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**International & European
Criminal Law Observatory**

ON CULTURAL ISSUES, HUMAN RIGHTS AND SECURITY

MONTHLY WRAP FEBRUARY 2024

UNITED NATIONS SECURITY COUNCIL

Security Council on Terrorist Attacks in Burkina Faso

The members of the Security Council condemned in the strongest terms the heinous terrorist attacks resulting in loss of civilian lives over the months in Burkina Faso, including those on a church in Essakane and on a mosque in Natiaboani in Burkina Faso on the same day, 25 February 2024.

The members of the Security Council reaffirmed that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security.

The members of the Security Council underlined the need to bring perpetrators, organizers, financiers and sponsors of these reprehensible acts of terrorism to justice and urged all States to act in accordance with their obligations under international law and relevant Security Council resolutions.

The members of the Security Council expressed their concern about the security situation in Burkina Faso and the transnational dimension of the terrorist threat in the Sahel region.

The members of the Security Council reiterated that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed. They reaffirmed the need for all States to combat by all means, in accordance with the Charter of the United Nations and other obligations under international law, including international human rights law, international refugee law and international humanitarian law, threats to international peace and security caused by terrorist acts.

UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

Gaza 'buffer zone' possible war crime: UN human rights chief

Israel's reported attempt to create a "buffer zone" with Gaza could constitute a war crime, UN High Commissioner for Human Rights Volker Türk warned on 8 February.

The Israeli Defense Forces (IDF) are reportedly destroying all buildings in the Gaza Strip that are within one kilometer of the Israel-Gaza fence and "clearing the area" to achieve this objective, he said in a statement. Mr. Türk stressed to the Israeli authorities that the Fourth Geneva Convention prohibits the occupying Power from destroying property belonging to private persons except where



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absolutely necessary by military operations. “Destructions carried out to create a ‘buffer zone’ for general security purposes do not appear consistent with the narrow ‘military operations’ exception set out in international humanitarian law,” he said. “Further, extensive destruction of property, not justified by military necessity and carried out unlawfully and wantonly, amounts to a grave breach of the Fourth Geneva Convention and a war crime.”

[Rights violations ripple across war-torn Sudan](#)

The armed conflict in Sudan has resulted in thousands of civilians killed, millions displaced, property looted and children conscripted, as fighting has spread to more regions of the country since the conflict began last April, according to a wide-ranging report from the UN Human Rights Office released on 23 February. By mid-December, more than 6.7 million people had been displaced by the conflict, both within Sudan and into neighboring countries. This number has since increased to more than eight million. “This report underlines once more the dire need to end the fighting and to break the cycle of impunity that gave rise to this conflict in the first place,” the UN rights chief said. Some of these violations would amount to war crimes,” said Mr. Türk. “There must be prompt, thorough, effective, transparent, independent and impartial investigations into all allegations of violations and abuses of international human rights and violations of international humanitarian law and those responsible must be brought to justice.” The High Commissioner called on both parties to the conflict to ensure rapid and unimpeded access to humanitarian aid in all areas under their respective control.

[Global Cybercrime Treaty: A delicate balance between security and human rights](#)

Cybercrime is a multi-trillion-dollar business. Drugs and weapons are being bought on the “dark web”, fraudsters are fleecing members of the public in elaborate online scams, and terrorists are grooming supporters and recruiting fighters. Recognizing the growing dangers of cybercrime, the UN has set about drafting a legally binding international treaty to counter the threat. Five years later, negotiations are still ongoing, with parties unable to reach an acceptable consensus, and the latest meeting of the Committee members in February 2024 did not conclude with an agreed draft, with countries unable to agree on wording that would balance human rights safeguards with security concerns.

