

RUSSIA'S WAR OF AGGRESSION AGAINST UKRAINE.

Challenges of Documenting and Prosecuting War Crimes.

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Organized by the Pilecki Institute
in cooperation with
Zentrum Liberale Moderne

Welcome!

It has been almost one year since the Russian Federation launched its unprovoked invasion of Ukraine, breaking international law, shattering peace in the region and shocking the world with its criminal brutality and wanton disregard of life. While many have stood by in stunned disbelief, Poland has been quick to give aid, sanctuary, relief and military support to the government and citizens of Ukraine, who have amazed with their resilience, bravery and brilliant success in resisting against all odds. Here at the Pilecki Center our work has centered on the tragic fates of Polish citizens who suffered similarly from ruthless invasion and occupation by two totalitarian powers in the 20th century, and we have used this experience to form an institutional response to the tragedy unfolding in Ukraine in the form of the Rafał Lemkin Center for Documenting Russian Crimes in Ukraine. Justice is of paramount importance, and there can be no future international order without a full reckoning of the crimes being committed by the Russians and without a full measure of justice for their victims. In this spirit, we are proud to gather together here in this conference esteemed colleagues from East-Central Europe and from the West – from Ukraine itself to the USA – to tackle together some of these most difficult issues of our time, issues of international justice, war crimes, and the protection of innocent lives. It is our great pleasure at the Pilecki Institute, in cooperation with the Zentrum Liberale Moderne, to welcome you here, and we look forward greatly to a stimulating and profoundly important three days of discussion and conversation.

Prof. Magdalena Gawin,
Director of the Pilecki Institute







Russia's War of Aggression Against Ukraine. Challenges of Documenting and Prosecuting War Crimes

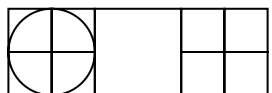
By its very scope and nature, the war against Ukraine - the largest armed conflict in Europe since WWII - challenges our thinking about international order, war, freedom, post-war justice, and the role of eye witnesses. The conference approaches the war and its consequences from historical and legal perspectives and invites interdisciplinary debate on the nature of the war, the best responses to Russian war crimes, and how to effectively prepare for the challenges of post-war justice.

The assumptions of the war crimes settlement model, adopted in 1945 by the Allied States, and the problem of differing experiences and memories of WWII in Eastern and Western Europe will be a point of departure. Analyzing the development of international criminal law after 1945, we will discuss the factors determining the effectiveness of international justice, focusing on the available means of national and international law to pursue criminal accountability for Russian crimes in Ukraine.

We will furthermore present initiatives to collect evidence and witness accounts of Russian aggression, which have the value of historical testimony as well as of evidence for future post-war trials. The atrocities which these witnesses have experienced from the Russian invasion is the newest phase in a long history of violence that has shaped the history of East-Central Europe through the 20th century. The conference aims to investigate the causes of this violence, its impact on the region and ways to bring it to an end.

A further task of this conference is to shed light on differing historical narratives, perceptions and political approaches in Eastern and Western Europe. Renowned scholars, civil society activists and policy analysts from Ukraine, Germany, Poland, the US and the UK, among others, will have the opportunity to discuss different perspectives on how to approach the war and the crimes committed by Russia, how to address the issues they raise, and how to shape a more robust international justice in the future.

organizers



The Pilecki Institute

The mission of the Pilecki Institute is to preserve the memory and to document and research the historical experiences of Polish citizens in the 20th century. We aim to facilitate an interdisciplinary and international reflection on key issues of this epoch concerning the two totalitarianisms – the German and the Soviet – and their aftermath. The Institute not only gathers and makes available documents which present various facets of the 20th century, but also supports scholarship, and through a host of educational projects and events combining culture and history works to disseminate knowledge about the previous century.



The Institute's **Center for Totalitarian Studies** gathers researchers who specialize in political science, sociology, history, Jewish studies and legal history. This unique milieu of scholars implements interdisciplinary research projects devoted to totalitarianism and the history of Poland and Europe in the 20th century. Research focuses primarily on events connected with World War II, the conflict's impact on societies and politics in the second half of the 20th century, the culture of memory and post-conflict justice. While conducting their own research projects, employees of the Center organize debates, seminars, and international scientific conferences. To facilitate internal and external research projects the Institute acquires document collections from Polish and foreign institutions which together form a digital archive. One of the Center's main research areas is the thought and legacy of Raphael Lemkin.

The **Pilecki Institute in Berlin** (<http://pileckiinstitut.de/>) was established in autumn 2019. Since then we have presented over 400 events about the history of Poland and our region at our headquarters on Pariser Platz – opposite the Brandenburg Gate – and online. Debates, lectures, seminars, film screenings, educational workshops for students and teachers, our Exercising Modernity program, and narrational historical exhibitions together create a space for conversation and the creative confrontation of many perspectives – a space for a multifaceted discussion

about the bright and dark sides of modernity. An important part of our mission is to build a better access infrastructure for archival documents by digitizing and making them available, in cooperation with the Bundesarchiv and state archives. In the spirit of Jerzy Giedroyc and the exile journal *Kultura*, we include perspectives from Ukraine and Belarus in our program, and also actively support the societies of Ukraine and Belarus in their battles and in their protests. In this way, reflection on the totalitarian twentieth century contributes to finding adequate responses to war and totalitarian tendencies in the twenty-first century.



Zentrum Liberale Moderne

LibMod (<https://libmod.de>) stands up for the defense and renewal of open society. Liberal Modernity – the combination of individual freedom, democratic institutions, cosmopolitanism, cultural diversity and science based innovation – is under attack worldwide. It is challenged from within as well as by self-assertive authoritarian powers. In times of fundamental change – globalization, digital revolution, climate change, worldwide migration and the new systemic conflict between democracy and authoritarianism – there is a need for cross-partisan reflection about the future of open societies and the international order. LibMod is aimed to be a rallying point for free thinkers from different political camps, finding answers to the challenges of our time and promoting a liberal renewal in that spirit. The Center for Liberal Modernity (LibMod) was founded in 2017 in Berlin.

The Rafał Lemkin Center for Documenting Russian Crimes in Ukraine

In March 2022, in response to Russia's aggression against Ukraine, the Pilecki Institute established the Rafał Lemkin Center for Documenting Russian Crimes in Ukraine, with a mission to collect individual eyewitness accounts of civilians in order to preserve and archive the accounts of crimes committed by Russian troops in Ukraine. Testimonies in the form of written questionnaires filled out by refugees, mainly in Poland, and film reports, most often recorded in Ukraine, are collected while observing data security standards and care for those who testify. The Lemkin Center cooperates with over a hundred volunteers and collaborators who speak Ukrainian and Russian, as well as with researchers of 20th-century totalitarianisms and experts in international law.

Selected testimonies and observations from the collected material are passed on to the Polish and foreign media in order to keep the world informed about the cruelty of the war and the mass crimes. The surveys and film testimonials are cataloged and translated in order to ultimately – after appropriate anonymization – be made available as a repository. As of December 2022 we have obtained nearly 700 surveys containing eyewitness accounts of crimes and over 400 film and audio testimonials, most recorded in Ukraine. The collected accounts mainly concern the events in the Kharkiv, Donetsk, Kherson and Kiev oblasts. Numerous testimonies come from Mariupol and Kharkiv, as well as Kiev and the surrounding area.

One of the forms of public presentation of selected testimonies gathered at the Lemkin Center are performative readings and performances composed of excerpts from testimonies, which have taken place in Warsaw as well as in Kiev and Lviv. The culmination of these activities was the performance "The Liberated," prepared by the Pilecki Institute in connection with the 83rd anniversary of the USSR's aggression against Poland, combining the testimonies and stories of the Soviet occupation 83 years ago with the testimonies of Russia's aggression against Ukraine, showing the analogy of the Polish and Ukrainian experience.



program



WED		01	02	2023	
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10:45 Opening ceremony

Magdalena Gawin (Pilecki Institute)
Ralf Fücks (Zentrum Liberale Moderne)

11:15 Keynote Address

Mark Kramer

RUSSIA'S WAR AGAINST UKRAINE: THE SOVIET LEGACY AND THE WELLSPRINGS OF RUSSIAN POLICY

Commentary:
Iryna Solonenko

Moderator:
Mateusz Fatkowski

12:30 Lunch

13:30 Session I

WAR AND VIOLENCE IN THE POST-SOVIET SPACE

Agnieszka Bieńczyk-Missala, *Russian War Crimes in Ukraine as a Tool of War.*

Ian Garner, *Putin's Youth and the Tik Tok War: Creating the Politicized Self in the War Against Ukraine.*

Łukasz Adamski, *The Kremlin's Negationism towards Russian War Crimes in Ukraine. Methods of Denial and Historical Antecedents.*

Alyona Bidenko, *Russian Soldiers in the Russo-Ukrainian War: Life Histories, Deployment, Repercussions.*

Moderator:
Zentrum Liberale Moderne

15:15 Coffee break

15:30 Keynote Address

William Schabas

ACCOUNTABILITY FOR WAR CRIMES: PAST, PRESENT AND FUTURE

Commentary:
Karolina Wierczyńska

Moderator:
Dominika Uczkiewicz

16:45 Discussion session

ACCOUNTABILITY FOR WAR CRIMES – POLITICAL AND PRACTICAL APPROACHES

Marieluise Beck
Anton Korynevych
Wojciech Konończuk
David Schlaefer

Moderator:
Patrik Szostak

18:15 Coffee break

18:30 Presentation

WITNESSES OF THE WAR: INITIATIVES TO DOCUMENT CRIMES IN UKRAINE

The Rafał Lemkin Center for Documenting Russian Crimes
in Ukraine

20:00 Welcome Drink

Throughout the conference, we invite you to watch the multimedia installation entitled *Shards of unjudged crimes*, created from selected film testimonies and materials collected by the Lemkin Center. This installation presents the accounts of witnesses who experienced Russian captivity, torture, and scorched earth tactics in the Kiev region, and the bombing of civilian infrastructure in Mariupol. The entire installation will be presented in the basement of the Pilecki Institute in Berlin (Pariser Platz 4A) as a walk-through exhibition and will begin on the hour every hour, each day of the conference. This installation has been prepared by Jakub Kiersikowski with the site-specific assistance of Hanna Radziejowska.

