also known as the Islamic State, ISIS, ISIL) for genocide and crimes against humanity perpetrated against the Yazidis in Iraq. Now, the hope is that German courts will provide justice to the victims/survivors of the Tigray War.

If accepted, the German Federal Public Prosecutor may open structural investigations into alleged crimes committed during the Tigray War and then conduct individual criminal investigations into alleged perpetrators. This may then result in the issuance of arrest warrants and criminal prosecutions.

Tsega [name changed], a male survivor, commented: “I’ve lost two of the most important people in my life in this war: my younger brother and my mom. The suffering and agony continue. Tigrayans are still dying every day. We urgently need to bring to justice those who orchestrated and engineered these unimaginable crimes in Tigray – this would bring peace of mind to me and to the people of Tigray.”

The eight survivors are supported by Legal Action Worldwide (LAW), Debevoise & Plimpton LLP and the European Center for Constitutional and Human Rights (ECCHR). As indicated by the legal representatives, this is the second complaint filed by LAW and its partner Debevoise and Plimpton LLP on behalf of Tigrayan victims, with the first being submitted to the African Commission on Human and Peoples’ Rights, in partnership with the Pan African Lawyers Union (PALU). The African Commission communication was filed against the Federal Democratic Republic of Ethiopia, alleging violations of its obligations under the African Charter on Human and Peoples’ Rights during the conflict. In October 2022, the African Commission issued emergency provisional measures urging Ethiopia to cease all violations, including extrajudicial killings and sexual violence, and to ensure humanitarian access in Tigray.

As victims/survivors of the Tigray War have been deprived of justice and accountability in Ethiopia, it is key to explore other options, including under the principle of universal jurisdiction. Such proceedings can help to establish facts about gross human rights violations during the Tigray War and provide victims/survivors with the chance to have their day in court and face the perpetrators. The road towards justice and accountability is long, however, the criminal complaint is the first and key step to send the survivors on that journey.

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## EUROPE

### Turkey

**Türkiye: Attacks on the Legal Profession Unacceptable (Human Rights Watch) April 14, 2025**

The escalating attacks by Turkish authorities on the Istanbul Bar Association, its leadership, and members of the legal profession are an affront to the independence of the legal profession and the rule of law, an international coalition of lawyers, bar associations and human rights organizations warned today.

On 21 March 2025, the Istanbul 2nd Assize Court issued a ruling to remove the elected leadership of the Istanbul Bar Association under Article 77/5 of the Attorneyship Law. The decision mandates the dismissal of the Bar's president and executive board and orders new elections. This move undermines the independence of the legal profession and makes a mockery of the fundamental principles of justice and the rule of law in Türkiye.

In parallel, Istanbul Bar President İbrahim Kaboğlu and ten executive board members have been charged with "making propaganda for a terrorist organisation through the press" and "publicly disseminating misleading information," with the prosecution seeking up to 12 years' imprisonment and political bans.

These charges and the related civil proceedings stem directly from a public statement issued by the Bar regarding the killing of two journalists, Nazım Daştan and Cihan Bilgin, in Syria in December 2024, and calling for an independent investigation into their deaths. That a professional association is now facing criminal prosecution for such a principled, rights-based intervention illustrates the severe restrictions faced by legal professionals in Türkiye who engage in human rights advocacy.

The arbitrary detention of Istanbul Bar board member Fırat Epözdemir further exemplifies the judicial harassment targeting the Bar's leadership. Arrested on 23 January 2025, after returning from an advocacy visit to the Council of Europe, Epözdemir has been charged with alleged "membership in a terrorist organisation" and "making propaganda for a terrorist organisation" under an indictment dated 8 April 2025. His continued detention and prosecution reflect an intensifying crackdown on legal professionals in Türkiye who challenge state policies and defend human rights.

Since the arrest of Istanbul Mayor Ekrem İmamoğlu on 19 March 2025, Türkiye has witnessed widespread protests and the detention of hundreds of people across the country. Lawyers responding to these mass arrests to provide legal assistance have themselves become targets of repression. In İzmir and İstanbul, a number of lawyers were arrested while attempting to support detained protesters, including the former Chair of the İzmir Bar Association, Özkan Yücel, who was detained in an early morning raid on his home. On 28 March 2025, Mehmet Pehlivan, a lawyer representing Ekrem İmamoğlu was also arrested and later released under a judicial control order.

In addition to these arrests, lawyers seeking to represent those in custody faced serious obstacles trying to contact their clients and carry out their professional duties. In many cases, they were denied access to clients held in police custody or were only allowed to meet under restricted conditions that undermined confidentiality and effective representation. Reports indicate that lawyers were barred from entering courthouses during key questioning procedures, or were told hearings had taken place in their absence. In some instances, they were prevented from even confirming the whereabouts of those detained. Refusals to acknowledge, provide or confirm the fate or whereabouts of detained individuals is an element in the crime of an enforced disappearance.

These actions by the Turkish authorities constitute a direct interference with the right to legal defence, impeding access to justice and further criminalising legal support for peaceful protest and dissent. They mark a dangerous intensification of pressure on the legal profession and an erosion of fair trial guarantees and the rule of law.

These escalating attacks reveal a pattern of repression trampling over human rights and due process safeguards and mechanisms established to protect the rule of law. They also exemplify efforts to target the legal profession, undermining international standards that protect the role and rights of lawyers and their professional associations in the exercise of their professional functions.

We call upon the international community to:

Demand the immediate cessation of all civil and criminal proceedings against the Istanbul Bar Association's leadership and members.

Publicly condemn the Turkish authorities' misuse of the justice system to suppress independent legal professionals and institutions and undermine public confidence in the rule of law.

Insist on the immediate and unconditional release of Fırat Epözdemir and all other lawyers detained solely for carrying out their professional duties.

Call on the Turkish authorities to allow the Istanbul Bar Association to operate independently and without any intimidation, harassment or reprisals.

Urge international mechanisms, including the Council of Europe, United Nations, and European Union bodies, to take robust and effective actions to uphold the independence of the legal profession, human rights and the rule of law in Türkiye.

### **CoE's anti-torture committee visits Turkey amid crackdown on protestors over mayor's arrest (Stockholm Center for Freedom) April 16, 2025**

The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out an ad hoc visit to Turkey after hundreds were detained during nationwide protests over the arrest of Istanbul Mayor Ekrem İmamoğlu last month, Turkish Minute reported on Tuesday.

There has been widespread criticism over the detention and alleged mistreatment of hundreds of protestors who took to the streets following the March 19 detention of İmamoğlu and his subsequent arrest. The mayor's arrest on accusations of corruption triggered large-scale demonstrations in Istanbul and across the country, with thousands rallying against what opposition leaders have called a politically motivated crackdown.

According to a written statement released on the committee's website on Monday, the main objective of the April 7–11 visit was to examine the treatment and safeguards afforded to individuals deprived of their liberty by police, particularly in the context of the public demonstrations held since March 19.

The delegation, led by CPT President Alan Mitchell and including Nico Hirsch, Therese Rytter and Juan Carlos da Silva Ochoa, visited major police detention facilities in Ankara and Istanbul. The group also conducted targeted visits to the Metris, Marmara and Sincan prison campuses in the Istanbul and Ankara metropolitan areas, primarily to interview individuals recently put in pretrial detention.

During its visit the delegation had consultations with Justice Minister Yılmaz Tunç and Deputy Interior Minister Münir Karaloğlu, also meeting with senior prison administration and interior ministry officials. Their discussions focused on recent security practices, detention procedures and prison conditions.

