

WORKSHOP PROCEEDINGS

Mechanisms of international justice to fight impunity

International tribunals, universal
jurisdiction and transitional
justice processes



Contributors:

Elise DELESPESE (Trainee), Maciek JASTRZEBIEC-PYSZYNSKI,
Adrián ROMERO AVELLO

European Parliament coordinator:

External Policies Analysis and Support Unit
Directorate-General for External Policies of the Union
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CONTRIBUTORS

Workshop proceedings:

Elise DELESPESE, Schuman Trainee, External Policies Analysis and Support Unit

Maciek JASTRZEBIEC-PYSZYNSKI, External Policies Analysis and Support Unit

Adrián ROMERO AVELLO, External Policies Analysis and Support Unit

PROJECT COORDINATOR (CONTRACTOR)

- Mathilde CHIGNESSE, Trans European Policy Studies Association (TEPSA), Belgium
- Ana LELADZE, Trans European Policy Studies Association (TEPSA), Belgium
- Eva RIBERA, Trans European Policy Studies Association (TEPSA), Belgium

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CONTACTS IN THE EUROPEAN PARLIAMENT

Coordination: Maciek JASTRZEBIEC-PYSZYNSKI, Adrián ROMERO AVELLO

Editorial assistant: Kristina WILHELMSSON

To give feedback or obtain copies, please write to exas@europarl.europa.eu

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Table of contents

List of abbreviations	iii
1 Workshop programme	1
2 Introduction	3
3 Presentations by academic experts	3
3.1 Veronika Bílková (Institute of International Relations Prague, Czechia)	3
3.2 Federica Cristani (Institute of International Relations Prague, Czechia)	4
4 Debate with Members	4
5 Responses from the panel	5
6 Contributions from other experts	6
6.1 Antoine Madelin, Director of Advocacy at the International Federation for Human Rights	6
6.2 James Goldston, Executive Director of the Open Society Foundations Justice Initiative	6
6.3 Helena Boguslawska, Deputy Head of the Human Rights Division at the EEAS	7
7 Debate with Members	8
8 Responses from the panel	9
Annex – Speakers’ bios	11

List of abbreviations

CSO	Civil Society Organisation
DROI	Subcommittee on Human Rights
EEAS	European External Action Service
ECR	European Conservatives and Reformists Group
EP	European Parliament
EU	European Union
ICC	International Criminal Court
MEP	Member of Parliament
The Greens/EFA	Group of the Greens/European Free Alliance
S&D	Group of the Progressive Alliance of Socialists and Democrats in the European Parliament

1 Workshop programme

WORKSHOP ON *Mechanisms of international justice to fight impunity* *International tribunals, universal jurisdiction and transitional justice processes*

Thursday 4 December 2025 - 9:00-10:45

Brussels, **SPINELLI 1G2**

PROGRAMME

Introductory remarks

DROI Chair **Mounir SATOURI**

Presentation by the authors

'Mechanisms of international justice to fight impunity - International tribunals, universal jurisdiction and transitional justice processes'

- **Veronika BÍLKOVÁ**, Institute of International Relations Prague, Czechia
- **Federica CRISTANI**, Institute of International Relations Prague, Czechia

Q&A with Members

Discussion

Towards an EU strategy to protect and strengthen the international system of justice, its institutions, mechanisms and partners

- **Antoine MADELIN**, Director for Advocacy, International Federation for Human Rights (FIDH) - The Global Initiative Against Impunity for International Crimes and Serious Human rights Violations
- **James GOLDSTON**, Executive Director of the Open society Justice Initiative

- **Helena BOGUSLAWSKA**, Deputy Head of the Human Rights Division, European External Action Service

Q&A with Members

Concluding remarks

2 Introduction

The workshop titled 'Mechanisms of International Justice to Fight Impunity: International Tribunals, Universal Jurisdiction and Transitional Justice Processes' was organised by the Subcommittee on Human Rights (DROI) and the Policy Department of the EP Directorate-General for External Policies on 4 December 2025. Mounir Satouri, DROI Chair (The Greens/EFA, FR) chaired the workshop.

In his opening remarks, the Chair underlined that the workshop was held at a particularly critical juncture, as ongoing efforts to hold perpetrators of international crimes accountable are increasingly facing political and legal challenges. He also noted that the timing coincided with the Assembly of States Parties to the International Criminal Court taking place that same week in The Hague, further underscoring the relevance of the discussion.