THU		02	02	2023	
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9:15 Session II

CRIME WITHOUT PUNISHMENT: LEGAL AND POLITICAL DISCOURSES ON THE SETTLEMENT OF NAZI AND COMMUNIST CRIMES.

Annette Weinke, *A 'Nuremberg for Communism'? Post-unified Germany and the Politics of (International) Criminal Justice in the 1990s.*

Tomasz Lachowski, *Homo Sovieticus to Russkiy Mir. The Kremlin's Genocidal Policy Against the Ukrainian Nation in the Light of International Law and the Thought of Raphael Lemkin.*

Oktawian Kuc, *Prosecuting War Crimes. The Polish and Ukrainian Experience after the 1939 and 2022 Invasions.*

Yurii Kaparulin, *The Crime of Genocide in the History of Ukraine: Legal Regulation and Historical Reflections.*

Moderator:
Bartłomiej Kapica

11:00 Coffee Break

11:15 Session III

DOCUMENTING CRIMES OF VIOLENCE AND RAPE IN UKRAINE.

Anna Wylegała, *"How many times were you raped?". Ethical and Methodological Challenges of the Ongoing War Documentation.*

Kateryna Busol, *When the Head of State Makes Rape Jokes, His Troops Commit Rape on the Ground: Sexual Violence in the Russia-Ukraine Armed Conflict.*

Emmanuelle Chaze, *War Crimes Committed in Recently Liberated Izium: What can be Published?*

Commentary:
Sasha Romantsova

Moderator:
Iryna Solonenko

13:00 Lunch

14:00 Session IV

CHALLENGES IN DOCUMENTING WAR CRIMES IN UKRAINE

Hanna Kuczyńska, *Digital Evidence in Investigations Concerning Russian Crimes in Ukraine.*

Kseniya Yurtayeva, *Engaging Post-truth Theory in Shadowing Russian War Crimes.*

Oksana Senatorova, *Deportation and Forcible Transfer of Ukrainians during the Russia-Ukraine War.*

Moderator:
Alina Nowobilska

15:30 Coffee Break

15:45 Session V

EXISTING MEANS FOR PROSECUTING RUSSIAN CRIMES IN UKRAINE: PART I.

Bartłomiej Krzan, *Polish Involvement in Prosecuting International Crimes in Ukraine.*

Stefanie Bock, *Prosecuting War Crimes in Ukraine – The German Contribution.*

Gaiane Nuridzhanian, *Ensuring Fairness of War Crime Trials in Ukraine.*

Andrew Williams, *Ukraine and the Investigation of Systemic War Crimes: Learning from the UK's Investigative Failures in the Iraq and Afghanistan Wars.*

Moderator:
Dominika Uczkiewicz

17:30 Coffee Break

17:45 Session VI

EXISTING MEANS FOR PROSECUTING RUSSIAN CRIMES IN UKRAINE: PART II.

Patryk Labuda, *Countering Imperialism in International Law: Examining the Special Tribunal on Aggression from a Post-Colonial Eastern European Perspective.*

Dan Plesch, *Precedents and Practice for Ukraine: The UNWCC Indictments of Adolf Hitler, Myths of Head of State Immunity, Domestic and International Indictments after WWII.*

Karolina Wierczyńska, *Prosecuting Heads of States: From the Treaty of Versailles and its Travaux Préparatoires to Current Problems of International Law.*

Nadia Boyadjieva, *The International Criminal Tribunal for the Former Yugoslavia: A Precedent or a Warning?*

Moderator:
Zentrum Liberale Moderne

19:30 Dinner

FRI		03	02	2023	
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9:15 Book Discussion

“EVERYTHING IS MORE IMPORTANT THAN UKRAINIAN LIVES”. TEXTS ON WAR AND WESTSPLAINING.

Schamma Schahadat
Aleksandra Konarzewska
Victoria Amelina
Lia Dostlieva

10:15 Coffee Break

10:30 Keynote Address

Yaroslav Hrytsak

HOW PUTIN (AND THE WEST) GOT UKRAINE WRONG.

Commentary:
Jerzy Rohoziński

Moderator:
Krystian Wiciarz

11:45 Coffee Break

12:00 Concluding Discussion

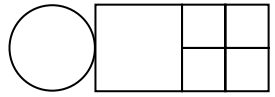
THE WAR IN UKRAINE AND ITS INFLUENCE ON EUROPE.

Magdalena Gawin
Mark Kramer
Iain Dale
Kseniya Yurtayeva
Ralf Fücks

Moderator:
John Cornell

14:00 Lunch





participants



Dr. Łukasz Adamski (Warsaw, Poland)

The Kremlin's Negationism towards Russian War Crimes in Ukraine. Methods of Denial and Historical Antecedents.

The Russian authorities respond to information about Russian crimes against Ukraine and war crimes in Ukraine by resorting to five methods: a) silence; b) denialism; c) relativisation; d) justification by creating false alternatives, appealing to historical determinism etc.; e) political blackmail accompanied by victim blaming. This strategy is calculated primarily to sustain the internal legitimacy of the war against Ukraine, and thus to convince its own public opinion of the rightness of the war and its objectives. It is also directed towards the countries of the so-called Global South, which do not engage on any side of the war. To a lesser extent, it is intended to influence the 'anti-Mainstream' part of public opinion in Western countries. In many cases, it is reminiscent of analogous actions taken by the Russian Empire against the Polish-Lithuanian Commonwealth in the 18th century, and by the USSR against Poland, Finland, Lithuania, Latvia and Estonia in the 20th century. Its main aim with respect to foreign nations seems not to be to convince their people of the absolute rightness of Russia's behavior, but rather to shake confidence in the rightness of the position and policy of Ukraine and the EU, NATO and other Free World countries supporting Ukraine in its defense efforts.

Łukasz Adamski is a historian and political scientist, specializing in the history of Eastern Europe, especially in the history of Polish-Ukrainian and Polish-Russian relations, as well as in the foreign and domestic policy of Eastern European states. He is Deputy director of the Juliusz Mieroszewski Centre for Dialogue. Since 2022 he is also editor-in-chief of *AREI. Journal for Central and Eastern European History and Politics*. In 2014, he worked as rapporteur of the OSCE Special Monitoring Mission to Ukraine. Author of the monograph: *Progressive Nationalist. Mykhailo Hrushevsky and his views on Poland and Poles*, he is editor or co-editor of several monographs - in Polish and English - devoted to the history of Polish-Ukrainian-Russian relations. In 2022, he published two volumes of sources

on Polish-Soviet relations during World War II, and in 2019 - two volumes of sources (together with Grzegorz Hryciuk) on the struggle of the Polish underground against the Soviets in Volhynia and Eastern Galicia. He is a regular commentator on opinion-forming Polish and international media.



Marieluise Beck (Berlin, Germany)

Marieluise Beck is a politician of foreign affairs with a focus on Eastern and South-East Europe and well-respected across parties. She is held in high regard as a defender of human rights-oriented foreign and security politics and has broad networks in politics and civil society in Russia, Ukraine and South-East Europe. In addition to her political work she has repeatedly devoted herself to humanitarian causes. She carries the Order of Merit with Ribbon of the Federal Republic of Germany. In 2016 she was awarded the Ramer Award for Courage in the Defense of Democracy by the American Jewish Committee (AJC). She was spokesperson of the first green parliamentary group in 1983, member of the parliament from 1983 to 2017 and member of the committee on foreign affairs since 2005. She was appointed responsible for migration within the green and red government and was parliamentary state secretary in the ministry for employment. In addition, she was a member of the Parliamentary Assembly of the Council of Europe. There she joined the Alliance of Liberals and Democrats for Europe (ALDE). She is a board member of the Petersburger Dialog. During the Serbian-Bosnian conflict, she founded the organization Brücke der Hoffnung (Bridge of Hope), which has applied more than 10 million Euro for humanitarian projects by now.



Alyona Bidenko (Potsdam, Germany)

Russian Soldiers in the Russo-Ukrainian War: Life Histories, Deployment, Repercussions.

This project aims at investigating the Russian invasion of Ukraine by examining violent actors and the environments that produced them. It focuses on the socialization of Russian rank-and-file soldiers and commissioned officers and their collective identities. This study employs a qualitative case study to investigate their deployment and life histories before the war that predisposed them to their violent acts. This study utilizes such groups of primary sources as: interviews with Russian POWs, intercepted phone calls of Russian soldiers to Russia, and trial records. The ongoing investigation of the database of interviews with Russian POWs by the journalist Volodymyr Zolkin demonstrated salient trends regarding their older age, poor military training, support, and leadership. Moreover, there are emerging patterns that indicate their self-proclaimed lack of agency.

Alyona Bidenko is a PhD student in History and a Research Associate at the Leibniz Centre for Contemporary History Potsdam. She completed her MA in Holocaust and Genocide Studies at Uppsala University with the support of the Swedish Institute as a recipient of a Visby Programme scholarship. Her research interests are in perpetrator studies, fascism, and memory politics.



Prof. Agnieszka Bieńczyk-Missala (Warsaw, Poland)

Russian War Crimes in Ukraine as a Tool of War.

