

international security assistance mission [under Chapter VII of the UN Charter] to help improve the security situation and enable the flow of desperately needed humanitarian aid.”<sup>37</sup> Brian A. Nichols, Assistant Secretary of State for Western Hemisphere Affairs, indicated that the multilateral force “would be largely a police force with a military component.”<sup>38</sup> On December 14, State Department Principal Deputy Spokesperson Vedant Patel said that “there is a broad international consensus regarding the need to promote improved security conditions in Haiti” and “negotiations continue with partners and other [Security] [C]ouncil members to set defined and specific parameters for a mission and find the most effective means to support, enable, and resource it.”<sup>39</sup> The United States does not want to deploy its own troops, and other countries, including Brazil and Canada, are also reluctant to do so given the operational challenges and the lack of consensus on a political transition.<sup>40</sup> In April 2023, the Secretary-General “reiterate[d] the urgent need for the deployment of an international specialized armed force.”<sup>41</sup> As of June, the United States was still pushing for a multinational force that would provide “‘near-term support’ for the Haitian National Police by securing ‘a limited number of critical infrastructure sites in Port-au-Prince, such as the airport and ports,’ relieving the burden on the local police to focus resources on its battle with gangs.”<sup>42</sup>

*The United States Promotes Individual Criminal Accountability for Aggression and Atrocity Crimes Committed by Russians in Ukraine*

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“Justice and accountability are central pillars of the United States’ policy on Ukraine,” the White House stated in February 2023 marking the one-year anniversary of the Russian invasion.<sup>1</sup> Indeed, the United States has backed a wide range of international and domestic mechanisms, seeking to leverage their different expertise, capabilities, and authorities, to investigate and prosecute Russians for war crimes, crimes against humanity, and the crime of aggression, all of which the Biden administration has explicitly accused Russia of

2023), at <https://nationalpost.com/pmnn/news-pmnn/canada-news-pmnn/ottawa-boosts-haiti-sanctions-police-funding-during-summit-aimed-at-resolving-crisis>.

<sup>37</sup> U.S. Mission to the United Nations Press Release, Remarks by Ambassador Linda Thomas-Greenfield at a UN Security Council Briefing on Haiti (Oct. 17, 2022), at <https://usun.usmission.gov/remarks-by-ambassador-linda-thomas-greenfield-at-a-un-security-council-briefing-on-haiti-4> [<https://perma.cc/89XK-XEUK>].

<sup>38</sup> U.S. Dep’t of State Press Release, The Secretary’s Upcoming Travel to Canada (Oct. 26, 2022), at <https://www.state.gov/the-secretarys-upcoming-travel-to-canada>.

<sup>39</sup> U.S. Dep’t of State Press Release, Department Press Briefing (Dec. 14, 2022), at <https://www.state.gov/briefings/departement-press-briefing-december-14-2022> [<https://perma.cc/2NWL-ZMBY>].

<sup>40</sup> See Ian Austen, *American Hopes for Canadian Military Leadership in Haiti Likely to Be Dashed*, N.Y. TIMES (Mar. 23, 2023), at <https://www.nytimes.com/2023/03/23/world/americas/haiti-canada-us.html>; Natalie Kitroeff, *As Haiti Unravels, U.S. Officials Push to Send in an Armed Foreign Force*, N.Y. TIMES (Nov. 29, 2022), at <https://www.nytimes.com/2022/11/29/world/americas/haiti-gangs-foreign-intervention.html>.

<sup>41</sup> United Nations Integrated Office in Haiti: Report of the Secretary-General, para. 72, UN Doc. S/2023/274 (Apr. 14, 2023).

<sup>42</sup> See Michael Wilner & Jacqueline Charles, *Kamala Harris Will Push for a Multinational Force in Haiti During Visit to Caribbean*, MIAMI HERALD (June 8, 2023), at <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article276203876.html>.