There were widespread allegations that detainees — including students, journalists and municipal officials — had been subjected to abuse, poor conditions and unlawful strip-searches, claims denied by the country's justice minister.

The delegation, which shared its preliminary findings with Turkish authorities at the end of the visit, is expected to release its final report in the coming months. The report will assess how closely Turkey's treatment of individuals deprived of their liberty aligns with international human rights standards.

Nearly 2,000 people, including university students, were detained during Turkey's most widespread unrest in more than a decade, with in excess of 270 formally arrested. Most of those arrested were have been released from pretrial detention over the past days.

A statement from the Istanbul Chief Public Prosecutor's Office revealed last week that criminal charges have been filed against 819 people as part of 20 investigations launched in response to the protests over İmamoğlu's arrest.

They are charged with violating Turkey's law on public meetings and demonstrations.

Many say the arrest of İmamoğlu is politically motivated to sideline the mayor ahead of the next presidential election slated for 2028.

Human rights groups, including the Parliamentary Assembly of the Council of Europe (PACE), have repeatedly sounded the alarm over Turkey's deteriorating human rights record. Hundreds of torture complaints have been filed in recent years, while victims and their lawyers say investigations are rarely conducted and perpetrators are almost never prosecuted.

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# MIDDLE-EAST

## Syria

### **Syria: Coastal massacres of Alawite civilians must be investigated as war crimes**

(Amnesty International)

April 3, 2025

The Syrian government must ensure that the perpetrators of a wave of mass killings targeting Alawite civilians in coastal areas are held accountable and take immediate steps to ensure that no person or group is targeted on the basis of their sect, Amnesty International said today.

Militias affiliated with the government, killed more than 100 people in the coastal city of Baniyas on 8 and 9 March 2025, according to information received by Amnesty International. The organization has investigated 32 of the killings, and concluded that they were deliberate, targeted at the Alawite minority sect and unlawful.

Armed men asked people if they were Alawite before threatening or killing them and, in some cases, appeared to blame them for violations committed by the former government, witnesses told Amnesty International. Families of victims were forced by the authorities to bury their loved one in mass burial sites without religious rites or a public ceremony.

“The perpetrators of this horrifying wave of brutal mass killings must be held accountable. Our evidence indicates that government affiliated militias deliberately targeted civilians from the Alawite minority in gruesome reprisal attacks – shooting individuals at close range in cold blood.

For two days, authorities failed to intervene to stop the killings. Once again, Syrian civilians have found themselves bearing the heaviest cost as parties to the conflict seek to settle scores,” said Amnesty International’s Secretary General Agnès Callamard.

“Deliberately killing civilians or deliberately killing injured, surrendered or captured fighters is a war crime. States have an obligation to ensure prompt, independent, effective and impartial investigations into allegations of unlawful killings and to hold perpetrators of international crimes to account.

“Syrians have already endured more than a decade of impunity for the grave violations and mass atrocities by Assad’s government and armed groups. The latest massacres targeting the Alawite minority create new scars in a country already burdened by too many unhealed wounds. It is critical that the new authorities deliver truth and justice for the victims of these crimes, to signal a break with the past and zero tolerance for attacks on minorities. Without justice, Syria risks falling back into a cycle of further atrocities and bloodshed”.

On 6 March 2025, armed groups affiliated with the former government led by President Bashar al-Assad launched multiple coordinated attacks on security and military sites in the coastal governorates of Latakia and Tartous. In response, the Ministry of Defence and Ministry of Interior, backed by supporting militias launched a counteroffensive, leading to a significant escalation of violence. By 8 March, the authorities announced they had regained control of all affected areas.

In the days that followed, militias affiliated with the current government deliberately killed Alawite civilians in towns and cities along the coast, including the city of Baniyas, which was the site of a widely reported 2013 massacre by Bashar al-Assad’s government.

On 9 March, President Ahmed al-Sharaa pledged to hold perpetrators of crimes accountable, established a fact-finding committee to investigate the events on the coast, and formed a higher

committee to maintain civil peace. While the fact-finding committee appears to be a positive step towards establishing what happened and identifying suspected perpetrators, the authorities must ensure that the committee has the mandate, authority, expertise and resources to effectively investigate these killings. This should include access to and the ability to protect witnesses and families of victims, as well as access to mass burial sites, and the required forensic expertise. They should also ensure that the committee has adequate time to complete its investigation.

Amnesty International conducted interviews with 16 people, including five living in Baniyas city and seven in other areas in the coast, two in other parts of Syria, and two outside Syria. Amnesty International's Crisis Evidence Lab verified nine videos and photos shared with researchers or posted on social media between 7 and 21 March 2025, conducted weapons analysis, and analyzed satellite imagery.

Amnesty International interviewed nine people, including five residents of Baniyas city who reported that 32 of their relatives and neighbours, including 24 men, six women and two children, had been deliberately killed by government-affiliated militias in Baniyas city between 8 and 9 March 2025. Of the 32 killed, 30 were killed in al-Qusour neighborhood in Baniyas city. Amnesty International also interviewed a medical worker in Baniyas city.

Interviewees identified their close relatives and neighbours and described to Amnesty International how they were killed. The organization also received the names of 16 civilians, whose relatives reported that they had been deliberately killed in Latakia and Tartous countryside.

In late January 2025, after Hay'at Tahrir al-Sham (HTS) and allied armed opposition groups captured Damascus, the interim government announced that all armed factions would be dissolved and integrated into government armed forces. That process is reportedly ongoing.

While the UN believes the number of people killed on the coast is much higher, they were able to document the killing of 111 civilians in Tartous, Latakia and Hama governorates. According to the Office of the High Commissioner for Human Rights many of the cases documented were of "summary executions carried out on a sectarian basis reportedly by unidentified armed individuals, members of armed groups allegedly supporting the caretaker authorities' security forces, and by elements associated with the former government". The Syrian Network for Human Rights (SNHR), documented the unlawful killings of 420 civilians and disarmed fighters (those hors de combat), including 39 children, mostly by militias affiliated with the authorities.

"In addition to ensuring independent, effective investigations and holding the perpetrators of these horrific killings to account," Callamard said, "The government has obligations to carry out a human rights vetting process. Where there is admissible evidence that a person committed serious human rights violations, that person must not remain, or be placed, in a position where they could repeat such violations."

Four residents of al-Qusour neighbourhood described how they heard heavy gunfire on 7 March 2025. The next day scores of militia men affiliated with the current government entered the neighbourhood. Then, the killings began. They continued throughout 8 and 9 March.

Samira\* told Amnesty International that a group of armed men raided her home at around 10am on 9 March and killed her husband, shooting him in the head. One of the men asked her and her husband whether they were Alawite and then blamed the death of his brother on the Alawite community. She said: "I begged them not take [my husband]. I explained that we had nothing to do with killings that happened in the past or the death of his brother." She said that the men took her husband to the roof, telling him they would show him how Alawites had killed Sunnis.

"After they left, she said: "I went to the roof and saw his body. I had to flee for my life and begged my neighbour to protect the body." Amnesty International reviewed six images showing his body, which had an observable head wound, lying in a pool of blood.

In addition to her husband, Samira said that her neighbour's husband, who was in his late 70's, and her brother-in-law were also killed.

At around 11am on 8 March, Ahmad\* received a phone call from his relative informing him that armed men raided his home and shot his father, who was in his late 60's. He said: "My mother told me that four armed men entered our home early in the morning. Their first question was if [my family members] were

Alawite.” The men began beating Ahmad’s brother, and his father tried to stop them. “[My father] was ordered to turn away... As he did, an armed man shot him in the back with the bullet exiting his chest... 20 minutes later, they came back and took the body.” Amnesty International reviewed a video showing blood scattered on the floor, which belonged to his father, according to Ahmad.