International missions (including the OSCE and the UN) that have operated in Ukraine over the past year confirmed in their reports that Russian troops in Ukraine were repeatedly acting in contravention of the rules of international humanitarian law. The experience of conflicts in which Russia has been involved (including the wars in Chechnya and Syria) proves that Russia, as a rule, does not respect international obligations conducting wars. On the contrary, participation in the commission of war crimes is seen as loyalty to the state, resulting in impunity and even the possibility of promotion. Committing crimes is a tool for Russia to achieve its war goals and to put pressure on the civilian population, the Ukrainian authorities and the Western countries supporting Ukraine.

Agnieszka Bieńczyk-Missala is professor at the Faculty of Political Science and International Studies of the University of Warsaw; a participant in the scientific project *Russia's War*, funded by the National Science Centre (2020–2024); head of the project titled *Prevention of Mass Violations of Human Rights* funded by the National Science Centre (2013–2017); a participant in the European Network on Humanitarian Assistance (NOHA); Deputy Director for Research and International Cooperation at the Institute of International Relations, University of Warsaw (2008–2012); an analyst at the Polish Institute of International Affairs (2006–2008); scholarship recipient from the Jan Karski Educational Foundation and alumni of Georgetown Leadership Seminar in 2016. Her research interests include human rights and democracy issues, international humanitarian law, international crimes, humanitarian aid, and Poland's foreign policy. She is the author of numerous publications, her latest book being: *Preventing Mass Human-Rights Violations and Atrocity Crimes*, Peter Lang, Berlin 2021.



Prof. Stefanie Bock (Marburg, Germany)

Prosecuting War Crimes in Ukraine – The German Contribution.

Twenty years ago – on 30 June 2002 and thus one day prior to the Rome Statute of the International Criminal Court – the German Code of Crimes Against International Law (*Völkerstrafgesetzbuch* – CCIL) entered into force. The CCIL has created the basis for a decentral enforcement of international law and allows for the national prosecution of international core crimes. The most far reaching innovation of the CCIL is its broad jurisdictional reach. It is based on the principle of universal jurisdiction and empowers the German judicial authorities to prosecute genocide, crimes against humanity and war crimes even when they are committed abroad and have no specific link to Germany. After some initial hesitation, Germany meanwhile plays an active role in the international fight against impunity for core crimes. Accordingly, the Prosecutor General announced immediately after the start of Russia's war of aggression to initiate structural investigations in Ukraine to prepare individual cases, identify potential suspects, determine patterns of criminality and secure evidence. In my presentation, I will give an overview on the CCIL, show how and to what extent it applies to crimes committed in Ukraine and show what role Germany could play in holding Russian war criminals accountable.

Professor Stefanie Bock holds the Chair for Criminal Law, Criminal Procedure, International Criminal Law and Comparative Law at the Philipps-Universität Marburg, Germany, and is the Director of the International Research and Documentation Centre for War Crimes Trials. Her main fields of research are international criminal law, European criminal law and comparative criminal law.



Prof. Nadia Boyadjieva (Cambridge MA, USA/
Plovdiv, Bulgaria)

The International Criminal Tribunal for the Former Yugoslavia: A Precedent or a Warning?

In May 1993, as the violent disintegration of the Yugoslav federation was under way, the UN Security Council approved Resolution 827 setting up an International Criminal Tribunal for Yugoslavia (ICTY) to investigate and prosecute those guilty of grave breaches of the Geneva Conventions, violations of the laws or customs of war, genocide, and crimes against humanity. In the 1990s and 2000s, the ICTY issued 161 indictments, of which 90 led to convictions and prison sentences. The final conviction, in 2017, was of Ratko Mladić, the notorious military commander of Serb forces in Bosnia and Herzegovina. All of the categories within the ICTY's remit, and the waging of a war of aggression, are relevant to Russia's war against Ukraine. Hence, the experience of the ICTY is crucial to take into account when considering the punishment of war crimes and other atrocities in Ukraine. Although the ICTY experienced notable successes and established important precedents, it is important to highlight the evidentiary, political, practical, and organizational problems that hindered the ICTY's work at every stage.

Nadia Boyadjieva has taught in the Faculty of Law at Plovdiv University since 2000, as well as in other Bulgarian universities, and in 2013 was promoted to be a Full Professor of International Law and International Relations. She has also been teaching human rights and security issues and peacekeeping courses for more than a decade at the Security Studies Department at the New Bulgaria University. Since 2016 she has also been a Full Professor at the Institute for Balkan Studies of the Bulgarian Academy of Sciences. In 2017 she was awarded a Doctor of Sciences (D.Sc.) degree in International Law & International Relations with a dissertation on international relations during the Cold War. Professor Boyadjieva has held numerous fellowships, among others with NATO/EAPC, the John F. Kennedy Institute at the Free University of Berlin, the Raoul Wallenberg Institute

of Human Rights and Humanitarian Law, and is currently a long-term Visiting Scholar at the Davis Center for Russian and Eurasian Studies at Harvard University, where she has been taking part in many events with the Sakharov Human Rights Program, Cold War Studies and other programs.



Dr. Kateryna Busol (Kyiv, Ukraine)

When the Head of State Makes Rape Jokes, His Troops Commit Rape on the Ground: Sexual Violence in the Russia-Ukraine Armed Conflict.

Sexual violence is inherent in most armed conflicts, Russia's aggression against Ukraine being no exception. Even during the preliminary examination of the situation in Ukraine, before the full-scale invasion, the ICC Office of the Prosecutor found a reasonable basis to believe that war crimes of rape and other forms of sexual violence had been committed. These conclusions were supported by the findings of domestic human rights NGOs that worked with survivors of unlawful detention in Donbas and Crimea. The scope and gravity of sexual violence have both increased and diversified since the all-out aggression, with more evidence of accompanying hate and potentially genocidal rhetoric. This presentation will examine the dynamics of the patterns of crimes, victimization, derogatory language and justice responses, including by means of reparations, to conflict-related sexual violence amid Russia's invasion, domestically in Ukraine and internationally.

Kateryna Busol is a Ukrainian international lawyer. She is a Senior Lecturer at the National University of Kyiv-Mohyla Academy and a fellow at the Leibniz Institute for East and Southeast European Studies. Kateryna has worked on different issues of accountability and transitional justice related to the Russia-Ukraine armed conflict with UN Women, Global Survivors Fund, Global Rights Compliance as well as Ukrainian NGOs such as the Ukrainian Helsinki Human Rights Union, Media Initiative for Human Rights

and Truth Hounds. She was a fellow at Chatham House and Visiting Professional at the Office of the Prosecutor of the International Criminal Court. Kateryna is the founder of the #InternationalLawTalks and a Board member of the Cambridge Society of Ukraine, which enhances educational opportunities for Ukrainian children.



Emmanuelle Chaze (Berlin, Germany)

War Crimes Committed in Recently Liberated Izium: What can be Published?

On September 17th, 2022, a few days after the liberation of Izium, I witnessed the exhumations of some of the 457 bodies found in a mass grave in the outskirts of the city. Teams of forensics and war crimes prosecutors were working on site, and local people were coming and going, looking for their relatives, while the sound of machine guns and shelling falling nearby was still going on. With no other international observers present, it left journalists with the duty to bear witness to a scene for which words fail. That day, filming tortured bodies of civilians became a responsibility that went above that of informing an audience: it also meant bearing witness to war crimes, documenting them, and reporting on the procedures put in place by Ukrainian authorities to prosecute the cases. Beyond the necessity of keeping a trace of those atrocities and telling the world about what happened, what can be published, how does that affect families and relatives of those killed, and what ought to be shown solely to prosecutors?

Emmanuelle Chaze is a French journalist who has been reporting on Russia's full scale war against Ukraine since February 2022, first for France's international broadcaster France24, then for Germany's international broadcaster Deutsche Welle. In September, she reported from the recently liberated Kharkiv region, where she documented the aftermath of Russian occupation. A month later, she received her postgraduate degree in International Humanitarian Law from the University of Côte d'Azur and the San Remo Institute for International Humanitarian Law.



Dr. John Cornell (Warsaw, Poland)

John Cornell received his Bachelors in Music from the University of California, Berkeley, and continued his studies in Modern European History at the University of Michigan, Ann Arbor. He received his PhD there in 1997, specializing in modern French musical culture. He moved to Warsaw in 2008, and has been working with the Pilecki Institute since 2016. As an adjunct with the Institute's Center for the Study of Totalitarianisms, his research projects have included relations between the Polish Government-in-Exile and the British Government during the Second World War, and the work of the Polish Government with the United Nations War Crimes Commission. Currently he is studying youth subcultures and popular music during the Polish People's Republic.



Iain Dale (London, UK)

Iain Dale is the presenter of LBC Radio's evening show. He is a visiting professor of politics and broadcasting at the University of East Anglia, which he graduated from in 1985 with a degree in German and Linguistics. Iain is one of Britain's leading political commentators and bloggers. He is a regular columnist for the Telegraph, Evening Standard and 'I' paper. He has been a contributing editor for GQ Magazine, writes for various national newspapers and for seven years penned a weekly diary for the Eastern Daily Press. Until June 2018 Iain was managing director of Britain's leading political publisher, Biteback Publishing. He formed the company in 2009 and published more than 600. Iain is a former parliamentary researcher and chief of staff to David Davis MP. He was a political lobbyist, financial journalist and is the creator and host of the theatre production A Night With Ann Widdecombe, and Iain Dale All Talk. He is the co-presenter of the award winning For the Many podcast, and the Presidents & Prime Ministers podcast. He stood for Parliament at the 2005 general election in North Norfolk, but has now given up active politics.



