

Welcome to the 2022-2023 ABA Year

Dear Friends of the Committee,

Welcome to the first issue of this year's International Criminal Law Committee newsletter. It has been a busy quarter for us as well as the development of ICL. In this issue, you will see the desire to act in response to global events manifested from expanded application of universal jurisdiction, to collective interventions, and even to a debate between empowerment of existing institutions and creation of new mechanisms.

This platform is intended to support your and our collective work towards accountability for international crimes. In an effort to diversify and incorporate all perspectives, we invite your input and collaboration. And as always, we hope you find this newsletter informative as we go forward together in this new year.

Vy T. Nguyen
Co-Chair, ICL Committee

Section and Committee News



ICYMI

-Our Committee [won the 2022 Most Improved Committee](#) under the steady leadership of Susan Schwartz and Arthur Traldi.
-2022-2023 International Law Section (ILS) Leadership Directory is [available](#).

Special thanks to our speakers, organizers, and attendees to our [Discussion of the Second Amendment and Continuing Viability of Gun Regulation](#) after [NYSPPA v. Bruen](#), [Holding Iran Accountable for Its Egregious Human Rights Violations](#), and [Challenges and Pathways for Accountability and Justice in Tigray](#) webinars, and our half-day program on the [Rohingya Genocide and future questions on repatriation](#).

Did you know? You can watch our previous public webinars [here](#).

Committee Member Spotlight Achievement

-Read Regina M. Paulose's publication: [Post ABA Resolution 102A](#)
-Read Dr. Abdul Aziz Meslat's publication: [Crimes Against Humanity: Historical Evidences and UN's Action*](#)

*This article has not been reviewed by the Committee and the views are the author's own.

Don't forget to register for the ILS [Spring Conference in India](#), [Annual Meeting in New York City](#), and [Fall Conference in South Korea](#).

International and Hybrid Criminal Prosecutions



[Kosovo Specialist Chambers hands down first convictions for BIA Guerillas, finding former KLA commander Mr. Salih Mustafa guilty of arbitrary detention, torture, and murder in Kosovo 1999.](#)

[Over 30 countries file declarations of intervention before ICJ in Ukraine v. Russian Federation.](#)

Convictions and sentences upheld by [ICC in The Prosecutor v. Dominic Ongwen](#) and [ECCC in Case 002: Mr. Khieu Samphan](#).

[The Prosecutor v. Mahamat Said Abdel Kani](#) opens before ICC Trial Chamber VI for war crimes and CAH in Banqui 2013.

[The Prosecutor v. Felicien Kabuga](#) opens before IRMCT for contributions to Rwandan genocide, including direct and public incitement.

[ICC Prosecutor seeks authorization to hold confirmation of charges hearing against Mr. Joseph Kony in his absence pursuant to Art. 61\(2\)\(b\) of the Rome Statute and Rules 123 and 125 of the Rules of Procedure and Evidence.](#)

ICC terminates proceedings against former Kenyan lawyer Mr. Paul Gicheru, and former head of Libyan Internal Security Agency Mr. Al-Tuhamy Mohamed Khaled following notification of their passing.

[Pre-Trial Chamber II authorizes the Prosecution to resume investigation into the Afghanistan Situation finding Afghanistan is not presently carrying out genuine investigations.](#)

National Decisions



[Bosnian Prosecutor indicts 15 people for war crimes in Banja Luka Military- Investigative Prison aka "Mali Logor" from 1992 to 1995. \(Bosnian\) \(English\)](#)

[First crimes against humanity trial in a Kenya begins against 12 senior police officers.](#)

[Serbia Court convicts Kosovo Ex-Guerrilla Mr. Petrit Dula of war crime for participating in beating a civilian in 1999.](#)

[Kosovo Court convicts Mr. Svetomir Bacevic of war crime for taking a woman from her home and mistreating her in 1998.](#)

[Bosnia upholds acquittal of Ex-Police Chief Mr. Malko Koroman.](#)

[CAR Special Criminal Court convicts Mr. Issa Sallet Adoum, Mr. Ousman Yaouberms Rangia, and Mr. Tahir Mahamat of crimes against humanity during 2013 civil war.](#)

[Cour d'Assises of Paris convicts former commander of ULIMO Mr. Kunti Kamara for crimes against humanity, torture, and barbarism during First Liberian Civil War.](#)

