

PREVENT

PROTECT

REBUILD

CARDOZO LAW INSTITUTE

in Holocaust and Human Rights

Winter 2024 Newsletter

Dear Supporters and Partners,

As we reflect on the year's triumphs and challenges, we are reminded of why the work of the Cardozo Law Institute in Holocaust and Human Rights (CLIHHR) is more vital than ever. Across the globe, marginalized communities continue to bear the brunt of identity-based violence, discriminatory legal systems, and unchecked authoritarianism. Yet, through strategic litigation, transformative advocacy, and close collaboration with local partners, we are holding the line with resilient champions of justice and peace.

As the incoming Trump administration takes shape, many individuals and organizations are understandably anxious about what obstacles lie ahead. Immigrants, refugees, religious minorities, LGBTQ+ individuals, people of color, and women—already marginalized by systemic inequities—face an intensified threat to their rights and safety. This concern is not unfounded given the previous administration's track record of implementing exclusionary policies, rolling back civil rights protections, normalizing hateful rhetoric, and undermining democratic norms.

From the Muslim travel ban to the family separation policy at the border, these actions have eroded trust in US institutions meant to safeguard justice and equality. Now, more than ever, institutions that defend human rights, uphold democratic values, and serve as checks on authoritarian power are crucial. Now is the time not only to protect the vulnerable, but also to fortify the frameworks that promote accountability and collective resilience. Institutions like CLIHHR must remain vigilant and resolute, standing as a beacon of hope and action in the face of uncertainty and eroding commitments to democracy and rule of law.

Equally, we must expect more from those in power who continue to hold hope for a more just and humane world. CLIHHR recognizes that legal systems can and have often been used to oppress rather than protect; thus, we are steadfast in our commitment to reform laws that enable violence and exclusion. Through collaboration and support from people like you, we develop solutions that reflect the needs and aspirations of those most impacted and marginalized.

At CLIHHR, we believe in a world where every person has the right to not only survive but thrive with dignity. This belief drives our mission to protect at-risk populations, prevent mass atrocity crimes, and hold perpetrators accountable. We amplify the voices of survivors and marginalized communities, ensuring their experiences are centered in the fight for justice and meaningful policy change.

In solidarity,

Jocelyn Getgen Kestenbaum

Professor of Law

Director of CLIHHR and Benjamin B. Ferencz Human
Rights and Atrocity Prevention Clinic



Pictured: the fall 2024 Benjamin B. Ferencz Human Rights and Atrocity Prevention (HRAP) Team

Boskey & NIWRC Summer Fellowships

Ankita
Joshi ('26)



Laura
Teirney ('25)



Aluk Fontaine
Richardson
('26)



This summer, Clinical Fellow Brett Jones ('23) managed five summer fellows working with the National Indigenous Women's Resource Center (NIWRC). Boskey Restorative Justice Fellow Ankita Joshi ('26) and STTARS Indigenous Safe Housing Center Fellows, Laura Teirney ('25) and Aluk Fontaine Richardson ('26), developed a set of Know Your Rights guides for three different tribes. These guides allow survivors of gender violence to navigate housing and family courts on their own, in addition to providing tribal and non-tribal lawyers with a guide on how to best advocate for their clients in tribal legal systems. Access to safe housing is paramount to addressing the Missing and Murdered Indigenous Persons (MMIP) crisis in the U.S., which is a goal of both CLIHHR and the STTARS Indigenous Safe Housing Center toward genocide prevention and restorative justice for Indigenous peoples.

NIWRC Law & Policy Fellows Nicky Frankel ('25) and Krista Jones ('26) developed internal reports for the NIWRC Policy team this summer. These reports analyzed the effects of *Dobbs v. Jackson Women's Health Organization*, 597 U.S. (2022), on abortion access and reproductive freedom in Indian Country and the current and potential maternal mortality rates of Native women after the *Dobbs* decision. Fellows worked to illuminate the compounded, harmful effects of *Dobbs* on tribal communities, since (1) most of the health care funding for tribes comes directly from the federal government through the Indian Health Service (IHS) and (2) tribes are otherwise limited in generating taxes because of the complex rules surround tribal sovereignty. Access to affordable reproductive health and maternal care is essential for the full realization of human rights and to prevent ongoing atrocities against Indigenous peoples of the United States.