Mateusz Fałkowski (Berlin, Germany)

Mateusz Fałkowski is a sociologist. From 2019 he is co-founder and deputy director of the Berlin branch of the Pilecki Institute. He studied sociology, philosophy and political science in Warsaw, Berlin and Erfurt. His research interests include post-war Polish history, historical sociology and the history and theories of social movements. He founded and led the research group “Solidarność. New approaches to the analysis of the Solidarity movement” at Collegium Civitas and the Institute of Political Studies of the Polish Academy of Sciences. He also worked at the Institute of Public Affairs in Warsaw. He has published on the Solidarity movement, the underground publishing movement in communist Poland, Polish and German strategies towards Ukraine, Polish-German relations and the social perceptions between Poles and Germans.



Ralf Fücks (Berlin, Germany)

Ralf Fücks is managing director of the Center for Liberal Modernity, following 21 years as president of the Heinrich-Böll-Stiftung, the political foundation associated with the Greens. At the center of his work were green economics and ecological innovation, migration, the future of Europe and international politics. Before that he was co-chair of the German Green Party (1989/90) and Senator of Environment and City Development in Bremen. Fücks is considered a pioneer thinker, seeking cross-party discourse. He is an advocate for liberal ecology politics, focusing on innovation rather than prohibition. Of special importance to him is a dialogue with the business community, which he considers an invaluable actor of a “green industrial revolution”. Fücks is a regular contributor to national and international media and co-author to numerous books. In 1991, he was editor of the book *Sind die Grünen noch zu retten?* (Is There a Future for the Green Party?). In 2013 his book *Intelligent Wachsen – Die grüne Revolution* (Smart Growth – The Green Revolution) was published in German,

followed by English, Polish and Russian editions. His second book, *Freiheit verteidigen – wie wir den Kampf um die offene Gesellschaft gewinnen* (Defending Freedom – How We Can Win The Fight For An Open Society) is dealing with the challenge liberal democracy is facing at home and globally. In September 2019, the anthology *Soziale Marktwirtschaft ökologisch erneuern* (“Greening the Social Market Economy”) was published by Fücks together with Thomas Köhler at the Konrad-Adenauer-Stiftung.



Dr. Ian Garner (Kingston Ont., Canada)

Putin’s Youth and the Tik Tok War: Creating the Politicized Self in the War Against Ukraine.

Young Russians are often described as ‘depoliticized’. Polling suggests they are indifferent to the war in Ukraine. However, membership in state-run youth groups is rapidly growing, and many young Russians express support for the war by sharing violent/racist content on social media. Inspired by Jochen Hellbeck’s work on the Stalinist 1930s, I trace the subjectivity of the young Putinist self, exploring how young Russians respond online to the state’s narratives—especially historical narratives (e.g. of World War II)—that aim to justify the war. Social media feeds function as today’s ‘diaries’. They reveal discourses both between the state and its subjects and within the subject themselves. As such, I catalog material shared on social media by Russians who belong to two youth groups, the Youth Army and Victory Volunteers, teasing out tropes (re)defining young Russians’ subjectivity as the Ukraine war has unfolded. This interdisciplinary work illuminates our understanding of how the state and its citizens have co-created support for violence at home, in Ukraine and beyond.

Ian Garner is a scholar of Russian war and propaganda. He studied at the St. Petersburg State Conservatory (Russia) and the University of Bristol (UK) before completing his PhD at the University of Toronto in 2017. An instructor in the Department of Politics at Queen’s University, Canada, he

has written on Russian media opinion and history for publications including the Guardian, Washington Post, Globe and Mail, Haaretz, and more. He is a regular on TV and radio around the world, and is the author of two books, *Stalingrad Lives: Stories of Combat & Survival* (2022, McGill-Queen's UP), and *Z Generation: Into the Heart of Russia's Fascist Youth* (May 2023, Hurst/Oxford University Press).



Prof. Magdalena Gawin (Warsaw, Poland)

Magdalena Gawin is a historian and long-time employee of IH PAN (Institute of History, Polish Academy of Sciences). From 2015–2021 she was the Undersecretary of State at the Ministry of Culture and National Heritage as well as the General Conservator of Monuments. Currently she holds the position of Director at the Pilecki Institute. She completed her degree in History at the University of Warsaw, as well as a PhD in history, and in 2016 she received her degree of Habilitated Doctor on the basis of her scientific achievements and her monograph *Dispute for women's equality (1864–1919)*. As Deputy Minister of Culture and General Conservator of Monuments, she contributed to the document *The Warsaw Recommendation on the Reconstruction of the Cultural Heritage*. It was her idea in 2016 to create the Witold Pilecki Centre for Totalitarian Studies, which in 2018 was transformed into the Pilecki Institute. The Pilecki Institute is continuously growing (it has branches in Augustów and Berlin, and will soon open a branch in the USA). Thanks to her efforts, the Institute signed various agreements with foreign archives to digitize materials concerning Polish matters and Poles in the twentieth century. This will be the largest archive of source materials that a Polish Institute has created. In the first days of the Russian invasion of Ukraine she took the initiative to create the *Rafał Lemkin Center for Documenting Russian Crimes in Ukraine*. The center consists of a network of Polish and Ukrainian volunteers, collaborators and employees of the Pilecki Institute, who collect eyewitness accounts of the tragedy that has been happening behind our eastern border since 24 February 2022.



Prof. Yaroslav Hrytsak (Lviv, Ukraine)

How Putin (and the West) Got Ukraine Wrong.

Ukraine has been frequently referred to as a “nowhere/unexpected/non-historical/non-state” nation. These stereotypes served as a basis for Putin’s decision to start the war against Ukraine – but they are also widespread among political and intellectual elites in the West. Both failed to notice a deep transformation that Ukraine underwent in the 2000s. The transformation marks both a continuation and a radical break in Ukrainian history. It resulted, among other things, in the emergence of a new middle class and the reshaping of Ukrainian identity. Without taking into account this transformation, one can hardly understand the roots of the two Ukrainian Maidans and the current persistence of the Ukrainian military.

Yaroslav Hrytsak is a Ukrainian historian and public intellectual. He is professor at the Ukrainian Catholic University (Lviv, Ukraine). He also taught at Columbia and Harvard Universities, and at the Central European University in Budapest (1996-2009). He is founding editor of the interdisciplinary academic journal *Ukraina Moderna* (1996-) and author of numerous publications on the modern history of Ukraine including *Essays in Modern Ukrainian history* (Kyiv, 1996, 2001, 2019), *Prophet in his own Country: Ivan Franko and His Community* (Kyiv, 2006; English translation in 2019). He serves as a co-director of the German-Ukrainian Historical Commission and has various Ukrainian and foreign awards for academic achievements and public activity. His most recent publication is *Global History of Ukraine*. Published in November 2021, it became an instant bestseller. Since then, it underwent six editions, and was also published in an e-book and an audiobook version. Italian and Polish translations are underway.



Dr. Yurii Kaparulin (Ann Arbor MI, USA/
Kherson, Ukraine)

The Crime of Genocide in the History of Ukraine: Legal Regulation and Historical Reflections.

As a result of the full-scale invasion of Ukraine by the Russian Federation after 24 February 2022, massive crimes against civilians were committed, accompanied by the destruction of infrastructure in both cities and rural areas. In many cases, this violence could not be explained only by the risks that accompany any hostilities. Therefore, there is reason to talk about the special intent of such actions. Relying on the sources of international humanitarian law, the Verkhovna Rada of Ukraine decided to approve the Declaration of the Verkhovna Rada of Ukraine *On the Commitment of Genocide by the Russian Federation in Ukraine*. The text of the resolution not only fixed another precedent of this crime but also placed the modern aggression of Russia in the historical context of the twentieth century. In this light, Russia's modern war against Ukraine has received not only a new impetus to the legal qualification of the consequences under the current legislation but also a rethinking in light of the previous policy of the Kremlin during the Soviet era.

Yurii Kaparulin is Visiting Fellow at the Weiser Center for Europe & Eurasia (WCEE), University of Michigan; he is also Director of the Raphael Lemkin Center for Genocide Studies, Associate Professor in the Department of National, International Law and Law Enforcement of the Faculty of Business and Law of Kherson State University. He studies the history and law of Eastern Europe, in particular he is interested in Holocaust and Genocide Studies, Human Rights and Crimes against Humanity, political repression in the Soviet Union and World War II. The results of his research have been published in such publications as *The Ideology and Politics Journal*, *Colloquia Humanistica*, *City History*, *Culture, Society*, as well as the popular media BBC News Ukraine. Dr. Kaparulin has held numerous fellowships, most recently in 2022 in the Center for Holocaust Studies at the Institute for Contemporary History in Munich.



Dr. Bartłomiej Kapica (Warsaw, Poland)

Bartłomiej Kapica earned his PhD at the Department of History, Adam Mickiewicz University in Poznań in 2015. His main interests lie in the history of the communist movement in Poland, the communist party apparatus and postwar intellectual history. He has completed an internship at *La Sapienza* in Rome, Italy and at the Institute of History of the Polish Sciences Academy. At present he is working as an assistant professor at the Center for Totalitarian Studies of the Pilecki Institute in Warsaw. He is the author of *Władysław Bieńkowski – a biography* (2022), presenting the life and ideas of the Polish communist and later dissident Władysław Bieńkowski.



Jakub Kiersikowski (Warsaw, Poland)

Jakub Kiersikowski – philosopher, ethicist, teacher – is head of the Events and Promotion Department at the Pilecki Institute. Since March 2022 he has been managing the Rafał Lemkin Center for Documenting Russian Crimes in Ukraine, created by the Pilecki Institute as a response to the aggression of the Russian Federation against Ukraine. He is also the originator and scenarist of *War and Remembrance*, a production of performative readings from Ukrainian testimonies which has been shown so far in Warsaw, Kiev and Lviv; and director and scriptwriter for the play *The Liberated* prepared by the Pilecki Institute in connection with the 83rd anniversary of the USSR's aggression against Poland, showing the analogy of the Polish and Ukrainian experience.