The workshop was structured around three core pillars of international justice: international criminal tribunals, the exercise of universal jurisdiction, and transitional justice processes. It was followed by a second panel featuring an exchange of views with Members of the European Parliament, focusing on the European Union's strategy to protect and strengthen international justice. This discussion sought to identify avenues to safeguard the effective functioning of the ICC and other international justice mechanisms worldwide, in a context marked by growing political pressure, attacks on their legitimacy, and the use of restrictive measures.

3 Presentations by academic experts

3.1 Veronika Bílková (Institute of International Relations Prague, Czechia)

Veronika Bílková presented a briefing based on the policy paper '**Mechanisms of International Justice to Fight Impunity**'. The purpose of the paper is to examine how international justice mechanisms address serious international crimes such as war crimes and crimes against humanity in contemporary post-conflict situations between 2020 and 2025. It focuses on three main types of mechanisms: international criminal tribunals, universal jurisdiction and transitional justice processes. The analysis draws on case studies from Europe, Africa, the Americas, and the Middle East, selected for their diversity, severity of crimes, and geopolitical relevance. The research combines legal analysis, comparative case studies, surveys, and expert interviews, with findings presented both in the main text and in an annex.

Ms Bílková presented the three mechanisms. International criminal tribunals, such as the Permanent International Criminal Court or various ad hoc tribunals, focus on prosecuting high-level perpetrators of international crimes at the international level. Universal jurisdiction allows states to prosecute, within their national legal order, these crimes regardless of where and by whom they were committed, so they can prosecute a non-national who committed a crime outside of the territory of the relevant state. Finally, transitional justice mechanisms, such as truth commissions, lustration, reparations mechanisms, and local reconciliation initiatives, aim to restore trust and provide justice at the national level in the relevant territorial state.

The paper assesses these mechanisms against four core criteria: their effectiveness in combating impunity; their legal soundness and respect for due process; their legitimacy among affected populations; and their

victim-centred approach, including the extent to which they uphold victims' rights to truth, justice and reparation.

3.2 Federica Cristani (Institute of International Relations Prague, Czechia)

Federica Cristani presented the conclusions of the policy paper. She emphasised that international justice mechanisms—whether international tribunals, the exercise of universal jurisdiction, or transitional justice processes—each have distinct strengths and limitations, and that no single mechanism is capable of ending impunity on its own. The paper therefore argues that the most effective approach lies in deploying these mechanisms in a complementary manner, tailored to local contexts and carefully balancing the demands of accountability with the need for reconciliation. In this respect, the mechanisms should be grounded in fairness, be firmly victim-centred, and pursue both justice and sustainable peace.

Ms Cristani underlined that the European Union has a strategic role to play in promoting coherence and global leadership in the fight against impunity. To achieve this, the paper recommends making accountability a core EU foreign policy priority, strengthening EU support for the International Criminal Court, backing ad hoc and hybrid tribunals, expanding universal jurisdiction among member states, increasing support for transitional justice initiatives, and using diplomatic tools such as targeted sanctions more strategically. Despite ongoing challenges like political interference and limited resources, combining these mechanisms can uphold the rule of law, help societies heal, and prevent future violations.

4 Debate with Members

Questions from MEPs

Arkadiusz Mularczyk (Vice-Chair, ECR, Poland) expressed interest for this publication, describing it as a major contribution to the debate on justice. He also voiced concern over the issue of reparation in the context of war crimes within the EU itself, notably referring to the Second World War. He further noted that the paper largely focuses on totalitarian regimes and stressed that, if the EU is to set credible standards, it has a responsibility to address unresolved issues that affect its own Member States.

Catarina Vieira (The Greens/EFA, Netherlands) expressed her appreciation for the depth and importance of the study, emphasising the urgency of international justice in the fight against impunity, warning that failure to punish war crimes and genocide risks enabling future atrocities. She welcomed the policy paper's focus on developments over the past five years and strongly endorsed its recommendations, in particular the call to strengthen EU support for the International Criminal Court (ICC), including measures requiring member states to implement ICC arrest warrants. Ms Vieira asked for clarification on how the EU can respond to sanctions and political attacks against the ICC, protect its staff, and use tools such as blocking mechanisms. She also sought further explanation on the potential use of the EU human rights sanctions regime to target actors who obstruct accountability processes.

