

STUDY

Requested by the DROI subcommittee



Mechanisms of international justice to fight impunity

International tribunals, universal jurisdiction and transitional justice processes



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Mechanisms of international justice to fight impunity

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ABSTRACT

The fight against impunity remains a key challenge for the international community, as efforts to hold perpetrators of serious international crimes accountable are increasingly strained by geopolitical rivalries, fragmented enforcement and weak political will. This paper examines three accountability mechanisms – international criminal tribunals, universal jurisdiction and transitional justice – through comparative analysis and case studies. International criminal tribunals, from *ad hoc* tribunals for the former Yugoslavia and Rwanda to the International Criminal Court, have advanced legal norms and secured landmark convictions. Yet, their legitimacy is weakened by high costs, slow trials, selective enforcement and limited cooperation from states. Universal jurisdiction allows national courts to prosecute atrocities irrespective of territorial or personal links. Its growing use in Europe, especially in cases linked to Syria and Ukraine, demonstrates potential, although inconsistent application and political frictions limit its effectiveness. Transitional justice, through truth commissions, reparations and institutional reforms, offers societies pathways to reconciliation and peace, but faces recurring challenges of political interference, resource scarcity and insufficient victim participation. Case studies from the Balkans, Ukraine, Ethiopia, Sudan, the Democratic Republic of the Congo, Colombia, Syria and Israel-Palestine highlight that no single mechanism is sufficient. Instead, effective accountability requires context-sensitive and context-specific combinations of tools. The paper concludes with recommendations for strengthening the European Union's global role.

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Table of contents

List of abbreviations	iv
Executive summary	v
1 Introduction	1
1.1 Objectives	3
1.2 Methodological approach	3
2 Comparative and evaluative framework	5
2.1 International criminal tribunals	7
2.2 Universal jurisdiction	13
2.3 Transitional justice	18
3 Case studies	21
3.1 Case study 1: The former Yugoslavia	22
3.2 Case study 2: Ukraine	24
3.3 Case study 3: Ethiopia, Sudan and the DRC	27
3.4 Case study 4: Other non-European countries	30
4 Policy implications and conclusions	33
Annex 1: Analysis of survey data and key results	38
Annex 2: Survey template	44
References	47

List of abbreviations

DRC	The Democratic Republic of the Congo
DROI	European Parliament's Subcommittee on Human Rights
EEAS	European External Action Service
EU	European Union
FARC	Fuerzas Armadas Revolucionarias de Colombia
ICC	International Criminal Court
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
JEP	Special Jurisdiction for Peace
KSC	Kosovo Specialist Chambers
SCSL	Special Court for Sierra Leone
STCAU	Special Tribunal for the Crime of Aggression against Ukraine
TRC	Truth and Reconciliation Commission
UN	United Nations
UNSC	United Nations Security Council
USA	United States of America
WCC	War Crimes Chamber

Executive summary

The fight against impunity remains a key challenge for the international community. Despite decades of progress, accountability efforts are increasingly strained by geopolitical resistance, limited enforcement capacities and fragmented responses. Adopting a comparative framework and case-study approach, this paper analyses three core mechanisms of international justice: international criminal tribunals, universal jurisdiction and transitional justice.

International criminal tribunals, from *ad hoc* tribunals for the former Yugoslavia and Rwanda to the permanent International Criminal Court, have played a prominent role in advancing justice, establishing legal precedents and prosecuting high-level perpetrators. However, their effectiveness is often undermined by high costs, lengthy proceedings, selective enforcement and lack of state cooperation. Universal jurisdiction enables national courts to pursue perpetrators regardless of nationality or location and has recently gained renewed importance, particularly in Europe, through trials linked to Syria and Ukraine. Yet, its decentralised nature produces inconsistent application and political tensions, thereby limiting deterrence and legitimacy.

Transitional justice encompasses truth commissions, reparations, lustrations and institutional reforms designed to address past atrocities within affected societies. When locally owned and inclusive, it can foster reconciliation and sustainable peace. Nevertheless, political interference, resource constraints and limited victim participation often weaken its impact.

Case studies from the former Yugoslavia, Ukraine, Ethiopia, Sudan, the Democratic Republic of the Congo, Colombia, Syria and Israel–Palestine reveal the complexity of applying these mechanisms in diverse contexts. They demonstrate that while each mechanism has unique strengths, none in isolation can comprehensively address impunity. A context-sensitive approach is thus required.

Analysis here draws on a targeted research survey conducted by the authors, which collected responses from ten highly qualified experts — leading researchers, practitioners or stakeholders in the field of international justice. Their insights provide valuable perspectives on the effectiveness of international justice mechanisms, key challenges and potential recommendations for the European Union (EU). A detailed analysis of survey data, along with key findings and the survey template are provided in annexes 1 and 2.

The paper concludes with policy recommendations through which the EU can strengthen its global role in supporting accountability, *inter alia*:

- Institutionalise accountability as an EU foreign policy priority;
- Reinforce EU support to the International Criminal Court;
- Operationalise EU support for *ad hoc* and hybrid tribunals;
- Enhance universal jurisdiction within EU Member States;
- Scale up EU support to transitional justice;
- Use diplomatic and restrictive measures more strategically to support accountability mechanisms.

1 Introduction

International justice mechanisms have become a cornerstone in the global fight against impunity for the most serious violations of international law and atrocity crimes. Yet, these mechanisms face a dual reality of heightened urgency and increasing challenges. While armed conflicts, state repression and mass atrocities are on the rise in many regions, international justice and accountability efforts are themselves facing intensifying resistance. This tension was underscored in the Global Initiative Against Impunity's Urgent Call to Action, issued on this year's European Union (EU) Day Against Impunity¹.

The Council and the European Parliament, including its Subcommittee on Human Rights (DROI), have consistently called for robust measures to uphold international law and ensure accountability for serious international crimes. They have urged support for independent investigations, emphasised the imperative of bringing perpetrators of genocide, crimes against humanity and war crimes to justice, and reiterated the importance of promoting the universality of the Rome Statute². The EU has also recently shown strong support for establishing the Special Tribunal for the Crime of Aggression against Ukraine³.

Nevertheless, significant challenges persist in the fight against impunity. Geopolitical realities often impede or politicise justice efforts: powerful states may refuse to cooperate with international courts or even actively undermine them. The European Parliament itself has witnessed instances of EU Member States undermining the International Criminal Court (ICC), for example, by failing to execute outstanding ICC arrest warrants⁴ or by withdrawing from the Rome Statute⁵ and has voiced its concerns⁶.

This paper examines the functioning and interplay of international tribunals, universal jurisdiction and transitional justice as tools to combat impunity. While each mechanism offers unique strengths in promoting accountability, they all also face limitations that can hinder their effectiveness if applied in isolation.

At the outset, it is important to define the key concepts of impunity and accountability. Impunity⁷ implies a failure to hold those perpetrating serious violations of international human rights law or

¹ REDRESS, '[Reclaiming the Promise of Accountability: The Global Initiative Against Impunity's Urgent Call to Action on the EU Day Against Impunity](#)', 23 May 2025.

² See Council, '[Council conclusions on EU priorities in UN human rights fora 2023](#)', 20 February 2023.

³ European Commission, '[International coalition agrees on the establishment of the Special Tribunal for the Crime of Aggression against Ukraine](#)', News Article, 9 May 2025.

⁴ G. Blackburn, '[ICC opens inquiry into Hungary for failing to arrest Israeli PM Benjamin Netanyahu](#)', *Euronews*, 17 April 2025.

⁵ ICC, '[President of the Assembly of States Parties regrets withdrawal from the Rome Statute by Hungary](#)', Press release, 5 June 2025.

⁶ European Parliament, '[Resolution on human rights and democracy in the world and the European Union's policy on the matter – annual report 2024 \(2024/2081\(INI\)\)](#)', P10_TA(2025)0059, 2 April 2025.

⁷ According to the United Nations Updated Set of principles for the protection and promotion of human rights through action to combat impunity, impunity 'means the impossibility, de jure or de facto, of bringing the perpetrators of violations

serious crimes under international law (the crime of genocide, crimes against humanity, war crimes and the crime of aggression) legally accountable for their acts. This exemption from punishment comes in various forms, such as the absence of investigations, prosecutions or retribution and the denial of remedies for victims. Impunity undermines the rule of law's fabric both at national and international levels, exacerbating cycles of violence, eroding trust in state institutions and diminishing any prospects for sustainable reconciliation⁸. Over recent decades, efforts to combat impunity have increasingly focused on individuals (both perpetrators and victims), rather than states or non-state armed groups, as holding individuals accountable is widely regarded by the international community and experts in international justice as central to achieving justice and rebuilding trust.

Accountability⁹ stands as the counterweight to impunity. It refers to situations when perpetrators are held to account for their unlawful acts and bear the legal consequences. Accountability also takes different forms, including criminal prosecutions, truth commissions, lustrations or institutional reforms. Meaningful accountability is not limited to the punishment of perpetrators. It also affirms the dignity of victims, deters future violations, helps rebuild trust and promotes reconciliation. Ensuring accountability is repeatedly emphasised as a crucial objective in official EU and United Nations (UN) documents¹⁰. Again, centring accountability on the acts of individuals, rather than on states and non-state armed groups, has become essential in recent decades.

Addressing impunity and ensuring accountability is a legal imperative as well as a political and moral necessity in post-conflict and transitional contexts. From a legal standpoint, accountability upholds universally recognised legal standards that are binding upon all states and to which the EU has consistently committed itself through its founding instruments¹¹. It affirms that violations of crucial rules, such as those prohibiting genocide or torture, will not be tolerated. Politically, accountability strengthens the legitimacy of institutions, discourages authoritarianism and promotes stable governance. Morally, it responds to the suffering of victims by acknowledging the harm inflicted upon them and restoring their dignity through recognition, justice and reparations. In the aftermath of mass atrocities, failure to confront serious crimes risks normalising violence, entrenching societal divisions and further eroding confidence in institutions.

Addressing impunity and ensuring accountability is especially critical in two distinct contexts: post-conflict settings and transitional periods. While these contexts may and often do intersect, each

to account – whether in criminal, civil, administrative or disciplinary proceedings – since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, if found guilty, sentenced to appropriate penalties, and to making reparations to their victims'. United Nations Commission on Human Rights, [Updated Set of principles for the protection and promotion of human rights through action to combat impunity](#), E/CN.4/2005/102/Add.1, 8 February 2005; see also N. Roht-Arriaza, [Impunity and Human Rights in International Law and Practice](#), Oxford University Press, Oxford, 1995.

⁸ Secretary-General of the United Nations, [Statement Summary](#), 24 September 2024.

⁹ See, for instance, S. Ratner, J.S. Abrams and J. L. Bischoff., [Accountability for Human Rights Atrocities in International Law: Beyond the Nuremberg Legacy](#), Oxford University Press, Oxford, 2009; A. Zahar and G. Sluiter, [International Criminal Law: A Critical Introduction](#), Oxford University Press, Oxford, 2008; E. van Sliedregt, [Individual Criminal Responsibility in International Law](#), Oxford University Press, Oxford, 2012.

¹⁰ Council, [Council Conclusions on EU Priorities in UN Human Rights Fora in 2024](#), 5311/24, 22 January 2024.

¹¹ See EU, [Consolidated Version of the Treaty on the European Union](#), *Official Journal of the EU*, C 326/15, 26 October 2012, arts. 3(5), 21(1) and 21(2)(b).

presents unique challenges. Post-conflict settings arise in the aftermath of armed conflict, international or non-international, characterised by widespread human suffering, material devastation and the severe erosion of institutions, the rule of law and social cohesion¹². Transitional contexts, by contrast, typically involve a shift from authoritarian rule to democratic governance, where past abuses may have been pervasive but not necessarily linked to war¹³. In both scenarios, confronting past crimes is essential for rebuilding legitimate institutions, restoring trust and preventing future violations. This paper focuses specifically on post-conflict justice, where accountability efforts are closely linked to peacebuilding, societal repair along with re-establishment of a functioning legal and institutional order.

1.1 Objectives

The main objective of this paper is not only to clarify the evolving concepts of impunity and accountability, but also to examine their practical implications in post-conflict settings, with a particular focus on developments from 2020 to 2025. The paper evaluates the effectiveness and limitations of three key mechanisms used to combat impunity and promote accountability: international criminal tribunals, universal jurisdiction and transitional justice frameworks. Analysis is structured around three central questions:

1. How have international and domestic mechanisms to combat impunity and promote accountability developed over recent years?
2. What are the comparative advantages and limitations of these mechanisms in delivering justice and supporting reconciliation?
3. How do these mechanisms perform in terms of effectiveness, legal fairness, legitimacy and victim-centredness, based on their application in individual cases?

The paper employs a qualitative comparative approach, drawing on legal instruments, judicial decisions and policy documents from 2020 to 2025, alongside academic literature and reports issued by international organisations and non-governmental organisations. It also incorporates insights from practitioners and stakeholders with direct experience in accountability efforts related to Ukraine, Ethiopia, Israel-Palestine and Syria. Findings are intended to support policymakers and practitioners, particularly in the context of an upcoming workshop on international justice and accountability by the European Parliament. The paper highlights specific lessons learned through selected case studies and offers recommendations for the EU and European Parliament.

1.2 Methodological approach

Research for this paper has been based on qualitative methods, combining legal-document analysis, comparative case studies, a research survey and expert interviews. Data has been drawn from international legal instruments (treaties and court decisions), decisions of international and hybrid courts, together with UN and EU policy documents as well as public records of trials and transitional justice processes.

¹² See also M. Cherif Bassiouni, *Post-Conflict Justice*, Brill, Leiden, 2002.

¹³ See also M. Newman, *Transitional Justice: Contending with the Past*, Polity, Cambridge, 2019.

The paper has systematically examined legal instruments, jurisprudence and institutional practices concerning prosecution for atrocity crimes and other serious violations of international law. Primary sources have included international treaties (such as the Rome Statute of the ICC, the four Geneva Conventions and relevant UN Conventions) and decisions of international and hybrid courts. The authors have also relied on relevant UN documents, produced *inter alia* by the UN Human Rights Council or the Office of the UN High Commissioner for Human Rights, such as the Basic Principles on the Right to Remedy and Reparation¹⁴ and the Updated Set of Principles to Combat Impunity¹⁵. These have been complemented by policy documents and official statements from the EU (European Commission communications, Council conclusions and European Parliament resolutions) to analyse the interplay between international norms and regional implementation.

A case study approach has been employed to examine accountability mechanisms used in eight countries: the former Yugoslavia, Ukraine, Ethiopia, Sudan, the Democratic Republic of the Congo (DRC), Colombia, Syria and Israel-Palestine. Selection of each case was based on the severity of alleged crimes, the use of different accountability mechanisms and geopolitical significance. Presenting each country individually ensures clarity and allows for a nuanced understanding of both achievements and limitations in accountability efforts.

- **Former Yugoslavia:** provides a relatively recent European example of post-conflict justice, illustrating extensive use of international tribunals, hybrid courts and domestic prosecutions. Lessons include the effectiveness of multi-layered accountability mechanisms and the importance of long-term support for judicial processes.
- **Ukraine:** offers an ongoing European case of accountability amid active conflict, involving international mechanisms, national courts and broad international support. This highlights the challenges of pursuing justice in real-time during conflicts.
- **Ethiopia, Sudan and the DRC:** showcase both the challenges and innovations of ICC interventions and transitional justice initiatives, with universal jurisdiction emerging as an alternative pathway for justice.
- **Colombia:** illustrates a *sui generis* transitional justice approach (the Special Jurisdiction for Peace) following a protracted internal conflict, demonstrating the potential of locally tailored mechanisms to promote reconciliation.
- **Syria:** demonstrates how accountability efforts rely on creative measures, such as UN investigative mechanisms and European universal jurisdiction cases, due to paralysis of the UN Security Council (UNSC).
- **Israel-Palestine:** highlights the complexities of pursuing international justice in a protracted conflict, involving both the ICC and International Court of Justice, and the political and legal constraints affecting accountability.

¹⁴ UN General Assembly, [Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law](#), A/RES/60/147, 16 December 2005.

¹⁵ UN Commission on Human Rights, [Updated Set of principles for the protection and promotion of human rights through action to combat impunity](#), E/CN.4/2005/102/Add.1, 8 February 2005.

Each case study is used to illustrate the functioning, achievements and limitations of international tribunals, universal jurisdiction and transitional justice mechanisms. Data were gathered from public records, trial documents, institutional reports and secondary literature, with the goal of identifying best practices, persistent gaps and ways to strengthen international accountability architecture in line with legal obligations and global challenges.

The paper has also incorporated insights from practitioners and stakeholders directly involved in accountability processes. A research survey has been developed by the authors to gather broader empirical data on perceptions of and lessons learnt from international justice mechanisms¹⁶, involving ten researchers, practitioners and stakeholders from different countries. Their responses offer valuable insights into perceptions of international justice mechanisms' effectiveness, relevant challenges and suggested recommendations for the EU.

This survey included structured questions aimed at evaluating the perceived effectiveness, fairness, legitimacy and victim-friendliness of various accountability mechanisms in different contexts. The survey also invited input on priority areas for EU policy support. The collected data, duly anonymised and used in aggregated form, was then analysed and integrated into the paper's findings. This empirical component helped to enrich the case study analysis by capturing a range of stakeholder perspectives on which mechanisms are considered most impactful or where gaps remain (see annexes 1 and 2). In addition to the survey, one in-depth expert interview was conducted with a practitioner directly engaged in international justice processes. Albeit limited, nevertheless this interview did provide valuable qualitative insights that enriched our analysis.