Dr. Wojciech Konończuk (Warsaw, Poland)

Wojciech Konończuk is Director of the Centre for Eastern Studies (OSW), having formerly served as Deputy Director, Head of Department for Ukraine, Belarus and Moldova, and as an analyst on Russia's energy and foreign policy in the Russian Department. He was previously coordinator of the Belarusian and Ukrainian projects at the Stefan Batory Foundation, visiting scholar at the Kennan Institute in Washington, DC, and a participant in several international research projects (including the Centre for European Policy Studies, Think Visegrad, the German Association for East European Studies). He is a regular contributor to *Nowa Europa Wschodnia* journal. A graduate of the Institute of International Relations of the University of Warsaw and the Centre for East European Studies of the University of Warsaw, he also studied at Saint Petersburg State University and Warsaw School of Economics. He is the author of the books: *Sztuka przetrwania. Deportacje sowieckie z powiatu bielskiego 1940-1941* (IPN 2019) (The art of survival. The Soviet deportations from the Bielsk county 1940-1941), *Endangered heritage. Polish cultural goods in Ukraine and Belarus* (OSW, 2020). Member of the board of POLONIKA The National Institute of Polish Cultural Heritage Abroad.



Dr. Anton Korynevych (Kyiv, Ukraine)

Anton Korynevych is an Ambassador-at-large in the Ministry of Foreign Affairs of Ukraine. He is a Ukrainian lawyer specializing in public international law, international humanitarian and international criminal law. He received his Ph.D. in international law in 2011 in Taras Shevchenko National University of Kyiv, where he holds a position of Associate Professor in the International Law Department of the Institute of International Relations. Dr. Korynevych is the Agent of Ukraine before the International Court of Justice in the Allegations of Genocide case; before that he served as Permanent Representative of the President of Ukraine in the Autonomous Republic of Crimea (25 June 2019 – 25 April 2022). Dr. Korynevych has been working on the legal

consequences of Russian aggression against Ukraine since February 2014. He has worked extensively with Ukrainian prosecutorial authorities providing training and advice to them. He also provided training on international humanitarian and criminal law to Ukrainian human rights non-governmental organizations, has worked a lot with international partners on these issues, and participated in the drafting of relevant national legislation.



Prof. Mark Kramer (Cambridge MA, USA)

Russia's War against Ukraine: The Soviet Legacy and the Wellsprings of Russian Policy.

After the Soviet Union broke apart in late December 1991 and the Russian Federation emerged as an independent country, Russian political leaders had to confront a wide range of foreign policy issues left over from the Soviet regime. The series of agreements codifying the dissolution of the Soviet Union, which led to the formation of the Commonwealth of Independent States (CIS) and broad international recognition of 15 new states by the end of 1991, designated Russia as the legal 'successor state' to the USSR, a status that, for many Russian leaders (both then and now), has blurred Soviet and Russian interests. The sense of a 'loss of empire' and of a continuity with the Soviet 'superpower' past have influenced the orientation, methods, and goals of Russian foreign policy, especially toward the other former Soviet republics, above all Ukraine. Under Putin, officials in Russia's foreign policy and national security agencies have fallen back even more heavily on Soviet-era notions and principles, including reliance on anti-Westernism and xenophobia for internal control. These sorts of outlooks have been present throughout Putin's 23-year reign, but they have come to dominate Russian foreign policymaking over the past year amid Russia's invasion of Ukraine.

Mark Kramer is Director of Cold War Studies at Harvard University, Director of Harvard's Sakharov Program on

Human Rights, and a Senior Fellow of Harvard's Davis Center for Russian and Eurasian Studies. Originally trained in mathematics at Stanford University, he went on to study international relations as a Rhodes Scholar at Oxford University and an Academy Scholar at Harvard, where he subsequently joined the faculty. In addition to teaching international relations and comparative politics at Harvard, he has been a visiting professor at Yale University, Brown University, Aarhus University in Denmark, and American University in Bulgaria. He has written or edited many books and articles on a variety of topics.



Prof. Bartłomiej Krzan (Wrocław, Poland)

Polish Involvement in Prosecuting International Crimes in Ukraine.

From the beginning of the Russian aggression against Ukraine, Poland has been very active in supporting the idea of holding the perpetrators of international crimes committed there accountable. The decision of the Public Prosecutor's Office to initiate proceedings is very often presented as an example of exercising universal jurisdiction, although in fact it invokes protective jurisdiction. The conference paper presents Polish regulations and the practice of their application as well as examining the initiatives undertaken and adhered to by Poland. Thereby, it aims at an overall assessment of the actual involvement by Polish authorities in (facilitating) the prosecution of international crimes committed in Ukraine and thus at offering a comprehensive picture of one specific kind of domestic attitude towards international criminality.

Bartłomiej Krzan is University Professor at the Department of International and European Law, and Vice-Dean for Research and International Cooperation at the Faculty of Law, Administration and Economics, at the University of Wrocław. He is lecturer at the German-Polish Law School, Humboldt Universität zu Berlin; Board member of the International Law Association (Polish Branch); and Member of the Committee of Legal Sciences, Polish Academy of Sciences. Professor Krzan holds an MA in Law (2004), MA in International Relations (2005), Ph.D. in International Law

(2008), and Habilitation in Law (2014). He has been visiting professor at the University of Regensburg (2013), and held guest lectureships in Austria, Lithuania, The Netherlands, and UK. His fields of interest are international responsibility, the law of international organizations (especially the UN), international criminal law, and external relations of the EU.



Dr. Oktawian Kuc (Warsaw, Poland)

Prosecuting War Crimes. The Polish and Ukrainian Experience after the 1939 and 2022 Invasions.

The Nazi-Soviet Invasion of Poland in 1939 and the Russian Invasion of Ukraine in 2022 have redefined the international environment and the security structure in their times. Undoubtedly, both invasions commenced non-typical armed conflicts that should be described as total wars not only against States but predominantly against nations, human groups, and the cultures they have created. Hence, the suffering of civilians in all forms has shocked and is continuingly shocking the consciousness of individuals but also of public opinion. This has led to the general outcry for prosecuting those responsible for war crimes, crimes against humanity, aggression and even genocide. But a closer examination of the two invasions and their implications in the field of war crime prosecution reveals significant differences. Firstly, the legal framework of international crimes has developed enormously in the last few decades. Secondly, in the area of evidence gathering and processing, technological progress has enabled collection of relevant materials even in real time, by anyone with simple devices, without much expertise. Thirdly, international involvement is unprecedented in scale and rapidness. Finally, the Ukrainian State is itself able to undertake investigative and prosecutorial functions. The presentation will discuss those differences.

Formerly a Legal/Policy Officer at the United Nations Office in Geneva, **Dr. Kuc** holds a position of Assistant Professor of Law at the University of Warsaw after having graduated from Harvard Law School (LL.M.) and the University of Warsaw

(PhD in Public International Law, Master of Laws, Master in International Affairs). Admitted to the bar in Poland and New York State, he has practiced law in international and boutique law firms as an In-House Counsel, as well as in the government. Dr. Kuc was a Helton Fellow of the American Society of International Law and a DAAD Fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg. His latest works consist of a monograph published in the UK by Routledge titled *The International Court of Justice and Municipal Courts: An Inter-Judicial Dialogue* and a book on the Supreme National Tribunal and the Polish perspective on prosecuting war criminals after WWII (in review).



Prof. Hanna Kuczyńska (Warsaw, Poland)

Digital Evidence in Investigations Concerning Russian Crimes in Ukraine.

The character of the conflict in Ukraine requires a new approach to evidentiary law. Technology is absolutely key. In the case of crimes committed in Ukraine the gathering of digital evidence has taken an unprecedented scale – there are hundreds of thousands of digital relations by potential witnesses uploaded so far through the use of digital questionnaires and databanks, which can be also managed by algorithms. The character and scale of such crimes does not only require special forms of gathering evidence but also forces the use of this format: it would already take a whole year to watch the relevant video evidence and read all the information provided by the witnesses in open sources. Such quality (digital) and quantity (abundance of evidence) is a complete novelty and requires a new attitude. Documentation of the crimes committed in Ukraine requires unique methods of standardization and management in order to deal with this overabundance. The paper will deal with the types of digital evidence used to document the conflict in Ukraine for the purposes of the ongoing international and national investigations, the methods of verification and assessment of such evidence.

Hanna Kuczyńska is Associate Professor (Dr. Habil.) at the Institute of Law Studies of the Polish Academy of Sciences (Warsaw, Poland), and an expert at the Polish Supreme

Court in the Criminal Chamber (since 2005). She is the author of numerous publications on criminal procedure, comparative criminal procedure, European Union cooperation in criminal matters and international criminal law, including: *The Accusation Model before the International Criminal Court*, Springer, Switzerland 2015, and *Comparative analysis of the trial model. Between adversarial and inquisitorial trial*, Wolters Kluwer Polska 2022.



Dr. Patryk Labuda (Zürich, Switzerland)

Countering Imperialism in International Law: Examining the Special Tribunal on Aggression from a Post-Colonial Eastern European Perspective.