Ahmad said that another close relative had to search through bodies at a nearby hospital, in the presence of armed men, multiple times until they were able to find his father’s body. A medical worker confirmed to Amnesty International that they received scores of bodies from militias, SARC and civil defense teams, which were kept in the hospital in Baniyas, most outside the mortuary refrigerator, in piles. Families had to search through bodies to find their loved ones. Saed\* was visiting his parents in the neighbourhood for the weekend. On the morning of 8 March, the family heard gunshots and then silence. They thought their lives were spared, until the next day. At around 10am, a group of armed men entered the building. They heard gunshots.

Saed said: “I called my family to follow me and ran outside the door towards the roof. They were behind me. I reached the roof, but I looked behind and [my family] wasn’t there... Then I heard the armed men ask my brother if you are Alawite or Sunni. My brother responded but his voice was trembling. My second brother intervened and told them: ‘Take anything you want but leave us’. Then I heard my father’s voice and then it sounded like they were taking them downstairs.” After that he heard gunshots.

A few minutes later, Saed found the bodies of his father, 75 years old, and his brothers, 31 and 48, shot dead at the entrance of the building. Amnesty International reviewed images which showed three bodies located outside of what appeared to be a residential building.

Witnesses told Amnesty International that many of the men involved in the killings were Syrian, but that there were also some foreigners amongst them.

According to residents, the authorities did not intervene to end the killings nor did they provide residents with safe routes to flee the armed men. Two residents told Amnesty International they had to walk for at least 15km through the woods to seek safety. Three others said the only way for them to flee was when, eventually, they were able to secure car rides from HTS, a former armed group integrated into the government armed forces.

“I saw hundreds of corpses”

Seven interviewees told Amnesty International that they or their relatives were not allowed by authorities to bury family members killed in al-Qusour neighbourhood according to religious rites, in a location of their choosing, or through a public ceremony. Instead, bodies were piled up in an empty lot next to Sheikh Hilal cemetery close to the neighbourhood.

Saed\* said security forces dug an empty lot next to the cemetery and lined the bodies up. He was not allowed to take photos or have other family members present during the burial. “I saw hundreds of corpses,” he said. “I was alone burying my brothers [on 10 March]. Corpses are next to each other and above each other and then the truck covered the grave with soil.”

Amnesty International’s Evidence Lab verified four pictures of the burial site in in al-Qusour neighborhood, which showed graves marked in an informal manner. Satellite imagery confirms the ground in the area was scraped between 8 and 10 March 2025.

According to international humanitarian law, the dead should be buried, if possible, according to the rites of the religion to which they belonged and, in principle, in individual graves.

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## **Gulf Region**

## World Court begins hearing Sudan's case accusing United Arab Emirates of 'complicity in genocide'

(UN News) By Vibhu Mishra  
April 10, 2025

The International Court of Justice (ICJ) on Thursday began hearing Sudan's case against the United Arab Emirates (UAE), which it accuses of being complicit in acts of genocide against the Masalit community in West Darfur by backing the paramilitary Rapid Support Forces (RSF).

The hearings in The Hague, focus on Sudan's request for the court – the UN's principal judicial organ – to impose provisional measures to prevent further alleged grave human rights violations.

### Brutal civil war

Sudan's military Government is alleging that the UAE has been directly supporting the RSF and allied militias, which have embroiled in a brutal civil war with the national army since April 2023.

The conflict has triggered one of the world's worst humanitarian crises, claiming tens of thousands of lives and displacing over 12.4 million people – more than 3.3 million as refugees in neighbouring countries.

Hunger has reached catastrophic levels, with famine declared in several regions, and disease outbreaks and the collapse of essential services have left millions, especially children at extreme risk.

The case, formally titled Application of the Convention on the Prevention and Punishment of the Crime of Genocide in Sudan (Sudan v. United Arab Emirates), was initiated last month, when Sudan filed an application instituting proceedings against the UAE.

### Sudan's allegations

Khartoum claims the RSF and its affiliates are responsible for serious human rights violations including mass killings, rape and the forced displacement of the non-Arab Masalit people in West Darfur.

The application claims the UAE "is complicit in the genocide on the Masalit through its direction of and provision of extensive financial, political, and military support for the rebel RSF militia."

Pending a final judgment in the case, the court is being asked to indicate provisional measures ordering the UAE to "take all measures within its power to prevent the commission of all acts" that could contribute to genocide.

Additionally, Sudan is asking for the UAE to prevent any allied irregular armed units involved, directly or indirectly, from carrying out further alleged atrocities.

The Court has the authority under Article 36(1) of its Statute to hear and decide on disputes under international law – including international treaties and conventions – brought by one State against another, provided both have accepted the Court's jurisdiction.

### The Convention

The Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the UN General Assembly on 9 December 1948, in the aftermath of the atrocities of World War II. It entered into force on 12 January 1951.

It defines genocide as any act "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group".

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## **Bangladesh International Crimes Tribunal**

**1971 war crimes accused gets bail after brief custody (The Daily Star) April 16, 2025**

An accused in a case filed over crimes committed during the 1971 Liberation War was held in the custody of the International Crimes Tribunal for two hours yesterday after his lawyer failed to submit necessary documents during a bail hearing.

The accused, Md Tofazzal Hossain, alias Tazu, a former NCC Bank chairman who had been on the run since 2019, surrendered before the tribunal seeking bail yesterday.

His lawyer, Md Jamil Hoque, could not present the required documents.

The tribunal then asked both the defence counsel and prosecutor Gazi Monawar Hossain Tamim to return with proper documents after two hours.

Around 3:00pm, the tribunal reconvened and granted interim bail after reviewing documents, which found no evidence against Tofazzal.

The defence informed the court that the initial investigation found no evidence against Tofazzal, yet formal charges were pressed.

A second investigation was later ordered due to lack of material, which also found no evidence, but the prosecution again pressed charges, allegedly withholding the findings, Jamil added.

When the tribunal asked for the first investigation report and formal charges, the defence failed to provide them.

Dissatisfied, the three-member tribunal led by Chairman Justice Md Golam Mortuza Mozumder said, "Then what is the need for you?"

Justice Md Shofiul Alam Mahmood added, "You don't even know the charges against your client."

The tribunal was reconstituted in October 2024 with changes in its judges, prosecutors, and investigation officers.

In 2019, the ICT's investigators claimed to have evidence against Tofazzal and two others -- Abu Yusuf and Nur Mohammad -- for committing war crimes in Feni Sadar. Nur Mohammad has been arrested, while Yusuf remains a fugitive.

The next hearing in the case is scheduled for July 13.

In a separate case, the tribunal yesterday ordered the production of former Rab officer Rear Admiral (ret'd) Muhammad Sohail on June 18 in connection with the abduction, torture, and illegal confinement of a student leader in 2012.

The order followed a prosecution petition seeking Sohail's arrest.

Prosecutors alleged that Sohail, then director of Rab's Legal and Media Wing, was involved in the detention and torture of Golam Mortuza Mahin.

Meanwhile, three police officers were produced before the tribunal in a separate case related to the

burning of six bodies in Ashulia during the July uprising. The court sent them to jail following the hearing.

The accused are Abdullahil Kafi (former Additional SP, Dhaka), Shahidul Islam (former Additional SP, Savar circle), and Arafat Hossain (former DB inspector).

