



**Maynooth  
University**  
National University  
of Ireland Maynooth  
**Department of Law**



**Centre for  
International  
Studies and  
Diplomacy**

**Online conference on the United Nations War Crimes Commission**

**19 November 2021**

**Programme (all times are in GMT)**

- 9.30-9.40: Welcome address by Dr Amina Adanan (Lecturer/ Assistant Professor in Law in Maynooth University Law Department) and Prof Dan Plesch (Director of the Centre for International Studies and Diplomacy, SOAS, University of London).
- 9.40-9.55: Opening lecture by Dr Amina Adanan on 'The practice of Universal Jurisdiction under the UNWCC'.
- 9.55-11.00: Keynote panel discussion on the UNWCC with chaired by Dr Amina Adanan with:
- Dr Julia Eichenberg (Senior Lecturer and Research Fellow at the University of Bayreuth)  
Dr Mark Ellis (Executive Director, International Bar Association)  
Prof Dan Plesch  
Dr Ann-Sophie Schoepf (Historian in Ludwig Maximilians University, Munich and Professor, Science Po Paris/ Nancy).
- Q&A/ discussion.

**11.00-11.15: Coffee break.**

**11.15-12.30: Concurrent panels:**

**Panel A: The Histories of the UNWCC 1, chaired by Dr Ann-Sophie Schoepf**

11.15-11.25: 'Digging the Foundations for the UNWCC: Britain, Paris 1919 and Atrocity Propaganda'.

Ewan Lawson, PhD Candidate, Centre for International Studies and Diplomacy, School of Oriental and African Studies.

11.25-11.35: 'Collaboration between the Polish government-in-exile and the UNWCC. Polish War Crimes Office and the first charges'.

Dr Dominika Uczkiewicz, Wrocław, Poland.

11.35-11.45: 'War crimes against humanity continue'.

Nafisa Kiani, postgraduate student in MSc in Global Public Policy at SOAS.

11.45-11.55: 'Crimes against and affecting cultural heritage in the aftermath of the Second World War'.

Alice Lopes Fabris, PhD candidate at École Normale Supérieure Paris-Saclay/Institut des Sciences sociales du Politique.

11.55-12.30: Q&A/ discussion.

### **Panel B: The Histories of the UNWCC 2, chaired by Prof Dan Plesch**

11.15-11.25: 'The Role of United Nations War Crimes Commission in Preventing War Crimes'.

Umang Champaklal Modi, Assistant Professor, Faculty of Law, The Maharaja Sayajirao University of Baroda.

11.25-11.35: 'UNWCC and Transnational Organized Crime: Tracing Potential Contributions From The Commission's Precedents'.

Tejas Sateesha Hinder, Undergraduate Student of Law, National Law Institute University, Bhopal, India and Teaching Fellow, The Human Projects.

11.35-11.45: 'UNWCC and Sexual & Gender Based Violence as International Crimes - Significance and Application in the Contemporary Times'.

Bhumika Nanda, Assistant Professor from the School of Law, Bennett University.

11.45-11.55: ‘The War Crime of Denying a Fair Trial in the United Nations War Crimes Commission’s Law Reports of the Trials of War Criminals’

Diletta Marchesi, PhD Fellow Research Foundation, Flanders (FWO), KU Leuven.

11.55-12.30: Q&A/ discussion.

**Panel C: Critical approaches to the UNWCC chaired by Dr John Reynolds (Associate Professor, Maynooth University Law Department)**

11.15-11.30: ‘The ambiguous legal landscape of air bombardment and the United Nations War Crimes Commission’.

Mateusz Piątkowski, University of Łódź, Poland.

11.30-11.45: ‘The UNWCC and the definition of war crimes: a failure of will’.

Prof. Robert Cribb, Professor of Asian History, Australian National University.

11.45-12.00: ‘Ethiopia, Italy and the archives of selective justice’.

Dr Megan Donaldson, Lecturer in Public International Law, UCL.

12.00-12.30: Q&A/ discussion.

**12.30-1.15pm: Lunch**

**1.15-2.30pm: Concurrent panels:**

**Panel D: The Trials of the UNWCC chaired by Prof. Andrew Williams (Professor of Law, University of Warwick)**

1.15-1.30pm: ‘The Theoretical Basis of Combatant Immunity – Lessons from the United Nations War Crimes Commission Archives’.

Dr Ka Lok Yip, Assistant Professor Hamad bin Khalifa University.

1.30-1.45pm: ‘Defences and the UNWCC’.

Dr Dawn Sedman, Senior Lecturer, Nottingham Law School, Nottingham Trent University.

1.45-2.00pm: 'Documenting the Historical Path of Crimes against Peace: Completing the UNWCC'.

Regina M. Paulose, International Criminal Law Attorney.

2.00-2.30pm: Q&A/ discussion.

**Panel E: Lessons from the UNWCC in contemporary times chaired by Prof Dan Plesch**

1.15-1.30pm: 'From Archives to a Modern Legal Paradigm: UNWCC Insights for Today's International Justice'.

Marla Zgheib, Postgraduate Student for the MA in International Studies and Diplomacy, SOAS, University of London.

1.30-1.45pm: 'War Crimes Against Culture: Poland's Charge File Submissions to the UNWCC'.

Michael Fleming, Polish University Abroad, London.

1.45-2.00pm: "Big fish" and "small fry" in localised applications of international criminal justice: The UNWCC, classes of perpetrators, and accountability in Timor-Leste'.

1.45-2.00pm: Camilla Johnson Wee, PhD Fellow, University of Copenhagen, Faculty of Law, Danish National Research Foundation's Centre of Excellence for International Courts (iCourts).

2.00-2.30pm: Q&A/ discussion.

**2.30-2.45pm: Coffee break.**

**Panel F: 'Universal Jurisdiction: Lessons from the past and current application' chaired by Lennart Poulsen (Barrister, Chambers of Steven Kay QC, 9 Bedford Row)**

2.45-4.15pm: Panel discussion with:

Prof. Olympia Bekou (Professor of Public International Law and Head of School, School of Law, University of Nottingham)

Tatyana Eatwell (Barrister, Doughty Street Chambers)

Marie O'Leary (Counsel for the Office of Public Counsel for the Defence at the International Criminal Court)

#### **4.15-4.45pm: Close of conference**

Closing comments by Dr Amina Adanan and Prof. Dan Plesch.