[UN experts condemn terrorist attacks targeting Pakistan election and call for a peaceful transition of power](#)



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On 14 February UN experts condemned the lethal terrorist bombings against two political campaign offices in south-west Pakistan on 7 February – on the eve of national elections in the country. The Islamic State in the Levant (ISIL) claimed responsibility for the attacks in Balochistan that killed 30 people and injured dozens. The group is subject to sanctions by the United Nations Security Council. “Such terrorist violence detrimentally affects human rights, including the right to life and, in this context, the democratic right to vote in free elections and related political freedoms of association, assembly and expression,” the experts said. In addition to infringing human rights, the General Assembly has recognized terrorism undermines democracy, the rule of law and economic and social development. The experts also condemned the many other violent acts targeting the election, including a bombing at a women’s polling station on 8 February that killed two children. “We urge Pakistan to effectively investigate these crimes and to hold perpetrators accountable to ensure justice for the victims,” the experts said. They called for investigations and prosecutions to follow international standards, including the United Nations Minnesota Protocol on the Investigation of Potentially Unlawful Death.

INTERNATIONAL CRIMINAL COURT

International Criminal Court welcomes Armenia as a new State Party

Background: On 14 November 2023, the Republic of Armenia had formally deposited the instrument of ratification of the Rome Statute of the ICC and the Statute entered into force on 1 February 2024. Armenia becomes the 124th State Party to join the Statute, and the 19th State from the Eastern European group to do so.

On 8 February 2024, the International Criminal Court held a ceremony at the seat of the Court in The Hague (The Netherlands) to welcome the Republic of Armenia as the 124th State Party to the Rome Statute, the ICC's founding treaty. During the ceremony, the ICC President, Judge Piotr Hofmański, presented the Minister of Foreign Affairs of Armenia, H.E. Mr Ararat Mirzoyan, with a special edition of the Rome Statute, as a symbol of commitment to the rule of law. The ceremony was held in the presence of the President of the Assembly of States Parties, H.E. Ms Päivi Kaukoranta, a number of ICC Judges, representatives of the Office of the Prosecutor, of the Registry, of the Trust Fund for Victims and of Embassies of States Parties accredited to The Netherlands.

The Office of the Prosecutor launches public consultation on a new policy initiative to advance accountability for environmental crimes under the Rome Statute



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The Office of the Prosecutor is commencing a process that will culminate in a comprehensive policy paper on Environmental Crimes, aiming to ensure that it takes a systematic approach to dealing with crimes within the Court's jurisdiction committed by means of, or that result in, environmental damage. This new policy initiative will help promote accountability, transparency, and predictability in the Office's work in this crucial area. The policy paper on environmental crimes will be developed on the basis of the Rome Statute and other regulatory instruments of the Court, as well as on applicable environmental treaties, rules of customary international law, and the jurisprudence of other international and national courts.

Ongwen case: ICC Trial Chamber IX orders reparations for victims

Background: On 4 February 2021, Trial Chamber IX found Dominic Ongwen guilty for a total of 61 crimes comprising crimes against humanity and war crimes, committed in Northern Uganda between 1 July 2002 and 31 December 2005. On 6 May 2021, Trial Chamber IX sentenced Dominic Ongwen to 25 years of imprisonment. On 15 December 2022, the Appeals Chamber confirmed the decisions of Trial Chamber IX

28 February 2024, Trial Chamber IX of the International Criminal Court composed by Judge Bertram Schmitt, Judge Peter Kovács, and Judge Chang-ho Chung, delivered in a public hearing its Order on Reparations to victims in the case of *The Prosecutor v. Dominic Ongwen*. The Chamber set the financial liability of Mr Ongwen to € 52,429,000 EUR and ordered collective community-based reparations focused on rehabilitation and symbolic/satisfaction measures, consisting of collective rehabilitation programmes, as well as a symbolic award of €750 EUR for all eligible victims, and other community symbolic measures. Judge Bertram Schmitt, Presiding Judge, read a summary of the Order for reparations against Mr Ongwen. He explained that the Chamber estimated the number of potentially eligible direct and indirect victims to be approximately 49,772 victims.