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## TOPICS

### Terrorism

#### **“Not a Normal Case”: Kelley Faces TN’s First Terrorism Charge**

**(News Channel 3 - Memphis, TN)** By Jerrita Patterson  
April 8, 2025

Ezekiel Kelley, the man accused of going on a shooting rampage across Memphis in 2022, is charged with terrorism, the first person in the state to be prosecuted on that charge, his attorneys say.

Kelley also faces two dozen felony charges including three charges of first-degree murder.

In court Tuesday, the now 22-year-old stood before a judge, but his attorneys are saying they are not ready to face a jury because of the sheer magnitude of this case. However, the prosecution says they are certainly ready to proceed.

“This case is not a normal case. It’s a case that involves seven crime scenes, three homicides. It involves approximately 80 witnesses on behalf of the government,” said Michael Scholl, Kelly’s defense attorney.

But the state tells the judge, they are equipped for what’s next while laying out the dozens of those who could be called to the stand when the trial finally gets underway.

“The state of Tennessee has disclosed 76 witnesses to the defense counsel that we expect to testify. We continue to work towards being ready for a July trial date,” said Shelby County Assistant District Attorney Chris Lareau.

While things are continuing to take shape, Ezekiel Kelly is headed back to lockup.

The judge told both the defense and the prosecution to return to court on May 23. We will be there as well to keep you updated.

#### **Windsor Man “An Idiot, Not a Terrorist” His Defense Argues as Terrorism Trial Ends**

**(Windsor Star)** By Millar Holmes-Hill  
April 10, 2025

A young Windsor man may have expressed hateful, deplorable views and tried to join a violent and banned neo-Nazi group, but that doesn’t make him a terrorist, his defence lawyer argued Wednesday during closing arguments following a months-long trial.

Seth Bertrand, 22, was charged in 2022 with participating in the activity of a terrorist group following an undercover police operation led by the RCMP.

Bertrand is alleged by the prosecution of having attempted to join and offer his skills to the Atomwaffen Division (AWD), aka National Socialist Order, a white supremacist organization designated a terrorist entity by the federal government in February 2021.

“His interest in this nonsense is fledgling,” said his lawyer Bobby Russon during closing arguments before Superior Court Justice Maria Carroccia.

“He’s a fanboy of this gibberish ... most of which is extremely harmful and hateful. His knowledge is extremely limited.”

But the Crown argued in its own concluding remarks that Bertrand is guilty of a serious crime, by pledging his loyalty and willingness to act for a listed terrorist group.

Federal prosecutor Xenia Proestos pointed to Bertrand’s own words in his application to a group known to engage in violence: “I promise all my loyalty to you.”

“When someone tells a terrorist group they want nothing more than to join the group, offer their military training, their mechanic skills, their undivided loyalty ... there is no room to doubt that they are trying to help the group carry out the terrorist activity.”

It’s not the pledge itself that’s on trial, said Proestos, but the offer by Bertrand, a former military cadet, to provide a “skill” and military experience.

“It’s an offence ... even if no terrorist activity was actually carried out and even if Bertrand didn’t know precisely how those skills would assist the group.”

While Bertrand did apply online to join the Atomwaffen Division — he was 18 at the time — Russon argued his client was not aware the group had only been listed as a terrorist entity by Canada shortly prior to his attempt to join.

“He’s an idiot, not a terrorist,” said Russon, describing Bertrand as a young man drawn to extremist content but lacking the intent or capacity to act on it.

The prosecution brought up Bertrand’s past that included a string of unsettling incidents in Windsor targeting a gay couple’s home and the Trans Wellness Ontario office in 2021 at around the same time he filled in an application to join Atomwaffen.

Bertrand pleaded guilty in 2022 to three counts of mischief in connection to those attacks and was sentenced to five months house arrest.

In seeking to join the far-right extremist group, Bertrand referenced things he had done and materials he had read, but never offered to take any specific actions on behalf of the group, Russon argued.

“He knew some stuff, sure,” Russon said. “He had some idea, but he didn’t get it. He didn’t understand all these things.”

Following this week’s arguments closing a trial that began last fall, Justice Carroccia said she needed time to consider Bertrand’s guilt or innocence. Her decision in the case is scheduled for Aug. 7.

Under Canada’s Anti-Terrorism Act of 2001, conviction on the rarely laid Criminal Code charge of “participation in the activity of a terrorist group” can result in imprisonment of up to 10 years.

**Man Accused of Trying to Assassinate Trump in Florida to Face Additional Charges (NBC 6 South Florida) By Stephany Matat**  
April 11, 2025

A man already jailed on federal charges of attempting to assassinate then-presidential candidate Donald Trump as he golfed last fall will face additional state terrorism and attempted murder charges, Florida’s attorney general said Thursday.

Ryan Routh tried to undermine the country's political system and will face state attempted first-degree murder and terrorism charges, Attorney General James Uthmeier said.

"Attempting to take the life of a former president and a leading presidential candidate isn't just an attack on one man," Uthmeier said. "This was a political attack against our Republican form of government and our shares American values."

Routh's lead attorney, Kristy Militello, didn't immediately respond for comment.

According to prosecutors, Routh plotted to kill Trump as Trump golfed at his West Palm Beach golf course in September. Secret Service officers spotted Routh before Trump came into view. Routh aimed his rifle at an agent, who opened fire, which led Routh to drop his weapon and flee without firing, they said.

Uthmeier, a Republican, criticized the Biden administration, accusing it of trying to "frustrate our efforts" and "block" his office's investigation. He lauded FBI Director Kash Patel and U.S. Attorney General Pam Bondi for being willing to "work together to pursue justice."

Routh is jailed on federal charges of attempting to assassinate a major presidential candidate, possessing a firearm in furtherance of a crime of violence, assaulting a federal officer, being a felon in possession of a firearm and ammunition, and possessing a firearm with an obliterated serial number.

He is due in court on the federal charges in September. The lag between his arrest and his next court date was granted to give his attorneys time to review hundreds of hours of footage from police body cameras and surveillance cameras, and to pore over material from Routh's 17 cellphones and other electronic devices.

Shortly after Routh's arrest, Florida Gov. Ron DeSantis said the state would conduct its own investigation and could bring charges that aren't available at the federal level.

If convicted of the attempted assassination charge, Routh could be sentenced to life in prison.

**Vilnius Court Opens Terrorism Trial in 2024 IKEA Fire Case (LRT.It English)** By Vilmantas Vencunas  
April 16, 2025

A terrorism trial began Wednesday at the Vilnius Regional Court, where an 18-year-old Ukrainian citizen is accused of carrying out a terrorist act by setting off an explosion and fire at an Ikea store in the Lithuanian capital.

The defendant, who is also charged with illegal possession of explosives, was brought to a closed hearing under escort by the Public Security Service. At the time of the alleged offence, he was a minor.

Lithuanian prosecutors have classified the March 2024 incident as a terrorist attack. The case was handed over to the court in mid-March and involves charges under three sections of the Criminal Code: committing a terrorist act, acting with terrorist intent and unlawful possession of explosives.

According to case files, on May 8, 2024, an explosive device with a timer was planted inside the Ikea store in Vilnius. The resulting blast caused a fire and significant property damage.

Authorities allege that the attack was carried out by a terrorist group coordinated through encrypted messages on social media platforms. The group is suspected of having ties to Russian intelligence services. Prosecutors believe the act was organised and ordered by individuals linked to Russia's special services.

Two Ukrainian nationals under the age of 20 are suspected of having executed the attack. One of them, who was 17 at the time, is currently in custody in Lithuania. The second suspect has been detained in Poland.

According to officials, the investigation into those who organised the act is ongoing, and an international search has been launched for several individuals.