Closing remarks by Dr. Alanna O'Malley (Chair of United Nations Studies in Peace and Justice, University of Leiden)

**\*This event takes place on Zoom. An email has been sent to all conference registrants and speakers with details of the Zoom link.**

**\*\*This conference is funded by the Maynooth University Law Department, the Centre for International Studies and Diplomacy, SOAS, University of London and the Royal Irish Academy Charlemont Grant.**

#### **BIOGRAPHIES OF INVITED SPEAKERS AND PANEL CHAIRS**

##### **Professor Olympia Bekou**

Olympia Bekou is Professor of Public International Law and Head of the School of Law at the University of Nottingham where she specialises in International Criminal Law. She is Deputy Director of the Case Matrix Network, a member of the Advisory Board of the Centre for International Law Research and Policy (CILRAP), and Editor of the Torkel Opsahl Academic EPublisher (TOAEP). She is also a member of the Executive Board of Civitas Maxima. Olympia has undertaken numerous capacity-building missions, including in post-conflict situations (such as Colombia, the DRC, Liberia, Sierra Leone and Uganda), has provided legislation drafting assistance to Samoa and Jamaica, and has been involved in training the Thai judiciary.

##### **Tatyana Eatwell**

Tatyana Eatwell is a barrister at Doughty Street Chambers and holds a PhD in Public International Law from the University of Cambridge. She advises individuals, States, and non-governmental organisations on a wide range of public international law and international human rights law issues, including matters concerning extra-judicial killing, war crimes and terrorism, torture, and State responsibility. She has acted in high-profile criminal appeals before the UK Supreme Court that concern the interpretation of international law on, for example, war crimes, terrorism, and torture, and the application of international law in domestic proceedings. Recently, Tatyana appeared as junior counsel in the case of *R v Reeves Taylor* [2021] AC 349, concerning the definition of torture under section 134 of the Criminal Justice Act 1988 and Article 1 of the Convention against Torture 1984 and its application to non-state armed groups participating in non-international armed conflicts

##### **Dr. Julia Eichenberg**

Dr. Julia Eichenberg is Senior Lecturer and Research Fellow at the University of Bayreuth. Previously, she was a Freigeist Fellow at the Department of History, Humboldt Universität zu Berlin. She was awarded a PhD in Modern History by the Eberhard-Karls Universität Tübingen in 2008. Since then, she has held fellowships at

Trinity College Dublin, University College Dublin and the Centre Marc Bloch, Berlin, and has lectured in Modern European History in TCD and UCD Dublin, Tübingen and HU Berlin.

She has published on paramilitary violence, pacifism, veterans' welfare, and international collaboration. Her first book on Polish veterans of the First World War, their struggle for social benefits and national recognition, was published in 2011. While working in an international research project on paramilitary violence after the First World War in Dublin, led by John Horne and Robert Gerwarth, she edited a CEH Special Issue entitled "Aftershocks. Violence in Dissolving Empires after the First World War" as well as a volume on Veterans' Internationalism (both with John Paul Newman).

Dr Eichenberg's current research project "The London Moment" explores the transnational collaboration of governments-in-exile in London during the Second World War and its impact on European political communication in the 20th Century.

#### **Dr. Mark Ellis**

As Executive Director of the International Bar Association (IBA) Mark Ellis leads the foremost international organization of bar associations, law firms and individual lawyers in the world. The IBA is comprised of more than 190 national bar associations, major international law firms and 80,000 individual members from around the world.

Dr. Ellis has researched widely on the UNWCC and is an expert in the field of international criminal law.

Prior to joining the IBA, he spent ten years as the first Executive Director of the Central European and Eurasian Law Initiative (CEELI), a project of the American Bar Association (ABA). Providing technical legal assistance to twenty-eight countries in Central Europe and the former Soviet Union, and to the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague, CEELI remains one of the most extensive international pro bono legal assistance project ever undertaken by the US legal community.

Mark served as Legal Advisor to the Independent International Commission on Kosovo, chaired by Justice Richard J. Goldstone and was appointed by OSCE to advise on the creation of Serbia's War Crimes Tribunal. He was actively involved with the Iraqi High Tribunal and also acted as legal consultant to the defense team of Nuon Chea at the Cambodian War Crimes Tribunal (ECCC). Currently, he is assisting in the Hashim Thaci case before the Kosovo Special Chamber (KSC).

In 2013, Dr Ellis was admitted to the List of Assistants to Counsel of the International Criminal Court. In 2015, he was appointed as Chair of the UN created Advisory Panel on Matters Relating to Defence Counsel of the Mechanism for International Criminal Tribunals (previously to the ICTY and ICTR).

Dr. Ellis was a long-time consultant to The World Bank on investment policies in Central and Eastern Europe and the former Soviet Union and was an Adjunct Professor at The Catholic University of America, Columbus School of Law. He is presently an Adjunct Professor at The Florida State University College of Law.

Twice a Fulbright Scholar at the Economic Institute in Zagreb, Croatia, he earned his J.D. and B.S. (Economics) degrees from Florida State University and his PhD in Law from King's College, London. He is the recipient of two research grants to the European Union and the Institut d'Etudes Europeenes in Brussels, Belgium focusing on the law and institutions of the European Union.

A frequent speaker and media commentator on international legal issues, he has regularly appeared on CNN International, Al Jazeera, and BBC. Mark has published extensively in the areas of international humanitarian law, war crimes tribunals, and the development of the rule of law and his op-eds have appeared in The New York Times, The International Herald Tribune, The Huffington Post and The London Times. Mark is a regular contributor to the Los Angeles Review of Books. His latest publication – Justice and Diplomacy: Resolving Contradictions in Diplomatic Practice and International Humanitarian Law (with Douriaux and Ryback) was published by Cambridge University Press.

Dr. Ellis is a member of the Council of Foreign Relations and serves on a number of boards, including the DLA Piper 'New Perimeter' pro bono project, the Leiden University ICC Moot Court Competition, South African Litigation Centre (SALC), the Florida State University Foundation, the Robert F. Kennedy Human Rights UK and Chairman of the board of The CEELI Institute. He serves on the editorial board for The Hague Journal on the Rule of Law.

He is the co-recipient of the American Bar Association's World Order Under Law Award, the recipient of Florida State University's Distinguished Graduate Award and Torch Award and the University's College of Social Sciences & Public Policy Distinguished Alumni Award. In 2012, he was awarded the Degree of Doctors of Laws (LL.D), honoris causa, from The College of Law of England and Wales. Mark has been recognized by the Lawyer Magazine as one of the UK's top 5 human rights lawyers.