INTERNATIONAL CRIMES

Ede man arrested for genocide in Rwanda

On 14 February 2024, the International Crimes Team (TIM) arrested a 64-year-old Ede man for his involvement in the genocide in Rwanda. This is a man born in Rwanda who has been living in the Netherlands since 1998. He is suspected of complicity in genocide and incitement to commit it. He is also charged with war crimes of looting and destruction of assets of the other side. He will be tried in the Netherlands.



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The man has long been suspected of committing genocide and crimes against humanity in Rwanda. The Rwandan authorities issued an international arrest warrant against him in 2014 and requested his extradition from the Netherlands. Since the suspect has Dutch nationality, he cannot be extradited.

In Paraguay, a symbolic judgment on the dictatorship

A Paraguayan court has sentenced an 87-year-old former policeman to 30 years in prison for brutal torture during the country's military dictatorship, according to a ruling handed down on Tuesday. However, due to his old age, Eusebio Torres will serve his sentence under house arrest and not in prison. His conviction came after an eight-day trial in the capital Asuncion, in which they testified about 20 witnesses, offering a rare window on crimes committed during Stroessner's government.

Kosovo launches two war crimes trials against Serbs *in absentia*

Milovan Jovanovic and Dejan Racic were tried in absentia on charges of war crimes in two separate trials that opened on Wednesday at the Pristina court.

According to the prosecution, read in court by Special Prosecutor Ilir Morina, Jovanovic sexually assaulted an ethnic Albanian woman during the Kosovo war, using violence and other inhuman methods.

Racic, a member of the Serbian military reserve, is accused of having participated in the sexual assault of an ethnic Albanian woman, using violence and other inhumane methods.

The prosecution claims that the crime was committed during a systematic attack by Serbian military, paramilitary and police forces against the civilian population throughout the territory of Kosovo.

COUNCIL OF EUROPE

Montenegro should step up efforts to investigate and effectively prosecute money laundering, and strengthen the supervision of high-risk non-financial businesses and professions

In a report published on 1 February, the Council of Europe's anti-money laundering body, The Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), calls on the Montenegrin authorities to further strengthen measures to combat money laundering and terrorist financing. Since 2015, when MONEYVAL provided its last comprehensive assessment of Montenegro, the country has taken a number of actions to strengthen its legal and institutional framework for combating money laundering and terrorist financing (AML/CFT). The report assesses the country's level of compliance with the AML/CFT standards set by the Financial Action Task Force. MONEYVAL found that Montenegro has achieved a significant



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level of effectiveness in relation to understanding money laundering and terrorist financing risks and international cooperation, an area in which the authorities are commended for their effectiveness and efficiency in exchanging both evidence and information. However, MONEYVAL recommends intensifying efforts to effectively investigate and prosecute money laundering cases and to strengthen the supervision of high-risk non-financial businesses and professions, high-level corruption, misuse of legal personality, as well as potential risks of terrorist financing in the banking sector, cross-border cash movements and new technologies.

[Azerbaijan should step up investigations and prosecutions of money laundering and improve supervisory arrangements, says MONEYVAL](#)

In a new report published on 12 February, the Council of Europe's anti-money laundering body MONEYVAL calls on the Azerbaijani authorities to further strengthen measures to combat money laundering, terrorist financing and proliferation financing, particularly with regard to preventive measures and supervision. The report provides a comprehensive assessment of the country's level of compliance with the standards set by the Financial Action Task Force (FATF). Since 2014, the year of the last MONEYVAL assessment, Azerbaijan has taken a number of measures to strengthen its legal and institutional framework to counter money laundering and terrorist financing. MONEYVAL's assessment report on Azerbaijan notes that the country has today achieved a significant level of effectiveness in combating the financing of terrorism, including in terms of international cooperation.