The accused was arrested on May 13, 2024, near Panevėžys, Lithuania. Authorities say they intercepted him as he travelled by bus toward Riga, Latvia, allegedly planning a second attack using materials previously stored in Lithuania.

The court also received a civil claim for damages amounting to 485,000 euros filed by the Ikea store in Lithuania.

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## **Gender-Based Violence**

### **ICC Trust Fund for Victims Welcomes the End of the Judicial Reparations Phase in the Ongwen Case (ICC Press Release) April 11, 2025**

The Trust Fund for Victims (TFV) at the International Criminal Court (ICC) welcomes the conclusion of the judicial reparations phase following the confirmation of the Reparations Order by the ICC Appeals Chamber on 7 April 2025 in the case of *The Prosecutor v. Dominic Ongwen*.

With the Appeals Chamber judgment, that addressed all grounds of appeals that had been submitted by Mr Ongwen's Defence, the Reparations Order is now final. The Appeals judgment confirms the award of EUR 52.4 million to nearly 50,000 victims of crimes against humanity and war crimes for which Mr Dominic Ongwen was convicted. The reparations will be delivered through symbolic cash payments, medical, psychological and socio-economic rehabilitation programmes, as well as community commemoration and other symbolic activities in line with the Implementation Plan proposed by the TFV and approved by Trial Chamber II on 18 February 2025. The Implementation Plan reflects the views of victims and has at its center a participatory mechanism to ensure the close involvement of the community of victims throughout the implementation of reparations.

Reacting to the judgment of the Appeals Chamber, Andres Parmas, the Chair of the TFV Board of Directors stated, "The judgment of the Appeals Chamber provides certainty to the amount of liability of the convicted person and the scope of the Reparations Order. As the process of locating victims and assessing their eligibility is ongoing under the responsibility of the Registry and considering the indigency of the convicted person, the Board of Directors calls on the Government of Uganda, other State Parties, organisations and individuals to generously respond to the TFV's Funding Appeal to initiate the programme as soon as possible."

In June 2024, the TFV issued a first Funding Appeal for voluntary contributions of EUR 5 million to initiate the reparations programme addressing the most urgent needs of victims of sexual- and gender-based violence, including sexual slavery and forced marriage, children born out of rape, former child soldier and victims of attacks on four IDP camps. The reparations programme also strives for long term impact by addressing the youth, as well as through interventions that reinforce trust in institutions and the rule of law.

The Trust Fund for Victims (TFV) was established by the Assembly of States Parties to the International Criminal Court (ASP) in 2002, pursuant to Article 79 of the Rome Statute. It is governed by a Board of Directors elected by, and accountable to, the ASP. The TFV seeks to redress the harm suffered by victims of crimes under the jurisdiction of the ICC through the implementation of reparations and other programmes for the benefit of victims, including assistance programmes. As of today, the TFV maintains programmes in seven situations under the jurisdiction of the Court: the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo, Kenya, Georgia, Mali, and Uganda.

The goals of the TFV include giving visibility to the plight of victims and mobilising resources for their benefit—specifically victims of genocide, crimes against humanity, war crimes, and the crime of aggression, as well as their families. In line with the principle of complementarity under the Rome Statute, and in accordance with States' obligations under international human rights law, the TFV also contributes to advancing domestic and international reparations efforts. This includes knowledge sharing and support to initiatives that strengthen national authorities' responses to the rights and needs of victims of crimes of concern to the international community.

Recognising that conflict-related violence severely affects access to healthcare, education, economic opportunity, and exacerbates poverty and gender-based inequalities, the TFV's work contributes not only to Sustainable Development Goal (SDG) 16 on peace, justice, and strong institutions, but also to SDGs 1, 2,

3, 4, 5, 8, 10, 13 and 17—covering no poverty, zero hunger, good health and well-being, quality education, gender equality, decent work and economic growth, reduced inequalities, climate action, and partnerships for the goals.

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## **Aiding and Abetting**

**Nazi 'secretary of evil' dies aged 99 after being convicted for murder of 10,500 people**

**(Manchester Evening News)** By Zahra Khaliq and William Morgan Senior  
April 8, 2025

Irmgard Furchner, known as the 'Secretary of Evil' and convicted for abetting more than 10,500 murders as a Nazi death camp secretary, has passed away at the age of 99.

Furchner's death, which occurred on January 14, has only recently come to light following an investigation by German paper Der Spiegel. Serving as a shorthand typist at Stutthof concentration camp during her teenage years from 1943-1945, Furchner worked under SS commander Paul Werner Hoppe.

Despite her efforts to challenge a two-year suspended jail sentence for her role in the atrocities, Furchner faced rejection when she appealed in August last year; this decision was upheld by the Federal Court of Justice in Leipzig.

The ruling by the court came less than four months before another of Furchner's suspended sentences, handed out by Itzehoe District Court, was set to conclude in December 2024. Onur Oezata, a lawyer who represented three survivors of Stutthof in the trial, remarked: "The secretary was rightly convicted of aiding and abetting murder in several thousand cases. The now legally binding guilty verdict is particularly gratifying for my clients. They never wanted revenge or retribution."

At the time the alleged offences took place, Furchner was a minor, leading to her prosecution in a juvenile court. At the age of 97, she faced charges connected to assisting the systematic killings of prisoners at the camp, established near present-day Sztutowo village, Poland, in September 1939, reports the Mirror.

The court found that Furchner "knew and, through her work as a stenographer in the commandant's office of the Stutthof concentration camp from June 1, 1943, to April 1, 1945, deliberately supported the fact that 10,505 prisoners were cruelly killed".

More than 110,000 prisoners passed through Stutthof concentration camp until its liberation by the Red Army in May 1945. Tragically, between 63,000 and 65,000 prisoners - including 28,000 Jews - perished from murder, starvation, disease, and overwork in the camp.

Despite always claiming ignorance of the mass killings in her role, which required reporting directly to the SS, Furchner faced substantial evidence to the contrary. Her defence team pursued her acquittal, contending against clear indications of her awareness of the systematic murders at the camp.

Throughout her trial, testimonies illuminated the harrowing methods employed in Stutthof, such as SS men in white medical uniforms falsely measuring prisoners' heights for the execution device called the 'neck shot' apparatus, resulting in approximately 30 neck shootings within two hours.

The horrors continued with other inmates herded into gas chambers to be suffocated by lethal Zyklon B gas, enduring unspeakable torments that lead them to scratch themselves bloody or even pull out their own hair.

During the trial, she remained silent until December 6, 2022, when she finally spoke: "I'm sorry about everything that happened. I regret that I was in Stutthof at the time. I can not say more."

The Holocaust Education Trust responded to her apology by stating that only survivors and relatives of the Nazi regime could "truly judge" her for her "long-delayed 'apology'."

### **Radislav Krstić Transferred to Estonia to Serve Remainder of War Crimes Sentence**

**(Sarajevo Times)** April 10, 2025

Former commander of the Drina Corps of the Army of Republika Srpska (VRS), Radislav Krstić, has been transferred from the United Nations (UN) Detention Unit to Estonia to serve the remainder of his prison sentence for aiding and abetting the genocide in Srebrenica. The order, which removed the confidential status of Krstić after his transfer to Estonia and made public, states that the Mechanism has decided that he will serve the remainder of his sentence in that country.

Krstić was sentenced to 35 years in prison by the Hague Tribunal in 2004 for aiding and abetting the genocide in Srebrenica. At the end of that year, he was sent to England to serve his sentence, but was attacked in prison there, after which he was returned to The Hague, and then sent to serve the remainder of his sentence in Poland, from where he was returned to the Detention Unit in The Hague.