Małgorzata Gosiewska (ECR, Poland) raised concerns about the limitations of the Rome Statute, particularly the prohibition of trials in absentia, which she argues hinders accountability and delays justice for victims. She noted that this rule prevents cases from proceeding when suspects are not in custody, despite the existence of arrest warrants, as illustrated by the ICC cases related to Georgia and Ukraine, which took many years to reach advanced stages. As a result, victims remain without convictions, compensation, or closure. She therefore asked whether a process should be initiated to amend the Rome Statute to allow trials in absentia, with a view to strengthening accountability and better serving the interests of victims.

Mounir Satouri voiced two questions. First, he inquired about the realistic prospects for accountability and transitional justice for victims of the Assad regime in Syria, and asked what role the European Union can play in supporting such processes. Second, he inquired into how the use of universal jurisdiction could be strengthened within the EU, which Member States make the most extensive use of it, and whether there are best practices that could be replicated.

Mr Satouri also raised the issue of the EU's failure to activate the blocking statute in response to sanctions against the International Criminal Court, arguing that this reflects a lack of political will rather than legal or technical obstacles. He questioned whether the blocking statute is an appropriate and effective tool to protect international tribunals such as the ICC, suggested it may currently be designed mainly to protect European companies, and asked how it could be improved or complemented to better defend international justice mechanisms against external sanctions.

5 Responses from the panel

Veronika Bílková explained that the study's focus on the past five years was set by the European Parliament and reflects the practical reality that international justice mechanisms are most effective in addressing current or recent crimes. Applying such mechanisms to historical crimes is difficult due to the death of perpetrators, changing legal norms, and the absence of relevant institutions at the time, meaning other instruments are typically used to address historical injustices.

She then addressed possible amendments to the Rome Statute, noting that while substantive amendments—such as those relating to the definition of the crime of aggression—have been adopted in the past, jurisdictional and procedural amendments are far more politically and legally contentious. In particular, she highlighted the restrictive jurisdictional rules for the crime of aggression, which require consent from both the aggressor and the victim state, making accountability in cases like Ukraine unlikely. She also discussed proposals to allow trials in absentia, explaining that while permitted in some national systems, they are generally avoided at the international level due to fair trial concerns and negative past experiences, notably with the Special Tribunal for Lebanon.

Turning to universal jurisdiction, Ms Bílková explained that it allows states to prosecute international crimes committed abroad by non-nationals and is increasingly recognised in national legal systems, though rarely used in practice due to practical and political constraints. She noted a recent increase in investigations under universal jurisdiction, particularly in Europe in response to the war in Ukraine, with examples including Germany, Poland, the Czech Republic, and the Baltic states, as well as cases outside Europe such as Argentina. She emphasised the dual importance of universal jurisdiction: its symbolic value in signalling that serious crimes will not be tolerated, and its practical role as a last-resort accountability mechanism when no other judicial avenues are available.

Ms Cristani highlighted two main points drawn from the study's fieldwork, including surveys and expert interviews. First, regarding universal jurisdiction, she emphasised the need for stronger harmonisation and cooperation among EU member states. The EU should lead by example by not only aligning national legislation but also investing in training judicial authorities and enhancing coordination mechanisms, such as the Eurojust Genocide Network. Second, on the use of sanctions regimes, she noted that experts stressed the importance of prioritizing cooperation over sanctions wherever possible. While sanctions can be used when necessary, fostering cooperation was seen as more effective in achieving sustainable and long-term accountability outcomes.

6 Contributions from other experts

Mr Satouri introduced the second panel of experts and thanked all three of them for participating. He noted that the European Commission (DG FISMA), responsible for the EU blocking statute, had been invited but declined to attend.

6.1 Antoine Madelin, Director of Advocacy at the International Federation for Human Rights

Mr Antoine Madelin, Director of Advocacy at the International Federation for Human Rights, reacting on the previous discussion warned that international justice, particularly the work of the International Criminal Court (ICC), is facing an unprecedented crisis due to political pressure and sanctions. He stressed that strong legal frameworks alone are insufficient if courts are unable to function in practice, and highlighted that support for international justice, civil society, and victims is a core principle of EU external policy under Article 21 of the EU Treaties.

He described escalating attacks on the ICC, including retaliatory measures by Russia against ICC officials in 2023 and the adoption of US sanctions in 2025 targeting ICC activities related to Palestine, Israel, and Afghanistan. These sanctions have affected ICC prosecutors, judges, UN officials, and Palestinian human rights NGOs, leading to asset freezes, banking over-compliance, disrupted funding, and the closure of bank accounts. The sanctions have also forced NGOs to dismiss staff, lose donors, and scale back operations, severely undermining human rights work and access to justice for victims.

