

# INTERNATIONAL CRIMINAL LAW COMMITTEE NEWSLETTER

Quarterly Publication | Issue 2

8 April 2023

#### A Word of Thanks

Dear Colleagues,

With the entirety of international criminal law falling within its remit, our Committee is never short of essential issues to cover. The first quarter of 2023 kept us exceptionally busy, and I am very thankful to my co-chairs, vice-chairs, and members for their efforts and contributions to the work we've accomplished so far. I also have deep gratitude to our expert guests who donated their time and knowledge by appearing as panelists on our webinars.

As we enter our second quarter (and prepare for the Section's first all-analog Midyear Meeting in six years), I encourage everyone to stay involved, excited, and motivated. Remember that the American Bar Association, particularly the International Law Section, is a unique phenomenon in the world: it can influence change as nothing else can. Harnessing even a fragment of that power — and directing it in ways that can help improve the human experience on this planet — is the ultimate mission of the International Criminal Law Committee.

Timothy Franklin Co-Chair, ICL Committee

#### **Section and Committee News**



ICYMI - Past Programs

- -Watch Defenders in India: Examining the Elgar Parishad Case
- -IRGC Terrorist Designation EU/UK
- -Human Rights and International Crimes in Tibet
- -The Middle East Committee's program on Judicial Reform in Israel

Don't forget to register for the ILS <u>Spring Conference in India</u>, <u>Annual Meeting in New York City</u>, and <u>Fall Conference in South Korea</u>. **You won't want to miss** the Middle East Committee's Program, "Sportswashing: The Interplay Between Sports & Human Rights" on May 4, 2023 during the ILS Annual Meeting.

#### **International and Hybrid Criminal Prosecutions**



ICC issues arrest warrants against President Vladimir Putin and Commissioner Maria Lvova-Belova for unlawful deportation of and transfer of children.

ICC authorizes Prosecutor to resume investigation in Philippines, finding its Government's investigative efforts insufficient.

Trials against Mr. Hashim Thaci et al. and Mr. Pjeter Shala begin before Kosovo Specialist Chambers (KSC).

KSC Appeals Panel affirms convictions of Mr. Hysni Gucati and Nasim Haradinaj for intimidation during criminal proceedings, violating secrecy of proceedings, and obstructing by serious threat.

Extraordinary Chambers in the Courts of Cambodia issues ruling on reclassification of documents in Case 002.

The Registrar of the IRMCT officiated handover ceremony, marking closure of UN Detention Facility and return of the grounds to Tanzania.

#### **National Decisions**



Azerbaijan commences historic arbitration proceedings against Armenia for destruction of its environment and biodiversity from 1994 to 2020 in the Nagorno-Karabakh region.

<u>Dutch War Crimes Unit announces first prosecution for crimes against humanity</u> committed against Yazidis.

Guyana Supreme Court sentenced two men to death for masterminding piracy murders in 2018.

<u>UK Court sentenced 19-year-old man for encouraging terrorism and possession of material for terrorist purposes (3D printer used to make his own gun).</u>

U.S. Circuit Court affirms finding that search of defendant's electronic devices fell within the scope of the border search exception to the Fourth Amendment.

<u>Paris Appeals Court upholds antiquities trafficking charges against former Louvre director Jean-Luc Martinez and curator Jean-Francois Charnier.</u>

Romanian court grants arrest extension of UK citizen, Mr. Andrew Tate, pending human trafficking investigation.



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#### **Policies and Initiatives**



Mexico enacts Airspace Protection Law to address illegal flights conducted by drug trafficking cartels.

Sanctions Law goes into effect in Czech Republic to sanction those associated with organizations or regimes that violate human rights or employ terrorist methods and cyberattacks.

Belarus expands application of death penalty for treason committed by a public or military official.

ICC and Ukraine sign agreement on establishment of a country office.

EULEX organizes workshops on <u>Law on Access to Public Documents</u>, <u>Law on Data Protection for rule-of-law institutions</u>, and <u>Application of Diversion Measures</u>.

ICC holds training on victim and witness support.

ICC launches <u>educational video series</u> and <u>case law database</u> in French and Spanish.

#### **Enforcement**



<u>Eurojust supports operation against organized crime group leading to 22 arrests for drug trafficking and money laundering in France, the Netherlands, Spain, and Romania.</u>

Europol supports arrests of <u>15</u> in <u>Brazil for 17 tons of cocaine</u>, <u>Franco-Israeli gang involved in large-scale CEO fraud</u>, <u>30</u> in <u>Italy-Albania drug trafficking network</u>, <u>28</u> for Chinese prostitution ring in <u>Europe</u>, <u>92</u> for migrant smuggling in <u>Bulgaria</u>, and <u>23</u> in Spanish football match-fixing probe.

US and France arrest crypto exchange platform Bitzlato management for laundering criminal assets.

Joint investigation determines New York's Metropolitan Museum of Art possess 77 works traced to antiquity trafficker Subhash Kapoor.

Bulgarian authorities discover \$54 million Jackson Pollack painting during raid of art-trafficking ring.

Egypt arrests 29 for fraudulent cryptocurrency investment scheme.

## **Fact Finding Missions**



UN fact-finding mission to Libya determine torture and sexual slavery committed by security forces and armed militia groups.

UN Secretary-General disbands fact-finding mission into 29 July 2022 attack in Olenivka that killed prisoners held by Moscow-back separatists.

UN Fact-Finding Mission Calls for Info from Iran Crackdown.

The Uganda People's Defence Forces host delegation from UN Fact-Finding Mission.

UN Fact-Finding Mission on Venezuela warn of persistent attacks on civil society, media, and trade union leaders.

# **Restoration and Restitution**



South Korea District Court ordered compensation to a Vietnamese woman who survived South Korean massacre in 1968.

US repatriates 60 ancient treasures to Italy valued at over \$20 million.

<u>Denver Art Museum returns donations from Ms. Emma C. Bunker for falsified provenance of looted Cambodian artifacts.</u>

<u>The UK, Andorra, Lithuania</u>, and <u>Colombia</u> make voluntary contributions to the Trust Fund for Victims at the ICC.

### Public Calls



ICC OTP seeks public consultation on crimes against or affecting children.

Oxford University Press call for human rights case law reporters.

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### 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.