



Preliminary programme for a public conference on

**‘Strengthening Ukraine’s national efforts to investigate, prosecute,
adjudicate and report on international crimes’**

Beeld & Geluid, The Hague, the Netherlands

Monday 14 November 2022

Background

On 24 February of this year, Russian president Vladimir Putin announced the commencement of a ‘special military operation’ in Ukraine, resulting in the invasion of the country by Russian forces and full-scale conflict. This followed the Russian occupation of Crimea and conflict which had ensued in Eastern Ukraine since 2014. The conflict in Ukraine has had a devastating impact on civilians and the country’s infrastructure, and there have been numerous reports of the commission of a number of violations of international humanitarian law and international crimes.

From 2020 in particular, Ukraine had been making active efforts to investigate and prosecute conflict-related crimes, including the creation of a ‘War Crimes Unit’ (WCU) – a department within the Office of the Public Prosecutor (OPG) overseeing criminal proceedings in crimes committed in the context of the armed conflict in Ukraine – and a number of legislative initiatives aimed at reconciling national criminal law with international standards. Since the invasion in 2022, these efforts have amplified, with a plethora of actors, both national and international, is now working to document, investigate, prosecute, adjudicate, and critically follow developments in terms of the vast international crimes committed in Ukraine. On the international level, the response has been unprecedented: the International Criminal Court has opened an investigation into allegations of war crimes, crimes against humanity or genocide committed on any part of the territory of Ukraine by any person from 21 November 2013 onwards; numerous high-profile legal and political actors have called for a special tribunal for the punishment of crime of aggression in Ukraine to be created which is complementary to other accountability mechanisms; joint investigation teams have been set up with the support of Eurojust; the UN has created a Commission of Inquiry, and a number of national universal jurisdiction investigations have been opened.

International efforts can, however, only cover a fraction of the work to be done, and the Ukrainian authorities have a huge task at hand in navigating the ever-increasing investigations, prosecutions and cases, coordinating with international actors and pursuing accountability efforts. The willingness and drive on the part of the Ukrainian authorities is certain, and a number of initiatives have been set up offering international assistance to Ukrainian authorities, including the [Atrocity Crimes Advisory Group](#) and [Mobile Justice Teams](#), led by Wayne Jordash KC, and the [Dialogue Group on Accountability for Ukraine](#).

Conference focus

The focus of the Asser Instituut and Global Rights Compliance (GRC)'s partnered MATRA-Ukraine project funded by the Netherlands' Ministry of Foreign Affairs, which began in 2020, and also of this conference, which marks the end of the first phase and start of the second phase of the project, is on how *national* efforts can be strengthened in Ukraine to investigate, prosecute, adjudicate and report on international crimes. Questions of relevance in this context include: is the legal framework in place sufficient in terms of international crimes? What assistance do the Office of the Prosecutor General and investigative agencies need in order to conduct effective investigations and prosecutions? What is the role of civil society organisations (CSOs) in this context? How should the judiciary in Ukraine be structured and resourced in order to hear international crimes cases? Why is the critical monitoring of trials by academics, lawyers and journalists so important? What form (if any) should international assistance to Ukrainian national authorities take?

The aim of this conference is to listen to Ukrainian perspectives and re-assess their needs, identify the main challenges, learn best practices from (inter)national experts, and share ideas and insights on how the Ukrainian national authorities could proceed going forward. The conference, which seeks to inform and further fine-tune the activities planned for the second phase of the Asser/GRC MATRA-Ukraine project, will take the form of a series of panel discussions, with plenty of time for Q&A to allow the audience to join in.

All times below are in Central European Time (CET)

Programme – 14 November, 2022

- 10:45 – 11:00 **Opening remarks**
- Christophe Paulussen (Asser Institute)
 - Ruby Axelson (Global Rights Compliance)
 - Myroslava Krasnoborova (Counsellor of the Ukrainian Embassy in The Hague)
 - Mauritz Verheijden (Dutch Ministry of Foreign Affairs)
- 11:00 – 12:30 **Panel & Q&A 1 - Strengthening and coordinating investigations and prosecutions - Moderator Victoria Kerr (Asser Institute)**
- Zera Kozlieva (War Crimes Unit of the Office of the Prosecutor General) – on the developments since 2014 in terms of investigations and prosecutions **(to be confirmed)**
 - Wayne Jordash KC (Global Rights Compliance) – on the work of the ACA/MJTs, navigating offers of assistance and coordination with international efforts
 - Oleksandra Matviichuk (Center for Civil Liberties) – on the work of CSOs in terms of documentation and cooperation between civil society and the investigating and prosecutorial authorities **(to be confirmed)**
 - Dmytro Koval (Truth Hounds) – on the work of CSOs in documentation
 - Alix Vuillemin (Women's Initiatives for Gender Justice) – on the importance of CRSV investigations and prosecutions
- 12:30 – 13:30 *Lunch*

- 13:30 – 15:00 **Panel & Q&A 2 - Strengthening the judicial capacity to adjudicate international crimes** – Moderator Marta Bo (Asser Institute)
- Hanna Maina (The Novomoskovskyi Court of Dnipropetrovsk region) – on her personal experiences in terms of international crimes cases
 - David Vaughn (USAID) – on USAID’s needs assessment with the judiciary
 - Christine van den Wyngaert (Kosovo Specialist Chambers) – on her personal experiences and good practices in adjudicating international crimes
 - Sergey Vasiliev (University of Amsterdam) – on the different accountability options
- 15:00 – 15:30 *Coffee & tea break*
- 15:30 – 17:00 **Panel 3 - Enhancing the fairness of the justice process** - Moderator by Ruby Axelson (Global Rights Compliance)
- Kateryna Busol (Chatham House) – on victims’ perspectives and reparations
 - Melinda Taylor (Counsel in International Criminal Law at the ICC) – on defence issues in international crimes cases **(to be confirmed)**
 - Gaiane Nuridzhanian (National University of Kyiv-Mohyla Academy in Ukraine and UiT-Arctic University of Norway) – on fair trial issues
 - Iryna Saliy (Court Reporter) – on trial monitoring/reporting on international crimes cases
- 17:00 – 17:15 **Round up** – Christophe Paulussen (Asser Institute)
- 17:15 *Reception*