[Hague District Court convicts Mr. Igor Girkin, Mr. Sergey Dubinskiy, and Mr. Leonid Kharchenko for downing MH17 by a Buk-TELAR surface-to-air missile in 2014.](#)

[German woman charged with aiding and abetting genocide, war crimes, and crimes against humanity, including by joining IS and having a Yazidi slave.](#)

Policies and Initiatives



[U.S. passes S.4240 Justice for Victims of War Crimes Act broadening jurisdiction to prosecute war crimes.](#)

[U.S. passes H.R.2930 Safeguard Tribal Objects of Patrimony Act prohibiting exportation of illegally obtained Native American cultural items and archaeological resources.](#)

[11th Session of the Conference of the Parties to the UNCTOC draft resolutions on trafficking firearms, persons, cultural property, and crimes affecting the environment.](#)

[ICC Prosecutor and Eurojust launch practical guidelines for documenting and preserving information on core international crimes.](#)

Fact Finding Missions



[UNESCO verifies damage to 231 cultural sites in Ukraine.](#)

[UN FFMV finds Venezuela's military and intelligence agencies responsible for crimes against humanity, torture, and sexual violence in Arco Minero del Orinoco region and other areas.](#)

[Independent International Commission of Inquiry on Ukraine finds war crimes have been committed in Ukraine via conduct of hostilities, indiscriminate attacks, and sexual and gender-based violence.](#)

Enforcement



[Twenty countries supported by Europol and Eurojust conduct EU-wide "hackathon" against trafficking in persons via social media.](#)

[Italian and Albanian authorities dismantle online investment fraud involving use of cryptocurrencies.](#)

[Seven members of Serbian-led drug trafficking network arrested in Belgium, Luxembourg, the Netherlands, and Serbia.](#)

[Four suspects arrested in Hungary and Switzerland for involvement in human trafficking network.](#)

[44 suspects arrested in investigation spanning eight countries for crimes including drug trafficking, money laundering, and illegal enrichment.](#)

Enhanced Cooperation



[Cambodia hosts Prevention of Illicit Trade in Cultural Property—An ASEAN Perspective Conference.](#)

[ICC signs agreement on Witness protection with Czech Republic.](#)

[ICC signs MoU with Ireland on voluntary contributions the Special Fund for Relocations, Trust Fund for the Development of Interns and Visiting Professionals, and Trust Fund for Family Visits.](#)

[ICC signs knowledge sharing agreement with UN Asia and Far East Institute for Prevention of Crime and Treatment of Offenders \(UNAFEI\).](#)

[ICC concludes Agreement on Enforcement of Sentences with Spain.](#)

[Switzerland and Turkey sign bilateral agreement on international transfer of cultural property covering archaeological objects dating from prehistoric period to AD 1500.](#)

Restoration and Restitution



[U.S. Virgin Islands reaches settlement with Jeffrey Epstein's estate, Darren Indyke, Richard Kahn, and ten Epstein-created entities for over \\$105 million under its Criminally Influenced and Corrupt Organizations Act \(CICO\), including to remediate environmental damage.](#)

[Australian Government looks into compensating families of victims of Afghan war crimes.](#)

[Parisian auction house Giquello & Associates sells artifacts, including Mexican archaeological monuments, over protests from Mexican Government.](#)

[Australia assists with recovery of hundreds of ceramics from Tek Sing shipwreck in 1822 to Indonesia.](#)

[U.S. returns 19th century Saint Anthony of Padua statue to Mexico, 2,000-year-old Roman mosaic to Italy, and 7,000 stolen artifacts to Vietnam.](#)

[Switzerland returns confiscated archaeological cultural objects to Mexico. The Netherlands return 343 Panamanian artifacts.](#)

Calls for Public Consultation



[U.S. DoS call for public comment to review cultural property agreements and import restrictions IAW the Convention on Cultural Property Implementation Act with the Government of Cambodia, North Macedonia, and Uzbekistan.](#)

[U.S. Mission in Mexico and DoS call for proposals for 2023 Ambassador's Fund for Cultural Preservation.](#)

Published?

Send us the link so we can share your work.

Get Involved!

We are actively seeking contributors to our newsletter and Year-In-Review publications.

Have Ideas?

Let us know what you want to see in our newsletter.