Throughout this research, due account has been given to current academic debate by reviewing and analysing relevant contemporary scholarly discussions.

2 Comparative and evaluative framework

In response to the persistent challenge of impunity for crimes under international law and serious human rights violations, a range of special mechanisms has gradually emerged. These mechanisms can be split into three main categories, distinguished primarily by where the relevant proceedings take place: (a) international criminal tribunals, which operate internationally through multinational institutions; (b) universal jurisdiction, that allows national courts to prosecute crimes committed abroad by non-nationals; and (c) transitional justice mechanisms, which function within the affected country itself and aim at addressing past abuses through justice, truth-telling and reconciliation. Each model embodies distinct legal and political dynamics, involving varying degrees of international oversight.

International criminal tribunals are judicial bodies established by international instruments (UNSC resolutions, multilateral and bilateral treaties, say). They are mandated to prosecute individuals responsible for crimes under international law such as genocide, crimes against humanity, war crimes or, more exceptionally, aggression. These tribunals operate with specific mandates set in their statutes and focus on individual criminal responsibility through formal judicial processes.

¹⁶ The fieldwork activities related to this paper received the relevant ethic clearance from the Institute of International Relations Research Ethics Committee.

Examples include the permanent ICC and various *ad hoc* tribunals, such as the International Criminal Tribunal for the former Yugoslavia (ICTY)¹⁷, the International Criminal Tribunal for Rwanda (ICTR)¹⁸, the Special Court for Sierra Leone (SCSL)¹⁹ and the newly established Special Tribunal for the Crime of Aggression against Ukraine (STCAU)²⁰.

Universal jurisdiction empowers domestic courts to prosecute individuals for serious crimes under international law, regardless of where the crimes occurred and by whom they were committed²¹. By circumventing traditional territorial and nationality constraints, this mechanism broadens the reach of criminal accountability. Unlike international tribunals, universal jurisdiction is inherently decentralised, relying on individual states to assert jurisdiction and initiate prosecutions. Its scope is potentially global, enabling any willing state to act. At the same time, universal jurisdiction is largely subsidiary. It is intended to be used only when domestic courts in the relevant territorial or nationality states are unwilling or unable to proceed and/or when international tribunals lack jurisdiction. The capacity to act in such situations makes universal jurisdiction a vital complementary tool in the fight against impunity.

Transitional justice encompasses a broader and more holistic set of tools that extend far beyond criminal prosecution²², *inter alia*: truth commissions²³, reparations programmes²⁴, institutional reforms, lustration processes, as well as initiatives aimed at fostering societal reconciliation and healing, such as memory projects and educational efforts. Unlike international tribunals or universal jurisdiction, transitional justice operates primarily within the affected state itself, thereby offering a broader reach across social, political and cultural domains. Its aims are not confined to legal accountability but encompass the restoration of trust, the recognition of victims' experiences and the promotion of long-term sustainable peace and justice.

To assess these mechanisms systematically, four evaluative criteria have been applied in this paper: (a) effectiveness, (b) legal fairness, (c) legitimacy and (d) victim-centeredness. These criteria are derived from both scholarly literature and policy documents and are defined as follows:

¹⁷ Established by the UNSC, [Resolution 827 \(1993\) \[on establishment of the International Tribunal for Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991\]](#), S/RES/827, 25 May 1993. See ICTY, '[website](#)', nd.

¹⁸ Established by the UNSC, [Resolution 955 \(1994\) \[on establishment of an International Tribunal for Rwanda and adoption of the Statute of the Tribunal\]](#), S/RES/955, 8 November 1994. See ICTR, '[website](#)', nd.

¹⁹ The SCSL (established by the Special Court Agreement between the UN and the Government of Sierra Leone of 16 January 2001) operated from 2002 to 2012, followed by the Residual Special Court for Sierra Leone (established by an agreement between the UN and the Government of Sierra Leone of 11 August 2010), which has operated since 2012. See the official [website](#) of the Residual Special Court for Sierra Leone (which includes documents also from the SCSL).

²⁰ See Council of Europe, [Consequences of the aggression of the Russian Federation against Ukraine - Agreement between the Council of Europe and Ukraine on the Establishment of the Special Tribunal for the Crime of Aggression against Ukraine](#), CM(2025)104-final, 24 June 2025.

²¹ A. Lagerwall and M.-L. Hébert-Dolbec, '[Universal Jurisdiction](#)', *Max Planck Encyclopedia of International Procedural Law*, July 2022.

²² W.-C. Chang and Y.L. Lee, '[Transitional Justice: Institutional Mechanisms and Contextual Dynamics](#)', *Max Planck Encyclopedia of Public International Law*, June 2016.

²³ A. Gordon O'Shea, '[Truth and Reconciliation Commissions](#)', *Max Planck Encyclopedia of Public International Law*, December 2008.

²⁴ P. Sullo and J. Wyatt '[War Reparations](#)', *Max Planck Encyclopedia of Public International Law*, September 2015.

1. Effectiveness implies the extent to which a mechanism achieves its core objectives of ending impunity and delivering justice. This encompasses its capacity to hold perpetrators accountable, deter future violations and provide meaningful redress to victims. In assessing effectiveness, both quantitative and qualitative dimensions should be considered: the mechanism's reach (number and level of perpetrators prosecuted), the quality and fairness of proceedings, the timeliness of interventions and the tangible outcomes in terms of justice, reconciliation and societal trust. This criterion also depends on broader contextual factors, including state cooperation, political support and resource availability, which can facilitate or constrain the mechanism's impact.
2. Legal fairness denotes strict adherence to due process and the rule of law, ensuring that proceedings are impartial, transparent and consistent. It encompasses protection of the rights to defence, equal treatment of all parties, rigorous and consistent application of legal standards and the overall integrity and credibility of the process. Legal fairness also includes procedural safeguards, independence of the judiciary or adjudicating body and mechanisms to prevent political interference or bias, thereby reinforcing both legitimacy and public confidence in the outcome.
3. Legitimacy examines the degree of acceptance that the mechanism enjoys among key stakeholders, including affected populations, victim groups, domestic authorities and the broader international community²⁵. Perceptions of legitimacy can be influenced by factors such as impartiality, respect for local ownership, absence of political bias or selectivity, the extent to which justice is perceived to be delivered and validity of the mechanism's legal basis, whether established under international instruments (UN mandates, say) or domestic law (constitutions or constitutional conventions, for instance).
4. Victim-centredness assesses whether the mechanism addresses victims, including their right to truth, justice, participation, protection and reparations. A victim-centred approach means that processes are designed and implemented in a way that respects the dignity, needs and voices of survivors, striving to provide not just retributive justice but also truth-telling, acknowledgement and remedy for victims.

The four criteria have provided a holistic framework for analysis, used in this paper to evaluate how international tribunals, universal jurisdiction and transitional justice mechanisms have performed. When applying these criteria, the diversity of situations and institutional models should be considered.

2.1 International criminal tribunals

International criminal tribunals function as formal judicial bodies established at international level through an international instrument. They are specifically mandated to prosecute individuals responsible for crimes under international law (the crime of genocide, crimes against humanity, war

²⁵ E. Voeten, '[Public Opinion and the Legitimacy of International Courts](#)', *Theoretical Inquiries in Law*, Vol 14, No 2, 2013, pp. 411-436.

crimes and the crime of aggression). The history of international criminal tribunals can be broadly divided into three generations.

The first generation emerged after the Second World War with the landmark Nuremberg and Tokyo War Crimes Tribunals. These tribunals established foundational principles and set important precedents for prosecuting crimes and ensuring individual criminal responsibility under international law.

The second generation comprises *ad hoc* tribunals, namely the ICTY and the ICTR, established in the 1990s by the UNSC to address atrocities in those specific conflicts. The ICTY and ICTR made significant contributions to international criminal justice by refining the definitions of crimes, clarifying modes of individual criminal responsibility (such as command responsibility) and developing procedures for victim and witness protection and participation. Alongside them, mixed or hybrid tribunals such as the SCSL, the Special Tribunal for Lebanon (STL)²⁶ or the Extraordinary Chambers in the Courts of Cambodia²⁷ combined international and domestic elements to address crimes in particular contexts²⁸. Despite a peak in such initiatives between the 1990s and the 2000s, mixed or hybrid tribunals continue to emerge, as evidenced by establishment of a Special Tribunal for The Gambia in 2024 and the STCAU in 2025.

The third generation is represented by the ICC, a permanent treaty-based institution established by the Rome Statute (adopted in 1998, in force since 2002)²⁹. The ICC provides a uniform global mechanism for prosecuting crimes under international law when national courts are unwilling or unable to act, according to the principle of complementarity. Establishment of the ICC marked a shift towards institutionalising international criminal justice as a permanent feature of the international legal order, aiming to overcome the limitations of *ad hoc* tribunals as well as ensuring material and procedural unity in prosecution.

From this evolution, we can identify three main institutional models of international criminal tribunals: (a) *ad hoc* tribunals, such as the ICTY and the ICTR, established by the UNSC, backed by its authority but endowed with limited temporal and geographic jurisdiction; (b) mixed or hybrid tribunals, such as the STL, created through agreements between the UN (or another international organisation) and host states, combining elements of international and domestic law and relying on both national and foreign judges; and (c) a permanent treaty-based institution, the ICC, designed as a standing court with universal aspirations and potentially very broad jurisdictional reach. These models reflect different approaches shaped by historical context, legal frameworks and political considerations, illustrating the diverse ways in which international criminal justice has been institutionalised.

²⁶ Established by the agreement between the UN and the Lebanese Republic on the establishment of an STL of 10 June 2007. See UNSC, [Resolution 1757 \(2007\)](#), S/RES/1757, 30 May 2007.

²⁷ Established by the agreement between the UN and the Royal Government of Cambodia concerning the prosecution under Cambodian law of crimes committed during the period of Democratic Kampuchea (commonly referred to as the UN-Royal Government of Cambodia Agreement) of 6 June 2003. See Extraordinary Chambers in the Courts of Cambodia, '[website](#)', nd.

²⁸ C.P.R. Romano, A. Nollkaemper and J.K. Kleffner, [Internationalized criminal courts: Sierra Leone, East Timor, Kosovo, and Cambodia](#), Oxford University Press, Oxford, 2004.

²⁹ See ICC, '[website](#)', nd.

This paper evaluates international criminal tribunals based on the four key criteria identified above (effectiveness, legal fairness, legitimacy and victim-centredness). These criteria are essential to understand how tribunals balance legal rigour, political realities and societal needs. Applying them, though, is a complex task due to the diversity of institutional models, mandates and operational contexts. While all tribunals share the core goal of combating impunity for crimes under international law, their structures and environments vary significantly, making broad generalisations challenging.

Effectiveness: international criminal tribunals have made a significant contribution in addressing impunity by holding accountable perpetrators of crimes under international law and increasingly commonly by providing a platform for victims. *Ad hoc* and mixed tribunals have effectively prosecuted major perpetrators from specific conflicts, contributing to retribution and deterrence. The ICTY, for instance, was the first court to accuse a sitting head of state of war crimes³⁰. The ICTR established precedents with the first conviction for genocide and expanded the understanding of sexual violence as an instrument of genocide³¹.

The SCSL's most notable achievement was convicting the former Liberian president Charles Taylor, which served as a landmark in the accountability of leaders for crimes committed in other states³². However, the limited temporal and geographic mandates of both types of tribunals, coupled with resource constraints, sometimes restricted their achievements and impact. UN officials and prosecutors have already noted that the *ad hoc* tribunals' narrow mandates and finite resources meant that they could not prosecute all perpetrators, necessitating reliance on national courts³³. Academic analyses of hybrid courts reinforce the contention that mixed tribunals can suffer from local political interference, funding shortfalls and procedural inconsistencies. For example, the Extraordinary Chambers in the Courts of Cambodia faced years of delays due to government interference and corruption issues. Its limited number of convictions undermined its overall impact and credibility³⁴.

³⁰ On 24 May 1999, the ICTY indicted Slobodan Milošević, at the time the former President of the Federal Republic of Yugoslavia, for crimes in Kosovo. He was the first sitting head of state to be charged with war crimes by an international tribunal. See ICTY, '[Slobodan Milošević Trial - the Prosecution's case](#)', webpage, nd.

³¹ The ICTR's historic judgment in Prosecutor v. Akayesu (1998) is documented as the first-ever conviction for genocide by an international court, and the Trial Chamber explicitly held that rape and sexual violence can constitute genocide when committed with the intent to destroy a group, thereby expanding international legal understanding of sexual violence in conflict. See ICTR, '[Historic judgement finds Akayesu guilty of genocide](#)', Press release, 9 February 1998.

³² As outlined by a report from Human Rights Watch, the Charles Taylor's 2012 conviction was the only instance since Nuremberg of a former head of state being held criminally responsible by an international tribunal, underscoring its landmark significance. See Human Rights Watch, '[Landmark Conviction of Liberian Ex-President: World Less Hospitable for Leaders Who Commit Grave Crimes](#)', 26 April 2012.

³³ ICTR, '[Complementarity in Action: Lessons Learned from the ICTR Prosecutor's Referral of International Criminal Cases to National Jurisdictions for Trial](#)', February 2015.

³⁴ For the conducted research see Global Policy Forum, '[Special Tribunal for Cambodia](#)' webpage, nd; among the calls from legal and human rights groups, see Global Policy Forum Archive, '[Groups Fear Khmer Rouge Tribunal May Halt Trials](#)', 5 May 2011.

The ICC, with its permanent mandate and broader jurisdiction, aims to overcome these limitations but faces challenges, including political interference³⁵, difficulties in securing arrests and uneven state cooperation. Commentators have evaluated the ICC's performance in this respect, criticising the court for slow, protracted proceedings and complex, costly cases with limited outcomes³⁶. For instance, civil society observers have pointed out that in its first two decades of existence, the ICC secured less than 10 convictions, thus illustrating the slow pace of international justice³⁷. The ICC continues to face political challenges and enforcement limitations: by the end of 2024, 17 suspects remained at large as the court relies on state cooperation for arrests³⁸ and major powers have at times actively obstructed its work (for instance, the United States of America's (USA) sanctions against ICC officials in 2020/2025³⁹).

Empirical evidence illustrates tribunals' landmark achievements while also highlighting practical constraints such as jurisdictional limits, resource demands and political resistance. Recent developments reveal growing political resistance to international criminal justice, including the 2025 declarations by Burkina Faso, Mali and Niger to withdraw from the Rome Statute 'with immediate effect'⁴⁰ as well as the approval by a Hungarian parliament of a bill to withdraw from the ICC system⁴¹. Such steps limit the effectiveness of international tribunals. Consequently, although tribunals have advanced the fight against impunity, their success often depends on complex political and operational factors beyond purely legal capacities.

Legal fairness: upholding legal fairness means ensuring that classical fair trial rights are respected. These include the right of the accused to a competent, independent and impartial tribunal, the presumption of innocence, access to legal counsel and the right to present a defence and challenge evidence in a transparent and equitable process. The statutes of international criminal tribunals generally provide robust safeguards for these rights. The ICTY and ICTR set important benchmarks for fair trial guarantees, including the right to defence, equality of arms and impartial adjudication, thereby shaping global understanding of what such guarantees mean in practice⁴². Mixed tribunals attempt to balance international standards with domestic legal traditions; however, this hybrid model can sometimes result in inconsistencies, legal uncertainty or perceived compromises in procedural rigour⁴³. The ICC's legal framework reaffirms strong protections for defendants and victims alike. Yet, it has also faced criticism for protracted timelines, overly complex procedures

³⁵ See J. Johurun Nessa, '[Delays, Interference, and Espionage: The ICC's Struggle with Arrest Warrants in the Situation in the State of Palestine](#)', *Opinio Juris*, 11 October 2024.

³⁶ Y. Yang, '[The Gap between the International Criminal Court and Victims: Criminal Trial Reparations as a Case Study](#)', *MDPI Laws*, Vol 12, No 4, 2023; T. M. Funk, '[Understanding the International Criminal Court's Promise \(and Deficiencies\)](#)', *Social Science Research Network*, 2024.

³⁷ CIVICUS, '[20 Years of the International Criminal Court: Two decades on, the ICC has proved its value although challenges remain](#)', 7 July 2022.

³⁸ M. A. Green, '[The Numbers Behind the International Criminal Court](#)', *Wilson Center Blog*, 4 June 2024.

³⁹ W. Roberts, '[US presidency: ICC sanctions threaten international justice](#)', *International Bar Association*, 13 June 2025.

⁴⁰ Trial International, '[Sahel States' ICC Withdrawal: A Step Back for Victims and Justice](#)', 26 September 2025.

⁴¹ T. Paternoster, '[Hungary approves bill to withdraw from International Criminal Court](#)', *EuroNews*, 20 May 2025.

⁴² See W. Schomburg, '[The Role of International Criminal Tribunals in Promoting Respect for Fair Trial Rights](#)', *Northwestern Journal of International Human Rights*, Vol 8, No 1, 2009, pp. 1-29.

⁴³ See S. M. H. Nouwen, '[Hybrid courts: The hybrid category of a new type of international criminal tribunal](#)', *Utrecht Law Review*, Vol 2, No 2, 2006, pp. 190-212.

and resource-intensive litigation⁴⁴. Overall, while international criminal tribunals have made a significant contribution in defining and upholding legal fairness, the tension between delivering comprehensive justice and ensuring timely proceedings continues to pose a structural challenge.