Nicky
Frankel ('25)



Krista
Jones ('26)



Boskey & NIWRC Summer Fellowships

Marina Coriale
(’25)



Soraya
Mazarei (’26)



Research Assistants Marina Coriale (’25) and Soraya Mazarei (’26) assisted Physicians for Human Rights (PHR) in developing a submission to the Committee on the Rights of the Child (CRC). PHR and CLIHHR developed the submission in response to a call for input on the CRC’s General Comment 27 on Children’s Rights to Access to Justice and Effective Remedies. In this submission, PHR and CLIHHR advocated for a greater inclusion of trauma-informed, intersectional, and socio-economic considerations to drive State decisions on justice, particularly related to sexual and conflict-related violence against children. The submission also stressed the importance of informed consent and assent to justice-related actions taken on behalf of child victims. The CRC will release General Comment 27 after consultations and Committee review, likely in early 2026.

ICC Slavery Crimes Policy Submission

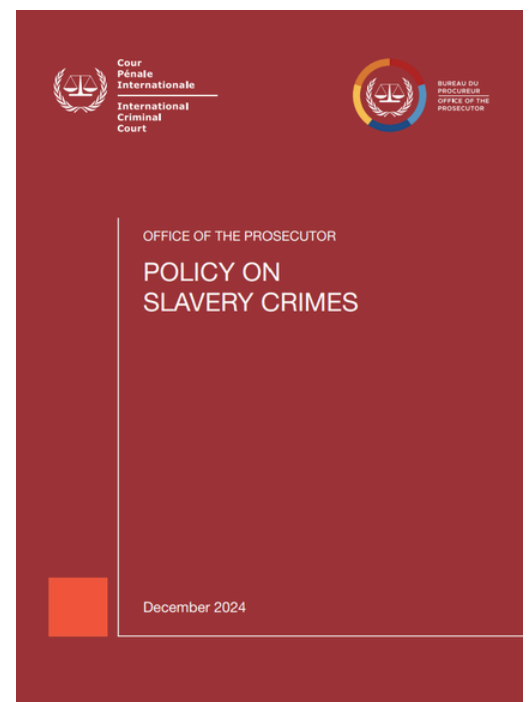
Last spring, clinic interns Sophia Ramcharitar ('25) and Matima Leekitwattana ('25) submitted a brief to the ICC's call for submissions for the Office of the Prosecutor's Slavery Crimes Policy. This policy is the first time the Office of the Prosecutor (OTP) has promulgated a policy to guide prosecutions of slavery crimes under the Rome Statute. This submission argued that the OTP should prioritize charging the crime of enslavement over the crime of sexual slavery if it is possible to charge both. By prioritizing charges of enslavement, the OTP would acknowledge the reality that perpetrators of enslavement always control the sexual acts of the enslaved person and that charges of sexual slavery not only require the survivor to unnecessarily recount their sexual trauma, but it also reduces the full extent of the survivor's enslavement to just the sexual acts committed against them while enslaved.

To supplement this submission, Clinical Fellow Brett Jones ('23)—with the aid of Professor Jocelyn Getgen Kestenbaum and research assistants Marina Coriale ('25) and Soraya Mazarei ('26)—compiled a report of Sophia and Matima's research on domestic slavery and slave trade laws of States Parties to the Rome Statute. This report can be found [here](#). The Office of the Prosecutor cited to this report in the policy, which was released on 2 December.



Pictured: Pictured: The Policy on Slavery Crimes launch event, featuring HRAP Clinic Partner and Special Adviser on Slavery Crimes Patricia Viseur Sellers

Notably, Clinic Partner and Special Adviser to the OTP on Slavery Crimes Patricia Viseur Sellers consulted Professor Jocelyn Getgen Kestenbaum's expertise and cited her scholarship in the policy. CLIHHR is honored to have contributed expert research and findings that helped shape this new and crucial policy.