[GRETA calls on Italy to better prevent human trafficking for labour exploitation and ensure effective sanctions for traffickers](#)

In its latest report, the Group of Experts on Action against Trafficking in Human Beings (GRETA) assesses developments since the publication of its second evaluation report on Italy in 2019 regarding the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. The report, dated 23 February, shows that between 2,100 and 3,800 people a year have been identified as possible victims of trafficking in Italy and that the number of victims of labour exploitation is steadily increasing. Although there have been a number of positive developments since GRETA's last assessment of Italy in 2019, such as the efforts made to improve the identification of trafficking victims among asylum seekers, the report notes a decrease in the number of investigations, prosecutions and convictions regarding human trafficking. Furthermore, GRETA is



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concerned that Italy's restrictive immigration measures foster a climate of criminalisation of migrants, resulting in many potential victims of trafficking not reporting their cases for fear of detention and deportation. GRETA urges the Italian authorities to take further action against human trafficking by improving its prevention, especially by strengthening measures to combat trafficking for labour exploitation, ensuring effective sanctions against human traffickers and guaranteeing compensation to victims.

Hungary: report calls for improving access to justice and legal remedies for human trafficking victims

In a new report, the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA) points out that the number of persons identified as victims of human trafficking in Hungary (754 victims in the period 2019-2022) has increased significantly since the period covered by GRETA's second evaluation report. The report notes a number of positive developments since the publication of GRETA's second evaluation report on Hungary regarding the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, such as the adoption of a new national anti-trafficking strategy and the publication of guidelines by the Office of the Attorney General to facilitate the detection and prosecution of human trafficking cases. Nevertheless, GRETA expresses concern that only few victims of trafficking have received compensation from the perpetrators or the state and urges the Hungarian authorities to take further measures against human trafficking, in particular to improve access to justice and legal remedies for victims of human trafficking.

OSCE

OSCE organizes first ever hackathon against human trafficking in Albania

The first hackathon against human trafficking, organised by the OSCE Presence in Albania in cooperation with the Office of the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings, was held in Albania between 6 and 7 February 2024. The aim of the hackathon was to raise awareness about the ways in which technology is being misused in Albania to exploit victims, particularly children, and to identify platforms and websites that are particularly vulnerable to human trafficking risks.

Led by international experts, mentors in information technology and cybersecurity, participants from the police, social services, the National Authority for Electronic Certification and Cyber Security



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(AKCESK) and civil society organisations were engaged in developing tools to identify online trafficking and sexual exploitation, employing a 'learning by doing' methodology.

OSCE welcomes the adoption of the Law on Preventing Money Laundering and Terrorist Financing in Bosnia

The OSCE Mission to Bosnia and Herzegovina welcomes the adoption of the Law on the Prevention of Money Laundering and Terrorist Financing, a piece of legislation crucial to the ability of authorities and institutions in Bosnia and Herzegovina to combat organised crime, corruption and terrorism more effectively. Over the past few years, the Mission has provided extensive support to the Council of Ministers' working groups tasked with developing key policy and legal documents in the field of anti-money laundering and terrorist financing. The working group for the Prevention of Money Laundering and Terrorist Financing Act was effective and constructive in finding solutions that have now resulted in a law that is broadly aligned with the recommendations of the Financial Action Task Force (FATF). This positive outcome benefits Bosnia and Herzegovina's political and economic prospects for both citizens and businesses.

EUROPEAN COURT OF HUMAN RIGHTS

U v. France (Application no. 53254/20)

The applicant is a Russian national of Chechen origin and the case concerned the procedure to remove him to Russia, as his refugee status in France had been revoked on account of the serious threat his presence posed to France national security. The Court found that French authorities had, at each stage of the proceeding to enforce the removal, conducted a thorough and depth examination of the applicant's situation. Secondly, the applicant had not demonstrated that there were serious, proven grounds to believe that, if returned to Russia, he would have a real and present risk of being subjected to treatment in breach of Article 3 of the Convention.

The European Court of Human Rights held, in the Chamber judgement, that there would not be a violation of Article 3 (prohibition of torture and inhuman and degrading treatment) of the Convention if the decision to remove the applicant to Russia were enforced.