Although Russia's invasion of Ukraine has been met with condemnation, the proposed Special Tribunal for Aggression (STA) has received mixed reactions. East-Central Europe supports it, but Western Europe has exhibited caution and there is speculation the non-Western world is ambivalent due to allegations of Western double standards. By examining the STA and criticisms thereof from a post-colonial, Eastern European perspective, this paper argues there are compelling reasons to hold Mr. Putin accountable through such a tribunal. After surveying legal concerns, this paper nuances the selectivity critique of 'double standards' in international criminal law by focusing on the historical, moral and political reasons why a tribunal to prosecute the Russian leadership is desirable. First, it argues that Russia's cynical invocation of Neo-Nazism to justify its invasion speaks in favor of a long overdue reckoning with Nuremberg's partial legacy and may dismantle neo-imperial fantasies of a 'Russkiy mir'. Second, the paper suggests that concerns about 'double standards' in this case are partly based on misperceptions of Ukraine's place within the global order as a post-colonial state straddling boundaries between Global North/South, East/West, and Europe/Asia. Accordingly, the paper concludes the STA is well placed to rectify legacies of neo-colonial illusions about the Soviet Union's benevolent role not only in some

parts of the West but also in the Global South, where myths about Russian anti-colonialism remain particularly strong.

Patryk I. Labuda is a Swiss National Science Foundation Fellow at the University of Zürich. Prior to returning to Switzerland, he was an Assistant Professor of (International) Criminal Law at the University of Amsterdam. Patryk has over ten years of research and work experience in central and north Africa. He has held positions at the Fletcher School of Law and Diplomacy, New York University School of Law, Harvard Law School, Cambridge University (UK) and Stellenbosch University in South Africa. He earned his PhD in international law from the Geneva Graduate Institute. A lawyer and historian by training, Patryk draws on interdisciplinary methods to study how international actors interpret international legal norms to achieve public policy aims. His book *In the Court's Shadow. International Criminal Tribunals and Domestic Accountability* will be out with Oxford University Press in March 2023.



Dr. Tomasz Lachowski (Łódź, Poland)

Homo Sovieticus to Russkiy Mir. The Kremlin's Genocidal Policy Against the Ukrainian Nation in the Light of International Law and the Thought of Raphael Lemkin.

When Russian crimes in Bucha and Irpin were discovered towards the end of March 2022, the world began to ponder what name should be given to the criminal acts committed by the Russian troops. What matters here in order to qualify these activities as genocide under international law is the intent to destroy the Ukrainian national group, demonstrated in numerous public appearances by the highest political leadership of the Russian Federation and implemented by Russian soldiers operating on the Ukrainian territory. This paper aims to show that Russian crimes in Ukraine can be qualified as genocide under the UN Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, and that in fact they constitute a

continuation of the Kremlin's policies towards the Ukrainian nation, including the Holodomor of the 1930s. In order to better present this thesis, the text refers to the work of the author of the notion of genocide – Raphael Lemkin.

Tomasz Lachowski is a doctor of law, legal researcher at the Chair of International Law and International Relations, Faculty of Law and Administration, University of Łódź, Poland. His PhD dissertation (of 2016) was devoted to the issue of victims' justice (right to justice, right to truth and right to reparation) within a transitional justice context. He has conducted his research in numerous post-violence states coming to terms with historical injustices and mass atrocities, such as Bangladesh, Bosnia and Herzegovina, Mozambique and Ukraine. His recent scientific research touches, firstly, the issue of post-Maidan Ukraine, applying at present transitional justice policies, especially concerning the use of a post-conflict justice tool-kit in the ongoing conflict and a post-war reconstruction of Donbas and Crimea in the shadow of the ongoing Russian aggression; and secondly, the process of dealing with the historical Soviet crimes in different states of Central and Eastern Europe with special reference to the crime of genocide.



Alina Nowobilaska (Warsaw, Poland)

Alina Nowobilaska is a historian of east-central Europe specializing in Poles in concentration camps, more specifically the history of KL Auschwitz. She graduated from Birkbeck University with an MA in European History, and her dissertation was on the survival of the first mass transport into Auschwitz on 14 June 1940; she also passed her exams as a tour guide at Auschwitz-Birkenau State Museum in 2020. A founding member of the popular History Podcast *History Hack* on which she runs a Polish history segment *Pole Position* which explores different aspects of Polish history throughout the ages. Her ongoing research is about the impact of popular history on the history of concentration camps and how that reflects the knowledge of the public. She is currently working in the research department of the Pilecki Institute and was one of the editors of the collection of documents *Confronting the Holocaust, Documents on the Polish Government in Exile's Policy Concerning Jews 1939-1945* published by PISM in 2021.



Dr. Gaiane Nuridzhanian (Tromsø, Norway/
Kyiv, Ukraine)

Ensuring Fairness of War Crime Trials in Ukraine.

Fairness of war crime trials in Ukraine is of paramount importance for their legitimacy and acceptance in Ukrainian society and beyond. These trials are a test for Ukraine's legal system's ability to guarantee respect for rule of law and human rights. They are also of historical importance and will be studied by future generations as an example of a response to atrocity crimes. My presentation provides an overview of the domestic trials of war crimes committed since the full-scale invasion of Ukraine in February 2022. It then addresses various concerns raised in connection with fairness of war crime trials taking place in Ukraine such as those related to the appearance of independence, expertise in adjudicating war crimes, in absentia proceedings and defense rights, and protection of victims. It examines the efforts made to date to enhance the fairness of these trials and puts forward ideas on further improvement.

Dr Gaiane Nuridzhanian is an Associate Professor at the National University of Kyiv-Mohyla Academy in Ukraine and a postdoctoral research fellow at UiT-Arctic University of Norway. She holds an LLM degree from University of Cambridge and a PhD in law from University College London. Dr Nuridzhanian specializes in public international law, human rights law, and international criminal law. She has previously worked as a lawyer at the Council of Europe and the European Court of Human Rights, and as a Visiting Legal Professional at the International Criminal Court.



Prof. Dan Plesch (London, UK)

Precedents and Practice for Ukraine: The UNWCC Indictments of Adolf Hitler, Myths of Head of State Immunity, Domestic and International Indictments after WWII.

Adolf Hitler, then head of the German state, was indicted as a war criminal by Belgium, Czechoslovakia and Poland during the Second World War for crimes committed in those countries. Their indictments were for crimes under domestic and international law. These indictments were formally endorsed by the sixteen state United Nations War Crimes Commission sitting in London, a formal diplomatic organization. Restored and considered today, these indictments show established precedent and practice that should render moot much of the debate on whether Heads of State enjoy immunity. Originally developed in secret for fear of inciting retribution from the accused, these examples of state practice are most informative. They formed part of a broader Allied effort through the UNWCC that saw at least 10,000 Axis personnel tried in over 2,000 domestic courts and military tribunals. The system of international support for domestic legal processes may offer useful precedents and practice for Ukraine.

Dan Plesch is Professor of Diplomacy and Strategy at the SOAS University of London and a member of the legal chambers at 9 Bedford Row, London. His research on war crimes include the books: *Human Rights After Hitler. The Lost History of Prosecuting Axis War Crimes; America, Hitler and the UN*; numerous articles and blogs. His research findings on war crimes were reported by the Associated Press, US National Public Radio, and the Guardian amongst others. His research can be seen at www.unwcc.org. His most recent book with Professor Rebecca Adami is *Women and the UN. A New History of Women's International Human Rights*.



Dr. Jerzy Rohoziński (Warsaw, Poland)

Jerzy Rohoziński, Doctor of Humanities, is a historian, anthropologist of culture and lecturer at the Center for Totalitarian Studies (the Pilecki Institute). His interests focus on the social and religious history of Tsarist Russia and the USSR. He has authored the following books (all in Polish): *Saints, flagellants and red khans. Developments in the sphere of Muslim religiosity in Soviet and post-Soviet Azerbaijan* (2005); *Cotton, samovars and Sarts. The Muslim peripheries of Tsarist Russia 1795-1916* (2014); *Georgia (series: Beginnings of States, 2016)*; *The birth of global jihad* (2017) and *The most beautiful jewel in the tsar's crown. Georgia under Russian rule 1801-1917* (2018). A new book by him under the title *Pioneers in the steppe? Kazakhstani Poles as an element of the Soviet "modernization" project* will be published soon in English.



Oleksandra Romantsova (Kyiv, Ukraine)

Oleksandra Romantsova studied at the University of Economics and Law KROK in Kyiv, where she obtained a Master's degree in International Economics from the Faculty of International Relations, receiving a second Master's degree in Project Management after a couple of years, and at the end of 2021 obtaining a master's degree in conflict management and mediation. Since May 2014, She has pursued her professional career as a human rights defender at the Center for Civil Liberties (CCL). Oleksandra's first project there was monitoring and documenting human rights violations and political persecution in Crimea, where the Russian occupation was taking place. From May of 2014 until the end of 2016 Oleksandra has coordinated the project of mobile observation of human rights violations and war crimes in eastern Ukraine, and has continued monitoring political persecution in the occupied Crimea. Since September 2017, Oleksandra has been Executive director of the Center for Civil Liberties, and from February 24, 2022, she has also been coordinating the documentation of war crimes and advocacy on the basis of the results as part of the global initiative *Tribunal for Putin*. Oleksandra Participates in field missions in the Kyiv region.



Prof. William Schabas (London, UK)

Accountability for War Crimes: Past, Present and Future.

One of the very first war crimes trials in modern times was held in Kharkiv, in 1943. The law of ‘war crimes’ was in its infancy. The scope expanded significantly at Nuremberg. While there have been huge changes in our understanding of international crimes, especially in the past three decades, the armed conflict in Ukraine that began in February 2022 can be addressed quite adequately with the law that applied in 1945. The main challenge is institutional, especially with respect to the crime of aggression. Taking an historical perspective, the presentation will discuss the international crimes that apply to the conflict and the mechanisms that may be used for their prosecution.