<sup>1</sup> White House Press Release, Fact Sheet: One Year of Supporting Ukraine (Feb. 21, 2023), at <https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/21/fact-sheet-one-year-of-supporting-ukraine> [<https://perma.cc/PHX5-G2B8>] [hereinafter One Year of Supporting Ukraine].

committing.<sup>2</sup> The administration's approach has been inclusive, encouraging international factfinding by human rights bodies and civil society organizations, endorsing the International Criminal Court's investigations and its issuance of an arrest warrant for Russian President Vladimir Putin, enabling accountability efforts across Europe through cooperative arrangements, and supporting Ukraine's justice system, providing its investigators, prosecutors, and judges with training, technical assistance, funding, and evidence. "There is no hiding place for war criminals," U.S. Attorney General Merrick Garland said in June 2022, reflecting this all-encompassing strategy.<sup>3</sup> "The U.S. Justice Department," he averred, "will pursue every avenue of accountability for those who commit war crimes and other atrocities in Ukraine."<sup>4</sup>

The U.S. focus on individual criminal accountability began at the very start of the war. On March 3, 2022, the United States and forty-four other countries and Ukraine invoked the Organization for Security and Co-operation in Europe's (OSCE) Moscow Mechanism.<sup>5</sup> A three-person group of independent experts was appointed whose mandate was to "[e]stablish the facts and circumstances surrounding possible contraventions of OSCE commitments, and violations and abuses of international human rights law and international humanitarian law; [and] [e]stablish the facts and circumstances of possible cases of war crimes and crimes against humanity . . . with a view to presenting [the information] to relevant accountability mechanisms."<sup>6</sup> The United States and other states subsequently invoked the mechanism twice more in connection with the invasion of Ukraine: on June 2, 2022 (to follow-up on the report of the first expert group) and on March 20, 2023 (to focus on "the forcible transfer of children within parts of Ukraine's territory temporarily controlled or occupied by Russia and/or their deportation to the Russian Federation").<sup>7</sup> The three reports documented extensive violations of international humanitarian law and international human rights law by Russian forces.<sup>8</sup>

At the same time as the initial resort to the Moscow Mechanism, the United States, working with other members of UN Human Rights Council, helped establish the Council's

<sup>2</sup> See Jacob Katz Cogan, *Contemporary Practice of the United States*, 117 AJIL 330, 362 (2023).

<sup>3</sup> U.S. Dep't of Justice Press Release, Attorney General Merrick B. Garland Visits Ukraine, Reaffirms U.S. Commitment to Help Identify, Apprehend, and Prosecute Individuals Involved in War Crimes and Atrocities (June 21, 2022), at <https://www.justice.gov/opa/pr/attorney-general-merrick-b-garland-visits-ukraine-reaffirms-us-commitment-help-identify> [<https://perma.cc/Q2FP-8LJ5>].

<sup>4</sup> *Id.*

<sup>5</sup> U.S. Dep't of State Press Release, *Moscow Mechanism Invoked by 45 OSCE States to Review Reported Abuses by Russia* (Mar. 3, 2022), at <https://www.state.gov/moscow-mechanism-invoked-by-45-osce-states-to-review-reported-abuses-by-russia> [<https://perma.cc/9H37-3BNE>] [hereinafter *Moscow Mechanism Invoked*]; *Moscow Mechanism* (1991, amended 1993), at <https://www.osce.org/files/f/documents/5/e/20066.pdf> [<https://perma.cc/RK2P-EMFM>].

<sup>6</sup> Report on Violations of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity Committed in Ukraine Since 24 February 2022, at i (Apr. 13, 2023), at <https://www.osce.org/files/f/documents/f/a/515868.pdf> [<https://perma.cc/V2TX-URGA>] [hereinafter *First OSCE Report*].

<sup>7</sup> Report on Violations of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity Committed in Ukraine (1 April–25 June 2022) (July 14, 2022), at <https://www.osce.org/files/f/documents/3/e/522616.pdf> [<https://perma.cc/AWE6-CS6C>] [hereinafter *Second OSCE Report*]; Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity, Related to the Forcible Transfer and/or Deportation of Ukrainian Children to the Russian Federation (May 4, 2023), at <https://www.osce.org/files/f/documents/7/7/542751.pdf> [<https://perma.cc/WR6H-NRG3>] [hereinafter *Third OSCE Report*].

<sup>8</sup> See *First OSCE Report*, *supra* note 6, at 1–2; *Second OSCE Report*, *supra* note 7, at 3–4; *Third OSCE Report*, *supra* note 7, at 2.