The Detektor previously reported that the Mechanism had again rejected Krstić's request for early release. In her decision, the Mechanism's President, Judge Graciela Gatti Santana, stated that the gravity of Krstić's crimes should be considered a factor in denying him early release, and that the demonstration of rehabilitation should be more convincing the more serious the criminal conduct involved.

"I welcome the fact that Krstić has made positive progress and I believe that his public admission that genocide occurred in Srebrenica, and that he participated in it, reflects a level of rehabilitation and is significant given the rise in historical revisionism and genocide denial in the region," Gatti Santana explained at the time.

She added in her decision that she was not yet convinced that Krstić had demonstrated a sufficient degree of rehabilitation to reach the "elevated threshold," and that there was no evidence to suggest that there were compelling humanitarian reasons that could override the negative assessment.

"So far, Krstic has requested early release on several occasions, which the Mechanism has rejected each time," the Balkan Investigative Reporting Network of Bosnia and Herzegovina (BIRN BiH) said.

### **Germany continues search for last living Nazi criminals (Deutsche Welle)** By Oliver Pieper April 12, 2025

There was Klaus Barbie, head of the Gestapo in Lyon from 1942 to 1944, who came to be known as the "Butcher of Lyon" for his cruelty. There was also Kurt Lischka and Herbert Hagen, who were responsible for the deportation of 76,000 Jews from France to extermination camps, among them 11,400 children. These are just three of the many Nazi war criminals and collaborators who have been tracked down by well-known Nazi hunters Serge and Beate Klarsfeld.

Their life's work has ensured that these three perpetrators were convicted of their crimes, yet so many other Nazis have, despite committing many atrocities, managed to live out their lives in peace.

Serge Klarsfeld, a lawyer and Holocaust survivor himself, described their investigative strategy in simple terms: "We only pursued the criminals who had made decisions about the fate of masses of Jews," he wrote to DW. "We only pursued the leaders of the Final Solution. Our search for and involvement in the arrest of Barbie after a 12-year struggle from 1971 to 1983 earned us great acclaim in France."

The spectacular discovery of Barbie in Bolivia was also lauded in Germany, which for decades had limited its search for perpetrators of the Holocaust to just a few leading figures. The Klarsfelds later received the Order of Merit of the Federal Republic of Germany in 2015 for their commitment to bringing Nazis to justice.

In doing so, they laid the foundation for a historic parliamentary decision on July 3, 1979: After nearly 20 years of debate over how to prosecute Nazi crimes, the Bundestag agreed that murder and genocide should no longer be subject to a statute of limitations.

"If the Germans had adopted the 1979 law in 1954, the cases of thousands of Nazi criminals would have been examined by public prosecutors and finally by the courts. But many judges were in the Nazi party and

would have been lenient towards them," Klarsfeld said.

### A symbol of late justice

Many small cogs in the Nazi murder machine have also hoped for leniency in more recent years. Like Irmgard Furchner, who died this January at the age of 99. The former secretary at the Stutthof concentration camp was found guilty in 2022 of aiding and abetting murder in over 10,000 cases.

The proceedings were initiated by senior public prosecutor Thomas Will, who has been head of the Central Office of the State Justice Administrations for the Investigation of National Socialist Crimes in Ludwigsburg for five years.

"Our mission is still to find people who can be brought to trial," he told DW. "We are still investigating concentration camps. For each camp, there are numerous people who may still be alive that we have not yet been able to find." But only those born in certain years are likely to still be alive to face prosecution. "Realistically, only 1925 to 1927 or 1928 come into consideration," he said.

### A worldwide effort

A 100-year-old former guard at the Sachsenhausen concentration camp is on trial at Hanau District Court for aiding and abetting murder in over 3,300 cases. Tracking down these Nazi perpetrators 80 years after the end of the Second World War is a Herculean task for Will and his team. Finding complete personal data, including place and date of birth, is the exception rather than the rule. And the less data there is, the less likely a successful prosecution will be. "Finding a Karl Müller, for example, without any additional information, is an impossibility," Will said.

Since his organization began its work on December 1, 1958, it has accumulated some 1.78 million index cards documenting individuals and crime scenes. Almost 19,000 proceedings have been initiated at public prosecutors' offices and courts across Germany. But, because many Nazi perpetrators have emigrated, searches are also being conducted worldwide, with the help of the Schengen Information System and Interpol.

### Justice delayed

But how much sense does it still make to take centenarians, who are often declared unfit for questioning, to court? Will has a clear answer: "The guilty verdict alone, albeit late, is very important because it establishes criminal responsibility and guilt. The importance of this is for the relatives of victims cannot be overestimated."

Will is critical of the fact that there have been so few convictions against Nazi perpetrators in Germany since the end of the Second World War. One reason for this was a general criminal law that was not designed to prosecute state-ordered mass crimes, he said. Furthermore, the attitude was initially to make a distinction between the main perpetrators who were seen to bear responsibility for everything, and those who were supposedly misguided accomplices of National Socialism.

"Social conditions first had to change. But there is no doubt that even with this, there could and should have been more convictions," Will said. "That's why it's also important to understand the work of the Central Office and the many documents that have emerged since then as evidence of how post-war society dealt with its Nazi past."

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## WORTH READING

**A LEGAL MEMORANDUM: CONDEMNING PUTIN'S CRIMES AGAINST UKRAINE IS AN OBLIGATION**

## OF AMERICAN AND INTERNATIONAL LAW

By

Louis René Beres (Ph.D. Princeton, 1971), Emeritus Professor of International Law, Purdue University

April 11, 2025

By refusing to condemn Vladimir Putin's egregious crimes against Ukraine,[1] U.S. President Donald Trump is undermining core expectations of both American law and international law. Because international law is part of the law of the United States,[2] ignoring Russian crimes is equivalent to avoiding direct legal obligations. More precisely, such flagrant unconcern renders the United States complicit in crimes against peace (aggression), crimes of war (humanitarian international law) and crimes against humanity (genocide). [3]

This is not an intuitive or whimsical judgment. It is supported by abundant jurisprudential detail.[4] Regarding Russian crimes against Ukraine, consistency between international legal obligations and U.S. legal obligations now exist beyond any reasonable doubt. Though ordinarily correct under international law that one sovereign's call for removal of another represents impermissible intervention, the expectation of non-intervention must be reversed when calls for a leader's departure are based on verifiable evidence of Nuremberg-category crimes.[5]

There is more. Even in our state-system of international law – the anarchic[6] arrangement brought into being at the Peace of Westphalia in 1648[7] – a presumption of global community and solidarity overrides any usual prerogatives of sovereignty.[8] After the transformative legal expectations brought by the post-World War II Nuremberg Judgment and Principles, individual states have not only the compelling right but also the “peremptory”[9] obligation to intervene on behalf of basic human rights.[10] Correspondingly, and without exception, all states are required to reject UN Charter claims to “domestic jurisdiction” in matters where gross outrages are already underway. This “jus cogens” obligation is self-evidently greater in an unjust war.

Expressed in formal legal language, the harms Russia is inflicting on Ukrainian civilians and cities represent crimes of “international concern.”[11] Accordingly, every member of the community of states has both the right and the responsibility to stand against the aggressor and with the victim.[12] Scholars and policy-makers can find ample support for this imperative in the classical legal writings of Cicero, Hugo Grotius, Samuel Pufendorf and Emmerich de Vattel . Though these names will generally be unrecognizable to Americans, including high officials in all three branches of government, they were already known to Founding Fathers of the United States.