### **Marie O'Leary**

Marie O'Leary is currently Counsel/Legal Adviser for the Office of Public Counsel for the Defence (OPCD) at the International Criminal Court (ICC) and has been with the Office since 2013. Prior to the ICC, she worked on several Defence teams at the UN's International Criminal Tribunal for the former Yugoslavia (ICTY), including those representing Naser Orić, Milan Lukić, Vlastimir Đorđević, and Dragomir Pećanac. At the Tribunal, she also worked for an Amicus Curiae Prosecutor and in the Trial Chambers. She was formerly employed as the Head of Office of the Association of Defence Counsel (ADC-ICT) and currently serves as its elected President.

Ms. O'Leary has been a contributor to forum discussions and publications on defence in international criminal law and has served as a guest lecturer for several university programmes, including the annual Seminar on International Criminal Defence at the UN Interregional Crime and Justice Research Institute for the last nine years.

### **Dr. Alanna O'Malley**

Alanna O'Malley is Chair of United Nations Studies in Peace and Justice, a newly created position at Leiden University's Faculty of Governance and Global Affairs. This Chair, in honor of the former Dutch Foreign Minister and Mayor of The Hague Jozias Van Aartsen, is shared with The Hague University of Applied Sciences. The main focus of the Chair will be to create a new interdisciplinary research group on United Nations Studies and to organize a series of academic and public events to mark the 75<sup>th</sup> anniversary of the UN in 2020.

She is a historian focusing on the United Nations, decolonization, Congo and the Cold War. Her current research focuses on recovering the invisible histories of the UN, investigating the role of the Global South challenging the liberal world order from 1945-1981. She completed a PhD at the European University Institute (EUI) in Florence from 2007-2012. In 2009, she was a Visiting Scholar at New York University, in Spring 2017 a Kathleen Fitzpatrick Visiting Fellow at the Laureate Research Program in International History at the University of Sydney and from August 2017-February 2018 she was a Fulbright Research Scholar at the History Department of George Washington University in Washington D.C.

Her first book *The Diplomacy of Decolonisation, America, Britain and the United Nations during the Congo crisis 1960-64* was published by Manchester University Press in 2018. She is the co-editor of *The Institution of International Order, From the League of Nations to the United Nations* published by Routledge in 2018. She has also published a range of other articles in the *International History Review*, *Journal of Cold War Studies*, *Journal of Transatlantic History* and the *Journal of World History*. She has been a regular contributor to the international press including The Conversation, The Irish Times and The Washington Post. Her TEDxFulbright talk, 'The United Nations, From Blue Helmets to Blue Skies' will shortly be available on the TED Youtube channel.

### **Lennart Poulsen**

Lennart is a highly regarded international criminal law barrister with many years of experience before international courts and tribunals. Over the years, he has represented clients in several high-profile international cases before various international tribunals. He has also advised foreign governments, non-state entities, international NGOs and individuals on all aspects of international criminal law and international humanitarian law. He regularly contributes to legal discussions and speaking events and has published several articles in international media on various aspects of international law. Recently, Lennart was asked to offer his views in an interview by Counsel magazine on leadership and life at the Bar. In addition to his

international practice, Lennart recently acted as junior counsel for one of the Core Participants in the Grenfell Tower Inquiry.

### **Dr. John Reynolds**

Dr. John Reynolds is Associate Professor, Maynooth University Law Department. John joined the Department of Law in Maynooth in 2014. Prior to this he taught at the European Inter-University Centre in Venice, and the Irish Centre for Human Rights at NUI Galway, where he held the NUI EJ Phelan Fellowship in International Law. John holds PhD and LLM degrees in international law from NUI Galway.

John's research focuses on questions of international law in relation to colonialism, emergency, race and political economy. His work is informed by and engages with the insights of Third World Approaches to International Law (TWAIL). John's book on *Empire, Emergency and International Law* (Cambridge University Press, 2017) was awarded the Kevin Boyle Book Prize for Outstanding Legal Scholarship. His scholarship appears in journals such as the *European Journal of International Law*, *Third World Quarterly*, the *Journal of International Criminal Justice*, the *Journal of Conflict & Security Law*, the *UCLA Law Review*, the *American Journal of International Law*, and the *Palestine Yearbook of International Law*. He is a founding editor of the *Third World Approaches to International Law Review* journal and website. John's writing also appears in a range of other popular publications including *Jacobin*, *Tribune*, *Monthly Review*, *Africa is a Country*, *Counterpunch*, *Jadaliyya*, *Dublin Review of Books*, *The Phoenix*, and *The Irish Times*.

John is Programme Director of Maynooth's LL.M in Global Legal Studies. He teaches modules on the Department of Law's LL.M and LL.B programmes on public international law; race, racism & law; and economic, social & cultural rights. John's completed and current Ph.D research students span projects across international law and legal theory including: civil war and peace agreements; the politics and prevention of genocide; European migration and border policies; radical left social movements' engagement with law and human rights. He is happy to receive Ph.D proposals in areas of international law, imperialism, race, rights, and related fields.

John works with various activist groups, social movements and civil society organisations. He was appointed to Ireland's Department of Foreign Affairs Civil Society Standing Committee on Human Rights in 2015.

### **Dr Ann-Sophie Schoepfel**

Dr Ann-Sophie Schoepfel is a Historian in Ludwig Maximilians University, Munich and Professor, Science Po Paris/ Nancy. Previously, Dr Ann-Sophie Schoepfel was a historian of international law, professor in history at Sciences Po Paris, and director of the seminar in global history and international law. She completed two PhDs at the University of Heidelberg and Lorraine University. Her first PhD, based on inedited sources, examined for the first time the Saigon war crimes trials in Indochina; the second re-examined the Tokyo Trial through the lens of colonialism, and re-creation of the liberal world order. Her research focused on the history of international law,

humanitarianism, migration and memory. It was awarded the Jean-Baptiste Duroselle Prize in history of international relations. Her work has been published in peer-reviewed journals and edited volumes. At Harvard, she completed her new monograph on the imperial origins of international law in the French empire and Global South.

In the past, Ann-Sophie has worked on Vietnamese migration across the Cold War landscapes of a divided Europe within the Balzan Prize research group 'Memory in the City' at the Institute for Advanced Studies in Konstanz, and later at the Leibniz Institute for European History in Mainz. She has been a member of the research group "Transcultural Justice" at Heidelberg, affiliated with Kyoto University and Holocaust Memorial in Washington D.C., as well as with the research program "Developing International Research and Education Program on the Asia-Pacific War History", financed by the Japan Society for Promotion of Science. Additionally, she has evaluated the legal controversy at the ICJ about the ownership dispute between Cambodia and Thailand over the Preah Vihear temple.