Legitimacy: the legitimacy of international criminal tribunals varies widely depending on the perceptions of affected populations, states and the international community more broadly. These perceptions are influenced by various factors, including the tribunals' performance and the legal authority on which the mechanism is founded. *Ad hoc* tribunals have faced significant legitimacy challenges stemming from perceptions of external imposition and selective justice. The ICTY's location in The Hague and its focus on prosecuting mainly Serbian officials have led some populations to view it as distant and biased⁴⁵. The ICTR, located in Tanzania, faced criticism for its perceived detachment from Rwanda and an almost exclusive focus on prosecuting members of the defeated Hutu regime.⁴⁶

Mixed tribunals have experienced uneven legitimacy. While some have faced scepticism and resistance due to concerns over external influence, partiality, or limited impact, others have gained broader support when their legal authority is rooted in sources recognised at local level, such as national constitutions or agreements between domestic and international actors. Tribunals that involve domestic actors and respect local legal traditions are more likely to be perceived as legitimate, even when supported externally⁴⁷. The ICC's aspiration to universal legitimacy is complicated by political resistance and accusations of bias or interference in sovereign affairs⁴⁸. Of the G20 countries, seven are not parties to the Rome Statute – China, India, Indonesia, the Russian Federation, Saudi Arabia, the USA and Turkey⁴⁹. Some, especially the USA and the Russian Federation, have actively resisted and undermined the ICC's jurisdiction.

There is also ongoing debate on how to ensure accountability for international crimes through complementary international, regional and national mechanisms. Recent policy dialogues and expert fora, such as the 2025 Wayamo Foundation symposium on advancing accountability for international crimes in Africa (held in Nairobi, Kenya), have discussed how regional initiatives could cooperate with or complement international institutions, including the ICC, in addressing crimes committed in contexts such as Sudan⁵⁰. Ultimately, legitimacy is crucial for tribunals' enforcement capabilities and long-term impact, requiring sensitivity to political and societal contexts.

⁴⁴ See S. Ford, '[Complexity and Efficiency at International Criminal Courts](#)', *Emory International Law Review*, Vol 28, No 1, 2014, pp. 1-40.

⁴⁵ D. E. Arzt, '[Views on the Ground: The Local Perception of International Criminal Tribunals in the Former Yugoslavia and Sierra Leone](#)', *The ANNALS of the American Academy of Political and Social Science*, Vol 603, No 1, 2006, pp. 226-239.

⁴⁶ C. M. H. Boost, '[The Legitimacy of the International Criminal Tribunal for Rwanda \(ICTR\)](#)', in T. B. K. Sendze et al. (eds), *Contemporary International Criminal Law Issues*, T.M.C. Asser Press, The Hague, 2023, pp. 99-132.

⁴⁷ S. Yang., '[Can Hybrid Courts Overcome Legitimacy Challenges?: Analyzing the Extraordinary African Chambers in Senegal](#)', *George Mason International Law Journal*, Vol 11, No 1, 2020, pp. 45-80.

⁴⁸ J. P. Perez-Leon-Acevedo et al., '[Ongwen and the Legitimacy of the ICC](#)', *International Criminal Law Review*, Vol 24, No 1, 2024, pp. 81-86; I. Belfencha and M. Hamdani, '[The Legitimacy Trap: Balancing Enforcement and International Cooperation within the International Criminal Court](#)', *Yale Journal of International Affairs*, 2024.

⁴⁹ International Criminal Court, '[The States Parties to the Rome Statute](#)', webpage, nd.

⁵⁰ Wayamo Foundation, '[Wayamo's Symposium on Advancing Accountability for International Crimes in Africa features discussions on Sudan](#)', 16 March 2025.

Victim-centredness: international criminal tribunals have increasingly recognised the importance of addressing victims' rights to truth, justice and reparations⁵¹. The ICTY and ICTR introduced victim participation mechanisms and considered victim impact in sentencing⁵². Mixed tribunals have had an uneven record in this respect. For example, the SCSL acknowledged the vulnerability of victims of crimes such as child recruitment and sexual violence and took steps to address their needs, by for instance tailoring charges and integrating local legal traditions to enhance accessibility and legitimacy⁵³. The ICC has gone even further by embedding victim participation in its procedures, enabling direct testimony and establishing a trust fund for reparations⁵⁴. However, challenges such as delayed proceedings, limited outreach and difficulties in asset recovery continue to limit the outcomes. The degree to which tribunals focus on victims significantly shapes their legitimacy, effectiveness as well as long-term contributions to justice and reconciliation.

Empirical research has further illuminated the performance of international tribunals. For instance, quantitative studies of the ICTY and ICTR found broadly consistent sentencing patterns for similar crimes, suggesting that these courts had developed a degree of uniform practice in punishment. At the same time, analysts have noted that failure to arrest key suspects has significantly weakened deterrence, a point underscored by ICTY officials⁵⁵. Scholars have also examined how tribunals handle evidence and witnesses. One cross-tribunal study of the ICTY and ICTR has indicated that judges followed comparable methods in assessing witness credibility, hinting at emerging 'standard practices' across courts⁵⁶. However, empirical research also reveals some shortcomings. In the SCSL, for example, procedural decisions led to the exclusion of some sexual violence evidence, effectively silencing victims of those crimes in judicial records⁵⁷. These findings relate directly to the four key criteria (effectiveness, legal fairness, legitimacy and victim-centredness). Effectiveness is highlighted by consistent sentencing patterns and the courts' ability to enforce accountability, though limitations in arresting key suspects show constraints in reach and deterrence. Legal fairness is reflected in standardised approaches to evaluating witness credibility, promoting impartiality and procedural consistency. Legitimacy is supported when stakeholders perceive the tribunals as reliable and fair in their practices. Attention to witness protection further

⁵¹ D. Robinson et al., [An Introduction to International Criminal Law and Procedure](#), Cambridge University Press, Cambridge, 2024.

⁵² M. Pena, '[Victim Participation in International Criminal Proceedings](#)', *Max Planck Encyclopedia of International Law*, April 2019.

⁵³ R. Kerr and J. Lincoln, [The Special Court for Sierra Leone Outreach, Legacy and Impact: Final Report](#), *War Crimes Research Group at King's College London*, February 2008.

⁵⁴ See E. Baumgartner, '[Aspects of victim participation in the proceedings of the International Criminal Court](#)', *International Review of the Red Cross*, Vol 90, 2008, pp. 409-440.

⁵⁵ See the speech given by Judge Gabrielle Kirk McDonald, President of the ICTY: ICTY, '[The International Criminal Tribunal for the former Yugoslavia: Making a Difference or Making Excuses?](#)', 12 May 1999.

⁵⁶ B. Holá et al., '[Consistency of international sentencing: ICTY and ICTR case study](#)', *European Journal of Criminology*, Vol 9, No 5, 2012, pp. 539-552; B. Holá et al., '[Is ICTY sentencing predictable? An empirical analysis of ICTY sentencing practice](#)', *Leiden Journal of International Law*, Vol 22, No 1, 2009, pp. 79-97; B. Holá et al., '[International sentencing facts and figures: Sentencing practice at the ICTY and ICTR](#)', *Journal of International Criminal Justice*, Vol 9, No 2, 2011, pp. 411-439; B. Holá, '[Sentencing of International Crimes at the ICTY and ICTR](#)', *Amsterdam Law Forum*, Vol 4, No 4, 2012, pp. 3-24.

⁵⁷ T. Perriello and M. Wierda, '[The special court for Sierra Leone under scrutiny](#)', *International Center for Transitional Justice*, 2006; M. S. Kelsall and S. Stepakoff, '[When we wanted to talk about rape: Silencing sexual violence at the Special Court for Sierra Leone](#)', *The International Journal of Transitional Justice*, Vol 1, No 3, 2007, pp. 355-374.

touches on victim-centredness, ensuring that tribunals consider the needs and rights of those affected by the crimes.

Overall, international criminal tribunals have played a crucial role in shaping the global fight against impunity. In all their diverse institutional forms (*ad hoc*, hybrid and permanent tribunals), they have contributed to refining substantive and procedural legal standards, advancing victims' rights and deterring future atrocities. Yet their impact is uneven and often constrained by political resistance, limited enforcement mechanisms and questions of legitimacy, particularly when justice appears to be externally imposed or selectively applied. Assessing their performance against the four key criteria reveals achievements as well as enduring challenges. Ultimately, while international tribunals cannot offer a complete solution to the complex legacies of mass violence, they remain an essential component of a broader justice and accountability framework.

2.2 Universal jurisdiction

Universal jurisdiction is a principle in international law that enables national courts to investigate and prosecute individuals for serious crimes such as genocide, war crimes and crimes against humanity under international law, regardless of where the crime(s) occurred or what the nationality of the perpetrators or victims was⁵⁸. It rests on the notion that some crimes are so grave that they affect the international community as a whole and thus require a global response. Universal jurisdiction acts as a safety net in the global accountability system, especially when domestic jurisdictions are unable or unwilling to prosecute and when international tribunals lack the necessary jurisdiction or capacity to proceed. It typically operates in a subsidiary manner to international and national territorial or personal jurisdiction and is frequently subject to conditions, such as the suspect's presence on the prosecuting state's territory.

In legal terms, universal jurisdiction derives from customary international law. It is now enshrined in many national legal systems, such as those in Belgium (Criminal Code, 2024), the Czech Republic (Criminal Code, 2009), Germany (Code of Crimes against International Law, 2002), Italy (Criminal Code, 1930 as amended later) or Spain (Organic Law 1/2009)⁵⁹. In recent years, EU Member States have taken the lead in exercising universal jurisdiction. Landmark examples include the Koblenz trial in Germany, where a former Syrian intelligence officer was convicted of crimes against humanity in 2022⁶⁰ as well as the conviction in Helsinki District Court of a Russian soldier for the killing of a wounded Ukrainian soldier in 2025⁶¹.

Belgium, France and Sweden have also initiated universal jurisdiction proceedings against suspected perpetrators from Rwanda, Iraq and Sudan. These cases mark a certain progress in fighting impunity, reflecting both political will and increasing prosecutorial expertise within domestic systems. In this respect, the European Parliament has been especially vocal in

⁵⁸ J. Krebs et al., [Universal jurisdiction and international crimes: Constraints and best practices](#), Workshop, *European Parliament's Policy Department for External Relations*, PE 603.878, September 2018; H. D. Gould, [The Legacy of Punishment in International Law](#), Palgrave Macmillan, New York, 2010.

⁵⁹ See Eurojust, [At a Glance: Universal Jurisdiction in EU Member States](#), 2023.

⁶⁰ European Center for Constitutional and Human Rights, ['First criminal trial worldwide on torture in Syria before a German court'](#), webpage, nd.

⁶¹ Helsinki District Court, [Case number R 706/2024/11203](#), Judgment, 14 March 2025.

encouraging the use of universal jurisdiction by EU Member States. In 2021, the European Parliament already affirmed that 'the EU should encourage and support efforts in national and international jurisdictions to launch criminal proceedings to hold Russian military and paramilitary groups accountable for violations and crimes, including war crimes, committed against civilians during operations in various countries, such as Syria, the Central African Republic and Libya'⁶².

While it is of course important to assess universal jurisdiction in light of the four criteria (effectiveness, legal fairness, legitimacy and victim-centredness), the diversity of national legal models means that its implementation and impact can vary considerably across jurisdictions.

Effectiveness: universal jurisdiction can serve as a powerful and indispensable mechanism for addressing crimes under international law whose perpetrators would otherwise evade justice due to jurisdictional *lacunae* (gaps in the law). Extending the possibility of prosecuting beyond limits set by the classical principles of territoriality and personality helps to close accountability gaps. This is particularly the case for high-level perpetrators in contexts where international tribunals are either blocked by political obstacles or lack physical access to crime scenes and where domestic courts in the relevant state are unwilling or unable to proceed. Yet, the operational effectiveness of universal jurisdiction remains uneven and selective. Its application is often contingent on prosecutorial discretion and political considerations⁶³. For instance, while Germany, Sweden and Belgium have pursued trials of Syrian nationals for war crimes and crimes against humanity, most other states with universal jurisdiction laws have not opened any such cases. The 2025 International Federation for Human Rights' report on universal jurisdiction found that although dozens of states have enabling legislation, only 16 currently have active proceedings, with new investigations concentrated overwhelmingly in a handful of European jurisdictions⁶⁴.

This concentration reflects structural and political factors. Investigations require significant resources, specialised war crimes units and access to evidence often collected in exile communities or through international non-governmental organisations. Moreover, prosecutions often hinge on the political will of host governments. For instance, cases against Syrian officials or members of armed groups have proceeded in Germany partly because large numbers of Syrian refugees reside there, making evidence and witnesses accessible. By contrast, countries without such connections or strong prosecutorial independence tend not to pursue cases at all. The consequence of this variability undermines consistency, limits the deterrent impact of universal jurisdiction and risks generating perceptions of arbitrariness or even politicisation. Powerful actors may remain insulated while accountability falls disproportionately on perpetrators from weaker states. Thus, while universal jurisdiction possesses unique strengths as a complementary tool to international tribunals, its potential remains constrained without broader international coordination, adequate resources and stronger political commitment across jurisdictions.

Legal fairness: most EU Member States that apply universal jurisdiction adhere to rigorous procedural safeguards aligned with international standards, ensuring due process and fair trial

⁶² European Parliament, [Recommendation on the direction of EU-Russia political relations \(2021/2042\(INI\)\)](#), P9_TA(2021)0383, 16 September 2021.

⁶³ K. Lantz, '[Universal Jurisdiction: A Means to End Impunity or a Threat to Friendly International Relations?](#)', *George Washington International Law Review*, Vol 42, 2012, pp. 419-466.

⁶⁴ International Federation for Human Rights, [Universal Jurisdiction Annual Review](#), 2025.

guarantees⁶⁵. However, practical challenges persist, including language barriers, cultural dislocation and difficulties in collecting reliable evidence or securing witness testimony from conflict-affected regions. These factors can compromise the quality and equity of proceedings. Trials conducted *in absentia* pose significant risks to fairness and due process by limiting the ability to challenge evidence, present defence and participate fully, while also complicating communication and cultural understanding. Hence, robust safeguards such as retrial opportunities are crucial in preventing miscarriages of justice.

These challenges suggest that EU Member States' judicial systems require targeted reforms if universal jurisdiction is to function as a credible and equitable mechanism. Reform does not mean dismantling existing systems but rather strengthening their ability to handle the complexities of international crimes. Dedicated war crimes units with expertise in international criminal law, trauma-informed witness handling and cultural sensitivity can help ensure consistency and impartiality. At the same time, fair proceedings depend on reliable access to evidence, which calls for deeper regional and international cooperation to facilitate cross-border collection, preservation and sharing of materials that would otherwise be inaccessible. Equally vital is comprehensive support for victims and witnesses, including interpretation, psychological care and protection measures, without which testimony may be both unsafe and unreliable. Finally, a more consistent approach across EU jurisdictions is needed regarding *in absentia* trials, retrial guarantees and evidentiary standards in order to avoid perceptions of arbitrariness and enhance mutual trust.

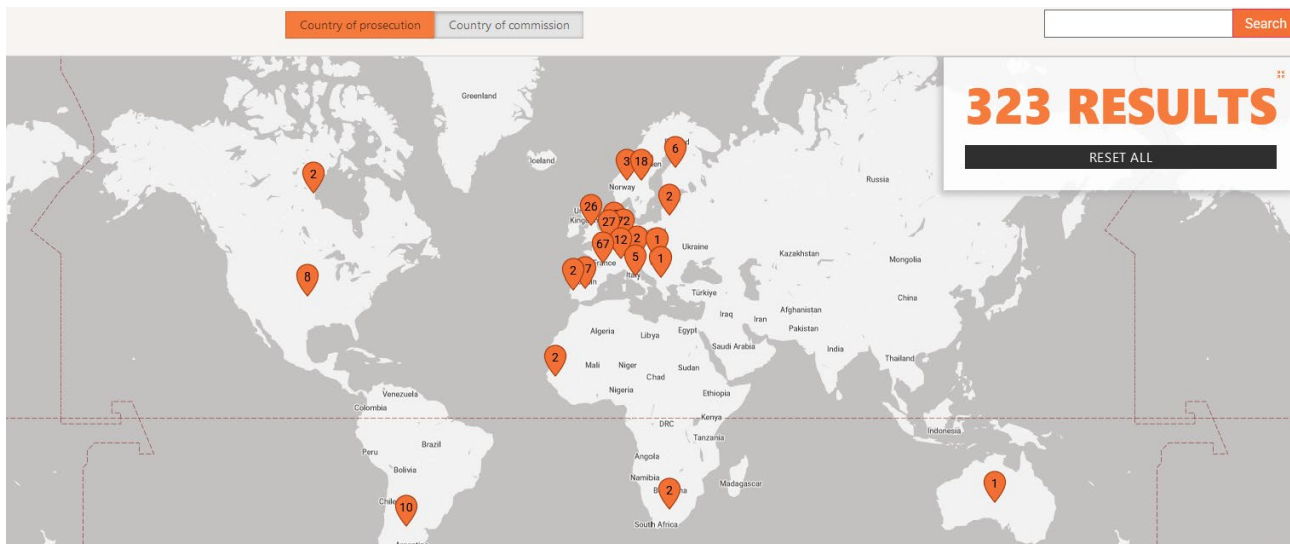
At the same time, universal jurisdiction can realise its potential only if more states are encouraged to incorporate it into their legal orders. Presently, active proceedings remain concentrated in a limited number of jurisdictions, leaving accountability gaps where other states lack either the legislative basis or the political will to act. Encouraging broader domestic adoption of universal jurisdiction, accompanied by reforms that strengthen fairness and procedural rigour would help reduce disparities, enhance consistency across jurisdictions and ensure that international crimes do not go unpunished merely because they occur outside traditional territorial or nationality-based limits.