Independent International Commission of Inquiry on Ukraine (COI).<sup>9</sup> The COI's mandate provides that it will "investigate all alleged violations and abuses of human rights and violations of international humanitarian law"; "collect, consolidate and analyse evidence of such violations and abuses . . . [and] systematically record and preserve all information"; "document and verify relevant information and evidence . . . [and] cooperate with judicial and other entities"; "identify, where possible, those individuals and entities responsible"; and "make recommendations, in particular on accountability measures."<sup>10</sup> In its two reports issued to date, the COI has found that "war crimes and violations of human rights and international humanitarian law have been committed in Ukraine since 24 February 2022 . . . [and that] Russian armed forces are responsible for the vast majority of the violations identified."<sup>11</sup> Additionally, the United States has financially supported the Office of the High Commissioner for Human Rights' UN Human Rights Monitoring Mission in Ukraine, which "has verified numerous allegations of arbitrary deprivation of life, arbitrary detention and enforced disappearance, torture and ill-treatment, and conflict-related sexual violence (CRSV)."<sup>12</sup>

Also at the international level, the United States has backed the referral of the situation in Ukraine to the International Criminal Court (ICC). Taking a starkly different approach to the court than that of the Trump administration,<sup>13</sup> Ambassador-at-Large for Global Criminal Justice Beth Van Schaack stated that the "ICC occupies an important place in the ecosystem of international justice, and the United States supports the investigation by the ICC Prosecutor."<sup>14</sup> President Joseph R. Biden, Jr. described the ICC's arrest warrant for President Putin for war crimes as "justified."<sup>15</sup> Congress's attitude toward the ICC has changed too. A Senate resolution referred to the ICC as "an international tribunal that seeks to uphold the rule of law, especially in areas where no rule of law exists."<sup>16</sup> To allow the United States to assist the ICC in its investigations and prosecutions related to the situation in Ukraine, the American Servicemembers' Protection Act of 2002 was amended in December 2022.<sup>17</sup> The United States may now assist with the ICC's Ukraine investigations and

<sup>9</sup> Human Rights Council, Situation of Human Rights in Ukraine Stemming from the Russian Aggression, UN Doc. A/HRC/RES/49/1 (Mar. 4, 2022). The mandate was subsequently supplemented by resolution S-34/1 (May 12, 2022).

<sup>10</sup> Resolution 49/1, *supra* note 9, para. 11.

<sup>11</sup> Report of the Independent International Commission of Inquiry on Ukraine, at 2, UN Doc. A/77/533 (Oct. 18, 2022). The same conclusion was reached in the COI's second report. *See* Report of the Independent International Commission of Inquiry on Ukraine, at 1, UN Doc. A/HRC/52/62 (Mar. 15, 2023).

<sup>12</sup> Office of the High Commissioner for Human Rights, Report on the Human Rights Situation in Ukraine 1 August 2022 to 31 January 2023, para. 2 (Mar. 24, 2023), at <https://www.ohchr.org/sites/default/files/documents/countries/ukraine/2023/23-03-24-Ukraine-35th-periodic-report-ENG.pdf> [<https://perma.cc/PWL3-6WVT>]; *see* U.S. Dep't of State Press Release, Supporting Justice and Accountability in Ukraine (Feb. 18, 2023), at <https://www.state.gov/supporting-justice-and-accountability-in-ukraine> [<https://perma.cc/77JR-Q495>] [hereinafter Supporting Justice and Accountability].

<sup>13</sup> President Donald J. Trump issued an executive order authorizing economic sanctions and visa restrictions on any foreign person who (amongst other things) was "directly engaged in any effort by the ICC to investigate, arrest, detain, or prosecute any United States personnel without the consent of the United States." Jean Galbraith, Contemporary Practice of the United States, 114 AJIL 757, 777 (2020).

<sup>14</sup> U.S. Dep't of State Press Release, Ambassador Van Schaack's Remarks on the U.S. Proposal to Prosecute Russian Crimes of Aggression (Mar. 27, 2023), at <https://www.state.gov/ambassador-van-schaacks-remarks> [<https://perma.cc/24WP-24EF>] [hereinafter Van Schaack's Remarks].

<sup>15</sup> Mark Landler, *Arrest Warrant from Criminal Court Pierces Putin's Aura of Impunity*, N.Y. TIMES (Mar. 17, 2023), at <https://www.nytimes.com/2023/03/17/world/europe/icc-putin-ukraine-war.html> (quoting President Biden).