Transmitted into US law by William Blackstone's eighteenth century Commentaries on the Laws of England – learned observations that represent tangible beginnings of United States law – these observations were imbued with the timeless expectations of “natural law.”[13] Significantly, for Donald J. Trump and his legal “experts,” the natural law origins of the United States have never been understood or embraced. Nonetheless, as complemented by codified or “positive” rules, these origins now call for open condemnations of a Russian president whose escalating crimes make daily mockery of law-based human rights. And when an American president rejects such imperative condemnation while simultaneously blaming Ukraine, US law and international law suffer irremediable setbacks.

There is more. In such foundational matters, legal erudition deserves conspicuous pride of place. Scholars and policy makers could gainfully consult Book 2 of Emmerich de Vattel's “The Law of Nations” (1758): Says Vattel: “If there should ever be found a restless and unprincipled nation, every ready to do harm to others, to thwart their purposes and to stir up civil strife among their citizens, there is no doubt that all other states would have the right to unite together to subdue such a nation, to discipline it, and even to disable it from doing further harm.”

In essence, Donald J. Trump's indifference to Russian crimes falls short of his basic obligations under international and US law.[14] If there should still remain any non-partisan doubters of this shortfall, they would need only to recall the explicit language of the UN's Statute of the International Court of Justice. Article 38 of this document describes “the general principles of law recognized by civilized nations” as a primary source of international law.

Gabriela Mistral, the Chilean poet who won the Nobel Prize for literature in 1945, affirms that crimes against humanity carry within themselves "a moral judgment over an evil in which every feeling man and woman concurs." In his ironic silence on this "moral judgment," Donald Trump ignores his pertinent obligations under both US and international law. If there should still remain any "realists" who refuse to condemn such insidious silence, they ought at least to look back at the doctrinal foundations of authoritative jurisprudence.

International law includes norms of a customary as well as codified nature. Article 38(1)(b) of the Statute of the International Court of Justice describes international custom as "evidence of a general practice accepted as law." The norms of customary international law bind all states whether or not they have ratified relevant treaties or convention.

International law compartmentalizes apparently identical obligations that arise from customary law and treaty law: "Even if two norms belonging to two sources of international law appear identical in content, and even if the states in question are bound by these rules both on the level of treaty-law and on that of customary international law, these norms retain a separate existence."<sup>[15]</sup>

Though already late, US president Trump owes United States law and international law variously explicit condemnations of Vladimir Putin's crimes against Ukraine. To act otherwise, to support a "common enemy of humankind" (in law, a "hostes humani generis<sup>[16]</sup>") would defile American's overriding obligation to oppose Nuremberg-category crimes.<sup>[17]</sup> No such failure could be consistent with historic American claims to be the champion of world security and global justice.

"Civilization," says distinguished social philosopher Lewis Mumford, "is the never ending process of creating one world and one humanity."<sup>[18]</sup> By failing to condemn Vladimir Putin's barbarous crimes against Ukraine, <sup>[19]</sup> Donald J. Trump is undermining humankind's residual prospects for operationalizing this process. In fairness, even before this American president, "one world and one humanity" was already an unrealistic goal and Earth's trajectory toward chaos was already fixed. Nonetheless, whatever the odds, there can never be any defensible moral, strategic or intellectual argument for civilizational surrender.

In essence, America has just one decent path forward. As mandated by its historical and jurisprudential foundations, the United States should oppose state aggressors and support victim states. For an American president fond of declaring his country a "nation of laws," there remains only one dignified option. This is to plainly condemn Vladimir Putin's unpardonable crimes against Ukraine.

[1] In law, these Trump-accepted crimes committed by Russia's head of state are both mala prohibita ("evil as prohibited") and malum in se ("evil in themselves"). They also heighten the likelihood of a nuclear war. See, by this writer, Louis René Beres, at The War Room (Pentagon): <https://warroom.armywarcollege.edu/articles/friction/>

[2] In the words of Mr. Justice Gray, delivering judgment of the US Supreme Court in *Paquete Habana* (1900): "International law is part of our law, and must be ascertained and administered by the courts of justice of appropriate jurisdiction...." (175 U.S. 677(1900)) See also: *Opinion in Tel-Oren v. Libyan Arab Republic* (726 F.2d 774 (1984)). The specific incorporation of treaty law into US municipal law is codified at Art. 6 of the US Constitution, the so-called "Supremacy Clause." [3] Crimes against humanity are defined as "murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population before or during a war; or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated...." Charter of the International Military Tribunal, Aug. 8, 1945, Art. 6(c), 59 Stat. 1544, 1547, 82 U.N.T.S. 279, 288.

[4] In this connection, the UN has established an Independent International Commission of Inquiry on Ukraine: <https://www.ohchr.org/en/hr-bodies/hrc/iicihr-ukraine/index>

[5] See AGREEMENT FOR THE PROSECUTION AND PUNISHMENT OF THE MAJOR WAR CRIMINALS OF THE EUROPEAN AXIS POWERS AND CHARTER OF THE INTERNATIONAL MILITARY TRIBUNAL. Done at London, August 8, 1945. Entered into force, August 8, 1945. For the United States, Sept. 10, 1945. 59 Stat. 1544, 82 U.N.T.S. 279. The principles of international law recognized by the Charter of the Nuremberg Tribunal and the judgment of the Tribunal were affirmed by the U.N. General Assembly as AFFIRMATION OF THE PRINCIPLES OF INTERNATIONAL LAW RECOGNIZED BY THE CHARTER OF THE NUREMBERG TRIBUNAL. Adopted by the U.N. General Assembly, Dec. 11, 1946. U.N.G.A. Res. 95 (I), U.N. Doc. A/236 (1946), at 1144. This AFFIRMATION OF THE PRINCIPLES OF INTERNATIONAL LAW RECOGNIZED BY THE CHARTER OF THE NUREMBERG TRIBUNAL (1946) was followed by General

Assembly Resolution 177 (II), adopted November 21, 1947, directing the U.N. International Law Commission to "(a) Formulate the principles of international law recognized in the Charter of the Nuremberg Tribunal and in the judgment of the Tribunal, and (b) Prepare a draft code of offenses against the peace and security of mankind...." (See U.N. Doc. A/519, p. 112). The principles formulated are known as the PRINCIPLES OF INTERNATIONAL LAW RECOGNIZED IN THE CHARTER AND JUDGMENT OF THE NUREMBERG TRIBUNAL. Report of the International Law Commission, 2nd session, 1950, U.N. G.A.O.R. 5th session, Supp. No. 12, A/1316, p. 11

[6] Thomas Hobbes notes in *Leviathan* that although the "state of nature" in world politics is one of inherent lawlessness, scholars and policy-makers have since generally accepted that global anarchy and international law can coexist. Hobbes argues further that the international "state of nature" is more tolerable than the condition of individual human beings in nature. This is because with individuals, "...the weakest has strength enough to kill the strongest." But the times have been changing. With the continuing expansion of nuclear weapons programs and strategies, there is no longer any persuasive reason to believe that the state of nations remains more tolerable. *Prima facie*, nuclear weapons are bringing the state of nations closer to a true Hobbesian state of nature. See, in this connection, David P. Gauthier, *The Logic of Leviathan: The Moral and Political Theory of Thomas Hobbes* (Oxford: Oxford University Press, 1969), p. 207. As with Hobbes, 17th century German philosopher Samuel Pufendorf argued that the state of nations is not "as intolerable" as the state of nature between individuals. The state of nations, reasoned the famed jurist, "lacks those inconveniences which are attendant upon a pure state of nature...." In a similar vein, Baruch Spinoza suggested "that a commonwealth can guard itself against being subjugated by another, as a man in the state of nature cannot do." See, A.G. Wrentham, ed., *The Political Works, Tractatus Politicus*, iii, II (Clarendon Press, 1958), p. 295.