Legitimacy: the legitimacy of universal jurisdiction is multifaceted and contested. Normatively, universal jurisdiction is grounded in customary international law and linked to the criminalisation of crimes under international law. Human rights defenders and victims' organisations often endorse universal jurisdiction as a vital tool for justice. Yet, political acceptance varies widely, with cases against officials from powerful states generating diplomatic tensions and accusations of judicial overreach.

Critics sometimes frame universal jurisdiction as a form of 'judicial imperialism', particularly where prosecutions appear selective or politically motivated⁶⁶. Selectivity refers to the uneven application of universal jurisdiction across states and cases. Although many states possess legislation enabling such prosecutions, in practice proceedings are concentrated into a handful of jurisdictions, while

⁶⁵ See Art 6, Council of Europe, [European Convention on Human Rights](#), 1 August 2021; Arts 47-50, EU, [Charter of Fundamental Rights of the European Union](#), *Official Journal of the European Communities*, C 364/1, 18 December 2000.

⁶⁶ D. Ahdab, ['Universal Jurisdiction: Jurisdictional Imperialism or Syria's Only Hope for Justice?'](#), *Columbia Journal of Transnational Law*, 2021.



Source: TRIAL INTERNATIONAL, [Visual presentation of global prevalence of universal jurisdiction by country of prosecution](#), October 2025.

Victim-centredness: victim engagement has become an increasingly important dimension within universal jurisdiction cases. Recent cases in countries such as Germany and France exemplify a shift toward including victim testimony, formally recognising the harms suffered and enabling victims to participate as civil parties. However, significant practical limitations, such as geographical distance from conflict zones, language difficulties and resource constraints continue to impede full victim participation. Furthermore, unlike international tribunals or prosecution in the territorial/nationality state, universal jurisdiction proceedings in foreign countries often cannot rely on holistic reparative frameworks. This highlights the urgent need for improved coordination with other mechanisms, including reparations programmes and psychosocial support services, to address victims' interests and promote broader restorative justice.

In recent years, universal jurisdiction has emerged as an essential instrument within the international justice framework, providing a pathway to accountability when domestic courts or international tribunals are unable or unwilling to act. By facilitating prosecutions that transcend traditional territorial and nationality-based limits, it reinforces the principle that certain crimes are so grave they offend the conscience of humanity and must not go unpunished. The increasing use of universal jurisdiction in some national systems demonstrates a growing capacity and commitment to pursue justice for crimes committed abroad by foreign perpetrators. While the mechanism presents complex logistical and legal challenges, these do not diminish its importance as a complementary tool to international tribunals and domestic justice systems. Its effectiveness is enhanced when legal frameworks are robust, prosecutorial independence is upheld and victim participation is meaningfully supported.

The long-term value of universal jurisdiction depends on its consistent, transparent and equitable application across jurisdictions, ensuring that accountability is accessible and credible rather than perceived as selective. When fully supported by coordinated international cooperation, procedural safeguards and resources for victim engagement, it can operate as a powerful mechanism for deterrence, reparations and broader restorative justice. Far from being a peripheral or experimental

tool, universal jurisdiction represents a vital extension of the international community's commitment to ensuring that serious crimes do not go unpunished, wherever they occur.

2.3 Transitional justice

Transitional justice refers to a set of processes and mechanisms deployed by states transitioning from conflict or authoritarian rule to peace or democratic systems to address legacies of (often massive) human rights violations committed in a previous period⁶⁸. Its aims are to uncover truth, hold perpetrators accountable, provide reparations to victims, reform abusive institutions and foster reconciliation. Unlike international criminal tribunals or universal jurisdiction, transitional justice operates primarily at a domestic level and is deeply embedded in local political, legal and cultural contexts. Its strengths lie in its flexibility and capacity to adapt to the specific needs and histories of affected communities. There is no 'one-model-fits-all' in transitional justice. Hence, approaches must be context-specific, balancing international norms with local realities to ensure legitimacy, effectiveness and long-term impact.

Transitional justice includes a range of tools: criminal prosecutions, truth and reconciliation commissions, reparations programmes, vetting or lustration of public officials, institutional reforms and guarantees of non-repetition. These tools can be judicial or non-judicial and can be used concurrently or sequentially. A defining feature is their holistic approach, seeking not only the condemnation of perpetrators or reparations for victims, but also societal transformation. While some processes, such as lustration or reparations, focus on administrative or material outcomes, others, such as truth commissions, aim to build a shared historical narrative and collective memory, both essential for rebuilding trust.

Recent examples illustrate the evolving landscape of domestic transitional justice. In Colombia, for example, the Special Jurisdiction for Peace (JEP) continues to investigate war crimes committed during the armed conflict between the government and the Fuerzas Armadas Revolucionarias de Colombia (FARC) guerrillas, ongoing for around 50 years from the mid-1960s, offering a mix of restorative and retributive justice. In South Africa, the 1990s Truth and Reconciliation Commission's (TRC) legacy still informs ongoing institutional reforms and memory work. Tunisia's 2014 Truth and Dignity Commission attempted to confront decades of authoritarian abuse. Transitional justice plans are emerging in Ukraine and Ethiopia as part of broader peace and justice frameworks. These plans show both the promise and fragility of transitional justice in addressing deep societal wounds. Transitional justice should also be assessed in light of the four core criteria (effectiveness, legal fairness, legitimacy and victim-centredness) used in this paper. Similarly, as with the previous accountability mechanisms, the diversity of national experiences and institutional models means that outcomes can vary widely, hence generalisations must be approached with caution.

Effectiveness: transitional justice mechanisms produce vastly different levels of effectiveness, not only in addressing impunity but also in preventing future crimes and violations of human rights standards. Domestic criminal prosecutions can play a key role, particularly when supported by robust institutions and sustained political will, as demonstrated by Colombia's JEP. In this regard, a recent report by the Human Rights Watch noted that the JEP had 'made significant strides': by

⁶⁸ M. Newman, *Transitional Justice: Contending with the Past*, Polity, Cambridge, 2019; G. Werle and M. Vormbaum, *Transitional Justice: The Legal Framework*, Springer, Berlin, 2022.

2022 it had charged former top FARC commanders with kidnapping and army officers with thousands of false positive killings, demonstrating that domestic prosecutions can reach high-level perpetrators when there is a political commitment to accountability⁶⁹. These false positive cases refer to systematic killings in which civilians – often young men from low-income communities – were deceived with offers of employment, then executed by members of the armed forces. The victims' bodies were later staged to resemble fallen insurgents, with weapons or military clothing placed beside them to simulate combat deaths. As reported by Trial International, these crimes were committed to inflate military success statistics and create the illusion that the army was gaining ground in the conflict⁷⁰. Conversely, other cases highlight what happens when those conditions are absent. In this regard, Ethiopia's transitional justice process shows the pitfalls of limited inclusiveness: despite the government adopting a Transitional Justice Policy of Ethiopia in 2024, observers have warned that concurrent crackdowns on civil society and media oversight have eroded public trust in the process⁷¹.

In many contexts, prosecutions are infrequent, with focus on lower-level perpetrators being constrained by political compromise or plagued with selectivity or 'victors justice'. Truth commissions and reparations programmes can complement legal accountability by exposing structural violence and recognising victim suffering, but they cannot substitute for judicial proceedings. Lustration can serve as an important tool for institutional reform and rebuilding public trust, but it must be carefully implemented to avoid arbitrariness, as well as politically manipulating and alienating large groups of individuals. Memory initiatives, such as museums and public education campaigns, may play a critical role in preserving historical truth but it should not be turned into a one-way narrative that reinforces the perspective of a single group or legitimises selective interpretations of the past. The key challenge is still to balance the political realities of transition with meaningful accountability in societies where justice systems are fragile or where elites retain significant power.

Legal fairness: ensuring legal fairness in transitional justice processes is critical. Yet, achieving it presents complex challenges. Some national legal systems incorporate robust procedural safeguards closely aligned with international standards, including rights to legal counsel, access to evidence and the ability to appeal, thereby promoting confidence in both domestic and international audiences. By contrast, other jurisdictions rely on exceptional laws, expedited procedures or amnesty provisions that, while intended to facilitate reconciliation or expedite proceedings, may compromise fair trial guarantees and raise questions about the legitimacy of outcomes. Hybrid mechanisms, such as Colombia's JEP, illustrate innovative approaches to balancing fairness with the practical realities of post-conflict contexts. By combining restorative elements such as sentence reductions for full confessions and reparative actions with conventional retributive mechanisms, these systems attempt to reconcile the need for accountability with broader societal imperatives for peace and reconciliation.

⁶⁹ See Human Rights Watch, [Colombia: Events of 2022](#), in *World Report 2023*, 2024.

⁷⁰ Trial International, [2025 Universal Jurisdiction Annual Review](#), 2025, p. 16.

⁷¹ T. Gashaw, '[A Sisyphean Task? Implementing Transitional Justice Amid Continuous Democratic Backsliding](#)', *Verfassungsblog*, 17 February 2025.

However, such innovations often attract criticism. Victims, civil society and international observers sometimes argue that restorative incentives risk privileging expediency or political compromise over the full demands of justice, or that sentences may appear disproportionate relative to the gravity of crimes committed. Upholding impartiality, transparency and legal clarity is therefore essential, not only to protect the rights of accused persons but also to sustain public confidence in the integrity of transitional justice processes. Strengthening fairness also requires investment in judicial capacity, including specialised training in international criminal law, trauma-informed approaches for handling witnesses and culturally sensitive procedures that accommodate diverse populations. Ultimately, a commitment to legal fairness is foundational: it ensures that transitional justice mechanisms achieve legitimacy, contribute to the rule of law and foster societal trust, making accountability durable and credible rather than symbolic or contested.

Legitimacy: the legitimacy of transitional justice depends to a large extent on local ownership, inclusiveness and responsiveness to public expectations. Transitional justice tools which are seen as externally imposed or controlled by political elites often face significant challenges in gaining public trust and meaningful engagement. Conversely, processes that actively involve civil society organisations, incorporate the voices and experiences of victims and are implemented with transparency are more likely to be regarded as legitimate. Moreover, legitimacy is closely tied to the ability of transitional justice to deliver tangible, positive outcomes that resonate deeply with affected communities. Although strong commitment from the state is essential to support these efforts, the ultimate measure of legitimacy lies in how well transitional justice initiatives reflect and respond to lived realities, the needs and demands of people they are intended to serve.

Practical examples illustrate how legitimacy can be built, or undermined, through design and implementation. In South Africa, the TRC gained widespread legitimacy in part because it actively engaged victims, incorporated public hearings and allowed perpetrators to confess in exchange for amnesty, thereby demonstrating responsiveness to both societal demands for accountability and reconciliation. In contrast, transitional justice efforts in some post-conflict states, for instance in Sierra Leone or Liberia, have faced criticism for being perceived as externally driven or elite-controlled, leading to limited public trust and engagement. These examples highlight that legitimacy is not only a normative goal but a practical outcome. When processes are inclusive, transparent and responsive to local needs, they foster public confidence, encourage participation and enhance the sustainability of transitional justice outcomes.

Victim-centeredness: this constitutes a core aspiration and strength of transitional justice, though its implementation frequently falls short. When meaningfully designed and resourced, such mechanisms can offer recognition, justice and reparations that contribute to both personal healing and broader social reconciliation. The inclusion of victims as active participants in truth-telling, legal processes and reparative programmes enhances the legitimacy and effectiveness of transitional justice initiatives. For example, South Africa's TRC diligently involved victims in public hearings whilst Colombia's JEP incorporates victims in case selection and reparative programmes. However, many mechanisms fall short due to limited outreach, poor consultation or symbolic gestures that fail to translate into material or psychological support. To be genuinely victim-centred, transitional justice must prioritise sustained engagement, tailored support and structural redress that improves victims' lives and restores their dignity.

The EU and the European Parliament have also made support for transitional justice a policy priority. The European Parliament's 2019 resolution on conflict prevention explicitly called for integrating transitional justice into EU foreign and development policies⁷². Furthermore, during a mission to Ethiopia in 2023, DROI members 'expressed Parliament's support for the establishment of a victim-centred, impartial and independent transitional justice policy'⁷³. Moreover, when it comes to the case of Syria, the European Parliament has similarly called for accountability and truth for victims. In 2021, it urged the creation of an international mechanism to locate Syria's missing and disappeared persons⁷⁴. This approach aligns with best practices identified by the UN and practitioners, ensuring that post-conflict societies receive support to rebuild trust and address victims' needs beyond the courtroom. Survey results have revealed that transitional justice faces challenges such as balancing the inclusion of perpetrators with victims' trauma and social stigma. Regrettably, victims' participation in truth commissions and restorative justice is often hindered by psychological, financial, social and legal barriers.

Overall, transitional justice represents a complex and multifaceted accountability mechanism aimed at addressing the legacies of past human rights violations, while fostering societal healing and transformation. Its success hinges on balancing diverse goals (accountability, truth, reparations, institutional reform and reconciliation) within the unique political, cultural and historical contexts of affected societies. The effectiveness, legal fairness, legitimacy and victim-centredness of transitional justice mechanisms are essential criteria for assessing their impact, yet these qualities often vary across different national experiences. While challenges remain, especially in ensuring genuine local ownership and meaningful participation for victims, transitional justice offers a vital pathway for societies striving to confront past abuses and build more just and inclusive futures. Sustained political will, inclusive dialogue and context-sensitivity are essential to ensure that transitional justice fulfils its transformative potential.

3 Case studies

This section examines a range of case studies to explore how different accountability mechanisms have been applied in response to serious crimes committed during armed conflicts. By analysing experiences both within and outside Europe, the aim is to draw practical insights into the evolving landscape of international justice, namely the challenges justice faces and the lessons learned. The former Yugoslavia provides a foundational example, highlighting the ICTY's legacy and its complementary domestic efforts. Ukraine's ongoing activities offer a contemporary and complex case of accountability during active conflict, involving a mix of national and international legal tools. Selected cases from Sudan, the DRC, Syria, Colombia and the Israeli-Palestinian context further illustrate how diverse regions address mass atrocities under varying legal, political and institutional constraints. Taken together, these case studies illuminate the multifaceted nature of national and international efforts to end impunity and ensure accountability across different contexts.

⁷² European Parliament, [Resolution on building EU capacity on conflict prevention and mediation \(2018/2159\(INI\)\)](#), P8_TA(2019)0158, 12 March 2019.

⁷³ See European Parliament, [Activity Report \(2019-2024\)](#), DROI Subcommittee Secretariat, 2024.

⁷⁴ European Parliament, [Resolution on the Syrian conflict – 10 years after the uprising \(2021/2576\(RSP\)\)](#), P9_TA(2021)0088, 11 March 2021.

3.1 Case study 1: The former Yugoslavia

Breakup of the former Yugoslavia in the 1990s was accompanied by a series of violent conflicts marked by mass atrocities, ethnic cleansing and grave breaches of international humanitarian law. In response to these atrocities, the international community as well as individual countries took unprecedented steps to ensure accountability and justice. All three mechanisms to fight impunity and ensure accountability (international criminal tribunals, universal jurisdiction and transitional justice) were employed to address crimes committed during the conflicts.

International criminal tribunals: one of the most significant developments was the establishment of the ICTY by the UNSC in 1993. This was the first international criminal tribunal since the Nuremberg and Tokyo trials; its creation became a true turning point in the evolution of international criminal justice. The ICTY indicted 161 individuals, including high-level political and military leaders such as Slobodan Milošević, Radovan Karadžić and Ratko Mladić. Its work helped to establish key legal 'precedents' in international criminal law, including a refined definition of genocide, command responsibility and crimes against humanity⁷⁵. Beyond the ICTY, two hybrid mechanisms were also developed. The War Crimes Chamber (WCC)⁷⁶ within the state court of Bosnia and Herzegovina, was established in 2005 with support from the international community. This mechanism is designed to continue the ICTY's work by dealing with mid- and lower-level perpetrators. The Kosovo Specialist Chambers (KSC), were established during 2016 in The Hague with EU support, designed to investigate and prosecute crimes attributed to members of the Kosovo Liberation Army⁷⁷. The KSC operates under Kosovan law but is staffed by international judges and prosecutors to ensure impartiality. The WCC and KSC represent unique hybrid institutions that balance domestic legal frameworks with international oversight⁷⁸.

Universal jurisdiction: in parallel with the ICTY's efforts and those of the two hybrid tribunals, the principle of universal jurisdiction emerged as an important complementary tool in the fight against impunity for crimes committed during the conflicts in the former Yugoslavia. A number of countries including Germany, Austria, Switzerland, Sweden and Norway initiated domestic prosecutions against individuals suspected of involvement in atrocities during the Yugoslav wars, mostly when suspects were found residing within their territory. However, such proceedings often encountered legal and logistical challenges⁷⁹. These included: the absence of specific international crimes in

⁷⁵ B. Swart et al., *The Legacy of the International Criminal Tribunal for the Former Yugoslavia*, Oxford University Press, Oxford, 2011; J. Gow et al., *Prosecuting War Crimes Lessons and legacies of the International Criminal Tribunal for the former Yugoslavia*, Routledge, New York, 2017.