### **Andrew Williams**

Andrew Williams is Professor of Law, University of Warwick. Andrew qualified as a solicitor in 1986. After commercial practice in London, he joined Warwick Law School in 1996. He obtained an LLM in Public Law from the University of Bristol in 1993 and a PhD from the University of Warwick in 2003. He is the author of 'A Very British Killing: The Death of Baha Mousa' (Vintage 2013) which won the George Orwell Prize for Political Writing in 2013. His latest book, 'A Passing Fury: Searching for Justice at the end of WWII' (Jonathan Cape 2016) examines the British investigations and trials of Nazi war criminals after 1945 and was shortlisted for the 2017 CWA Daggers Non-Fiction Award. He is currently co-director of the Centre for Human Rights in Practice and editor-in-chief of Lacuna Magazine.

## **BIOGRAPHIES OF CONFERENCE ORGANISERS**

### **Dr Amina Adanan**

Dr Amina Adanan is Lecturer/ Assistant Professor in Law in Maynooth University Law Department in Ireland. In 2018, Amina was awarded a PhD in human rights from the Irish Centre for Human Rights in NUI Galway for her thesis, 'Allies and Enemies, past and present: An analysis of the rationale for the development of universal jurisdiction over serious crimes under international law'. Dr. Adanan's research interests lie in the areas of International Law, International Criminal Law and International Human Rights Law. In particular, Amina researches on the prosecution of atrocity crimes at a domestic and international level and the history of international law and she publishes in these areas. Recently, Amina was awarded the Royal Irish Academy's Charlemont Grant 2021 for a project on the United Nations War Crimes Commission. She teaches International Criminal Law, Fundamental Rights in Ireland and Irish Property Law.

### **Prof. Dan Plesch**

Dan Plesch is Director of the Centre for International Studies and Diplomacy, SOAS, University of London. Prof. Plesch is the leading scholar on the United Nations War Crimes Commission (UNWCC), and has published widely on the topic. Prof. Plesch has significant expertise in navigating and researching the UNWCC Archives; he was instrumental in persuading the United Nations to release the UNWCC Archive to the public in 2017. In addition, he is one of the few academics that had access to the UNWCC files before they were made publicly available. Prof. Plesch manages the [www.UNWCC.org](http://www.UNWCC.org) website, which is one of the websites that houses the UNWCC Archives and materials.

Prof. Plesch is the author of *Human Rights After Hitler* which was reported on All Things Considered and, in the Guardian, Independent, Chicago Tribune amongst others. His previous publications include: *America Hitler and the UN*, *Wartime Origins and the future UN* (with Prof. Thomas Weiss) and *the Beauty Queen's Guide to World Peace*. He leads research on the UN and on Disarmament.

Prof. Plesch read history at Nottingham and obtained professional qualifications in social work and public administration from Bristol in 1979 and 1980, he then worked for non-governmental organisations focused on the abolition of nuclear weapons. In 1986 he founded the British American Security Information Council (BASIC) and directed it from Washington DC until 2001, when he became the Senior Research Fellow at the Royal United Services Institute for Defence and Security Studies in London.

Academic posts since 1988 include Honorary Visiting Research Fellow at the Department of Peace Studies at Bradford University, Research Associate at Birkbeck College, University of London and Senior Visiting Research Fellow at Keele University.

Outside academia, he has acted as consultant and advisor to the UK and US governments, the BBC, CNN, Sky News, Kroll Security International, Oxfam, the Foreign Policy Centre and Greenpeace. He was the independent advisor to the UK government's department of constitutional affairs on the implementation of the Freedom of Information Act.

Prof. Plesch gave the keynote address to the official conference on the London bombings of 7/7/05, and was invited to give a plenary address to the World Congress on Renewable Energy in 2006. Prof. Plesch's contributions to newspapers, include the New York Times, Washington Post, The Financial Times, The Times, The Guardian and the New Statesman.

## CONFERENCE PRESENTERS AND ABSTRACTS

**Presenter:** Prof. Robert Cribb, Professor of Asian History, Australian National University.

**Title of presentation:** The UNWCC and the definition of war crimes:

a failure of will

**Abstract:**

The UNWCC, working in haste under difficult wartime conditions laid legal foundations both for the International Military Tribunals at Nuremberg and Tokyo and for the thousands of ‘national’ tribunals which tried Axis personnel in the period from the end of the war until 1951. The Commission drew on two distinct traditions in the definition of war crimes. On the one hand, Oppenheimer had defined war crimes as a breach of trust between armies; on the other hand, European public opinion regarded war crimes a breach of trust between armies and civilians in the form of atrocities that affronted the belligerent rights traditionally accorded to soldiers. The Versailles Commission on the Responsibility of the Authors of the War and on Enforcement of Penalties invoked universalist ‘laws of humanity’ in defining war crimes, but the UNWCC and the trials it underpinned retreated from universalism in three key areas. First, the trials were limited in scope to Axis personnel, in jurisdiction to the period of the war and in duration (in Asia) to the period before the conclusion of the Peace Treaty. Second, the Commission failed to reach a position on aerial bombing in warfare, especially on the question of the aerial bombing of civilians. And third, the Commission failed to resolve the vexed status of civilian resistance forces in occupied territory, leaving ambiguous the extent that they could be regarded as *francs-tireurs* entirely at the mercy of civil law. The failure of the UNWCC to address these three problems had two consequences. First, it fed the perception that the post-war trials were victors’ justice, that is justice from which the victors were wholly immune. And second, it demonstrated that the law of war was inadequate to deal with the moral challenges of modern war.

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**Presenter:** Dr Megan Donaldson, Lecturer in Public International Law, UCL

**Title of Presentation:** Ethiopia, Italy, and the archives of selective justice

**Abstract:**

Despite the notorious brutality of Italian operations in Ethiopia 1936–41, and the UNWCC’s listing of Italian war criminals, no Italians were ever tried for war crimes in Ethiopia. This paper reflects on what UNWCC archives can, and cannot, tell us about this striking instance of selective justice. Ethiopia was (by UK design) not a member of the UNWCC, so consideration of cases submitted by Ethiopia was at the UNWCC’s discretion. The dominant consensus was that Italian crimes committed in Ethiopia were part of a war, which ended in 1936, well before the start of the world war on which the UNWCC was to focus. In fact, the position was far messier. Even leaving aside connections between fascist imperialism and involvement in WWII, Italy had only ever had partial control of Ethiopia. Ethiopian resistance forces had fought at varying intensities through to the liberation of Addis Ababa in 1941. Despite widespread recognition of Italian annexation, Ethiopia had not conceded. The same peace treaty with the Allies, which ended WWII with Italy, also ended Italy’s war with Ethiopia and made provision for Italian reparations to Ethiopia in respect of conduct back to 1935. In the end the UNWCC did agree to

take the cases, with UNWCC proceedings ambiguous on when the Italo-Ethiopian war had ended.