The speaker argued that the EU must act decisively by invoking the blocking statute to counter the extraterritorial effects of US sanctions. However, he noted that this measure alone is insufficient, as it does not protect banks or ensure financial access. He therefore called for the creation of a protected EU financial channel to safeguard the operations of the ICC and human rights NGOs, ensuring that international justice mechanisms and civil society can continue their work without fear of retaliation.

6.2 James Goldston, Executive Director of the Open Society Foundations Justice Initiative

Mr James Goldston, Executive Director of the Open Society Foundations Justice Initiative warned that the global resurgence of authoritarianism threatens democracy, human rights, and the rule of law, making courts and international justice mechanisms more vital than ever. He stressed that the European Union has both the authority and responsibility to lead in defending international justice.

First, he addressed Russia's war of aggression against Ukraine, calling it an existential challenge for Europe. He urged the EU to fully support national and international efforts to hold perpetrators accountable, including the establishment of a Special Tribunal for the Crime of Aggression. He welcomed the political commitment of EU member states and the EU's initial financial contribution, but emphasised that sustained and significantly higher funding will be required. He also highlighted the importance of the International Claims Commission for Ukraine and argued that reparations for victims should be prioritised, including through the use of frozen Russian state assets. Reparations, he underlined, are a legal obligation owed by perpetrators, not humanitarian aid.

Second, he emphasised the importance of universal jurisdiction as a tool when domestic courts are unwilling or unable to prosecute international crimes. He pointed to recent cases in several EU states as

positive examples and called for stronger EU political, financial, and institutional support, including adequate resourcing of EUROJUST and the EU Genocide Network to handle complex investigations and new evidentiary challenges.

Third, he stressed that the EU must ensure compliance by its member states with decisions of international courts. Referring to recent rulings of the International Court of Justice concerning Gaza and the occupied Palestinian territory, he argued that these decisions create legal obligations for the EU and its member states. He called for concrete measures to uphold international law, including actions consistent with EU treaty obligations and international legal standards.

Overall, Mr Goldston urged the EU to back its commitment to international justice with sufficient resources, political will, and concrete action across accountability, reparations, universal jurisdiction, and respect for international court decisions.

6.3 Helena Boguslawska, Deputy Head of the Human Rights Division at the EEAS

Ms Helena Boguslawska, Deputy Head of the Human Rights Division at the EEAS outlined the European Union's role and actions in supporting international justice mechanisms, including international tribunals, universal jurisdiction, and transitional justice, while also identifying priorities for the future.

She reaffirmed the EU's longstanding and unwavering support for the International Criminal Court (ICC), including efforts to promote adherence to the Rome Statute, cooperation with the Court, and financial assistance. In response to recent sanctions against the ICC, the EU has publicly expressed strong political support for the Court's independence and is examining all available options to protect its staff and ensure it can carry out its mandate. The EU is also actively involved in the establishment of other accountability mechanisms, notably the Special Tribunal for the Crime of Aggression and the Claims Commission for Ukraine.

On universal jurisdiction, she noted that while prosecutions remain primarily a national responsibility, the EU supports member states and third countries through capacity-building, justice sector reforms, and measures to strengthen national courts, which remain the main forum for accountability. The EU also plays a key role across the broader accountability chain, including evidence collection, case building, prosecutions, and reparations, by supporting states, civil society, and UN mechanisms. Examples include extensive support to Ukraine and EU leadership in establishing UN investigative mechanisms for countries such as Afghanistan, Syria, and Myanmar.

Regarding transitional justice, Ms Boguslawska highlighted the EU's decade-long policy framework and growing engagement in supporting comprehensive, victim-centred approaches that combine judicial and non-judicial measures such as truth-seeking, reparations, institutional reform, memorialisation, and guarantees of non-recurrence. She emphasised that these processes must be locally owned, inclusive, aligned with international law, gender-sensitive, and tailored to specific contexts. The EU has supported transitional justice efforts in countries including the Democratic Republic of the Congo, Central African Republic, Ethiopia, and Colombia, and has invested significantly in civil society through initiatives such as the Global Initiative Against Impunity.

Looking ahead, she identified three key priorities: adopting gender-transformative approaches to justice, strengthening reparations while safeguarding individual victims' rights, and carefully supporting memory processes, recognizing both their potential to foster resilience and their risk of politicisation.