⁷⁶ See B. Ivanišević, *The War Crimes Chamber in Bosnia and Herzegovina: From Hybrid to Domestic Court*, *International Center for Transitional Justice*, October 2008.

⁷⁷ J. Gow et al., *Prosecuting War Crimes Lessons and legacies of the International Criminal Tribunal for the former Yugoslavia*, Routledge, New York, 2017.

⁷⁸ See also Human Rights Watch, *Looking for Justice: The War Crimes Chamber in Bosnia and Herzegovina*, 7 February 2006; J. N. Clark, 'The Impact Question: The ICTY and the Restoration and Maintenance of Peace', in B. Swart et al. (eds), *The Legacy of the International Criminal Tribunal for the Former Yugoslavia*, Oxford University Press, Oxford, 2011, pp. 55-81.

⁷⁹ See for instance C. C. Joyner, 'Arresting Impunity: The Case for Universal Jurisdiction in Bringing War Criminals to Accountability', *Law and Contemporary Problems*, Vol 59, 1996, pp. 153-172; T. Galli, 'Universal Jurisdiction or Regional Lawfare', *EJILTalk*, 1 June 2016.

domestic criminal codes at the time when the crimes were committed; difficulties in obtaining reliable evidence from conflict zones; as well as complexities in ensuring witness/victims protection and their participation in judicial proceedings abroad. However, despite limitations prosecution for crimes committed during the wars in the former Yugoslavia marked the first large-scale use of universal jurisdiction in relation to armed conflict-related atrocities.

Transitional justice: within virtually all the new states created after the dissolution of Yugoslavia, transitional justice mechanisms were sooner or later put in place⁸⁰, albeit these mechanisms varied in scope and levels of success. Bosnia and Herzegovina has been the most active, with a structured national war crimes strategy and ongoing prosecutions at various levels. However, political fragmentation and ethnic divisions continue to challenge the implementation of a unified narrative and consistent judicial practices⁸¹. Serbia has also prosecuted various cases domestically but has faced criticism for selective justice and nationalist rhetoric that undermines reconciliation⁸². Croatia, while prosecuting a number of war crimes, has seen limited accountability for crimes committed by its own forces⁸³. In Kosovo, though, transitional justice remains constrained by political sensitivities, especially concerning the Kosovo Liberation Army's role in the conflict⁸⁴. Non-judicial measures, such as truth-seeking, reparations and memorialisation, have often been overshadowed by nationalist politics and have struggled to gain widespread support. Despite that, there have been initiatives, often promoted by civil society organisations, aimed at preserving memory, advocating for victims and promoting interethnic dialogue.

When assessed against the core criteria of effectiveness, legal fairness, legitimacy and victim-centredness, the post-Yugoslav justice mechanisms reveal a complex picture. The ICTY stands out for its relative effectiveness in ending impunity, having indicted and prosecuted high-profile perpetrators who might otherwise have escaped justice. However, limited challenges to legal fairness have emerged, particularly regarding lengthy trial processes. The ICTY's international stature lent it considerable legitimacy in the eyes of the global community, although this legitimacy was more contested locally where ethnic and political divisions sometimes fuelled perceptions of victor's justice. The hybrid tribunals (WCC and KSC) have sought to ensure impartiality by blending international rule and expertise with domestic equivalents, yet they too have struggled to achieve

⁸⁰ N. Zupan, '[Facing the Past and Transitional Justice in Countries of Former Yugoslavia, Peacebuilding and Civil Society in Bosnia](#)', in M. Fischer (ed), *Peacebuilding and Civil Society in Bosnia-Herzegovina: Ten Years after Dayton*, Lit Verlag, Münster, 2006, pp. 327-342; G. Zyberi and J. Letnar Cernic, '[Transitional Justice Processes and Reconciliation in the Former Yugoslavia: Challenges and Prospects](#)', *Nordic Journal of Human Rights*, Vol 33, No 2, 2015, pp. 132-157.

⁸¹ S. Kappler and O. Richmond, '[Peacebuilding and Culture in Bosnia and Herzegovina: Resistance or emancipation?](#)', *Security Dialogue*, Vol 42, No 3, 2011, pp. 261-278; D. Lai, '[Transitional Justice and Its Discontents: Socioeconomic Justice in Bosnia and Herzegovina and the Limits of International Intervention](#)', *Journal of Intervention and Statebuilding*, Vol 10, No 3, 2016, pp. 361-381.

⁸² J. Obradovic-Wochnik, '[The 'Silent Dilemma' of Transitional Justice: Silencing and Coming to Terms with the Past in Serbia](#)', *International Journal of Transitional Justice*, Vol 7, No 2, 2013, pp. 328-347.

⁸³ I. Sokolić, '[Transitional Justice in Croatia](#)', in O. P. Richmond and G. Visoka (eds), *The Palgrave Encyclopedia of Peace and Conflict Studies*, Palgrave Macmillan, Cham, 2020.

⁸⁴ See Republic of Kosovo, '[Strategy on Transitional Justice 2024-2034](#)', *Ministry of Justice of the Republic of Kosovo*, nd.

efficiency and gain full legitimacy among populations which remain divided by the conflict's legacy⁸⁵.

Universal jurisdiction prosecutions played a valuable, albeit rather limited, complementary role in broadening the scope of accountability. However, their effectiveness was constrained by legal hurdles and logistical difficulties, together with questions about fairness and victim participation that were raised given the distance between affected communities and foreign courts. Transitional justice mechanisms at the national level have been the most directly engaged with victims and local populations, contributing to a degree of victim-centredness through truth-seeking and reparations initiatives. Yet, these processes have often been hindered by political fragmentation, ethnic nationalism and inconsistent application of justice, limiting both their effectiveness in ending impunity and their perceived legitimacy across communities. Overall, while these combined mechanisms have collectively advanced accountability and provided important avenues for redress, significant challenges persist. The region has certainly not yet fully come to terms with its past.

3.2 Case study 2: Ukraine

Since Russia's full-scale invasion of Ukraine in February 2022, the international community has been engaged in an unprecedented effort to address large-scale violations of international law. From the unlawful annexation of Crimea in 2014 to atrocities committed during the ongoing full-scale war, Ukraine has become a litmus test for the global system of international criminal justice. While the conflict rages on, with no end in sight, efforts to hold the perpetrators accountable and provide relief for victims have rapidly evolved, both domestically and internationally. Yet, as transitional justice typically occurs after conflicts end, it is still too early to assess the long-term effects of these mechanisms fully. Nevertheless, the Ukrainian case already represents a complex convergence of domestic prosecutions, international criminal proceedings, universal jurisdiction and emerging models of accountability.

International criminal tribunals: the ICC has played an important role in the search for accountability *vis-à-vis* crimes committed in Ukraine⁸⁶. Although Ukraine was not a full party to the Rome Statute until January 2025, it had accepted the court's jurisdiction through declarations in 2014 and 2015⁸⁷. These allowed the ICC to start investigating crimes committed on Ukrainian territory since the outbreak of Russia's full-scale aggression on 24 February 2022. In March 2023, the court issued arrest warrants for Russian President Vladimir Putin and Maria Lvova-Belova for the unlawful deportation of Ukrainian children. By summer 2025, four other arrest warrants has been issued for senior Russian military leaders, including Sergei Shoigu and Valery Gerasimov, for alleged war crimes, demonstrating the ICC's willingness to target top officials. However, ICC trials

⁸⁵ Research by independent scholars found that while victims' communities in Bosnia generally credited the tribunal for convicting major war criminals, significant portions of the Serbian public viewed the ICTY as biased and were less reconciled. Such findings highlight that perceptions of legitimacy can vary – even a tribunal effective on paper can be seen as lacking fairness by some constituencies, affecting its impact on reconciliation. See S. Kutnjak Ivkovich and J. Hagan, '[Legitimacy of International Courts in the Aftermath of War Crimes and Crimes Against Humanity: Victims' Evaluations of the ICTY and Local Courts in Bosnia and Herzegovina](#)', *Social Science Research Network*, 26 June 2015.

⁸⁶ See ICC, '[Ukraine](#)', webpage, nd.

⁸⁷ Agency for Legislative Initiatives, '[Ukraine's Path to Ratification of the Rome Statute](#)', 10 January 2025.

cannot proceed *in absentia*, meaning that these cases cannot move forward unless the accused are surrendered to The Hague.

In June 2025, a new STCAU was formally established under a bilateral treaty signed by Ukraine and the Council of Europe. The EU has played a pivotal role in advancing this initiative, mobilising political support among its Member States and contributing institutionally through the creation of the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA) in The Hague. The ICPA served as a crucial platform for preparatory legal and investigative work leading to the Tribunal's establishment. In addition, the Council of Europe's legal service collaborated closely with EU legal experts in drafting, reviewing and finalising the legal framework for the Special Tribunal⁸⁸.

The tribunal has jurisdiction over individuals bearing the greatest responsibility for initiating and executing the war of aggression, namely political and military leaders. It is designed to complement the ICC, which is unable to prosecute the crime of aggression against Ukraine due to jurisdictional limitations. While the STCAU must respect personal immunities afforded to the so-called troika (head of the state, prime minister and the minister of foreign affairs during their terms of office)⁸⁹, it is not bound by functional immunities and is empowered to conduct trials *in absentia*. The STCAU is expected to begin operating in the second half of 2025 and will likely become the first international court since the post Second World War Nuremberg and Tokyo trials to convict individuals for the crime of aggression (formerly known as crimes against peace).

Moreover, this time the international community has focused not only on prosecuting perpetrators, but it has also sought to establish a comprehensive system for documenting and compensating harms caused to victims by the conflict. Central to this effort so far is an international Register of Damage⁹⁰ created under the Council of Europe's umbrella, which records verified claims of physical, psychological and material losses suffered by individuals, legal persons and Ukraine. This register will form the basis for a broader compensation mechanism, which will also include a claims commission and a financial fund designed to provide timely and effective reparations. The initiative emphasises a victim-centred, inclusive approach aligned with international legal standards. While key details such as funding sources and procedures are still under development, this evolving framework aims to deliver holistic justice by combining accountability with meaningful reparations for those affected.

Universal jurisdiction: in addition to the ICC, various states inside and outside Europe have launched investigations into crimes committed in Ukraine under the principle of universal

⁸⁸ Council of Europe, '[Frequently Asked Questions - Special Tribunal for the Crime of Aggression against Ukraine. Question 11. How is the EU involved?](#)', webpage, 2025.

⁸⁹ Para 51, International Court of Justice, [Arrest Warrant of 11 April 2000 \(Democratic Republic of the Congo v. Belgium\), Judgment](#), 14 February 2002; International Law Commission, [Draft Article 3 on the Immunity of State officials from foreign criminal jurisdiction, Texts and titles of the draft articles adopted by the drafting committee on first reading](#), A/CN.4/L.969, 31 May 2022.

⁹⁰ See Council of Europe, '[Register of Damage for Ukraine](#)', website, nd. At the time of drafting of this paper (September 2025), negotiations are taking place on the launch of the compensation mechanism. See M. Yemets, '[Final round of talks on compensation mechanism for Ukraine reportedly begins in The Hague](#)', *European Pravda*, 9 September 2025.

jurisdiction⁹¹. Argentina, Austria, Canada, Czechia, Estonia, Finland, France, Germany, Latvia, Lithuania, Norway, Poland, Spain, Sweden, Switzerland, the UK and the USA are currently among such states⁹². Certain countries, such as France, have also engaged in investigations based on passive personality principle (the nationality of victims). The first person to be convicted of war crimes in relation to the conflict in Ukraine was Voislav Torden (previously known as Yan Petrovsky), a commander in the neo-Nazi Rusich paramilitary group, a sub-unit of the Wagner group. He was sentenced in March 2025 to life imprisonment by the court in Helsinki, Finland, for killing a wounded Ukrainian soldier and for acts of torture⁹³. Other national courts are likely to follow Finland's lead in prosecuting crimes related to the Ukraine conflict in the months and years ahead.

Transitional justice: Ukraine itself has undertaken an ambitious effort to prosecute crimes committed during the conflict within its national justice system. Ukrainian prosecutors have already recorded over 150 000 alleged international crimes since 2022 and by 2025 hundreds of indictments had been filed, with a significant number of convictions⁹⁴. Many trials are conducted *in absentia* due to the inaccessibility of suspects, especially Russian military personnel. This has prompted some debate over the fairness and efficacy of such proceedings. The war has placed enormous strain on the Ukrainian judicial system, with many courts destroyed or non-operational and judicial vacancies affecting case processing. International support, including judicial training and forensic assistance, has been critical but insufficient to bridge capacity gaps fully. To complement the Register of Damage's operation, Ukraine has enacted laws addressing urgent reparation needs, specifically for survivors of conflict-related sexual violence, offering compensation, medical care and psychological support. Other transitional justice tools, such as lustration, are likely to be used more prominently in future.

When assessed in light of the core criteria – effectiveness, legal fairness, legitimacy and victim-centredness – the evolving accountability framework for Ukraine demonstrates a remarkable, though still incomplete, response to large-scale international crimes. The combined efforts of the ICC, domestic prosecutions, universal jurisdiction and the newly established STCAU represent a bold and multifaceted attempt to end impunity, even while the conflict persists. Arrest warrants for top Russian leaders signal a strong commitment to accountability at the highest levels. However, the inability to apprehend most suspects, particularly due to political realities, limits the short-term effectiveness of these efforts. Legal fairness is being tested, especially in Ukraine's widespread use of *in absentia* trials, which raises legitimate concerns about due process. At the same time, significant international support and capacity-building have helped bolster judicial integrity and reduce bias within Ukraine's overwhelmed system.

The legitimacy of these mechanisms is notably high in the international community's eyes, which has mobilised unprecedented political and institutional support. Among affected Ukrainian populations, efforts to prosecute perpetrators and document harm have generally been perceived

⁹¹ A. Bardelle and A. Mora, ['No safe haven' is not enough – universal jurisdiction and Russia's war of aggression](#), *EJILTalk*, 26 February 2025.

⁹² See Global Rights Compliance, ['Ukraine Universal Jurisdiction Map'](#), webpage, 1 July 2025.

⁹³ Z. Fatima, ['Russian sentenced to life for war crimes in Ukraine'](#), *BBC News*, 14 March 2025.

⁹⁴ M. Eckel and S. Stetsenko, ['Ukraine Alleges 150,000 Possible Russian War Crimes. Here Are 5 Of The Worst'](#), *Radio Free Europe*, 5 March 2025.

as both necessary and just, though scepticism persists in some quarters regarding the impartiality of domestic courts⁹⁵. Establishing the Register of Damage and plans for a comprehensive reparation framework underscore a clear victim-centred approach, elevating victims' rights to truth, recognition and reparations. Yet, the long-term success of these measures will depend on sustained funding, political will and inclusivity. Overall, while the conflict is still ongoing, the combined effort by Ukraine, third states and regional organisations (Council of Europe) present a robust and innovative model for international justice. However, the full impact of this multifaceted approach will become evident only over time and will depend on sustained political will, resources and long-term commitment.

3.3 Case study 3: Ethiopia, Sudan and the DRC

Africa is a highly diverse continent, with conflicts shaped by varied cultures, political systems and historical experiences. Armed conflicts range from ethno-political struggles and civil wars to insurgencies and state repression, driven by factors such as colonial legacies, socio-economic inequalities, weak institutions and contested governance. In regions such as the Horn of Africa and the Sahel, identity-based tensions and transnational militant groups fuel protracted violence, while in parts of Central and West Africa, disputes over resources and exclusionary politics drive recurring cycles of conflict. Similarly to Europe, this heterogeneity requires context-specific approaches to conflict resolution and transitional justice. Selected cases from Ethiopia, Sudan and the DRC illustrate the complexity of challenges and the diverse responses developed across the continent.

All three countries have gone through protracted and violent armed conflicts in recent years. The Tigray conflict in Ethiopia began in November 2020 when the Tigray People's Liberation Front (TPLF) attacked federal military bases, sparking a brutal civil war. The Ethiopian government, with Eritrean support, carried out offensives involving airstrikes and serious atrocities, including massacres and mass rape. The war caused a humanitarian crisis with hundreds of thousands killed and famine conditions. Despite a 2022 ceasefire and a 2024 transitional justice policy, fighting and political tensions continue, complicating efforts for justice and peace. Sudan's current conflict centres around armed clashes between the Sudanese Armed Forces and the Rapid Support Forces, a state-linked paramilitary entity. The conflict has intensified since 2023, producing widespread atrocities. While the African Union has initiated mechanisms and a roadmap aimed at ceasing hostilities and protecting civilians, these efforts have yet to halt the violence fully or establish accountability. The DRC faces escalating violence driven by more than 120 armed groups and government forces, especially in the volatile eastern provinces of North Kivu, South Kivu, Ituri and Tanganyika. Since 2023, the March 23 Movement, reportedly backed by Rwanda, has intensified its offensives, capturing important cities (including Goma and Bukavu) in early 2025. These advances have triggered mass displacement and resulted in hundreds, if not thousands, of civilian deaths.

International criminal tribunals: international criminal tribunals have so far played a limited role in ensuring accountability in the three countries. Ethiopia and Sudan are not states parties to the ICC's Rome Statute, which has prevented direct ICC investigations into recent atrocities in these

⁹⁵ N. Volkova et al., ['Ukrainian victims of war crimes need new approaches to justice'](#), *Atlantic Council*, 10 April 2025.

countries. In Sudan, the ICC maintains jurisdiction over crimes committed in Darfur following the UNSC's 2005 referral, but its mandate does not extend to the conflict between the Rapid Support Forces and the governmental forces⁹⁶. The expansion of the jurisdiction of the ICC in this respect has been advocated by the UN Fact Finding Mission for Sudan and supported by the EU⁹⁷. In October 2025, Janjaweed commander Ali Muhammad Ali Abd-al-Rahman (known as Ali Kushayb), became the first individual to be convicted of war crimes and crimes against humanity, including acts of gender-based violence, committed in Darfur⁹⁸.