Professor William A. Schabas is professor of international law at Middlesex University in London. He is also emeritus professor at Leiden University and the University of Galway, honorary chairman of the Irish Centre for Human Rights, and invited visiting scholar at the Paris School of International Affairs (Sciences Po). Prof. Schabas is a ‘door tenant’ at the chambers of 9 Bedford Row, in London. He has appeared as counsel before several international and national courts and tribunals including the International Court of Justice, the International Criminal Court, the Grand Chamber of the European Court of Human Rights and the Supreme Court of Canada. He is the author of more than twenty books dealing in whole or in part with international human rights law and international criminal law. Professor Schabas has worked as a consultant on capital punishment for the United Nations Office of Drugs and Crime, and drafted the most recent quinquennial reports of the Secretary-General on the status of the death penalty.



David Schlaefer (Washington DC, USA)

David Allen Schlaefer is the Senior Advisor for War Crimes and Accountability in Ukraine in the Office for Global Criminal Justice at the US Department of State. He was previously the Senior Assistance Coordinator at the US Embassy in Kyiv and served as Acting DCM and Team Leader in Rzeszow during the past year. In that capacity, he worked on coordination of US foreign assistance with international partners and implementers following the Russian invasion as well as the reopening of the Embassy. A career member of the Senior Foreign Service, Mr. Schlaefer was the previous Deputy Special Envoy to the Global Coalition to Defeat ISIS from 2020–2021 and was the Director for Political–Military Affairs at the US Embassy in Tokyo from 2011–2015. He has been a diplomat for almost 30 years.



Prof. Oksana Senatorova (Kharkiv, Ukraine)

Deportation and Forcible Transfer of Ukrainians During the Russia–Ukraine War.

Since the beginning of the full-scale invasion of the territory of Ukraine on February 24, 2022, Russia has created conditions in the occupied territories where civilians felt the threat of force or coercion, fear of violence, duress, detention, psychological oppression or abuse of power. This coercive environment resulted in many deported and forcibly displaced persons. According to the National Information Bureau (NIB), as of November 1, 2022, the number of deported (forcibly displaced) persons is 37,855 adults and 8,140 children. International organizations still have no access to these, and can neither evaluate the number of actual deportations nor assist in returning deportees to Ukraine. The Geneva Convention (IV) requires that evacuated persons (as claimed by Russia) be returned to their homes as soon as there is no longer a threat to their safety or urgent military reasons exist.

In addition, the deportation of Ukrainian children to Russia, subject to proving the defining elements, can be qualified as genocide. The Prosecutor General's Office, the Security Service of Ukraine, the National Police, responsible for the criminal prosecution for deportation (forcible transferring) need to strengthen coordination in maintaining investigative procedures and launch the safe registering of victims within these proceedings.

Prof. Senatorova is a Director of the Research Centre for Transitional Justice (RCTJ), and an Associate Professor in the International Law Department at Yaroslav Mudryi National Law University. In 2020 she founded and headed the NGO Centre for IHL and Transitional Justice, aiming to protect and promote the rights of victims of armed conflict. Since March 2022, she has been a co-founder of the Sunflowers Foundation. Since 2018 she has been a member of the Law Reform Commission of Ukraine under the President of Ukraine, has developed the Transitional Justice Framework, and has been a Coordinator of the Working Group on the Protection of Victims of Armed Conflict of the Interdepartmental Commission on Implementation of IHL in Ukraine, as well as an expert at the International Council on Crimes Committed in Armed Conflict at Ukraine's Office of Prosecutor General. Since June 2022, she has been a visiting fellow of the Working Group Observations, documentation and analysis of human rights, humanitarian, and international criminal law violations on the territory of Ukraine at Leibniz IOS (Leibniz-Institut für Ost- und Südosteuropaforschung, Regensburg).



Dr. Iryna Solonenko (Berlin, Germany)

Dr. Iryna Solonenko is the Director of the Ukraine Programme at the Berlin-based think-tank Zentrum Liberale Moderne. Iryna holds degrees in international relations, European studies, public administration, and history from Birmingham University, UK; Central European University, Budapest; National Academy of Public Administration, Kyiv; and National University Kyiv-Mohyla Academy in Kyiv. Her areas of expertise include Ukraine's political developments, domestic reform process and foreign policy, as well as

EU–Ukraine relations. Since 2012 she has been based in Berlin and serves as an expert/consultant for numerous organizations in Germany, the EU and Ukraine. From May 2015 to February 2021 she was associate fellow at DGAP. Since 2012, she has been working on a research project at the European University Viadrina, Frankfurt (Oder), addressing state–business relations in hybrid regimes with a focus on the political role of Ukrainian oligarchs. Between 2000 and 2012, she worked with the Open Society Foundations in Ukraine as the director of the European Program and as a project manager for the EastWest Institute in Kyiv.



Patryk Szostak (Berlin, Germany)

Patryk Szostak is the spokesperson and head of communication at the Pilecki Institute in Berlin. He appears regularly in Polish media analyzing German–Polish relations, international economics and politics; prior to his current role he worked as a project coordinator for the Freedom Institute/Instytut Wolności in Warsaw. He is an Alumni of Aberystwyth University in Wales and the University of Wrocław.



Dr. Dominika Uczkiewicz (Wrocław, Poland)

Dominika Uczkiewicz is a lawyer and historian, her research interests lie in the field of Transitional Justice, legal history and German–Polish relations with particular focus on the history of international criminal law and of the war crimes trials after the Second World War. Between 2016 and 2021 she was working as researcher at the Willy Brandt Centre for German and European Studies at the University of Wrocław. Currently she is working as assistant professor at the Centre for Totalitarianism Studies at the Pilecki Institute in Warsaw. Her recent publications include *Polish and German Perspectives on Transitional Justice. World War Two and its Aftermath* (Wrocław 2021), a volume edited together with Wolfgang Form, and a monograph on the war crimes

policy of the Polish government in exile in London (*Problem odpowiedzialności karnej za zbrodnie wojenne w pracach rządu polskiego na emigracji 1939-1945*, Warszawa 2022).



Prof. Annette Weinke (Jena, Germany)

A 'Nuremberg for Communism'? Post-unified Germany and the Politics of (International) Criminal Justice in the 1990s.

As legal experts have pointed out, the downfall of Soviet style Communism in Central Eastern Europe lent momentum to the reactivation of norms and institutional settings from the era of post-WWII justice and the 'Nuremberg Interregnum' (Jeffrey Herf) of 1945-48. Propelled by a world-wide memory boom and the emergence of new, comprehensive human rights concepts like transitional justice and historical truth-telling, post-unified Germany quickly became embroiled in international and national debates about the adjudication of grave human rights violations and the creation of a permanent international criminal court. Moreover, in the German context the caesura of '1989' marked the beginning of an astonishing transformation process paving the way for a reinvention of Germany's national identity, leading up to its future as an influential global actor on the contested policy field of international criminal justice. Focusing on the entanglements between law, memory, and historiography, this paper wants to explore how 1990s discourses and practices vis-à-vis Communist/Stalinist crimes and demands for a 'Nuremberg for Communism' shaped Germany's understanding of post-Cold War justice. Combining the methods of a cultural legal, biographical, and 'new' intellectual history, the paper asks how historical imaginations impacted on the conceptualization of legal tropes with regard to Communist/Stalinist state sponsored criminality and whether this contributed to its impunity on national and/or international levels.

Annette Weinke is Professor at the History Department of Friedrich Schiller University in Jena, Germany, and Co-Director of the Jena Center of 20th Century History. She has written extensively on themes of postwar/post-communist German history and the histories of legal/human rights activism, international criminal law, and transitional justice in the twentieth and twenty-first centuries. She is also co-founder and permanent member of the working group Human Rights in the 20th Century as well as member of the working group Völkerstrafrecht /International Criminal Law. She also sits in the advisory board of the Association for Constitutional History. Among her publications are *Law, History, and Justice. Debating German State Crimes in the Long Twentieth Century* (Oxford/ New York 2018), *Menschenrechte und ihre Kritiker. Ideologien, Argumente, Wirkungen*, co-edited with Dieter Gosewinkel (Göttingen 2019) and recently “Transitional Justice and Historiography. An Uneasy Relationship”, in: Jan Eckel and Daniel Stahl (eds.), *Embattled Visions. Human Rights since 1990* (Göttingen 2022). In 2015/16, she was a Research Fellow at the History Department of Princeton University. In 2021/22 she was a Guest Professor at Sorbonne University Paris and a Senior Fellow at the Historisches Kolleg München where she worked on a collective biography of European-Jewish human rights lawyers and legal activists in the twentieth century.



Dr. Krystian Wiciarz (Warsaw, Poland)

Krystian Wiciarz is head of The Center for Totalitarian Studies at the Pilecki Institute in Warsaw. Political scientist, philosopher, specialist in management, he defended his doctoral dissertation at the Jagiellonian University in Krakow at the Institute of Political Sciences and International Relations, at the Faculty of International and Political Studies, where he was a researcher and lecturer. His interests include issues of social and political change and political systems. He carried out research projects as part of grants obtained from, among others, the National Science Centre and The Foundation for Polish Science. He managed projects in the field of internal security (Ministry of the Interior and Administration) and in new technologies. He has been involved in running NGOs.



Prof. Karolina Wierczyńska (Warsaw, Poland)

Prosecuting Heads of States: From the Treaty of Versailles and its *Travaux Préparatoires* to Current Problems of International Law.