7 Debate with Members

Questions from MEPs

Marco Tarquinio (S&D, Italy) stressed that international justice is a vital issue, particularly in the current global context where legal authority is increasingly disregarded, citing conflicts such as in the Democratic Republic of the Congo. He argued that EU actions lose credibility if they are not systematic and if those working to uphold international justice, such as judges and tribunals, are not adequately protected or recognised. He emphasised the European Parliament's work on the blocking statute and ad hoc tribunals, and called on all EU institutions, including the Commission, to take responsibility and address the current fragile state of international justice mechanisms.

Arkadiusz Mularczyk (Vice-Chair, ECR, Poland) reiterated his questions concerning unresolved historical injustices affecting the own citizens of the European Union, highlighting the lack of compensation for Polish victims of World War II and criticizing both Germany and the EU for not providing legal avenues for redress or transitional justice within the EU. Additionally, Mr Mularczyk raised the issue of European responsibility for colonial-era injustices in Africa, including the retention of cultural heritage in European museums, and asked how accountability and reparative justice should be addressed in that context.

Mounir Satouri (Chair, The Greens/EFA, France), in his quality of Chair, while acknowledging the validity of Mr. Mularczyk's concerns, reminded that the DROI committee does not have the competence to deal with internal affairs and that there are other committees better suited to address these issues.

Catarina Vieira (The Greens/EFA, Netherlands) described what she perceives as double standards and politicisation in the EU's approach to international justice, particularly on the side of the Commission. She criticised the EU institutions for failing to act decisively when US sanctions target officials investigating crimes related to Israel, questioning whether the blocking statute would have been applied as swiftly in other contexts. She also condemned the political positions of Ms. Kaja Kallas and Ms. Ursula von der Leyen that, in her view, undermine justice and accountability, particularly in relation to Gaza.

While acknowledging the importance of the discussion, she argued that international justice is inherently politicised and asked how these issues can be depoliticised in practice. Her central question was about the ways the EU can strengthen international accountability mechanisms so that they are applied consistently and effectively, beyond voluntary compliance and political selectivity, including in situations where there is no cooperation from perpetrators, such as in Myanmar.

Mounir Satouri (Chair, The Greens/EFA, France) expressed dissatisfaction with the European Commission's absence from the discussion, particularly given the importance of the blocking statute. He responded to proposals for creating a protected financial channel for NGOs, arguing that such a solution would be insufficient due to the EU's lack of financial and payment-system sovereignty, as European systems remain heavily dependent on US-linked infrastructures.

He framed the issue more broadly as one of European sovereignty, noting that US sanctions and the US position outside the Rome Statute raise fundamental challenges that existing EU instruments may not adequately address. While acknowledging the limits of current tools, he criticised the lack of concrete action despite repeated assurances from the High Representative that measures would be taken. He

concluded by expressing frustration at the absence of clear answers and invited the panelists to respond to the questions raised.

8 Responses from the panel

Antoine Madelin, Director of Advocacy at the International Federation for Human Rights acknowledged the EU's limited financial sovereignty, noting that reliance on US-dollar-based payment systems allows external actors to undermine EU interests, including the work of the ICC. While discussions on creating strictly European payment channels are ongoing, he stressed that this is a matter for EU institutions to pursue. In the meantime, some banks can provide limited resilience by operating with reduced exposure to the dollar, though secure transactions remain especially difficult outside the EU.

Mr Madelin also addressed the problem of non-cooperation with the ICC, emphasizing ongoing discussions among NGOs and states at the Assembly of States Parties. He underlined the importance of using complementary judicial mechanisms when direct cooperation or investigations are not possible, as having a range of accountability tools can expand opportunities for justice. He concluded by highlighting the relevance of universal jurisdiction, citing Syrian victims who were able to seek justice through proceedings before French courts.

James Goldston, Executive Director of the Open Society Foundations Justice Initiative addressed the challenge of depoliticizing international justice by emphasizing two key approaches. First, he argued that the EU must lead by example through consistent funding, technical support, and political commitment to international justice mechanisms, such as international tribunals, universal jurisdiction, and transitional justice, regardless of political sensitivities in specific cases. Demonstrating tangible results through effective and credible justice is essential to building legitimacy.