The DRC, by contrast, ratified the Rome Statute in 2002 and referred the situation on its territory to the ICC in 2004. The ICC has already prosecuted and convicted various rebel leaders, including Thomas Lubanga, Germain Katanga and Bosco Ntaganda. Despite these milestones, ongoing violence in eastern DRC continues, particularly in North Kivu. In 2024, the ICC renewed its investigative efforts to examine alleged Rome Statute crimes in North Kivu since January 2022, emphasising a holistic and impartial approach that considers all actors and complements domestic accountability efforts. Hybrid courts have not been established to address atrocities committed in the recent conflicts in Ethiopia, Sudan or the DRC and no plans appear to be underway to create such mechanisms.

Universal jurisdiction: due to the limited (or no) role of international criminal tribunals, universal jurisdiction has emerged as an important alternative pathway for justice. This is especially notable with respect to Ethiopia, where survivors of the brutal Tigray conflict have sought justice in foreign national courts through universal jurisdiction. In March 2025, a criminal complaint was filed with the German Federal Public Prosecutor against twelve senior Ethiopian and Eritrean officials, alleging war crimes and crimes against humanity⁹⁹. This case, still under preliminary investigation, represents the first such effort to hold high-level perpetrators accountable in Europe. Historically, universal jurisdiction has also been employed in relation to the DRC with landmark cases involving Belgium, such as the 2000 arrest warrant against DRC's then-Foreign Minister Abdulaye Yerodia Ndombasi and France investigating crimes allegedly committed by high-ranking DRC officials. There is limited publicly available information on more recent universal jurisdiction cases connected to the DRC. The same applies to Sudan, where universal jurisdiction has been discussed, but no well-documented recent cases are known.

⁹⁶ Coalition for the ICC, '[From Hope to Accountability: Reflecting on the 20th Anniversary of the Referral of the Situation in Darfur to the ICC](#)', 31 March 2025.

⁹⁷ See Para 6, UN, '[Paths to justice: accountability for atrocities in the Sudan Independent international fact-finding mission for the Sudan](#)', A/HRC/60/CRP.724, 29 October 2025; E. Pichon, '[Understanding the war in Sudan. The human cost of geopolitics](#)', *European Parliamentary Research Service*, November 2025.

⁹⁸ ICC, '[Statement of the ICC Office of the Prosecutor on the conviction of Mr Abd-Al-Rahman](#)', Press release, 6 October 2025.

⁹⁹ In October 2025, the ICC secured its first-ever conviction in the Darfur situation: Ali Muhammad Ali Abd-Al-Rahman (also known as Ali Kushayb), a former militia (Janjaweed) commander, was found guilty on 27 counts of war crimes and crimes against humanity—including murder, rape, torture and forcible displacement—arising from his role in the 2003–2004 campaign. See AFP and AP, '[ICC convicts Sudan ex-militia leader Ali Kushayb of Darfur war crimes](#)', *Aljazeera*, 6 October 2025; Guardian Staff and agencies in the Hague, '[ICC convicts former Sudan militia leader for war crimes in Darfu'r](#)', *The Guardian*, 6 October 2025 and D. Ehl, '[Tigrayan survivors seek justice in German courts](#)', *Deutsche Welle*, 31 March 2025.

Transitional justice: transitional justice mechanisms have also been gradually put in place in the three countries. In Ethiopia, a peace agreement was adopted in 2022 and more recently, a comprehensive transitional justice policy was adopted in April 2024 after nationwide consultations¹⁰⁰. This policy seeks to address decades of abuses through criminal accountability for the most responsible, truth-seeking, reparation programmes, institutional reforms and the inclusion of traditional justice mechanisms, encompassing violations going back to 1995. However, implementation faces severe challenges, including political tensions, scepticism about the impartiality of judicial proceedings, ongoing violence and the exclusion of some armed groups, all of which hinder the prospects for genuine reconciliation and peacebuilding¹⁰¹. In Sudan, transitional justice, both for past and present atrocities, remains largely aspirational amid ongoing conflicts and political instability, with limited concrete mechanisms in place beyond international and civil society calls for accountability and peace processes¹⁰². The DRC also continues to face significant challenges in implementing transitional justice due to ongoing conflicts, weak judicial institutions and political interference. Persistent insecurity and underfunding undermine comprehensive justice efforts¹⁰³ despite some progress, such as: the adoption of a national policy prioritising international crimes prosecution; the use of mobile courts bringing justice closer to victims; as well as multidimensional support from the UN's Organization Stabilization Mission in the DRC together with international partners.

The diverse and evolving conflict dynamics in Ethiopia, Sudan and the DRC underscore the inherent difficulty of applying uniform justice mechanisms across Africa's varied contexts. When assessed against the key criteria (effectiveness, legal fairness, legitimacy and victim-centredness), the situation in all three countries reveals similar shortcomings. In terms of effectiveness, while all three types of accountability mechanisms have been introduced or discussed, they have yielded limited tangible outcomes, particularly in halting ongoing violence or deterring future abuses. The ICC's prosecutions in the DRC, though legally significant, have not prevented escalating conflict in the east. Furthermore, Ethiopia's newly adopted transitional justice policy remains hampered by ongoing fighting and limited inclusion of all relevant actors. Sudan has yet to move beyond aspirational frameworks, with accountability efforts largely stalled due to instability and active hostilities.

Regarding legal fairness and legitimacy, each country presents challenges. Ethiopia's transitional justice approach reflects an attempt at inclusivity and legal pluralism, but scepticism over the impartiality of state-led processes and continued political tensions casts doubt on its legitimacy. Sudan's lack of operational mechanisms undermines both legal fairness and legitimacy, as state and non-state actors remain shielded from scrutiny. The DRC benefits from a more established

¹⁰⁰ Y. Haile Getahun, '[The Transitional Justice Policy of Ethiopia and its Relevance for Peacebuilding](#)', *African Journal on Conflict Resolution*, Vol 1, 2025.

¹⁰¹ T. Gashaw, '[A Sisyphean Task? Implementing Transitional Justice Amid Continuous Democratic Backsliding](#)', *Verfassungsblog*, 17 February 2025; J. Joseph, '[Moving Forward: Prospects and Challenges for Achieving Transitional Justice in Ethiopia](#)', *JURISTNews*, 19 August 2024.

¹⁰² G. Kurtz, '[Rethinking Transitional Justice in Sudan Drawing Lessons From the Transition Process and Finding an End to the War](#)', *Verfassungsblog*, 28 June 2025.

¹⁰³ J. Ugwu, '[Transitional Justice processes in the Democratic Republic of Congo \(DRC\): Context and Prospects](#)', *Africa Transitional Justice Legacy Fund*, June 2024.

international legal engagement, yet weak domestic institutions, political interference and under-resourced courts compromise both legal fairness and public trust. Across all three countries, victim-centredness remains an aspirational goal. While some initiatives, such as Ethiopia's truth-seeking consultations and the DRC's mobile courts, aim to prioritise victims, widespread insecurity, lack of reparations and limited victim participation in justice design have led to marginalisation. In sum, while there are emerging efforts toward justice and accountability, all three contexts face systemic and situational barriers that demand context-specific, long-term and inclusive solutions.

3.4 Case study 4: Other non-European countries

Armed conflicts in Colombia, Syria and Israel-Palestine are characterised by their protracted nature, complex roots and evolving patterns of violence shaped by political, social and territorial disputes. Colombia's internal conflict, which spanned more than five decades, revolved around armed confrontations between leftist guerrilla groups (notably the FARC and the *Ejército de Liberación Nacional*), right-wing paramilitaries and the state, underpinned by stark socio-economic inequalities, contested land ownership and rural marginalisation. The 2016 peace agreement between the government and FARC marked a historic step toward resolution. However, ongoing violence by dissident factions, criminal networks and residual paramilitary actors continues to threaten both peace and the safety of civilians, particularly in marginalised rural areas¹⁰⁴.

Syria's conflict, which erupted in 2011 during the Arab Spring wave, later evolved into a highly fragmented and internationalised civil war, ultimately culminating in the Assad regime's deposition in 2024. However, violence persists, with recent unrest notably affecting Druze-populated regions¹⁰⁵.

The Israel-Palestine conflict remains one of the most enduring and polarising struggles in modern history. Rooted in contested claims to land, displacement and competing narratives of statehood and identity, it has experienced repeated cycles of violence, prolonged military occupation and failed peace initiatives. A major turning point occurred on 7 October 2023, when Hamas launched a large-scale surprise assault on southern Israel, killing over 1 200 people, mostly civilians, and taking more than 250 hostages. In response, Israel initiated a massive military campaign against Gaza, resulting in widespread devastation, massive Palestinian casualties and the displacement of over a million people. Gaza's already *dire* humanitarian conditions have since worsened dramatically, with severe shortages of food, water and medical supplies exacerbated by the ongoing blockade and siege. At the time of writing in mid-2025, while negotiations between the parties continue sporadically, the prospects for a political resolution have grown increasingly remote.

¹⁰⁴ For an overview, see, among others, International Center for Transitional Justice, [An Overview of Conflict in Colombia](#), 2009; S. Lampreia, '[The Colombia Armed Conflict. A Review Until 2020](#)', in Á. Rocha and A. Vaseashta (eds), *Developments and Advances in Defense and Security*, Springer, Singapore, 2025; J. Gil, '[Colombia's intensifying conflict in three graphs](#)', *The New Humanitarian*, 30 July 2025.

¹⁰⁵ For an overview, see, among others, Global Conflict Tracker, '[Conflict in Syria](#)', webpage, nd; P. Selvaraj, '[The Syrian Civil War: A Decade of Conflict, Displacement, and Global Impact](#)', *Modern Diplomacy*, 10 October 2024; L. Toninelli, '[The End of Assad: A New Chapter in Syrian History](#)', *Italian Institute for International Political Studies*, 8 December 2024; P. Loft and C. Mills, '[Syria after Assad: Consequences and interim authorities](#)', *House of Commons Research Briefing*, 23 July 2025.

International criminal tribunals: international criminal tribunals have played a relatively limited role in the three contexts. In Colombia, the 2016 peace accord established a special transitional justice framework, including the JEP, a hybrid national body with international oversight. The JEP has taken on complex cases involving kidnappings, extrajudicial killings and crimes against indigenous communities, while facing ongoing challenges such as threats to participants, political interference and a limited amount of victim inclusion¹⁰⁶. As a state party to the Rome Statute, Colombia was under preliminary examination by the ICC for over 15 years. However, in 2021, the ICC Prosecutor formally closed this examination recognising Colombia's genuine and ongoing efforts to investigate and prosecute Rome Statute crimes through domestic mechanisms, which represented a unique move¹⁰⁷. This decision stressed the principle of complementarity and acknowledged Colombia's ambitious, multi-layered accountability process as a credible national alternative to international prosecution.

Syria is not a party to the ICC's Rome Statute and attempts at UNSC referrals have been repeatedly blocked by Russia and China in the past. Hence, the ICC had been unable to open a formal investigation into the crimes committed during the conflict. Accordingly, the UN established the International, Impartial and Independent Mechanism (IIIM) in 2016 to collect, analyse and preserve evidence for future prosecutions. While this mechanism plays a crucial preparatory role, it has no mandate to prosecute. Furthermore, no international tribunal has yet been established to address the entirety of atrocities committed in Syria.

Israel is not state party to the Rome Statute either, but Palestine acceded to the Statute in 2015, granting the ICC jurisdiction over crimes committed in the West Bank, East Jerusalem and Gaza since June 2014. In 2021, the ICC opened an investigation into alleged war crimes by both Israeli and Palestinian actors. However, progress has been slow, hindered by intense political pressure, particularly from Israel, its allies and disputes over the ICC's jurisdiction. The 2023 massacre by Hamas and the situation in Gaza have significantly escalated demands for accountability. In November 2024, the ICC issued arrest warrants for Israeli Prime Minister Benjamin Netanyahu, former Defence Minister Yoav Gallant and Hamas military commander Mohammed Diab Ibrahim Al-Masri for alleged war crimes and crimes against humanity¹⁰⁸, albeit Diab was declared dead in 2024. The two Israeli politicians remain at large, with Netanyahu still in post as Prime Minister at the time of writing. Since the ICC cannot conduct trials *in absentia*, the proceedings have stalled and no further judicial progress has been made.

Universal jurisdiction: all three countries have seen some use of universal jurisdiction as an alternative justice pathway. In Colombia, various cases over the past decades illustrate this, notably the criminal complaint filed by Argentina in 2023 against former President Álvaro Uribe Vélez, who was allegedly responsible for thousands of civilians being extrajudicially killed by the military

¹⁰⁶ T. Piccone, '[Peace With Justice: The Colombian Experience with Transitional Justice](#)', *Foreign Policy at Brookings*, July 2019.

¹⁰⁷ ICC, '[Preliminary examination: Colombia](#)', webpage, nd.

¹⁰⁸ UN News, '[ICC issues arrest warrants for Netanyahu, Gallant and Hamas commander](#)', 21 November 2024.

between 2002 and 2008¹⁰⁹, a case which is still ongoing. Concerning Syria, a number of European countries have actively used universal jurisdiction to prosecute former regime officials for war crimes and crimes against humanity. For example, German courts conducted the first criminal trial on state-sponsored torture in Syria, culminating in the life imprisonment conviction of a former Syrian intelligence officer for crimes including torture, killings, rape and hostage-taking in 2022¹¹⁰. Similarly, a French court sentenced three former Syrian officials *in absentia* to life imprisonment for such offences¹¹¹. In the Gaza conflict, victims and human rights organisations, such as the Hind Rajab Foundation and Global Legal Action Network, have adopted strategies to file criminal complaints against Israeli soldiers suspected of serious crimes in the national courts of third countries. This strategy was applied in Belgium during 2025, resulting in the temporary arrest and interrogation of two Israeli soldiers attending a music festival¹¹².

Transitional justice: transitional justice mechanisms have taken varied forms in Colombia, Syria and Israel-Palestine, reflecting different stages of conflict and accountability. Colombia's system relies on a framework established primarily under the 2016 Peace Agreement, aiming to balance peacebuilding with justice and accountability. Its core mechanism mentioned earlier, the JEP, focuses on prosecuting serious crimes while also facilitating demobilisation and reintegration of combatants. This system is notable for integrating international human rights law standards and addressing a wide spectrum of abuses committed during the decades-long internal conflict in Colombia. In the Israeli-Palestinian conflict, deep political divisions, the absence of a peace process and recurrent large-scale violence continue to block the development of institutional mechanisms for accountability, truth-seeking and reparations. Civil society actors have sought to support victims and collect evidence, but these efforts remain fragmented and unsupported by official processes.

In Syria, transitional justice also remains largely aspirational amid ongoing conflict and the absence of a final political settlement. While documentation of human rights violations has advanced considerably through the efforts of civil society organisations, formal transitional justice mechanisms have only recently begun to take shape. In August 2025, the transitional President issued a decree establishing a National Transitional Justice Authority (NTJA), a move that has generated both interest and criticism regarding its scope, independence and inclusivity. According to Amnesty International, the NTJA has since set up an interim structure with both Advisory and Executive Councils and adopted a six-stage work plan, including preparations for a national conference on the needs and rights of victims' families¹¹³. Its key tasks reportedly include supporting victims of enforced disappearance, documenting cases, building a national database of the missing, collecting DNA samples and developing national forensic capacity in cooperation with international partners. These developments mark an initial, though contested, step toward

¹⁰⁹ D. Cañón Galán, '[Argentina investigates Álvaro Uribe for war crimes and crimes against humanity in Colombia: universal justice makes progress in Latin America](#)', *Fibgar Blog*, 22 July 2025.

¹¹⁰ European Center for Constitutional and Human Rights, '[First criminal trial worldwide on torture in Syria before a German court](#)', webpage, nd.

¹¹¹ Deutsche Welle, '[France: 3 Syrian officials convicted of war crimes](#)', 24 May 2025.

¹¹² P. Kirby, '[Two Israelis questioned after attending Belgium's Tomorrowland festival](#)', *BBC News*, 22 July 2025.

¹¹³ Amnesty International, '[Syria: New government must ensure truth, justice and reparations for the disappeared](#)', webpage, 29 August 2025.

institutionalising transitional justice in Syria, highlighting both the persistence of local demands for truth and accountability and the political sensitivities that continue to shape the process.

Assessing all three conflicts against the four key criteria (effectiveness, legal fairness, legitimacy and victim-centredness) reveals shared challenges but also differences. In terms of effectiveness, Colombia stands out with a functioning transitional justice system centred on the JEP, which has advanced emblematic cases and allowed for victim participation, though it remains vulnerable to political pressure and residual violence. Syria lacks any operational mechanism with efforts being limited to documentation and foreign trials under universal jurisdiction, which are symbolically important but have limited reach. The Israel–Palestine context has seen some formal steps, including ICC arrest warrants, but progress is slow, fragmented and lacks meaningful enforcement, thereby reducing overall impact.