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Already during the *Travaux Préparatoires* of the Treaty of Versailles (1919) concerning inter alia the prosecution of heads of state for crimes committed in the course of the First World War, it was pointed out that invoking immunity when, as a result, the most serious violations could not be tried, would shock the conscience of civilized mankind. The Commission on Responsibilities stressed that it was unacceptable that a high-ranking official would absolve himself of responsibility as a result of holding a public office (although the U.S. and Japan underlined their different positions). The principles adopted by the Commission were reflected in the Treaty of Versailles, but were never applied towards heads of states. Today, the effective prosecution of heads of state still encounters obstacles (see al Bashir). In the presentation, I will try to prove that prosecuting heads of state is a necessary element in the development of international criminal law and without it, not only this discipline of law will not develop, but the model of the supremacy of great powers will be maintained in the international community.

Karolina Wierczyńska is an Associate Professor (Dr. Habil.) of public international law at the Institute of Law Studies of the Polish Academy of Sciences (Warsaw, Poland). She is a vice-president of the Committee on Legal Sciences of PAS in the term 2020-2023, Deputy editor-in-chief of the *Polish Yearbook of International Law* and a Head of the Research Centre on International Criminal Law at ILS PAS, and was a member of the ILA Committee on Complementarity in International Law. She specializes in international public law, international criminal law, and human rights. Her latest publications include: "International Prosecutors Acting before National Courts?: The Rome Statute System and the Ultimate Approach to Positive Complementarity", *Chinese Journal of International Law*, June 2022; "The Crisis of Multilateralism Through the Prism of the Experience of the International

Criminal Court", (together with Patrycja Grzebyk), in:
The Crisis of Multilateral Legal Order, Routledge 2022.



Prof. Andrew Williams (Warwick, UK)

Ukraine and the Investigation of Systemic War Crimes: Learning from the UK's Investigative Failures in the Iraq and Afghanistan Wars.

The British Government has been at the forefront of the call for war crimes investigations into the conduct of Russian forces in Ukraine. Following Russia's direct targeting of civilians and non-military objects, the use of indiscriminate and prohibited weapons, crimes of sexual violence and general tactics of bombardment and siege, the UK marshalled 38 other countries to refer the situation to the Office of the Prosecutor at the ICC in The Hague for investigation. In June 2022, the UK Attorney General also announced support for the Ukrainian Prosecutor General's Office. But in this paper I question whether, despite the rhetoric and practical support, the UK's position and that of the investigation is undermined by its own record of investigative failures in relation to allegations raised against UK forces in the Iraq and Afghanistan wars. By the UK adopting a legally centered scheme of denial, delay and ineffective and opaque inquiries over nearly two decades, (with the ICC Chief Prosecutor's 2020 Final Report on Iraq tacitly accepting the success of such tactics), it has demonstrated how accountability for systemic war crimes can be avoided. Even taking into account the obvious and ongoing disregard for International Humanitarian Law by Russian forces, does the experience of this accountability failure make unlikely any meaningful justice arising in the case of Ukraine? In this paper I consider how this might be addressed by (1) recognizing and adopting basic principles established in the aftermath of the Second World War in the Allied approach to war crimes; and (2) new methods of evidence collation integrated into the investigatory scheme.

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



Dr. Anna Wylegała (Warsaw, Poland)

“How many times were you raped?” Ethical and Methodological Challenges of the Ongoing War Documentation.

The title of this presentation starts with a question that was never asked within the project 24.02.2022, 5 am: *Testimonies from the War* which has been running from mid-May 2022 (<https://swiadectwawojny2022.org/en/>). While sexual violence was narrated several times, it was never explicitly stated by one of our interviewees that it happened to her personally, and thus we chose not to inquire because we did not want to re-traumatize the witness who was probably the victim too. This is just one example of the many unobvious decisions that we needed to take while developing the methodology of conducting in-depth oral history interviews aimed at reconstructing the everydayness of living through war, occupation, flight, and refugeedom that millions of Ukrainians experienced after February 24th. As of early December, our team gathered more than 100 testimonies of Ukrainian refugees in Poland, totaling ca. 300 hours of audio recordings. During my presentation, I will speak about our method of interviewing (semi-structured questionnaire

focused on everyday life), our ethical guidelines (<http://pthm.pl/en/recommendations/war-testimony/>), and the way we take care of our interviews and the data we gather to enable the responsible use of the collection in the future.

Anna Wylegala is a sociologist and Assistant Professor at the Institute of Philosophy and Sociology, Polish Academy of Sciences. Her work focuses on the individual and collective memory in Poland and Ukraine, and on the social history of the Second World War and the immediate postwar period in Polish and Ukrainian Galicia. She is an author of *Displaced Memories: Remembering and Forgetting in Post-War Poland and Ukraine* (2019), *Był dwór, nie ma dworu. Reforma rolna w Polsce* (2021) and co-editor of *The Burden of the Past: History, Memory and Identity in Contemporary Ukraine* (2020). Her new edited volume, entitled *No Neighbors' Lands: Vanishing Others in Postwar Europe* is forthcoming in the Palgrave Macmillian series *History of Experience* later this year. Currently she is a coordinator of the Polish part of the project *24.02.2022, 5 am: Testimonies from the War*, focused on the documenting of the Ukrainian experience of the current war.



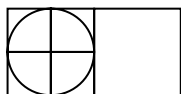
Prof. Kseniya Yurtayeva (Ann Arbor MI, USA/
Kharkiv, Ukraine)

Engaging Post-truth Theory in Shadowing Russian War Crimes.

The Russian Federation in its undeclared war against Ukraine is believed to have opened the age of the hybrid war. Besides the application of political, diplomatic, economic and other nonmilitary measures for achieving political and military goals, the Russian Federation commenced proactive engagement of post-truth narratives for justifying war crimes committed on the territory of Ukraine. Among them are the exportation of cultural property from occupied territories during the armed conflict, forced displacement of persons by expulsion from the area in which they are lawfully present, facilitation of the fast-tracking adoption of orphans

from the temporarily occupied territories of Ukraine, and destroying objects of civil infrastructure utilizing anti-Nazi justification. Advancement of the mentioned hybrid tactics creates an alarming precedent for contemporary legal and law enforcement systems, undermines the rule of law, and deprives victims of legal protection. In this regard, studying post-truth as a method of hybrid warfare and establishing the proper bases of evaluation of Russian war crimes committed in Ukraine are of particular importance.

From 2010 until the present, **Kseniya Yurtayeva** has held a position of Associate Professor in the Department of Criminal Law and Criminology at Kharkiv National University of Internal Affairs. She has more than 100 scientific and methodological publications, which deal with the issues of counteracting international and conventional crimes, contemporary mechanisms of international justice, legal and procedural mechanisms of counteracting cybercrime and reducing cybervictimization. Her most recent research articles deal with terrorism, violations of laws and customs of war, cybermercenarism, the use of Deepfakes as a means for committing criminal offenses and employment of AI and other technological advances in criminal justice and police practices. During 2022–2023 she is a visiting scholar at Weiser Diplomacy Center, Gerald Ford School of Public Administration, University of Michigan, where she is working on the research project *Cyberaggression as a method applied in contemporary warfare* and participating in *The Reckoning Project: Ukraine Testifies* implemented under the auspices of the Weiser Center for Europe and Eurasia at the University of Michigan.



Book Discussion:

Alles Ist Teurer Als Ukrainisches Leben. Texte über Westsplaining und den Krieg (Everything Is More Important Than Ukrainian Lives. Texts on Westsplaining and the War).

The texts collected in this volume represent a small excerpt from a media debate that has been going on since February 24, 2022. There are articles, analyses, and comments published in recent months in various media: in independent journals and daily newspapers, in weekly papers and on blogs. Some of them were translated into German exclusively for this publication. Among the contributors to the book are: Victoria Amelina, Claudia Dathe, Lia Dostlieva, Halyna Kruk, Botakoz Kassymbekova, Kateryna Mishchenko, Andrii Portnov, Timothy Snyder, Szczepan Twardoch, and Serhij Zhadan. The authors point out that the political naiveté towards Vladimir Putin and towards Russia is not only due to the deep disregard for the right of 'small nations' to self-determination, which goes back to colonial times, but also to Russia's soft power.

Edited by Aleksandra
Konarzewska, Schamma
Schahadat, Nina Weller.

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Panelists:

Victoria Amelina is a Ukrainian writer, author of *Fall Syndrome* (2014) and *Dom's Dream Kingdom* (2017). She is the Laureate of the Coronation of the Word Award (2014), a European Union Prize for Literature finalist (2019), and the winner of the Joseph Conrad Literary Award (2021). Currently, she works as a war crimes researcher.

Lia Dostlieva is a Ukrainian artist, cultural anthropologist, and essayist. Her primary areas of research include the issues of collective trauma, postmemory, commemorative practices, and agency and visibility of vulnerable groups. In her project *Soviet Anthropocene 1933* (2022) she explores the connection between genocides and ecocides, looking into the notion of the Earth as the source of history and knowledge as well as a method of concealing it. Currently, she is artist-in-residence at the Jan van Eyck Academie.

Dr. Aleksandra Konarzewska is a postdoctoral researcher at the Eberhard-Karls-Universität Tübingen. Her research interests include: Slavic literatures, nonfiction literature, memory studies, and the history of ideas of Eastern and Central Europe. She is a co-editor of the volume *Unsettled 1968 in the Troubled Present: Revisiting the 50 Years of Discussions from East and Central Europe* (2020) and of the first German edition of Stanisław Brzozowski's writings *Der Geschichtsmaterialismus als Kulturphilosophie und andere Schriften* (2021).

Prof. Schamma Schahadat is a literary scholar and professor of Slavic literature and cultural studies at the Eberhard-Karls-Universität Tübingen. Her research interests include: Slavic literatures (Russian, Polish), cultural semiotics, literary theory, and gender studies. She is a co-editor of *Postsocialist Landscapes. Real and Imaginary Spaces from Stalinstadt to Pyongyang* (2020) and *Central and Eastern European Literary Theory and the West* (2022).



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