

Programme

Knowledge Hub Workshop Series

1st edition, 2026

Crimes against Humanity:

legal framework, retroactivity and judicial interpretation and application

Location: Online via Zoom

Proposed Dates: 16 March- 8 April x 2hour workshops with interpretation (with a total of 8hours) and a one-hour assessment on 20 April 2026

Background: This workshop series is designed for judges with little to no familiarity with crimes against humanity. The series provides an in-depth examination of the key legal frameworks governing crimes against humanity, focusing on Article 442-1 of the Criminal Code of Ukraine and its application and interpretation in light of international law. Through a combination of doctrinal analysis, practical case studies, and exercises, the series aims to develop participants' understanding and ability to deliver judgement in individual crimes against humanity cases brought before their courts by Ukrainian prosecutors.

Notes: Certificates of Completion will be provided in partnership with the National School of Judges when a minimum of three out of four workshops have been attended and an evaluation has been successfully completed. The evaluation consists of a live online test with 20 multiple choice questions and a short scenario addressing practical qualification and reasoning issues in a crimes against humanity case. Results will not be made public.

Moderator: Gabriela Radu (Researcher, Asser Institute)

#	Date & Time (2hour sessions)	Topic	Speakers	Objectives
1	Monday, 16 March 2026 18:00 Kyiv time	Crimes against humanity: scope, legal framework(s), and practice	<ul style="list-style-type: none"> Judge Beti Hohler, International Criminal Court Valerie Gabbard, Co-founder and Co-director, UpRights 	<ul style="list-style-type: none"> Gain a clear understanding of CAH, particularly its contextual elements (civilian population; widespread or systematic attack; link between acts and attack) through an analysis and discussion of Article 442-1, CCU and international law (including Article 7, Rome



				<p>Statute, customary international law definition, and the proposed treaty definition of the International Law Commission).</p> <ul style="list-style-type: none"> • Gain the perspective of an ICC judge on the adjudication of crimes against humanity cases, including assessment of evidence and legal submissions, and the structuring and drafting of the judgment. • Apply knowledge to a short set of facts to decide/ walk through the analytical and factual process to determine whether the contextual elements are present.
2	<p>Monday, 23 March 2026 18:00 Kyiv time</p>	<p>Retroactivity, legality and progressive interpretation of Article 442-1, CCU</p>	<ul style="list-style-type: none"> • Justice Mykola Mazur, Grand Chamber of the Supreme Court of Ukraine • Ciara Laverty, Legal Advisor, Uprights • Valerie Gabbard, Co-founder and Co-director, UpRights 	<ul style="list-style-type: none"> • Discuss how the principles of legality and non-retroactivity could operate in crimes against humanity cases (dealing with conduct before and after the entry into force of the international crimes amendments in October 2024, taking into account human rights law, comparative judicial practices, and Ukrainian Constitutional Law and criminal law. • Outline a reasoning structure deciding on an appeal from the defence on the non-retroactive application of the amendment (Article 442-1, CCU)
3	<p>Wednesday, 1 April 2026, 18:00 Kyiv time</p>	<p>Civilian detention-related crimes against humanity: unlawful detention and enforced disappearance: qualification and evidentiary reasoning (I)</p>	<ul style="list-style-type: none"> • Jacco Snoeijer, Judge, District Court of The Hague • Onysiia Syniuk, Head of Research Department, ZMINA Human Rights Centre 	<ul style="list-style-type: none"> • Clarify and distinguish unlawful detention and enforced disappearance as crimes against humanity, including their constituent elements and their relationship to one another. • Gain insight into the Dutch experience in trying detention-related crimes against humanity, with particular attention to evidentiary approaches, linkage to the broader attack, and common legal challenges faced in such proceedings. • Gain a practitioner perspective from ZMINA on documentation of unlawful detention and



				<p>enforced disappearance, including typical factual patterns, victim-centred evidence etc.</p> <ul style="list-style-type: none"> Apply the legal framework to a short practical scenario and work through the analytical and evidentiary steps required in reaching judgement in such cases.
4	<p>Wednesday, 8 April 2026 18:00 Kyiv time</p>	<p>Civilian detention-related crimes against humanity: torture & other inhuman or degrading treatment: qualification and evidentiary reasoning (II)</p>	<ul style="list-style-type: none"> Thomas Korner, European Union Advisory Mission in Ukraine 	<ul style="list-style-type: none"> Gain a clear understanding of torture and other inhuman or degrading treatment as crimes against humanity, including the key legal elements and common evidentiary issues. Apply the legal framework to a short factual scenario and work through the analytical and evidentiary steps required to determine (i) whether the contextual elements of crimes against humanity are satisfied and (ii) whether the evidence establishes torture and/or other forms of ill-treatment.
5	<p>Monday, 20 April 2026 18:00 Kyiv time</p>	<p>Evaluation (1hour)</p>	N/A	<ul style="list-style-type: none"> Evaluation consisting of 20 multiple choice questions covering the four workshops and a short practical scenario assessing qualification and judicial reasoning in crimes against humanity cases.

This project is part of the 'Restoring Dignity and Justice in Ukraine' programme, focusing on advancing accountability for international crimes committed in Ukraine. The full programme is funded by the Dutch Ministry of Foreign Affairs and is implemented by the International Development Law Organisation (IDLO), in partnership with the T.M.C. Asser Instituut, the Center for International Legal Cooperation (CILC), and the Netherlands Helsinki Committee (NHC). The project aims at institutional strengthening and capacity development needs of various parties in Ukraine dealing with international crimes: prosecutors, police, judges, as well as journalists and civil society organisations. We believe that with the support of the international community, Ukraine can advance accountability for these crimes.