Lypovchenko and Halabudenco v. the Republic of Moldova and Russia (Applications nos. 40926/16 and 73942/17)



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The applicants Lypovchenko, a Ukrainian national, and Halabudenco, a Moldovan national, alleged various breaches of their rights in the self-proclaimed “Moldovan Republic of Transnistria”. Relying on Articles 5 (right to liberty and security) and 6 (right to a fair trial) of the European Convention of Human Rights, Mr Lypovchenko complains that his arrest and conviction were unlawful and, relying on Article 3 (prohibition of inhuman or degrading treatment), complains his detention conditions were inadequate, cause of the overcrowding, lack of medical care and being forced to have psychiatric treatment. Mr Halabudenco, relying on Article 8 (right to respect for private life) and Article 3 of Protocol no. 4 (freedom of movement) of the Convention, complains that he would no longer travel to Transnistria region of Moldova because of a warrant against him issued on charges of bribe, after the *de facto* Tiraspol City Court revoked the bail he already had paid.

The Court found violations of Articles 3, 5 § 1, 6 of the Convention; the violation of Article 13 read in conjunction with Article 3; the violation of Article 1 of Protocol no. 1 and Article 2 of Protocol no. 4. All the violations were carried out by the Russian Federation with the support to the self-proclaimed of Moldovan Republic of Transnistria.

EUROPEAN COUNCIL

[Statement by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

On 23 February 2024, the Council adopted Decision (CFSP) 2024/747 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine. The Council decided to add 106 persons and 88 entities responsible for actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine to the list of persons, entities and bodies subject to restrictive measures set out in the Annex to Decision 2014/145/CFSP. The candidate countries North Macedonia, Montenegro, Albania, Ukraine, Republic of Moldova and Bosnia and Herzegovina (North Macedonia, Montenegro, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process), as well as the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this Council Decision. They will ensure that their national policies conform to this Council Decision. The European Union takes note of this commitment and welcomes it.



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COUNCIL OF THE EUROPEAN UNION

[Criminal investigations: Council and EP reach agreement on transfer of proceedings law that will help fight cross-border crime more effectively](#)

The Belgian presidency of the Council and European Parliament negotiators concluded a provisional deal on a proposed EU law related to the transfer of proceedings in criminal matters.

The law puts in place rules which regulate the conditions under which criminal proceedings initiated in one member state may be transferred to another member state. The law will be critical in ensuring that the best-placed country investigates or prosecutes a criminal offence and in preventing unnecessary parallel proceedings (of the same suspect) in different EU member states. The law will therefore contribute to fight cross-border crime more effectively. The rules on which the Council and European Parliament agreed will also improve the respect of fundamental rights of the suspect or accused in the process of transferring criminal proceedings from one country to another. In addition, the regulation will help prevent impunity in cases when the surrender of a person to another member state under a European Arrest Warrant is refused. Transfer of proceedings rules (to the country where the accused is present) would guarantee that the person would still face justice. The provisional agreement will now be submitted to the member states' representatives within the Council and to the Parliament's justice committee for endorsement. If approved and following revision by lawyer-linguists, the text will then need to be formally adopted by both institutions, before it can be published in the EU's Official Journal and enter into force. The regulation will start to apply two years after its entry into force.

[Frankfurt to host the EU's new anti-money laundering authority \(AMLA\)](#)

On February, the Council and the European Parliament representatives reached an agreement on the seat of the future European authority for anti-money laundering and countering terrorist financing (AMLA). AMLA will be based in Frankfurt and begin operations mid-2025. It will have over 400 staff members. The new authority is the centrepiece of the reform of the EU's anti-money laundering framework. AMLA will have direct and indirect supervisory powers over obliged entities and the power to impose sanctions and measures. Regarding the location of the authority, the Council and the Parliament worked together to ensure a selection process that is transparent, fair and equitable to all candidates.



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The final agreement on the location of AMLA's seat was made by the co-legislators in an informal inter-institutional meeting at political level, where the Parliament's and the Council's representatives voted together at the same time with 27 votes attributed to each co-legislator.