<sup>16</sup> S. Res. 546, 117th Cong., 2d Sess., 168 Cong. Rec. S1180 (Mar. 15, 2022).

<sup>17</sup> *See* Cogan, *supra* note 2, at 363.

prosecutions of non-U.S. nationals, fund those investigations and prosecutions, and permit the ICC to conduct investigative activities in the United States regarding those foreign nationals.<sup>18</sup> Cooperation with the ICC, however, has been impeded thus far by the Defense Department.<sup>19</sup>

Though supporting these international institutional modes of establishing accountability, the United States has understood from the start that the bulk of investigations and prosecutions of Russian atrocities would be conducted by Ukrainian authorities. A month after the invasion, President Biden announced the launch of the European Democratic Resilience Initiative (EDRI) to help ensure “democratic resilience, advance anti-corruption efforts, and defend human rights in Ukraine and its neighbors in response Russia’s war of aggression.”<sup>20</sup> The United States, along with the European Union and the United Kingdom, created the Atrocity Crimes Advisory Group (ACA) on May 25, 2022, to support the War Crimes Units of the Office of the Prosecutor General of Ukraine (OPG), including by sending investigators and prosecutors to Ukraine.<sup>21</sup> The United States has provided \$10 million to assist the OPG in “documenting, preserving, and analyzing evidence of war crimes and other atrocities committed in Ukraine, with a view to criminal prosecutions” and an additional \$10 million to “deploy experts and other key partners in support of the OPG.”<sup>22</sup> The Departments of State and Justice have also “provide[d] training and mentoring, including on tactical and criminal investigative assistance and forensics and evidence collection,” to the National Police of Ukraine and the State Border Guard Service.<sup>23</sup> The United States Agency for International Development (USAID) has conducted a joint training program with Ukrainian government lawyers at the Ministry of Justice, the Ministry of Foreign Affairs, and the OPG on “methods for collecting evaluating, and synthesizing evidence in line with relevant admissibility rules” of international tribunals.<sup>24</sup> The Department of Justice has also provided training to Ukrainian authorities to “address[] the needs of surviving victims and for facilitating their participation in the investigative and prosecutorial processes.”<sup>25</sup>

Bilateral assistance between the United States and Ukraine was enhanced with the signing on September 20, 2022, of a memorandum of understanding (MOU) between the Department of Justice (DOJ) and the OPG.<sup>26</sup> The MOU allowed the two agencies “to work more closely together to identify, apprehend, and prosecute individuals involved in war crimes and other atrocities in Ukraine” by “facilitat[ing] appropriate cooperation,

<sup>18</sup> See Consolidated Appropriations Act, 2023, Pub. L. 117-328, Sec. 7073 (Dec. 29, 2022).

<sup>19</sup> See Cogan, *supra* note 2, at 363 n. 39.

<sup>20</sup> See U.S. Dep’t of State Press Release, The European Democratic Resilience Initiative (Apr. 27, 2022), at <https://www.state.gov/the-european-democratic-resilience-initiative> [<https://perma.cc/5JBN-2632>].

<sup>21</sup> See U.S. Dep’t of State Press Release, The European Union, the United States, and the United Kingdom Establish the Atrocity Crimes Advisory Group (ACA) for Ukraine (May 25, 2022), at <https://www.state.gov/creation-of-atrocity-crimes-advisory-group-for-ukraine> [<https://perma.cc/5EQH-W4BM>].

<sup>22</sup> *Id.*: As of February 2023, the United States has provided \$30 million to Ukraine to support the “documentation and prosecution of war crimes and other atrocities.” See Supporting Justice and Accountability, *supra* note 12.

<sup>23</sup> See Supporting Justice and Accountability, *supra* note 12.

<sup>24</sup> See *id.*

<sup>25</sup> See *id.*

<sup>26</sup> U.S. Dep’t of Justice Press Release, U.S. Attorney General and Ukrainian Prosecutor General Met to Strengthen Joint Efforts to Hold Accountable Perpetrators of War Crimes and Other Atrocities Committed in Ukraine (Sept. 20, 2022), at <https://www.justice.gov/opa/pr/us-attorney-general-and-ukrainian-prosecutor-general-met-strengthen-joint-efforts-hold> [<https://perma.cc/4JFQ-MCX2>].