On one view, though, the UNWCC proceedings were irrelevant to the prospect of prosecutions. Ethiopia's ability to prosecute even listed individuals was dependent on the support of the UK, US, France and USSR (responsible for deciding disputes concerning application of treaty provisions requiring Italy's surrender of war criminals). This support was never likely to eventuate. In addition to racialized preconceptions which made it counter-intuitive to contemplate Europeans tried in Ethiopia, one of the listed war criminals was the Allies' interlocutor in negotiating Italy's surrender in 1943; and the Cold War imperative of shoring up Italy's Christian Democratic government against the left made the US and UK loathe to support unpopular extradition requests.

From this perspective, the UNWCC archives are a distraction: casuistry concealing realpolitik. On the other hand, precisely because of the intricacy of the UNWCC's jurisdictional deliberations,

these archives constitute a revealing resource for legal (re)conceptualization of Italian imperial violence a task which recurs as new evidence of atrocities comes periodically to light. International criminal law now offers a richer typology than in the 1930s with which to characterize (if not prosecute) this violence. However, the attempt to apply legal categories tends to pull focus back to technical questions. The 1939 massacre of patriot forces and camp followers besieged in the cave of Zeret, for example, was considered by commentators outside the reach of the Gas Protocol, and of definitions of war crimes and crimes against humanity, when it was revealed in 2006, because by 1939 there was no international war. But such analyses accept the Italian framing of a punctual war ending in *debellatio*. UNWCC discussions record the vulnerabilities of this framing, and foster scrutiny of the hold it retains today.

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**Presenter:** Alice Lopes Fabris has a Ph.D. in Law by ENS Paris-Saclay/Institut des Sciences sociales du Politique

**Title of Presentation:** Crimes against and affecting cultural heritage in the aftermath of the Second World War'.

**Abstract:**

Even if attacks against cultural heritage are, until today, only recognized as a war crime, in March 2021, the Office of the Prosecutor of the International Criminal Court published a Draft Policy on Cultural Heritage analyzing crimes against and affecting cultural heritage. On this Draft Policy, the Prosecutor concluded that cultural heritage could be affected by war crime, crime against humanity, the crime of genocide, and crime of aggression. However, the link between affected cultural heritage and international crimes, or violations of laws and customs of war, is already present in the aftermath of the Second World War. Attacks against cultural heritage were already taken into account by the legislation of military courts and

judgments at the time. For instance, at the 1943 Interallied War Crimes Conference, the crime of “wanton destruction of religious, charitable, educational and historic buildings and monuments” was drafted. However, even if the International Military Tribunals for Tokyo and for Nuremberg did not incorporate offenses against cultural heritage in their Statutes. Still, some judgments dealt with the extensive destruction of cultural property during the conflict. From the analyses of the practice of this period, it will be identified acts committed against or affecting cultural heritage recognized as criminal actions by States as war crimes and as crimes against humanity at the time, and what lessons can be learned for today.

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**Presenter:** Michael Fleming, Polish University Abroad, London

**Title of Presentation:** War Crimes Against Culture: Poland’s Charge File Submissions to the UNWCC

**Abstract:**

In December 1947, the Polish War Crimes Office submitted an extensive Charge File that highlighted the scope and scale of German war crimes against culture. This wide-ranging indictment was one of many that sought to ensure that those responsible for the destruction and suppression of culture and the theft of cultural artefacts were brought to justice. In this presentation, I highlight that war crimes against culture were included in Polish submissions to the UNWCC by both the Polish Government in Exile and, later, by the Polish Government in Warsaw. I show that these submissions drew on reports sent from Poland to London by the Polish Underground State.

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**Presenter:** Tejas Sateesha Hinder, Undergraduate Student of Law, National Law Institute University, Bhopal, India and Teaching Fellow, The Human Projects

**Title of Presentation:** UNWCC and Transnational Organised Crime: Tracing Potential Contributions From The Commission’s Precedents

**Abstract:**

Neither does the United Nations Convention against Transnational Organized Crime nor do legal scholars present a precise and internationally accepted definition of ‘transnational organised crime’. Despite the absence of such definition, such crimes have been rigidly bifurcated under ‘core crimes’ (*stricto sensu*) and ‘treaty-based crimes’ (crimes arising out of flouting treaties and ratified conventions) since the early 2000s, and are hence differentially adjudicated upon.

The United Nations War Crimes Commission (hereinafter “UNWCC”), which has served both as an adjudicator as well as a state advisor in instances of transnational crimes, notably including the Peleus, Belsen and Mauthausen trials, did not adjudicate differentially on the basis of the aforementioned bifurcation.

This article, adopting a doctrinal research methodology, uses a thorough study of adjudications of the UNWCC and its influence on the development of international criminal law to examine possibilities of interchangeable use of 'core crimes' and 'treaty-based crimes' when transnationally organised. In doing so, the author attempts to identify contemporary concerns over inconsistent adjudication that emanate from the present process of criminalization of transnational conduct and scholarly distinctions between international and transnational criminal law.

Further, developing a reform oriented approach to address the need for a commonality in the means of adjudicating the bifurcated forms of transnational crime, the article strikes similarities in judicial intentions behind deterrent approaches of the UNWCC and present adjudicating authorities, like the International Criminal Court and the International Court of Justice, in adjudicating instances of the bifurcated forms of transnational crimes, and additionally compares the resulting standards of fair trial and punishment of such adjudications to show the inconsistencies in the contemporary standards. On the basis of this comparative study, the author concludes that the contemporary standards of trial and punishment in cases of the differentiated forms of transnational crimes are inconsistent with the objectives of such standards and presents a way forward by considering the standards of trial and punishment employed by the UNWCC.

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**Presenter:** Nafisa Kiani, Postgraduate student in MSc in Global Public Policy at SOAS

**Title of Presentation:** War crimes against humanity continue

**Abstract:**

The United Nations War Crimes Commission supported countries in prosecuting war criminals, being involved in legitimization and reviewing cases. The UNWCC's records and work offer lessons informing current action and policymaking. The UNWCC's work involved law reports, legal debates, charge files, trial transcripts and summaries informing current attempts to hold perpetrators accountable for atrocities via legal means.