Regarding legal fairness, Colombia’s JEP incorporates procedural safeguards and aligns with international norms, although concerns remain over access and political interference. In Syria, domestic mechanisms are absent and foreign trials, while fair in procedure, are selective and disconnected from local justice needs. For Israel–Palestine, the ICC aims at impartiality by investigating both sides, but its work is heavily politicised and widely contested. On legitimacy, Colombia’s process enjoys stronger international support than domestic consensus, while Syria’s justice efforts are completely lacking in legitimacy due to state resistance. In the Israeli–Palestinian case, legitimacy is deeply polarised across political lines. Finally, on victim-centredness, Colombia includes victims through formal mechanisms, despite gaps in rural access and reparations. By contrast, in Syria and Israel–Palestine, there is no direct representation of victims in any formal transitional justice or accountability processes; their voices are primarily channelled through civil society initiatives and advocacy groups.

4 Policy implications and conclusions

The comparative analysis of international tribunals, universal jurisdiction and transitional justice mechanisms leads to a number of key findings about their strengths and weaknesses in ensuring accountability and fighting against impunity. It also points to strategic opportunities for the EU (and specifically for the European Parliament and its DROI subcommittee) to support international justice efforts. This concluding section provides a synthesis of the lessons learned, translating them into relevant policy recommendations tailored for the EU and the Members of the European Parliament. These recommendations aim to address the following question: what practical steps can the EU and the Members of the European Parliament take to support and improve the effectiveness of global accountability mechanisms, in line with EU values and international legal obligations?

The analysis of international tribunals, universal jurisdiction and transitional justice reveals that each mechanism offers unique advantages in the fight against impunity, as well as distinct limitations and challenges. International criminal tribunals (from *ad hoc* courts to the ICC) have already achieved landmark convictions of high-level perpetrators and set important legal precedents (for example, the ICTY prosecuted a sitting head of state, the ICTR secured the first genocide conviction and the SCSL convicted a former head of state). These successes underscore tribunals’ potential to deliver justice at the highest levels. However, tribunals often face practical and political

constraints: limited mandates, heavy costs, dependence on state cooperation for arrests and geopolitical pushback can all restrict their impacts.

The ICC's broad jurisdiction and permanence aim to overcome those limits, but this body too is confronted with challenges, such as difficulty in securing arrests as well as uneven and diminishing support. By contrast, universal jurisdiction empowers national courts to act when international or local courts cannot. This decentralised tool has a potentially global reach and serves as a vital complementary avenue to hold perpetrators accountable regardless of where the crimes occurred. Yet, universal jurisdiction's application remains inconsistent. Finally, transitional justice mechanisms excel at uncovering truth, acknowledging victims and reforming institutions in post-conflict societies. Their strength lies in flexibility and holistic scope tailored to affected communities and aimed at healing as well as restoring justice. However, truth commissions and reparations programmes cannot substitute for judicial proceedings.

Key lessons seem to emerge from these comparisons. High-level perpetrators can be brought to justice, whether in The Hague or in national courts, provided there is strong legal coordination and political commitment. Conversely, justice efforts fail when they lack enforcement muscle, are perceived as one-sided or illegitimate by local populations or when victims are sidelined. No single mechanism on its own seems to be sufficiently efficient, with each addressing impunity from a different angle. A comprehensive approach (as opposed to a 'one-size-fits-all' solution) can be an option to pursue formal prosecutions for the worst offenders while also facilitating truth, reparations and institutional reform.

In this regard, the EU has played a crucial supporting role throughout the development of these mechanisms. The Union and its Member States engage in extradition cooperation, mobilisation of assets, diplomatic advocacy and financial support, particularly for the ICC but also for hybrid tribunals in Europe and Africa. Instruments such as the European Arrest Warrant along with dedicated networks ensure EU-wide and, in some cases, international arrest together with the transfer of indictees. The EU's policy frameworks mainstream support for international justice, link aid and political dialogue to compliance with international courts' decisions and contribute to funding both the ICC and complementary national mechanisms aimed at handling core international crimes. This engagement underscores the broader political and normative importance that the EU places on maintaining international accountability, bolstering both the deterrent and reconciliatory functions of these tribunals.

In fact, the EU and its Member States have been among the strongest supporters of international justice mechanisms. They can provide financial and logistical backing, diplomatic pressure and legal cooperation that collectively bolster tribunals, domestic prosecutions and transitional justice efforts. For example, the EU has assisted international tribunals (especially the ICC) through funding and by facilitating arrests and transfers of suspects using tools such as extradition agreements, the European Arrest Warrant and coordination networks across Europe. Nearly all EU Member States are parties to the ICC and have legally binding commitments to uphold the court's mandate. However, Hungary's recent decision to withdraw from the Statute¹¹⁴ and failure to comply

¹¹⁴ ICC, '[President of the Assembly of States Parties regrets withdrawal from the Rome Statute by Hungary](#)', Press release, 5 June 2025.

with the ICC's request for the provisional arrest of Benjamin Netanyahu¹¹⁵ constitutes a notable exception.

The EU has also promoted the Rome Statute's universality and the principle of complementarity, encouraging national systems to prosecute international crimes wherever possible¹¹⁶. At the same time, the EU supports the exercise of universal jurisdiction within Europe. It has also created platforms for coordination, such as the Genocide Prosecution Network at Eurojust¹¹⁷. Moreover, the European Commission and the European External Action Service (EEAS) have mainstreamed support for transitional justice into EU foreign policy. The EU is one of the largest financial contributors to transitional justice initiatives worldwide, funding truth commissions, reparations programmes and institutional reforms (often via instruments for peacebuilding, development and human rights)¹¹⁸. The European Parliament, particularly DROI, has kept accountability high on the agenda through resolutions and hearings, pushing for a strong EU stance against impunity. Building on this robust engagement, the EU can advance a more integrated justice architecture globally, one that links international and national efforts into a coherent strategy.

In light of these findings, the following policy recommendations can be made to the European Parliament (especially DROI) and to the EU as a whole. These recommendations are grounded in the evidence from recent cases and align with the EU's institutional priorities in promoting human rights and international law:

1. Institutionalise accountability as an EU foreign policy priority

- Call for a formal EU Strategy on Accountability and the Fight against Impunity (similar to the EU's human rights guidelines), with benchmarks and mandatory annual reporting by the Commission/EEAS to DROI.
- Request inclusion of accountability objectives in all country strategies and EU Human Rights Dialogues.
- Mandate DROI to hold an annual accountability hearing with the ICC Prosecutor, Eurojust and civil society.
- Ensure sustained EU and Member State financial support for independent organisations and think tanks advancing international accountability, including those contributing to monitoring, legal analysis and advocacy.

2. Reinforce EU support to the ICC

- Secure multi-year earmarked budget lines for ICC cooperation under the EU budget, overseen by the European Parliament's Budgetary Committee and ring-fenced from political fluctuations.

¹¹⁵ ICC, [Finding under article 87\(7\) of the Statute on Hungary's non-compliance with the Court's request to cooperate in the provisional arrest of Benjamin Netanyahu and referral to the Assembly of States Parties](#), ICC-01/18-462, Decision, 24 July 2025.

¹¹⁶ International Commission of Jurists, ['EU: Joint statement calls for strong defense of the ICC amid rising geopolitical tensions'](#), 8 April 2025.

¹¹⁷ Eurojust, ['Genocide Prosecution Network'](#), webpage, nd.

¹¹⁸ RECOM Reconciliation Network, [The EU's Policy Framework on support to transitional justice](#), 23 November 2015.

- Adopt a resolution obliging all EU Member States to implement ICC arrest warrants fully and report non-compliance to the European Parliament.
- Launch European Parliament-led diplomatic campaigns urging third countries to ratify the Rome Statute and the Kampala Amendments.
- Ensure coherence between national actions and the Council Common Position 2003/444/CFSP of 16 June 2003 on the ICC.

3. Operationalise EU support for *ad hoc* and hybrid tribunals

- Recommend predefined criteria for EU endorsement (jurisdictional gap, legitimacy, victim involvement) of *ad hoc* and hybrid tribunals and oblige the Commission/EEAS to notify the European Parliament when these criteria are met.
- Call on the Commission and Council to create a Rapid Justice Response Mechanism within the Common Foreign Security Policy budget to help finance and staff new *ad hoc* and hybrid tribunals (such as the STCAU).
- Ensure European Parliament budgetary oversight so that *ad hoc* bodies receive predictable EU contributions.

4. Enhance universal jurisdiction within EU Member States

- Urge harmonisation of national laws so all Member States allow prosecution of genocide, crimes against humanity and war crimes.
- Recommend the creation of a European Network of Specialised Prosecutors on atrocity crimes under Eurojust, with pooled investigative resources, joint trainings and shared databases.
- Encourage the European Parliament's Committee on Civil Liberties, Justice and Home Affairs and the Committee on Legal Affairs to review gaps in procedural safeguards (such as trials *in absentia* and witness protection).

5. Scale up EU support to transitional justice

- Ensure transitional justice is a mandatory component in EU peacebuilding, democracy and development programmes financed under the Neighbourhood, Development and International Cooperation Instrument.
- Insist on victim participation benchmarks as a condition for EU funding (such as a minimum quota of victim representatives in truth commissions).
- Recommend dedicated European Parliament fact-finding missions to priority countries (Ukraine or Ethiopia, say) to monitor implementation.

6. Use diplomatic and restrictive measures more strategically to support accountability mechanisms

- Condition EU financial assistance, trade preferences and peace mediation support on concrete accountability benchmarks (for instance, the no blanket amnesties).
- Expand use of the EU Global Human Rights Sanctions Regime against officials obstructing accountability processes, with the European Parliament's oversight.
- Mandate that European Parliament resolutions systematically include accountability demands in all conflict-related country files.

Annex 1: Analysis of survey data and key results

This annex presents results from the research survey conducted for this paper, as detailed in section 1.2 'Methodological approach'. An empirical layer has been added to the paper's analysis by gathering feedback from experts and practitioners actively engaged in international justice processes. The purpose of the survey was twofold: firstly, to capture the lived experiences and professional assessments of individuals who are working in the field; and secondly, to complement the paper's case study approach with collected qualitative and quantitative data that can shed some light on the effectiveness and challenges of international justice mechanisms in fighting impunity. By integrating these findings, the annex seeks to enrich the paper's evaluative framework and can offer practical insights for policymakers, particularly within the EU.

The survey was distributed to a small but diverse pool of respondents, including legal practitioners, academics, civil society representatives and former officials of international tribunals. Potential respondents were selected on the basis of their expertise in international justice mechanisms, with careful consideration given to their professional background, geographical area of focus and gender balance. As for the sampling strategy, selection prioritised professionals capable of providing informed, relevant and experience-based insights. In total, ten high-level experts – academics, practitioners and stakeholders – completed the survey. While the number of responses is limited, the specialised profile of the participants ensures the quality and pertinence of data collected¹¹⁹. Their contributions offer valuable perspectives on the perceived effectiveness of international justice mechanisms, identify key operational and political challenges and present targeted recommendations for EU engagement. Participation was voluntary and anonymous; thus no identifying information has been disclosed in this Annex.

The questionnaire combined closed and open-ended questions:

- Closed questions: asked respondents to rate the effectiveness of different accountability mechanisms (international tribunals, universal jurisdiction, transitional justice processes and other mechanisms) on a one to five Likert scale.
- Open-ended questions: invited detailed reflections on obstacles to accountability, criteria for evaluating success, perceived complementarity or competition between mechanisms as well as assessments of specific achievements and challenges.
- Select-all questions: used for certain sections (such as challenges of international tribunals and in transitional justice processes, barriers to universal jurisdiction).

Responses were collected and then aggregated for analysis. Quantitative data were tabulated and visualised through graphs to identify patterns, while qualitative responses were coded thematically using an inductive approach, with recurring themes grouped into categories (such as political will, state cooperation, victims' participation).

¹¹⁹ This approach is consistent with qualitative research standards, which often rely on small but information-rich samples. For broader methodological justification of small-sample expert studies in qualitative and mixed-methods research, see: J.M. Morse, '[Determining Sample Size. Qualitative Health Research](#)', *Sage Journals*, Vol 10, No 1, 2000, pp. 3-5; K. Vasileiou et al., '[Characterising and justifying sample size sufficiency in interview-based studies: systematic analysis of qualitative health research over a 15-year period](#)', *BMC Medical Research Methodology*, Vol 18, No 148, 2018.

The analysis of results proceeded in three steps:

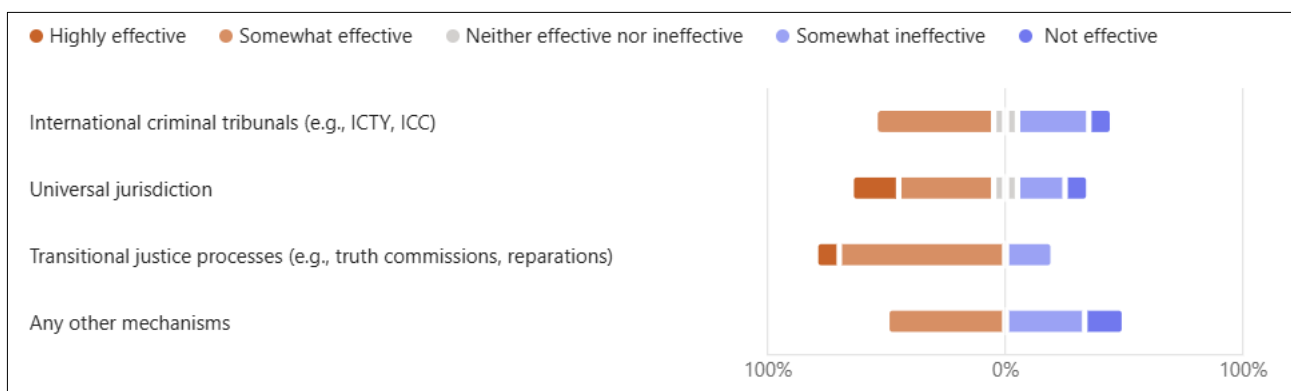
- Quantitative summary of scaled responses, represented through figures;
- Thematic synthesis of qualitative responses, highlighting convergences and divergences;
- Comparative integration of survey insights with the main paper's evaluative framework (effectiveness, legal fairness, legitimacy and victim-centeredness).

This methodological triangulation ensured that the annex not only reflects participants' feedback but also situates them within broader academic and policy debates on international justice, as presented in the paper.

In the survey's **first section 'general perspectives on accountability and impunity'**, respondents reflected on: the current the key obstacles to holding perpetrators of serious international crimes criminally accountable; how effective international criminal tribunals, universal jurisdiction and transitional justice processes have been in fighting impunity; how to assess the success of a justice mechanism; and the complementarity or competition between international justice processes.

As to the question on accountability obstacles, most respondents identified political will and state cooperation as decisive obstacles. A majority also pointed to: the lack of arrest warrant enforcement; political interference by powerful states and double standards; as well as funding constraints and fragmented accountability mechanisms. Moreover, structural weaknesses in domestic systems were also indicated as an additional obstacle (as in the case of Syria). Regarding the effectiveness of international justice mechanisms, where respondents were asked to rate the effectiveness of different mechanisms on a scale from one (not effective) to five (highly effective), ratings confirm the paper's evaluation that all mechanisms can be effective, though all face structural and political limitations. Respondents largely agreed that no accountability mechanism can be considered fully effective, with effectiveness depending on the criteria used, whether convictions, systemic change or victim satisfaction. Overall, respondents seemed to converge on the view that all mechanisms make important but partial contributions, with none being able to overcome impunity fully on their own (see figure 1 below).

Figure 1: Effectiveness of international justice mechanisms



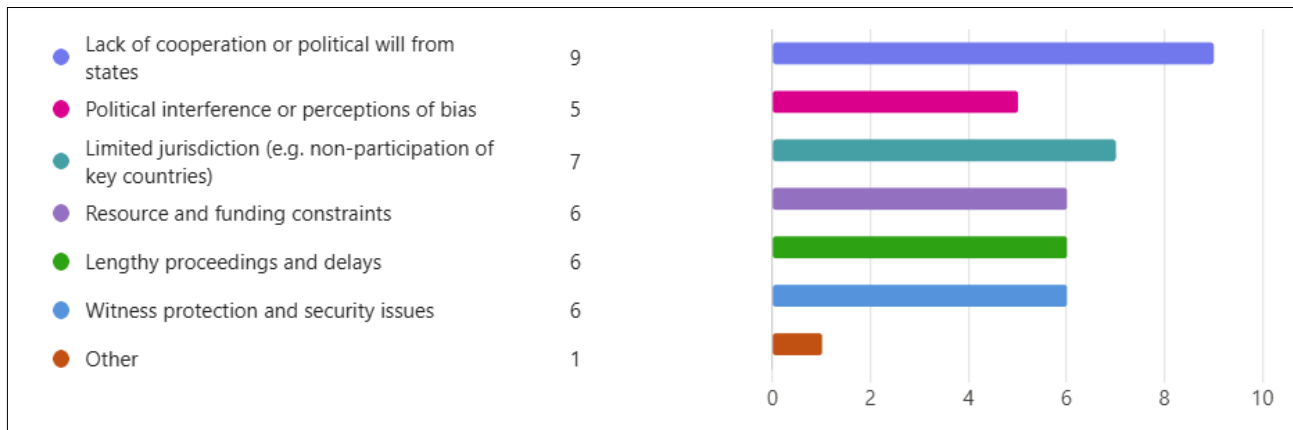
Source: Authors' compilation from survey results.