The location of the seat will be included in the AMLA regulation and formally adopted as part of the text.

EUROPEAN CRIMINAL LAW ACADEMIC NETWORK (ECLAN)

[Combating Impunity for International Crimes: the EU's Response to the War in Ukraine and Beyond](#)

Preventing the most serious international crimes and putting an end to impunity for their perpetrators has long been a concern of the international community, and despite controversies surrounding international criminal justice, the war in Ukraine has increased the attention paid to this issue. The European Union takes part in these international efforts within the limits defined by the European treaties, and its actions have deepened since February 2022.

On March 19, 2024, EU and international law experts will address the EU's efforts in combating impunity for core international crimes. Taking stock of the recent developments, they will unpack the EU's response to the war in Ukraine, but also tackle whether this war triggered a broader paradigm shift in the fight against impunity.

EPPO

[EPPO calls for budget increase to allow successful enlargement of EPPO area](#)

The College of the European Public Prosecutor's Office (EPPO) has asked the European Parliament, the Council of the EU and the European Commission for an increase in the EPPO budget for 2024. This is an urgent request, motivated by the imminent accession of new Member States (Poland and perhaps Sweden) to the EPPO, as well as the acceleration of the disbursement of NextGenerationEU funding. The European Chief Prosecutor Laura Kövesi: "As our 2023 annual report will soon demonstrate, the EPPO continues to improve the protection of the EU's financial interests, as well as the budgets of its Member States. In order to live up to the expectations of EU citizens, especially as the disbursement of NextGenerationEU funding is accelerating, we must ensure that the enlargement of the EPPO area to Poland (and perhaps Sweden) this year is a success. With this in mind, considering



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the challenges ahead, we need more staff for operational and administrative support in Luxembourg, as well as more delegated European prosecutors.”

EUROJUST

[Agreement to extend for two years the joint investigation team on alleged serious international crimes committed in Ukraine.](#)

The seven national authorities participating in the Joint Investigation Team (JIT) on alleged serious international crimes committed in Ukraine have agreed to extend the SIC for two years. The prosecutors general of the countries involved agreed to the extension at a coordination meeting held in Kiev on 29 February, in Ukraine. The meeting coincided with the United Conference for Justice, which also took place in Kiev. Just three weeks after the start of the large-scale invasion of Ukraine, Eurojust supported the creation of an SCI established on 25 March 2022 by Lithuania, Poland and Ukraine. Estonia, Latvia and Slovakia became members on 30 May 2022, followed by Romania on 13 October 2022. On 3 March 2023, the seven national authorities of the SIC signed a memorandum of understanding with the US Department of Justice. The Office of the Prosecutor of the International Criminal Court (ICC) and Europol have been participating in the SCI since April 2022 and October 2023 respectively.

EUROPEAN ANTI-FRAUD OFFICE (OLAF)

[The operation of the Olaf and the Italian Customs ascertains a evasion Iva for 18 million euros](#)

The Bellerophon joint customs operation has uncovered more than 18 million euros of VAT fraud involving goods imported into the EU. The operation was led by the Italian Customs Agency (ADM) with the support of the European Anti-Fraud Office (OLAF) and the participation of eight other Member States. The Bellerophon Joint Customs Operation (JCO) focused on the potential evasion of import duties and VAT on goods, mainly textiles, footwear and toys, imported into the EU under the so-called Customs Regime 42. Customs procedure 42 applies when goods enter the EU through a Member State but have another Member State as their final destination. The procedure allows importers to obtain a VAT exemption in the EU country of entry. VAT is therefore due in the EU country of actual destination. OLAF and its partners have found attempts to abuse the facilities of customs procedure 42 through the so-called "disappeared trade" systems. Most of the cases detected by the transaction concerned the China-Greece-Italy maritime route, with the port of Piraeus as the



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main point of entry for imports and Italy as the main final market. The control activities have been coordinated with the customs authorities of eight other EU Member States.

