

Draft Programme Specialised Judicial Training Series 3rd edition, 2026

Civilian Detention-Related Crimes: Qualification, Evidence and Judicial Reasoning in Ukrainian Cases

Location:

Online Series: via Zoom

In-person Mock Trial: Kyiv, Ukraine

Interpretation: Simultaneous EN-UKR

Proposed Dates:

Online: Weekly 2-hour online sessions (1,6,13,20, 28 May and 3, 10 June).

A one-hour online evaluation/test is proposed for 17 June 2026.

Mock Trial Preparation Session: 1 July (only for selected participants)

The in-person two-day mock: Thursday & Friday: 9-10 July 2026.

Background: The 3rd edition of the Specialised Judicial Training Series for the Ukrainian Judiciary builds on two previous editions of trainings on the adjudication of international crimes in Ukraine, delivered in 2024 and 2025 in cooperation with the National School of Judges of Ukraine (NSJ). The present edition continues this line of work, while narrowing the substantive focus to **civilian detention-related international crimes**. This thematic choice reflects developments in domestic judicial practice, where a significant number of cases concern conduct linked to civilian detention, including detention conditions, ill-treatment, torture, sexual violence and unlawful deprivation of liberty. It also reflects consistent reporting by international and domestic organisations indicating that civilian detention and associated abuses remain a recurring feature of criminality of the conflict.

The training is co-organised with the National School of Judges of Ukraine and delivered under the [Knowledge Hub on International Criminal Law for the Ukrainian Judiciary](#), an initiative aimed at supporting sustained judicial engagement with international criminal law.

Against this background, the 2026 edition adopts a crime-centred and evidence-driven approach, treating civilian detention as a shared factual setting across the programme. The series does not begin from specific legal labels but instead supports judges in analysing how detention-related conduct may be qualified as

war crimes and/or crimes against humanity, depending on the facts and evidence. Particular emphasis is placed on evidentiary reasoning, including witness testimony, forensic and medical documentation, OSINT and questions of individual and superior responsibility.

Notes:

Certificates of Completion will be provided in partnership with the National School of Judges, subject to attendance and completion of an online evaluation. The evaluation consists of a live online test with 20 multiple-choice questions and an answer to a short scenario addressing practical issues of qualification and judicial reasoning (500 words). Results will not be made public

Attendance threshold of at least five out of seven online sessions must be met. An exception may be made to the attendance requirement if the participant has demonstrated in the evaluation a good grasp of the materials. Furthermore, organisers will keep in mind electricity outages during the evaluation of the attendance component.

Selection Participants Moot Court:

Participants must obtain a minimum score of 12 out of 20 correct responses in the multiple-choice evaluation in order to be selected for the in-person mock trial in Kyiv.

Moderator: Gabriela Radu (Researcher, Asser Institute)

Online Series

#	Date & Time (2hour sessions)	Topic	Speakers	Objectives
1	Fri, 1 May 2026 12:00-14:30 Kyiv time	Foundations: Qualification of War Crimes and Crimes against Humanity and other Core Legal Concepts	<ul style="list-style-type: none"> • Dr Gurgen Petrossian, Nuremberg Academy • Valerie Gabard, UpRights 	<ul style="list-style-type: none"> • Introduce and operationalise key concepts required throughout the series: civilians, protected persons, contextual elements, underlying offences.
2	Wed, 6 May 2026 17:00-19:00 Kyiv time	Unlawful detention, enforced disappearance	<ul style="list-style-type: none"> • Onysiia Syniuk, Head of Research Department, ZMINA Human Rights Centre • Additional speaker (TBC) 	<ul style="list-style-type: none"> • Gain a clear understanding of the differences and overlaps between unlawful detention, enforced disappearance. • Building on the detention-centre pattern, participants will assess a factual scenario involving deprivation of liberty to determine whether and how unlawful detention, hostage-taking and enforced disappearance are established within a broader pattern of conduct.

3	Wed, 13 May 17:00-19:00 Kyiv time	Torture and ill-treatment in detention settings	<ul style="list-style-type: none"> • Thomas Korner, EUAM • Onysiia Syniuk, Head of Research Department, ZMINA Human Rights Centre 	<ul style="list-style-type: none"> • Gain clear understanding of the differences between the legal elements of torture and other forms of ill-treatment. • Assess a factual scenario involving detention-related abuse to determine whether the conduct amounts to torture or to other forms of ill-treatment (as a war crime and/or crime against humanity) focusing on qualification, evidentiary challenges and judicial reasoning.
4	Wed, 20 May 2026 17:00-19:00 Kyiv time	Sexual violence in detention settings	<ul style="list-style-type: none"> • Dr. Kateryna Busol, Kyiv-Mohyla Academy • Additional speaker (TBC) 	<ul style="list-style-type: none"> • Clarify the legal elements of the different forms of sexual violence reported in the Ukrainian conflict. • Assess a factual scenario involving sexual violence in detention, focusing on qualification, evidentiary challenges and judicial reasoning.
5	Thurs, 28 May 2026 17:00-19:00 Kyiv time	Evidence (I): witness testimony & handling & forensic/medical documentation	<ul style="list-style-type: none"> • Judge Magda Koole, The Court of Appeal of The Hague • Alma Taso Deljkovic, Psychologist, Expert on Witness/Victim Support in International Crimes Cases • Kyiv Scientific Research Institute of Forensic Expertise (TBC) 	<ul style="list-style-type: none"> • Discuss how the assessment of witness and victim testimony in civilian-detention cases is done, including credibility, consistency and corroboration. • Discuss the Istanbul Protocol and its implementation policies and protocols in Ukraine as an evaluative framework for forensic and medical documentation in detention crimes (e.g., Documentation Form No. 511 "Certificate of bodily injury and instructions for its completion). • Assess a factual scenario involving witness accounts and medical evidence to determine their probative value and limitations in detention-pattern cases.
6	Wed, 3 June 2026 17:00-19:00 Kyiv time	Evidence (II): Digital evidence	<ul style="list-style-type: none"> • Nick Waters, OSINT Expert • Pubudu Sachithanandan, Trial lawyer at the Office of the Prosecutor of the ICC 	<ul style="list-style-type: none"> • Gain a comparative understanding of the principles and rules governing (digital) evidence • Gain a good understanding of OSINT.