A small number of cases involving sexual violence undertaken during World War II, were taken seriously by the UNWCC. This is because the UNWCC member states successfully investigated and prosecuted these crimes, holding direct and indirect perpetrators accountable for their crimes. The UNWCC offered witness protection and sensitivity to witnesses participating in these crimes.

The work of the commission demonstrates quick and fair trials. It offers a way for international information-gathering and approval-granting mechanism like the UNWCC to give governments-in-exile multilateral legal assistance in building cases while armed conflict is raging.

The UNWCC succeeded in stopping Nazis from escaping from allied custody, forming liaisons and connections to Supreme Headquarters Allied Expeditionary Force (SHAEF) after the war. To attain justice, the UNWCC executed military tribunals resolving situations involving intricate crimes. The UNWCC, Nuremberg and Tokyo tribunals succeeded, uniting various countries, ideologies, and regional groups against Nazism and Japanese fascism.

The UNWCC failed to prosecute allied personnel for their crimes, linking to the question connected to victor's justice. A criticism of the commission is its remit had limitations, supporting prosecutions of enemy personnel for offences committed against the United Nations during World War II.

As ways forward, the second version of the UNWCC can examine the scale and scope of prosecutions and indictments of war criminals by the first UNWCC considering it as a model for a more extensive, approach to war crimes prosecutions today.

Although the Germans who launched war crimes against the Jews were held accountable through court trials and arrests, ongoing tensions exist worldwide where Uighur and Indian Muslims face sexual violence and torture because they are Muslim. Although the war crimes commission held perpetrators of violence accountable, Muslim's face injustice world-wide which needs tackling. The war crimes commission must continue its work, holding individuals into account. Strong evidence needs submitting to the international criminal courts for injustice against Uighur Muslims.

In Palestine, Iraq, Syria, Libya, India and other places, large-scale massacres occur involving genocide and crimes against humanity. The Afghan people are suffering many of whom are hungry, homeless, living in poverty at the hands of foreign occupation forces, US drones, losing families, homes, and livelihoods under the Taliban. This is an illegal war undertaken for the previous 20 years by US/NATO forces upon people of Afghanistan. Countries must unite to overcome atrocities against Muslims with no concern that supporting the truth will sever ties with other countries. The international community must stand by the Afghan people offering humanitarian assistance, welcoming refugees, and asylum-seekers.

It's difficult to distinguish how the Syrian conflict might be resolved or where a UNWCC-like mechanism might allow large-scale prosecutions for war crimes and crimes against humanity.

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**Presenter:** Ewan Lawson PhD Candidate, Centre for International Studies and Diplomacy, School of Oriental and African Studies & Lecturer Extraordinaire, University of Stellenbosch

**Title of presentation:** Digging the Foundations for the UNWCC: Britain, Paris 1919 and Atrocity Propaganda

**Abstract:**

Access to the archives of the UNWCC in recent years has highlighted the extent to which the allies sought to prosecute war crimes and crimes against humanity across the globe in the aftermath of WWII. This has challenged previous conceptions that some war crimes, including those of sexual violence, had not been subject to international prosecution until the Balkan wars of the 1990s. Whilst the UNWCC and the subsequent prosecutions in a range of national courts clearly contributed to the development of the international regime addressing *jus in bello*, many of the ideas and approaches established through the UNWCC had their roots in the peace processes in Paris in 1919 at the end of the previous global conflict.

This presentation will demonstrate that the identification of war crimes by the Commission on the Responsibility of the Authors of the War and on Enforcement of Penalties (henceforth the Commission) contributed directly to those identified by the UNWCC. It will focus on the identification of rape and other forms of sexual violence as a war crime for the first time, but also highlight the role played by British politicians and lawyers in creating this framework and the impact of atrocity propaganda and narratives in framing what it was agreed constituted a crime.

The legacy of the Paris Peace Conference is often focused on its failings. The division of territories both in Europe and globally to the victors, and to a collection of new or reconstituted states in Eastern and Central Europe is linked to creating instability in the international system. Coupled with the reparations laid on Germany, it is often seen as being a significant contribution to the conflict twenty years later.

For the international prosecution of war crimes, the Conference and specifically the Commission is also perceived as having been a failure. Disputes between the allied states about sovereign responsibility led to the Commission's final report being undermined by dissenting opinions and the recommendation to establish an international tribunal was not followed through. Instead, Germany conducted a limited number of trials at Leipzig in the 1920s at which, even where individuals were found guilty did not lead significant punishments.

Britain played a key role in the Commission reflecting apparent desire of public opinion and the policy position taken by politicians throughout the war, about the need to punish those responsible for causing the conflict and its subsequent conduct. However, from as soon as the immediate post-war period, the role of atrocity propaganda in fueling the calls for legal processes has contributed to the negative narratives around the Commission's work and Britain's role in it.

Study of the work of the Commission and the way in which it sought to gather evidence to support its recommendations provides valuable insights to the background of the UNWCC. In this way, the establishment of the UNWCC can be seen as a continuation in the development of approaches to establishing

international regimes to deal with war crimes, rather than as something truly novel.

certain wrongs because their inhuman nature and their commission against dignity and worth of human person in this context researcher wish to find answer to certain questions: What is meaning of War Crimes and when and how the UNWCC has been evolved and developed in little span of time between 1943 to 1948? What was the role of UNWCC preventing War Crimes? Whether UNWCC achieve its purpose for which it was constituted? This research is primarily devoted to aforementioned aspects

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**Presenter:** Diletta Marchesi, PhD Fellow Research Foundation – Flanders (FWO) at KU Leuven

**Name of Presentation:** The War Crime of Denying a Fair Trial in the United Nations War Crimes Commission's Law Reports of the Trials of War Criminals

**Abstract:**

After the Second World War (WWII) the Allies held numerous trials to prosecute and convict Axis members for the war crimes committed during the conflict. Some of these, for the first time, involved charges related to denial of a fair trial. The United Nations War Crimes Commission (UNWCC) gave an account of and commented on several of these trials in the Law Reports of the Trials of War Criminals. Volume V, in particular, is presented as including most of the trials that share the common feature of dealing with the war crime of denying a fair trial. Among these cases, the defendants were found guilty of charges that differed considerably from each other. In some cases, the accused were tried for being involved in the unfair trials and executions of a small number of protected persons. In some others, the charges were of murder and the killing of prisoners of war and civilians. A notable case concerning the denial of a fair trial is, moreover, the so-called Justice case. In this last case, although the emphasis was placed upon other crimes such as murder, the Reports state that 'there is a strong suggestion that the Tribunal regarded the denial of a fair trial as itself a possible criminal act'. The analysis of these cases, however, shows that not all of the trials presented as dealing with the denial of fair trial really deal with what we know today as the war crime of denying a fair trial. It is not even clear whether the crime of denying a fair trial was considered 'as a separate positive crime' in the post-WWII trials. This presentation aims to shed light on the issue analysing the cases presented by the Reports as dealing with the war crime of denying a fair trial.