coordination, and deconfliction between each country's respective investigations and prosecutions" through "removing barriers to timely and effective exchanges of information and evidence . . . and increasing the ease with which technical cooperation may be provided."<sup>27</sup> DOJ is also working and coordinating with European partners through the European Union Agency for Criminal Justice Cooperation's (Eurojust) Joint Investigation Team (JIT) and the International Centre for the Prosecution of the Crime of Aggression Against Ukraine (ICPA), hosted at Eurojust, to which it will detail a prosecutor.<sup>28</sup> The Department of Justice's assistance efforts were centralized in June 2022 with the creation of the War Crimes Accountability Team, which was tasked with "hold[ing] accountable those who have committed war crimes and other atrocities in Ukraine."<sup>29</sup>

In addition to supporting Ukraine's accountability processes, the United States is also promoting proceedings in other national jurisdictions. At home, DOJ's Human Rights and Special Prosecutions Section is investigating "Russians suspected of war crimes against one or more Americans."<sup>30</sup> The United States has imposed sanctions "on those engaged in human rights abuses and exercising illegitimate authority in occupied areas of Ukraine,"<sup>31</sup> and it has also imposed "expansive visa restrictions on members of the Russian military and others committing human rights abuses related to Russia's war."<sup>32</sup> The United States is also aiding "strategic litigation in other courts around the world," including "through memoranda of understanding with different states, through engagement with the [JIT], and by working with civil society organizations that are providing potential evidence to national authorities."<sup>33</sup>

The ICPA notwithstanding, the international and domestic investigative and prosecutorial mechanisms in operation thus far have focused primarily on crimes against humanity and war crimes, not the crime of aggression.<sup>34</sup> The ICC cannot proceed against Russian nationals for

<sup>27</sup> *See id.*

<sup>28</sup> *See* Supporting Justice and Accountability, *supra* note 12; U.S. Dep't of Justice Press Release, Merrick B. Garland Delivers Remarks Following Meeting with Ukrainian Prosecutor General Andriy Kostin (Apr. 17, 2023), at <https://www.justice.gov/opa/speech/merrick-b-garland-delivers-remarks-following-meeting-ukrainian-prosecutor-general-andriy> [<https://perma.cc/R43J-DTTH>].

<sup>29</sup> *See* U.S. Dep't of Justice Press Release, *supra* note 3.

<sup>30</sup> Glenn Thrush, *Justice Dept. Embraces Supporting Role in Pursuing War Crimes in Ukraine*, N.Y. TIMES (Mar. 21, 2023), at <https://www.nytimes.com/2023/03/21/us/politics/ukraine-russia-war-crimes-justice-dept.html>.

<sup>31</sup> One Year of Supporting Ukraine, *supra* note 1.

<sup>32</sup> *Id.*

<sup>33</sup> U.S. Dep't of State Press Release, Ambassador-at-Large Beth Van Schaack's Testimony for the Record Senate Judiciary Committee Hearing "Holding Russian Kleptocrats and Human Rights Violators Accountable for Their Crimes Against Ukraine" (Apr. 19, 2023), at <https://www.state.gov/ambassador-at-large-beth-van-schaacks-testimony-for-the-record-senate-judiciary-committee-hearing> [<https://perma.cc/BT6C-9MTM>] [hereinafter Van Schaack's Testimony].

<sup>34</sup> Russia claimed that the purpose of its invasion of Ukraine was to prevent the "genocide perpetrated by the Kiev regime" in the Luhansk and Donetsk oblasts. *See* Address by the President of the Russian Federation (Feb. 24, 2022), at <http://en.kremlin.ru/events/president/news/67843> [<https://perma.cc/28DF-E6KD>]. Shortly after the invasion, Ukraine instituted proceedings against Russia at the International Court of Justice, requesting the court to "declare that, contrary to what the Russian Federation claims, no acts of genocide, as defined by Article III of the Genocide Convention, have been committed in the Luhansk and Donetsk oblasts of Ukraine" and therefore that Russia's invasion was "based on a false claim." Application (Feb. 26, 2022), para. 30(a), (d), *Allegations of Genocide Under the Convention on the Prevention and Punishment of the Crime of Genocide* (Ukr. v. Rus.), at <https://www.icj-cij.org/sites/default/files/case-related/182/182-20220227-APP-01-00-EN.pdf> [<https://perma.cc/CD96-D4NZ>]. In September 2022, the United States filed a declaration of intervention supporting Ukraine's case. *See* Declaration of Intervention of the United States of America (Sept. 7, 2022), *Allegations of Genocide Under the Convention on the Prevention and Punishment of the Crime of Genocide*