[OLAF trains Ukrainian anti-fraud authorities](#)

The European Anti-Fraud Office (OLAF) organised a three-day training event in Brussels for the anti-fraud and anti-corruption authorities of Ukraine. Training comes at a key moment for the EU and Ukraine, as it will help protect the EUR 50 billion of aid that the EU is about to provide under the Instrument for Ukraine. The OLAF seminar was held from 19 to 21 February. The participants were welcomed by Johannes Hahn, European Commissioner for Budget and Administration, and Ville Itälä, Director-General of OLAF. Commissioner Johannes Hahn said: "I was involved in the creation of the instrument for Ukraine and I am proud that we have reached a political agreement recently. The EU will invest EUR 50 billion to address Ukraine's current and future challenges. However, that money will only serve as a difference if it is spent where it is needed, and we all have a role to play in ensuring that it does. Investing in the fight against fraud is an investment for the future. I saw firsthand the commitment of the Ukrainian authorities over the years. This training will support efforts in the field". Director-General Ville Itälä said: "OLAF has been working with the Ukrainian authorities for many years, well before the Russian war. OLAF is an anti-fraud body, so we are not on the military front. But we are fighting on the fight against corruption and fraud. We want to ensure that cooperation with the Ukrainian authorities is as smooth and efficient as possible so that we can jointly protect EU funds; and we want to support national capabilities, because the role of the Ukrainian authorities will be crucial in the future. We need each other to effectively protect the 50 billion of the Ukraine Facility". The purpose of the training is to continue to strengthen OLAF's cooperation with the Ukrainian authorities and to provide capacity building, for example on the use of open source research for investigations and interview techniques. The program includes practical sessions with case studies and interactive workshops.

EUROPEAN JUDICIAL NETWORK (EJN)

[Secretary to the EJN Visits the EU Fundamental Rights Agency](#)

On 2nd February 2024, the Secretary to the EJN visited the EU Fundamental Rights Agency. During his visit he met with the Head of Unit and colleagues from the Justice, Digital and Migration Unit of the Agency. Among the topics discussed were the possibilities for the EJN to contribute to the FRA



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projects related to EAW, substantive rights in cross-border proceedings and victims' rights. Additionally, EJM will continue raising awareness of the FRA Criminal detention database by involving FRA in the EJM meetings and trainings as well as collecting feedback on the needs of the judicial practitioners in the EU Member States.

INTERPOL

[INTERPOL-led operation targets growing cyber threats](#)

In response to the huge growth in transnational cybercrime and the need for coordinated action against new cyberthreats, Interpol launched Operation Synergia targeting phishing, malware and ransomware attacks worldwide. This operation involved 60 law enforcement agencies from over 50 INTERPOL member countries, with officers carrying out house searches and seizing servers and electronic devices. To date, 70% of the command and control (C2) servers identified, mainly in Europe, have been removed, while the rest are currently under investigation. The authorities have arrested 31 people and identified 70 other suspects. Operation Synergia demonstrated how cyber security is most effective when international law enforcement agencies, national authorities and private sector partners work together to share best practices and proactively combat cybercrime.

EUROPOL

[Law enforcement disrupt world's biggest ransomware operation](#)

In a significant step forward in the fight against cybercrime, law enforcement agencies in 10 countries disrupted the criminal activity of the LockBit ransomware group at every levels, severely damaging its capabilities and credibility. LockBit, widely recognised as the most prolific and malicious ransomware in the world, first emerged in late 2019, initially calling itself 'ABCD' ransomware. Since then, it has grown rapidly and in 2022 became the most prevalent ransomware variant globally.