Second, he highlighted the importance of education and public awareness, stressing the need to remind societies why international justice mechanisms exist, what values and interests they protect, and what historical atrocities they were designed to prevent. This broader understanding, he suggested, is crucial to sustaining support for accountability mechanisms beyond shifting political contexts.

Helena Boguslawska, Deputy Head of the Human Rights Division at the EEAS addressed several points raised by Members, focusing on reparations, accountability, universal jurisdiction, and sanctions. She emphasised that reparations are a complex and sensitive element of transitional justice, particularly collective reparations, which must be carefully designed to rebuild trust rather than deepen social divisions. Reparations should form part of a holistic restorative justice approach that preserves victims' rights to truth, reparation, and guarantees of non-repetition, while involving victims, offenders, families, and communities in reconciliation processes.

She noted that the international community has become increasingly effective at documenting crimes and human rights violations, often with strong involvement from civil society. However, the main challenge lies not in evidence collection but in the lack of judicial avenues to translate evidence into criminal accountability. In this context, universal jurisdiction remains underused, and stronger national justice systems and cooperation among EU member states and international partners are essential.

Ms Boguslawska further stressed that accountability must be integrated into peace processes in all crisis contexts. On sanctions, she explained that the EU is considering the development of new thematic sanctions packages, including potentially targeting those who obstruct transitional justice processes.

However, she underlined that sanctions are not punitive or judicial tools; they are preventative diplomatic instruments with a lower evidentiary threshold and cannot replace formal accountability mechanisms.

In his closing remarks, **Mounir Satouri** emphasised that the discussion takes place at a critical moment for Europe and framed international justice as a core issue of European sovereignty. He argued that defending the EU's capacity to resist foreign extraterritorial measures and uphold the rule of law should unite all institutions, regardless of political differences. Warning against a global shift toward a 'might is right' approach, he stressed that the EU must first ensure respect for the rule of law within its own space if it is to defend a rules-based international order globally. He called on the European Commission to engage more actively on these issues and underlined that sovereignty in protecting values, principles, and the rule of law is as vital as defence. He concluded by noting that the discussion would continue in the coming months.

Annex – Speakers' bios

Veronika Bilková is **Professor in international law at the Law Faculty of the Charles University in Prague**. She is also the Head of the University Centre for Conflict and Post-Conflict Studies and Senior Researcher at the Institute of International Relations (IIR) in Prague. Since 2010, she has been the member of the Venice Commission of the Council of Europe on behalf of the Czech Republic. In 2022–2024, she was a member of four expert missions on Ukraine established under the Organization for Security and Co-operation in Europe (OSCE) Moscow Mechanism. Her research focuses on the use of force, international humanitarian law, international criminal law, international human rights, and the rule of law. She has published extensively on those topics in Czech, English and French.

Federica Cristani is the **Head of the Centre for International Law** and a senior researcher at the Institute of International Relations Prague, leading a research team within the framework of the Horizon Europe HRJust project (States' Practice of Human Rights Justification), where she has co-founded and is co-directing the Intersect Observatory. She is also an external member of the University Centre for Conflict and Post-Conflict Studies at the Department of Public International Law of the Faculty of Law at Charles University in Prague. She holds a PhD in international law and a degree in law from the University of Verona and worked as a post-doctoral researcher at the University of Verona at the World Trade Institute of the University of Bern. Her main research interests include the international law of state responsibility in different fields of international law.

Antoine Madelin is the **Director of International Advocacy at the International Federation for Human Rights (IFHR)**. Prior to that he worked as the IFHR Permanent Representative to the European Union and the United Nations. Mr Madelin has been also teaching at the Paris II University about the NGOs and other non-state actors.

James A. Goldston is the **Executive Director of the Open Society Justice Initiative**. He has served as Coordinator of Prosecutions and Senior Trial Attorney in the Office of the Prosecutor at the International Criminal Court and previously held the role of legal director at the European Roma Rights Centre, director general for human rights at the OSCE Mission to Bosnia and Herzegovina, and prosecutor in the Office of the US Attorney for the Southern District of New York. He is a graduate of Columbia College and Harvard Law School and has taught at Columbia Law School, NYU School of Law, and Central European University.

Helena Boguslawska is the **Deputy Head of Human Rights Division in the European External Action Service**. Prior to that she served in the EU Delegations in Geneva (Head of Human Rights Section) and Washington DC. Before joining the EEAS in 2010, Ms Boguslawska worked in the Council of the EU, European Defence Agency and the Polish Ministry of National Defence.