When it comes to reflect on which can be considered as 'criteria for success' for an international justice mechanism, the most frequently mentioned criteria were: prosecution of the responsible perpetrators; fairness and due process; victim participation; deterrent effect; and non-repetition. This aligns closely with the four evaluative criteria used in the paper (effectiveness, legal fairness, legitimacy and victim-centredness). To the question on the complementarity or competition between international justice mechanisms, most

respondents described the mechanisms as complementary, though some highlighted that they then appear fragmented in practice, adding that, while each plays a different role, competition over resources and political priorities can undermine complementarity.

The **second section** of the survey ‘**international tribunals**’ asked respondents to reflect on the successes and positive outcomes of tribunals, the challenges and limitations they face and invited suggestions for improvements that could enhance tribunals’ effectiveness in fighting impunity. On the one hand, when it comes to assessing the successes of international tribunals, respondents mentioned the following points: development of international criminal law; establishment of the principle that even senior leaders can be held accountable; contribution to truth-telling; and the creation of historical records. On the other hand, as to challenges faced by international tribunals, replies mirrored the paper’s observations that international tribunals have been weakened by political resistance, limited enforcement mechanisms and questions of legitimacy. Furthermore, there are issues regarding resource and funding constraints (see figure 2 below).

Figure 2: Challenges of international tribunals

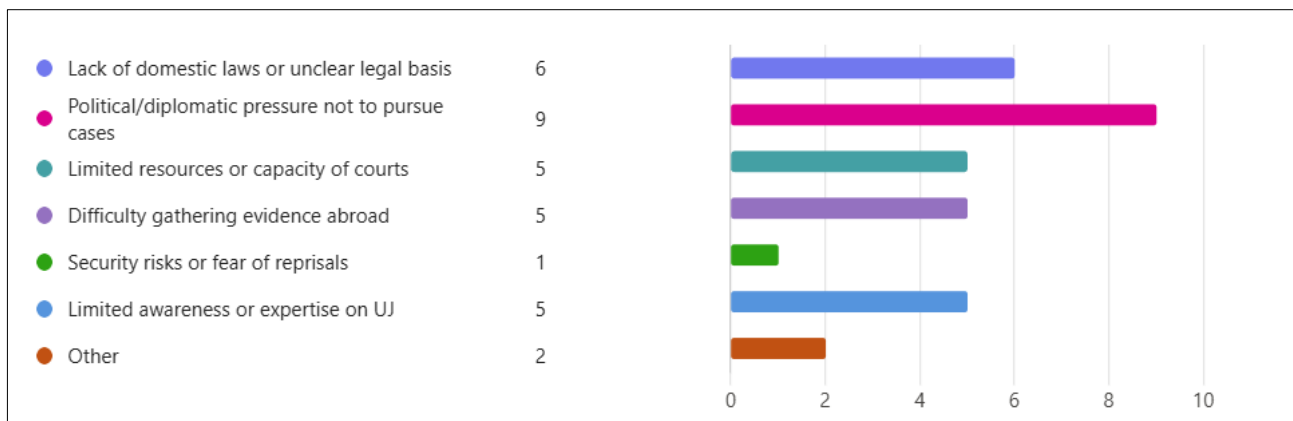


Source: Authors’ compilation from survey results.

When asked which improvements can be suggested, replies often focused on the following suggestions: stronger and more consistent state cooperation; sustainable and predictable funding; capacity-building for domestic judiciaries; enhanced victim engagement and the ability to prosecute corporations. These insights reinforce the policy recommendations of this paper, particularly calls for the EU to ‘institutionalise accountability as an EU foreign policy priority’ and ensure stronger support for tribunals.

The survey’s **third section** concerned ‘**universal jurisdiction**’ and focused on respondents’ views of its main barriers or challenges and potential improvements. Respondents highlighted a range of obstacles which reflected the paper’s findings on the logistical and legal challenges of universal jurisdiction (see figure 3 below).

Figure 3: Obstacles to universal jurisdiction

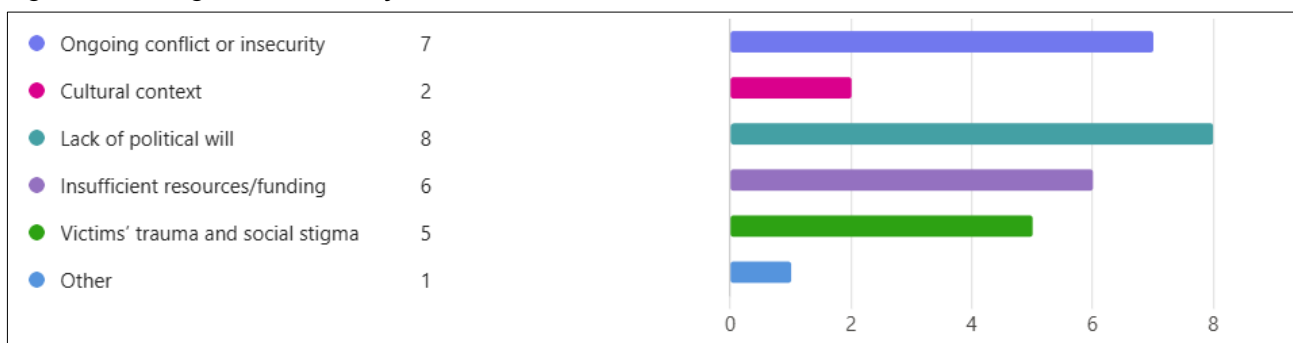


Source: Authors' compilation from the survey results.

Suggestions for strengthening universal jurisdiction included: the harmonisation of domestic laws across Member States; the establishment of specialised units for international crimes; greater coordination through the Eurojust's Genocide Prosecution Network; enhanced cooperation with non-governmental organisations and victims' groups; as well as more consistent political commitment and less selectivity. These proposals directly echoed the paper's specific recommendation to 'enhance universal jurisdiction within EU Member States'.

The survey's **fourth section 'transitional justice'** reflected on challenges in transitional justice processes and suggestions for improving. Regarding the former, respondents' answers echoed the paper's emphasis on ensuring genuine local ownership and meaningful participation for victims (see figure 4 below).

Figure 4: Challenges in transitional justice

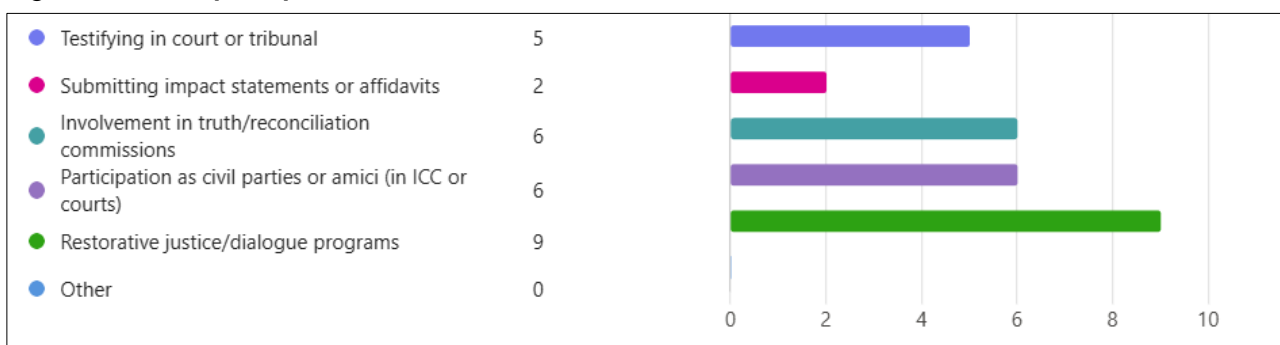


Source: Authors' compilation from survey results.

When asked how transitional justice could be improved, respondents highlighted the need for it to be context-specific, victim-centred and linked to governance reforms. They agreed that transitional justice works best when it is inclusive, adequately resourced and integrated into a wider strategy for justice and reconciliation.

The survey's **fifth section** focused on '**victim participation**'. Respondents were asked to identify which forms of participation they found most valuable, the key obstacles victims face when engaging with justice mechanisms and suggestions on how international justice processes could improve support for victims and their interests. As to forms of participation, respondents valued especially restorative justice/dialogue programmes and truth commissions, followed by testimony in court and civil party participation. This reflects a preference for mechanisms that combine recognition, inclusion and dialogue, going beyond narrow legal outcomes (see figure 5 below).

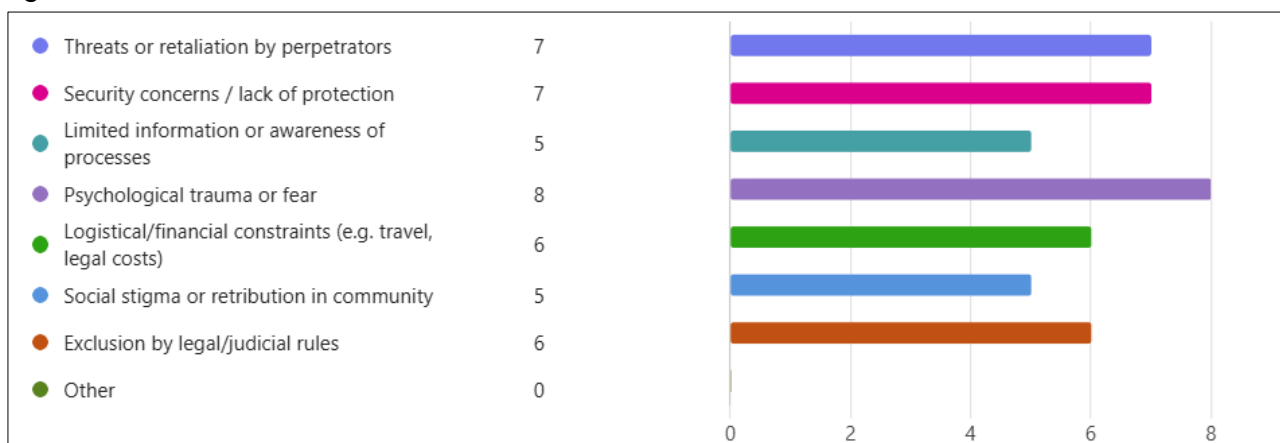
Figure 5: Forms of participation



Source: Authors' compilation from survey results.

On the other hand, the main obstacles identified were security risks and retaliation, psychological trauma, financial and logistical barriers and social stigma, with additional mention of exclusion by legal rules. These responses highlight how structural and personal vulnerabilities limit victims' access to justice (see figure 6 below). This corresponds to the paper's observation that victims' participation in truth commissions and restorative justice is often hindered by psychological, financial, social and legal barriers.

Figure 6: Barriers for victims

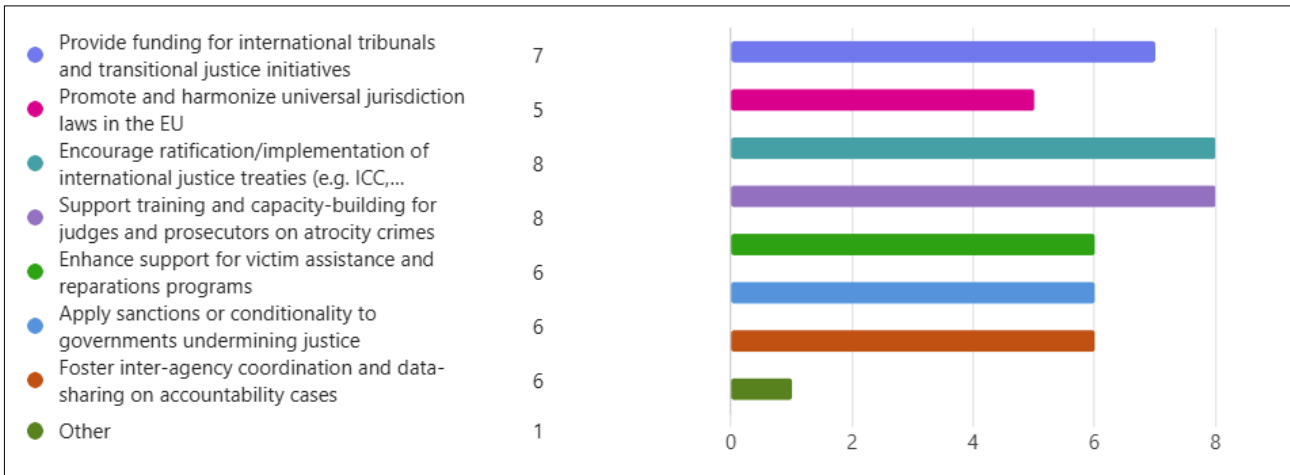


Source: Authors' compilation from survey results.

When asked how international justice processes could be improved to improve support for victims and their interests, respondents stressed the need for varied avenues of participation, effective protection, psychosocial support and timely reparations. They also called for more consultation with victims, better outreach as well as integration between tribunals and truth commissions. These recommendations echo the paper's emphasis that legitimacy depends on processes being credible, inclusive and responsive to victims' needs, ensuring justice is not symbolic but substantively transformative.

In the last section of the survey ('policy recommendations for the EU'), participants were asked which actions or policies the EU or its Member States should pursue to strengthen international justice. The answers generally pointed to a wide range of EU measures, like increasing funding for tribunals and transitional justice initiatives, harmonising universal jurisdiction laws, training judges and prosecutors and supporting victim assistance (see figure 7 below). Additionally, respondents highlighted the need for political will, consistency and universality in international justice. This reinforces the paper's policy recommendations that the EU should institutionalise accountability as an EU foreign policy priority and provide sustained financial and political support to justice mechanisms.

Figure 7: Recommendations for the EU



Source: Authors' compilation from survey results.

Annex 2: Survey template

Mechanisms of international justice to fight impunity (international tribunals, universal jurisdiction and transitional justice processes)

Prepared by Prof Veronika Bílková and Dr Federica Cristani

Section 1: general perspectives on accountability and impunity

1. In your view, what are currently the main obstacles to holding perpetrators of serious international crimes criminally accountable?
2. In your experience, how effective have the following mechanisms been in fighting impunity?

Please rate each on a scale from 1 (not effective) to 5 (highly effective), and briefly explain your rating:

- International criminal tribunals (e.g. ICTY, ICC)
 - Universal jurisdiction
 - Transitional justice processes (e.g. truth commissions, reparations)
 - Any other mechanisms
3. What criteria do you think are most important when evaluating the success of a justice mechanism?
 4. Do you see complementarity or competition between these mechanisms in practice?

Section 2: international tribunals

5. Successes of international tribunals: (open-ended)

What do you see as the most significant achievements or positive outcomes of international tribunals in fighting impunity?

6. Challenges of international tribunals: (select all that apply)

Which of the following factors do you consider as major challenges or limitations for international tribunals?

- Lack of cooperation or political will from states
- Political interference or perceptions of bias
- Limited jurisdiction (e.g. non-participation of key countries)
- Resource and funding constraints
- Lengthy proceedings and delays
- Witness protection and security issues
- Other (please specify): _____

7. Improving international tribunals: (open-ended)

What improvements or support (if any) would enhance the effectiveness of international tribunals in fighting impunity?

Section 3: universal jurisdiction

8. Obstacles to universal jurisdiction: (select all that apply)

What do you think are the main barriers or challenges to using universal jurisdiction effectively?

- Lack of domestic laws or unclear legal basis
- Political/diplomatic pressure not to pursue cases
- Limited resources or capacity of courts
- Difficulty gathering evidence abroad
- Security risks or fear of reprisals
- Limited awareness or expertise on universal jurisdiction
- Other (please specify): _____

9. Strengthening universal jurisdiction: (open-ended)

What measures could the EU or its Member States take to promote and strengthen universal jurisdiction?

Section 4: transitional justice

10. Challenges in transitional justice: (select all that apply)

What do you think are the key challenges in transitional justice processes?

- Ongoing conflict or insecurity
- Cultural context
- Lack of political will
- Insufficient resources/funding
- Victims' trauma and social stigma
- Other (please specify): _____

11. Improving transitional justice: (open-ended)

Do you have suggestions for improving transitional justice processes?

Section 5: victims' participation

12. Forms of participation: (select all that apply)

Which forms of victim participation do you consider most valuable?

- Testifying in court or tribunal
- Submitting impact statements or affidavits
- Involvement in truth/reconciliation commissions
- Participation as civil parties or amici (in ICC or courts)
- Restorative justice/dialogue programmes
- Other (please specify): _____

13. Barriers for victims: (select all that apply)

What do you think are the key obstacles for victims when engaging with justice mechanisms?

- Threats or retaliation by perpetrators
- Security concerns / lack of protection
- Limited information or awareness of processes
- Psychological trauma or fear
- Logistical/financial constraints (e.g. travel, legal costs)
- Social stigma or retribution in community
- Exclusion by legal/judicial rules
- Other (please specify): _____

14. Supporting victims: (open-ended)

How could international justice processes be improved to better support and include victims and their interests?

Section 6: Policy recommendations for the EU

15. EU actions to strengthen justice: (select all that apply)

Which actions or policies should the EU or its Member States pursue to strengthen international justice?

- Provide funding for international tribunals and transitional justice initiatives
- Promote and harmonise universal jurisdiction laws in the EU
- Encourage ratification/implementation of international justice treaties (e.g. ICC, Genocide)
- Support training and capacity-building for judges and prosecutors on atrocity crimes
- Enhance support for victim assistance and reparations programmes
- Apply sanctions or conditionality to governments undermining justice
- Foster inter-agency coordination and data-sharing on accountability cases
- Other (please specify): _____

16. Additional comments: (open-ended)

Do you have any further comments or recommendations related to international justice and the fight against impunity?

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