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**Presenter:** Bhumika Nanda, Assistant Professor, School of Law, Bennett University.

**Title Presentation:** UNWCC and Sexual & Gender Based Violence as International Crimes - Significance and Application in the Contemporary Times.

**Abstract:**

United Nations War Crimes Commission is the first multilateral initiative to successfully provide a mechanism based on complementarity for conducting widespread investigations and trial into heinous crimes of war and offer a strong organisational foothold with contributions not only from western and European countries but also Asian countries like China and India. The system created by the UNWCC was in contrast to the modern era structures of criminal tribunals and courts which provide for supra-national mechanisms for conducting trials of international crimes. The breadth and depth of the UNWCC's work provides for interesting precedents and practices that continues to inform the contemporary legal definitions of international crimes and practices. While the UNWCC established an extensive administration to coordinate and support the prosecution of war crimes it has been criticised as victor-justice and questioned on its legitimacy. Nevertheless, they made sure that the trials conducted were in line with domestic and international legal standards. The UNWCC and the trials conducting with its support allowed the world to witness different national systems coming together to conduct trials of the most heinous crimes committed and assisted in establishing the international criminal justice mechanism. The author in this paper attempts to analyse and highlight the trials conducted under the aegis of UNWCC endorsing sexual and gender-based violence as international crimes. Through the analysis the paper would examine such trials in terms of the definition of crimes, conduct of investigation, collection of evidence and prosecution of the perpetrators of such crimes and seek to understand the development of Sexual & Gender Based Violence as international crimes in the UNWCC and the International Military Tribunals at Nuremberg and Tokyo and their relevance in the trials conducted by the hybrid tribunals and International criminal court.

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**Presenter:** Umang Champaklal Modi, Assistant Professor, Faculty of Law, The Maharaja Sayajirao University of Baroda

**Title Presentation:** Role of United Nations War Crimes Commission in Preventing War Crimes

**Abstract:**

Before the Second World War, international law primarily regulated interactions among nations and it did not contain extensive protections for Individual Rights soon after the War, with experience of various inhuman atrocities fresh in mind, the international community began to develop comprehensive body to deal with crimes that resulted mainly from internal armed conflicts. These conflicts, fed on nationalism and fundamentalism, saw integration of multi-ethnic societies with serious violations of International law and basic human rights on a large scale to address this prior to formation of United Nations United Nations War Crimes Commission (UNWCC) was constituted to investigate War Crimes and identifying Individuals possibly responsible for crimes and also report to the concerned government on the basis of evidence. But commission was proven little helpful to prevent inhuman atrocities because commission had no power to prosecute war

criminal. Although the end of Second World War due to investigation and report of UNWCC to government of members of United Nations for the first time saw constitution of two international Military Tribunal at Nuremberg and Tokyo by allied powers, primarily to try war related crimes. Thus, a number of human rights instrument have been adopted to prevent the commission of certain wrongs because their inhuman nature and their commission against dignity and worth of human person in this context researcher wish to find answer to certain questions: What is meaning of War Crimes and when and how the UNWCC has been evolved and developed in little span of time between 1943 to 1948? What was the role of UNWCC preventing War Crimes? Whether UNWCC achieve its purpose for which it was constituted? This research is primarily devoted to afore mentioned aspects.

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**Presenter:** Regina M. Paulose, International Criminal Law Attorney, International Criminal Law Attorney.

**Title of Presentation:** Documenting the Historical Path of Crimes against Peace: Completing the UNWCC

**Abstract:**

In *The Forgotten: The Armenian Genocide 100 years later*, published in Historical Origins of International Criminal Law: Vol 1 (2014), the authors Laurinaviciute, Rogo, and Paulose examined international criminal law through the lens of the crimes committed against the Armenian people and the trials which subsequently followed prior to World War II. The chapter specifically explored some of the Military Tribunals which were set up in response to, what are now deemed, “core international crimes” that were perpetrated. This paper/presentation will examine the question of how the UNWCC built upon this precedent and how the UNWCC archives could be complimented and utilized in a manner to bring about a more holistic view to international criminal legal history and enhance our current perspectives on international criminal trials.

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**Presenter:** Mateusz Piątkowski, University of Łódź, Poland

**Title of Presentation:** The ambiguous legal landscape of air bombardment and the United Nations War Crimes Commission

**Abstract:**

World War Two was shaken by the rise of the tactical and strategical air power. One of the first acts of hostilities in conflict, the bombardment of Polish town Wieluń on 1<sup>st</sup> of September 1939 at dawn, was a prelude and gateway to the concept of total, unrestricted air operations across all theaters of warfare. Yet, despite the fact that the destructive power of the aviation was widely known since the Zeppelin operation over Great Britain during World War One, little effort was undertaken to directly address the legal restraints concerning air bombardment. The splendid proposal of 1923 Hague Rules was never ratified, and belligerents were introducing

the most advance conflict in history with only the art. 25 of the Hague Regulation of 1907, which in fact was not very well suited to govern the power of military aviation. The United War Crimes Commission received from various governments (Polish including) official notions regarding the cases of air bombardment, requesting the further investigations and demanding the criminal responsibility of the commanding officers. Nevertheless, the Commission (just like International Military Tribunal in Nuremberg) quickly observed the great legal ambiguity arising around the air warfare during the World War Two. The point of the presentation is to examine the legal position of the UNWCC on the cases referring to the air bombardments in the light of the existing legal provisions and its further consequences for the law of air warfare.

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**Presenter:** Dr Dawn Sedman, Senior Lecturer, Nottingham Law School, Nottingham Trent University

**Title of Presentation:** Defences and the UNWCC.

**Abstract:**

This paper surveys the defences employed before the UN War Crimes Commission. Generally, an under-examined area of international criminal law, this case law provides an opportunity to explore to what extent defences were raised before the UNWCC, how they were interpreted, and the degree of success they had. This is undertaken to offer insight into the conception and use of defences in today's international criminal practice.