				<ul style="list-style-type: none"> Assess a fictional actual scenario involving digital evidence in a civilian-detention international crimes case.
7	Wed, 10 June 2026 17:00-19:00 Kyiv time	Linking Crimes to Individuals: Modes of Liability and Attribution in Detention-Related Cases	<ul style="list-style-type: none"> Pubudu Sachithanandan, Trial lawyer at the Office of the Prosecutor of the ICC Judge Mykhailo Zimin, Zhovtnevyi District Court of Kryvyi Rih 	<ul style="list-style-type: none"> Clarify ordering and superior responsibility in the context of detention related crimes. Gain an understanding of sources of linkage evidence and assessment of such evidence. Assess a factual scenario involving civilian detention crimes.
8	Wed, 17 June 2026 17:00-18:00 Kyiv time	Evaluation/ Test	N/A	<ul style="list-style-type: none"> 20 multiple-choice questions and an answer to a short scenario addressing practical issues of qualification and judicial reasoning (500 words)
9	Wed, 1 July 2026 17:00-18:00 Kyiv time	Mock Trial Preparation Session (only selected participants)	TBD	<ul style="list-style-type: none"> Clarify any questions about the factual scenario, charges, roles, and structure of the Mock Trial. Discuss how to use the case file, evidentiary materials. Discuss any logistical questions that have not been answered at that time.
10	9-10 July 2026 (full days)	Mock Trial	<ul style="list-style-type: none"> Onysiia Syniuk, Head of Research Department, ZMINA Human Rights Centre Nick Waters, OSINT Expert Judge Mykhailo Zimin, Zhovtnevyi District Court of Kryvyi Rih Alma Taso Deljkovic, Psychologist, Expert on Witness/Victim Support in International Crimes Cases Valerie Gabard, UpRights Dr Gabrielè Chlevickaitė, Asser Institute 	<ul style="list-style-type: none"> Apply substantive and procedural international criminal law to a fictional but realistic civilian-detention case, including charges of unlawful detention, torture, ill treatment and sexual violence as war crimes and/or crimes against humanity. Use and gain a better understanding of how victim and witness testimony, forensic/medical documentation and OSINT are used prove patterns of abuse, contextual elements and linkage between the accused and crimes committed across different detention sites. Practise courtroom roles (judicial bench, prosecution, defence) through hearings,

			<ul style="list-style-type: none"> • Gabriela Radu, Asser Institute 	witness examination, and judicial deliberations leading to reasoned findings on qualification, responsibility and evidentiary assessment.
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Online Mock Trial Preparation Meeting(s): 1 July 2026

Prior to the in-person mock trial, a preparatory online meeting will be held with all selected participants. The purpose of this meeting is to introduce the scope and structure of the Mock Trial, clarify the factual scenario and charges, and explain the respective roles and expectations of the bench, prosecution and defence teams. Practical aspects, including the use of the case file, evidentiary materials and the format of the hearings, will also be discussed. This preparatory meeting is intended to ensure a common understanding of the exercise and to allow participants to engage fully and effectively in the Mock Trial.

Mock Trial: 9-10 July 2026

(A full programme will follow.)

The two-day in-person Mock trial will take place in Ukraine on **9-10 July 2026** and will bring together participants selected from the online series to further strengthen their expertise in the topics explored during the online series.

The Mock Trial will be based on a fictional but realistic scenario involving a pattern of civilian detention-related crimes committed across multiple detention facilities operating within the same geographic area and time period. The case file will reflect how civilians were detained in different locations (including official and unofficial places of detention), under comparable conditions and practices, allowing participants to assess detention not as an isolated incident but as a recurrent and organised pattern of conduct.

The alleged crimes will include unlawful detention, torture and ill-treatment, and sexual violence. Charges will encompass war crimes and crimes against humanity, enabling judges to examine how patterns of detention centres, repeated practices, and similarities in treatment may be relevant to qualification, contextual elements and responsibility.

The evidentiary record will include victim and witness testimony from different detention facilities, forensic and medical documentation, and OSINT material. OSINT will be used primarily to identify and link a specific perpetrator to one or more detention centres and to the broader detention pattern, including through linkage evidence such as location data, public statements, digital traces and open-source material.

Participants will be divided into three groups, each assigned to a core procedural role:

- **Prosecution team:** responsible for presenting the charges, introducing evidence, examining witnesses, and arguing how the pattern of conduct meets the elements of the alleged crimes and modes of liability.
- **Defence team:** tasked with challenging the evidence, examining alternative interpretations of the facts, raising doubts about qualification and responsibility, and presenting arguments in favour of the accused.
- **Judicial bench:** responsible for overseeing the proceedings, assessing the evidence presented by both sides, questioning witnesses where necessary, and delivering final deliberations focused on qualification, contextual elements, and modes of liability.

This division ensures that each participant engages actively with the case file and the evidentiary materials, and that the exercise mirrors the practical dynamics of courtroom adjudication in detention related international crimes 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.