[7] The reference is to the Peace of Westphalia (1648), which concluded the Thirty Years War, and created the still-existing state system. See: Treaty of Peace of Munster, Oct. 1648, 1 Consol. T.S. 271; and Treaty of Peace of Osnabruck, Oct. 1648, 1., Consol. T.S. 119. Together, these two treaties comprise the "Peace of Westphalia."

[8] International law is an integral part of the legal system of all states in world politics and assumes a reciprocally common general obligation of states to supply benefits to one another and to avoid war whenever possible. This core assumption of jurisprudential solidarity is known formally as a "peremptory" or *jus cogens* expectation, that is, one that is not even subject to question. It can be found already in Justinian, *Corpus Juris Civilis*, Hugo Grotius, *The Law of War and Peace* (1625) and Emmerich de Vattel, *The Law of Nations or Principles of Natural Law* (1758).

[9] According to Article 53 of the Vienna Convention on the Law of Treaties: "...a peremptory norm of general international law is a norm accepted and recognized by the international community of states as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character." See: Vienna Convention on the Law of Treaties, Done at Vienna, May 23, 1969. Entered into force, Jan. 27, 1980. U.N. Doc. A/CONF. 39/27 at 289 (1969), 1155 U.N.T.S. 331, reprinted in 8 I.L.M. 679 (1969).

[10] Though there will be significant differences from case to case, international law maintains certain core obligations to the sovereignty-centered principle of "self-determination." See, by this author: Louis Rene Beres, "Self-Determination, International Law and Survival on Planet Earth," *Arizona Journal of International and Comparative Law*, Vol. 11., No. 1., 1994, pp. 1-26. See also: Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations (The Principle of Equal Rights and Self-Determination of Peoples), G.A. Res. 2625, U.N. GAOR, 25th Sess., Supp. No. 28 at 121, U.N. Doc. A/8028 (1970), reprinted in 9 I.L.M. 1292; Declaration on the Granting of Independence to Colonial Countries and Peoples, G.A. Res. 1514, U.N. GAOR, 15th Sess., Supp. No. 16, at 66, U.N. Doc. A/4684 (1960); Principles Which Should Guide Members in Determining Whether or Not an Obligation Exists to Transmit the Information Called for Under Article 73e of the Charter, G.A. Res. 1541, U.N. GAOR, 15th Sess., Supp. No. 16, at 29, U.N. Doc. A/4684 (1960).

[11] Under international law, Russian leadership responsibility for these crimes is not limited to direct personal action or official position. On the principle of command responsibility, or *respondeat superior*, see: *In re Yamashita*, 327 U.S. 1 (1945); *The High Command Case (The Trial of Wilhelm von Leeb)*, 12 Law Reports Of Trials Of War Criminals 1 (United Nations War Crimes Commission Comp., 1949); see Parks, *Command Responsibility For War Crimes*, 62 MIL.L. REV. 1 (1973); O'Brien, *The Law Of War, Command Responsibility And Vietnam*, 60 GEO. L.J. 605 (1972); U.S. Dept. of The Army, *Army Subject Schedule No.*

27 - 1 (Geneva Conventions of 1949 and Hague Convention No. IV of 1907), 10 (1970). The direct individual responsibility of leaders is also unambiguous in view of the London Agreement, which denies defendants the protection of the act of state defense. See AGREEMENT FOR THE PROSECUTION AND PUNISHMENT OF THE MAJOR WAR CRIMINALS OF THE EUROPEAN AXIS, Aug. 8, 1945, 59 Stat. 1544, E.A.S. No. 472, 82 U.N.T.S. 279, art. 7.

[12] Neither international law nor US law specifically advises particular penalties or sanctions for states that choose not to prevent or punish egregious crimes committed by other states. At the same time, all states, most notably the "major powers" belonging to the UN Security Council, are bound, among other things, by the peremptory obligation (defined at Article 26 of the Vienna Convention on the Law of Treaties) known as *pacta sunt servanda*, to act in continuous "good faith." In turn, the *pacta sunt servanda* obligation is derived from an even more basic norm of world law. Commonly known as "mutual assistance," this civilizing norm was most famously identified within classical interstices of international jurisprudence, most notably by eighteenth-century legal scholar Emmerich de Vattel in *The Law of Nations* (1758).

[13] The core idea of Natural Law is based upon the acceptance of certain principles of right and justice that prevail because of their own intrinsic merit. Eternal and immutable, they are external to all acts of human will and interpenetrate all human reason. This idea and its attendant tradition of human civility runs continuously from Mosaic Law and the ancient Greeks and Romans to the present day. For a comprehensive and far-reaching assessment of the natural law origins of international law, see Louis René Beres, "Justice and Realpolitik: International Law and the Prevention of Genocide," *The American Journal of Jurisprudence*, Vol. 33, 1988, pp. 123-159. See also, more recently, Louis René Beres, "Natural Law and the United States Constitution: Still-Vital Connections," *JURIST* (2021): <https://www.jurist.org/commentary/2021/12/louis-rene-beres-natural-law-us-constitution/>

[14] President Trump is fond of saying that "The United States is a nation of laws, not of men." For origins of this phrase, see John Adams, *Novanglus Papers*, No. 7 (1774). Adams likely drew the phrase from 17th century English political philosopher James Harrington. He later used it in the Declaration of Rights drafted specifically for the Massachusetts Constitution (1780).

[15] See *Military and Paramilitary Activities (Nicaragua v. U.S.)*, 1986 I.C.J. Rep. 14, para. 178 (June 27).

[16] Under international law, terrorists are always *hostes humani generis*, or "Common enemies of mankind." See: *Research in International Law: Draft Convention on Jurisdiction with Respect to Crime*, 29 AM J. INT'L L. (Sup 1935) 435, 566 (quoting *King v. Marsh* (1615), 3 Bulstr. 27, 81 Eng. Rep 23 (1615) ("a pirate est *Hostes humani generis*")).

[17] Understood as Nuremberg-category crimes, aggression and genocide should never be considered to be mutually exclusive. War might well become the means whereby genocide is undertaken. According to Articles II and III of the Genocide Convention, which entered into force on January 12, 1951, genocide includes any of several listed acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such...." See *Convention on the Prevention and Punishment of the Crime of Genocide Done at New York, Dec. 9, 1948*. Entered into force, Jan. 12, 1951. 78 U.N.T.S. 277.

[18] See: *In the Name of Sanity* (1954). Here we may also recall a Talmudic observation: "The earth from which the first man was made was gathered in all the four corners of the world."

[19] In what amounts to the *reductio ad absurdum* of Trump-supported Putin policies in Ukraine, Ukrainian fighters against aggression are now being tried for "terrorism" in Russian courts. See: <https://www.durangoherald.com/articles/russia-convicts-captured-ukrainians-on-terrorism-charges-in-a-trial-kyiv-denounces-as-a-sham/>

Louis René Beres is author of twelve major books on international relations/ international law and a seven-times contributor to Oxford University Press Annual Yearbook on International Law and Jurisprudence. Emeritus Professor of International Law at Purdue, he was educated at Princeton (Ph.D., International Law, 1971) and has published widely for more than a half-century in leading academic journals (including the *Case Western Reserve Journal of International Law*). Dr. Beres was born in Zürich at the end of World War II.

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