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**Presenter:** Dr Dominika Uczkiewicz Wrocław, Poland.

**Title of presentation:** Collaboration between the Polish government-in-exile and the UNWCC. Polish War Crimes Office and the first charges.

**Abstract:**

The questions of investigation of war crimes and punishment of their perpetrators constituted one of the political priorities developed by the Polish Government in Exile. This resulted in the development of a complex and multidimensional war crimes policy, whose objectives were also demonstrated during the collaboration between the Polish authorities in London with the United Nations War Crimes Commission. The Polish War Crimes Office was created shortly after the establishment of the UNWCC, on 1 November 1943. Due to the advanced stage of documentary work on Nazi crimes, conducted by the Polish government in exile since late 1939, Stefan Glaser, Polish delegate to the UNWCC and Jerzy Litawski, head of the governmental War Crimes Office were strongly involved in the Commission's work from the very beginning. This included taking up positions within the Commission's structures, high number of submitted dossiers and charges and the rapid expansion of the Polish War Crimes Office. My presentation will discuss the contribution provided by the Polish lawyers in London to the international

debate on the punishment and prosecution of Nazi crimes and their involvement in UNWCC activities between October 1943 and July 1945. This analysis will focus on the documentation of Nazi crimes, first Polish charges submitted to the Commission and on the conceptual work on essential legal issues.

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**Presenter:** Dr Ka Lok Yip Assistant Professor Hamad bin Khalifa University

**Title of Presentation:** The Theoretical Basis of Combatant Immunity – Lessons from the United Nations War Crimes Commission Archives

**Abstract:**

Abstract is combatant immunity, which prevents the prosecution of those engaging in warfare in an enemy state for acts in compliance with the law of armed conflicts (LOAC), a result of substantive justification provided by LOAC or a function of state immunity for *acta jure imperii*? The proposed paper will examine how this issue has been approached by the United Nations War Crimes Commission (UNWCC) and national courts in prosecuting war crimes committed during the Second World War. A preliminary review of the UNWCC archives has demonstrated inconsistent practices among national courts. Some, such as the French courts, require ‘judges to decide first whether a provision of the French Criminal Code has been violated and, only secondly, whether this breach was justified by the laws and customs of war’. Others, such as the Dutch courts, insisted that ‘international law should not be looked upon as a justification for the acts of a state which had itself disregarded international law in occupying the Netherlands’ and relied on state immunity to abstain from prosecuting the LOAC-compliant acts of Allied soldiers. The proposed paper draws on these findings to trace two developments that continue to influence the contemporary (mis)understanding of the nature of LOAC and its relationship with other bodies of international law. First, the alleged ‘justificatory’ effect of LOAC stemmed from a conflation between individual responsibility for LOAC-compliant acts of 19 November 2021 Conference on the United Nations War Crimes Commission 2 warfare (which LOAC might have the effect of relieving) and state responsibility for LOAC-compliant acts of warfare that nonetheless violate *jus ad bellum* (which LOAC in no way relieves). Second, this conflation was fuelled by the one-sided prosecution against Allied soldiers which earmarked their criminality with the illegality under *jus ad bellum*, thereby eliding the distinction between the collectivist character of *jus ad bellum* and the individualist character of LOAC.

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**Presenter:** Camilla Johnson Wee, PhD Fellow, University of Copenhagen, Faculty of Law, Danish National Research Foundation's Centre of Excellence for International Courts (iCourts)

**Title of Presentation:** ‘Big fish’ and ‘small fry’ in localised applications of international criminal justice: The UNWCC, classes of perpetrators, and accountability in Timor-Leste

**Abstract:**

The notion of combatting impunity implies a measure of accountability for all levels of perpetrators of atrocities. The structure of WWII accountability processes reflected this: International Military Tribunals tried ‘major war criminals’; the United Nations War Crimes Commission (UNWCC) supported the local prosecution by Allied nations of Axis perpetrators of war crimes of ‘reasonable importance’; whereas those accused of crimes against their own countrymen were left to national jurisdictions alone. Half a century later, another iteration of international efforts to secure justice for atrocity crimes locally was attempted when UNTAET established The Special Panels for Serious Crimes, following Indonesia’s occupation of East Timor. While the institutions differed in mandate, scope, and operation, notably, the class of perpetrator tried by the Panels would have been explicitly excluded from UNWCC’s remit. Prosecutions in Dili ended up centring on lower-level Timorese militia members, as non-cooperation by Indonesia meant that, by crossing the Timorese-Indonesian border, Indonesian military officials and senior militia could effectively escape justice. The comparison adds depth to the question posed by one Timorese judge: “Is it fair to prosecute the small Timorese, and not the big ones who gave them orders?” If the future (at least in significant part) of international criminal justice is indeed domestic, losing sight of geo-political realities risks achieving only a skewed justice. Lessons from UNWCC and the origins of internationally supported localised justice can help mitigate such risks moving forward.

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**Presenter:** Marla Zgheib, Postgraduate Student for the MA in International Studies and Diplomacy, MGA Candidate at the Keough School of Global Affairs, University of Notre Dame.

**Title of Presentation:** From Archives to a Modern Legal Paradigm: UNWCC Insights for Today’s International Justice

**Abstract:**

No day goes by without the call for justice from individuals and suffering social groups, to NGOs and the news media. The debate over economic, social and political justice has dominated public discourse over the last 60 years, growing more vigorous in local and international spheres. However, regarding international crimes, the process of justice seems to be more of a torpid process. Both victims of international crimes and advocates of international justice would concede the challenges facing International Criminal Court (ICC) and the needed reforms to resist political pressures and impunity. Thus, this paper will look at the legal mechanism which was practiced by the United Nations War Crimes Commission (UNWCC) to unpack its legal approaches. Despite the enormous academic work by scholars and practitioners of international law on the importance of the legal, political and diplomatic work of the UNWCC, little literature has been conducted to value the application of some of the UNWCC approaches in today’s justice. Based on conducted interviews with different stakeholders (international lawyers and judges, historians, and IR academics and scholars) this paper aims to assess the relevance of the unremarked legal body in today’s local and international jurisdictions. For this study, the analysis unpacks the practicality of the UNWCC in the current practice of

international justice, being a non-court legal body. Additionally, this qualitative research will fill a crucial necessity in creating a practical framework on how the work of the UNWCC can be connected to the modern practice of international law. This framework aims to advocate towards the near establishment of a new legal paradigm that supports domestic jurisdictions. Finally, the paradigm proposed will then be applied to address a recent serious crime, the 4 August Beirut Blast.