This international raid follows a complex investigation conducted by the UK's National Crime Agency as part of an international task force known as 'Operation Cronos', coordinated at the European level by Europol and Eurojust. The months-long operation resulted in the compromise of LockBit's main platform and other critical infrastructure that enabled their criminal enterprise. This included the removal of 34 servers in the Netherlands, Germany, Finland, France, Switzerland, Australia, the United States and the United Kingdom. Two main perpetrators of LockBit were arrested in Poland and Ukraine at the request of the French judicial authorities. Three international arrest



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warrants and five indictments were also issued by French and US judicial authorities. The authorities also froze more than 200 cryptocurrency accounts linked to the criminal organisation. The UK National Crime Agency has now taken control of the technical infrastructure that enables the operation of all elements of the LockBit service. With the support of Europol, the Japanese police, the National Crime Agency and the Federal Bureau of Investigation have focused their technical expertise to develop decryption tools designed to recover files encrypted by LockBit ransomware. Currently, a large amount of data collected during the investigation is in the possession of law enforcement agencies. This data will be used to support ongoing international operational activities focused on targeting the leaders of this group, as well as developers, affiliates, infrastructure and criminal assets related to these criminal activities.

[Five High Value Targets arrested as one of the largest networks smuggling migrants across the English Channel halted](#)

A large-scale operation involving law enforcement and judicial authorities from Belgium, France and Germany and coordinated by Europol and Eurojust led to the dismantling of one of the most active networks involved in cross-Channel migrant smuggling. The investigation focused on a Kurdish-Iraqi network suspected of smuggling irregular migrants from the Middle East and East Africa from France to the UK using small, low-quality boats. Investigative activities, which started in late 2022, identified the structure and modus operandi of this highly professional criminal network. The suspects had established their own logistical infrastructure with specific branches in charge of organising the delivery of large quantities of nautical equipment to the EU, which were subsequently used to smuggle migrants from the beaches near the French city of Calais to the UK. The day of action that took place on 21 February led to 19 arrests in Germany, five of which were made by the leader and main organisers, as well as numerous seizures of weapons, money and material used to carry out this activity. Further investigative activities are ongoing against those managing financial and money laundering activities on behalf of the criminal network. In addition, Eurojust, in order to enable cross-border judicial cooperation, set up a coordination centre during the day of action to facilitate rapid cooperation between judicial authorities.

COURT OF JUSTICE OF THE EUROPEAN UNION

[A question of asylum based on a religious conversion occurring after leaving the country of origin cannot be automatically rejected as abusive](#)



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Judgment of the Court in case C-222/22 *Bundesamt für Fremdenwesen und Asyl* (Subsequent religious conversion). An Iranian citizen, whose initial application for international protection was rejected by the Austrian authorities, has submitted a new application (called "reiterated application") for international protection in Austria. He claimed to have converted to Christianity in the meantime and therefore feared persecution in his country of origin. Subsequently, he was granted subsidiary protection and temporary residence rights. Austrian authorities found that he had credibly demonstrated his conversion to Christianity "out of genuine conviction" in Austria and actively practiced the religion. Therefore, he faced the risk of individual persecution upon return to his country of origin. However, Austrian authorities refused to recognize him as a refugee. Austrian law conditions refugee status on a reiterated application upon the new circumstance being an expression and continuation of a belief already manifested in the country of origin. The Austrian Administrative Court asked the Court of Justice whether this condition is compatible with the "Qualification Directive." The Court responded negatively. The Qualification Directive does not allow presumptions that any reiterated application based on circumstances determined by the applicant after leaving the country of origin stems from an abusive intention or exploitation of the international protection recognition procedure. Each reiterated application must be evaluated individually. Therefore, if it is found, as in the present case, that the applicant has credibly demonstrated his conversion "out of genuine conviction" and actively practices the religion, this excludes the existence of an abusive intention or exploitation of the procedure. If such an applicant meets the conditions laid down in the directive to be qualified as a refugee, refugee status must be granted. On the other hand, if an abusive intention and exploitation of the procedure are established, refugee status recognition can be denied even when the applicant reasonably fears persecution in his country of origin as a consequence of circumstances he himself has determined. However, in such a scenario, the applicant retains refugee status under the Geneva Convention. In this case, the applicant must benefit from the protection guaranteed by the convention, which notably prohibits expulsion and refoulement to territories where his life or freedom would be threatened.



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