that crime since Russia is not a party to the Rome Statute.<sup>35</sup> And international law provides immunity to heads of state from national prosecutions in other countries. Various proposals have been put forward to establish a jurisdiction that could prosecute Russians for the crime of aggression. Ambassador Van Schaack announced in March 2023 that the United States “believe[s] an internationalized court that is rooted in Ukraine’s judicial system, but that also includes international elements, will provide the clearest path to establishing a new Tribunal and maximizing our chances of achieving meaningful accountability.”<sup>36</sup> Those “significant international elements” would include “substantive law, personnel, information sources, and structure,” and the tribunal “might also be located elsewhere in Europe, at least at first, to reinforce Ukraine’s desired European orientation, lend gravitas to the initiative, and enable international involvement.”<sup>37</sup> “A tribunal with these features,” she subsequently told the Senate Judiciary Committee, has “a clear legal basis under international law that respects the UN Charter.”<sup>38</sup> “It is also the one,” she continued, “most likely to garner widespread and diverse international support.”<sup>39</sup> “By rooting the court within Ukraine’s judicial system,” she explained, “international investment will not only capacitate accountability for the crime of aggression, but it will also enhance Ukraine’s own domestic processes, further institutionalize the rule of law, and enable multiple forms of international support that will have a lasting impact for generations thereafter.”<sup>40</sup> The United States has pushed back against an alternative model for prosecuting aggression that is endorsed by Ukraine: a special tribunal on the crime of aggression created by the UN General Assembly.<sup>41</sup>

(Ukr. v. Rus.), at <https://www.icj-cij.org/sites/default/files/case-related/182/182-20220907-WRI-01-00-EN.pdf> [<https://perma.cc/7UKW-4FYF>]. In the declaration, the United States outlined the scope of the crime of genocide, in particular that the “intent do destroy” in Article II of the Convention means “the *specific* intent to destroy, in whole or in substantial part” a covered group and that “destroy” means “the physical or biological, rather than cultural, destruction” of a covered group. *Id.*, paras. 23–24 (emphasis in the original). The United States stressed that “[n]o provision of the Genocide Convention, properly interpreted in good faith, explicitly or implicitly authorizes a Contracting Party, acting on the pretext of preventing or punishing genocide, to commit aggression, including territorial acquisition resulting from aggression.” *Id.*, para. 29. The declaration also contended that “[w]here a Contracting Party commits aggression against another Contracting Party on the pretext of preventing or punishing genocide, and the Contracting Party subjected to aggression denies that it is responsible for genocide,” a dispute exists that provides the Court with jurisdiction. *Id.*, para. 31. In June 2023, the Court decided that the U.S. declaration was “inadmissible in so far as it concerns the preliminary objections stage of the proceedings” because the United States entered a reservation to Article IX of the Convention. Order (June 5, 2023), paras. 96, 102(2), Allegations of Genocide Under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukr. v. Rus.), at <https://www.icj-cij.org/sites/default/files/case-related/182/182-20230605-ORD-01-00-EN.pdf> [<https://perma.cc/DJX3-73JB>].

<sup>35</sup> See Rome Statute of the International Criminal Court, Art. 15*bis*(5), July 17, 1998, 2187 UNTS 90.

<sup>36</sup> Van Schaack’s Remarks, *supra* note 14.

<sup>37</sup> *Id.*

<sup>38</sup> Van Schaack’s Testimony, *supra* note 33.

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> Zelenskyy: We Want to Set Up Tribunal Regarding Russia via UN Resolution, UKRAINSKA PRAVDA (Mar. 31, 2023), at <https://www.pravda.com.ua/eng/news/2023/03/31/7395942> [<https://perma.cc/UX8Y-7SFB>]; *The Roadblocks to Holding Putin and His High Command Accountable for War Crimes in Ukraine*, PBS NEWS HOUR (May 15, 2023), at <https://www.pbs.org/newshour/show/the-roadblocks-to-holding-putin-and-his-high-command-accountable-for-war-crimes-in-ukraine> [<https://perma.cc/S7PP-2BE9>] (interview with Ambassador Van Schaack).