Click image to view the new OTP Policy on Slavery Crimes

El Salvador's Jesuit Massacre Archives

In an inspiring update, former Clinical Professor and Interim Director of the Ferencz Human Rights and Atrocity Prevention Clinic Patty Blum shared an important milestone for victims of the Jesuit Massacre in El Salvador—a case on which the Clinic worked since 2014.

This Fall, José Artiga sent six boxes of declassified archives compiled by the Clinic to the University of Central America (UCA) to ensure access to these documents to researchers and historians in El Salvador. Professor Blum expressed immense gratitude for the Clinic's work. Declassified documents from the U.S. military and government are amongst the archives, a crucial piece of the puzzle to understand the massacre's international scope.

The Jesuit Massacre, a pivotal event in El Salvador's civil war, involved the murder of six Jesuit priests and two women in 1989, an atrocity aimed at derailing peace negotiations between the government and insurgents. Ironically, the murder of the priests catalyzed the 1992 Peace Agreement to end the war.

In the aftermath, efforts to address accountability through the Inter-American system faltered, as perpetrators were acquitted or granted amnesty. Years of legal battles ensued—the most recent one resulting in a guilty verdict against a Salvadoran military officer in a Spanish court in 2020, bringing some measure of justice to the victims.

The compiled documents, gathered through Freedom of Information Act (FOIA) requests, diligent archival research, and mandatory declassification reviews, played a key role in revealing the U.S.'s role in the military operations that led to the massacre.

The work of the Clinic team has now culminated in the delivering of the information to El Salvador, a capstone she considers a “symbolic act of reparation” for the suffering caused by U.S. intervention. The UCA archivist will continue digitizing these materials and work toward creating a resource that will shed light on the massacre, its victims, and the global response.

The archives' return marks not just the end of nearly 20 years of work, but the beginning of an enduring resource that will empower El Salvador's future generations to continue the fight for justice, accountability, and non-repetition of atrocity crimes.



Pictured left to right: José Artiga, Professor Carolyn Patty Blum



The boxes (above) of the compiled documents in binders (below)



Fall 2024 Events

Remembering Vienna: An Evening with Evelyn Konrad

In a moving and memorable event on October 10, Evelyn Konrad, a Holocaust survivor and a 2005 Cardozo alum, shared her powerful story of resilience, survival, and identity. In conversation with Professor Jocelyn Getgen Kestenbaum, Konrad reflected on her early years growing up in Vienna, her harrowing experiences during the Holocaust, and her journey of adjusting to a new life in the United States.

Evelyn's story, featured in the recently published book *Austria and Us*, offered a deeply personal perspective on survival, highlighting the enduring strength of the human spirit. In between personal anecdotes of her commitment to finding joy in life—including her ongoing ballet classes and her upcoming downhill skiing trip—Evelyn shared how she has grappled with her relationship with Vienna throughout her lifetime. Evelyn was candid with the audience about the costs of conflict her family personally endured, stating “Nothing is more powerful than the truth.” Her undeniable resilience in tandem with her poignant reflections illustrated the importance of remembering the past to confront intolerance and hatred in present context.



Pictured left to right: Professor Jocelyn Getgen Kestenbaum, Holocaust survivor and Cardozo Alum Evelyn Konrad



Pictured left to right: Dean Melanie Leslie, Professor Jocelyn Getgen Kestenbaum, Holocaust survivor and Cardozo Alum Evelyn Konrad

The event provided attendees with an opportunity to engage with history through the lens of a survivor, reminding all present of the urgent need to learn from the past and to remain vigilant in the fight against prejudice and injustice. “Why try to find things that set us apart instead of that which unites us,” Evelyn concluded with, imparting how remembrance and reconciliation are an ongoing practice in her life. Evelyn Konrad's words served as both a testament to her own spirited endurance and a call to action for future generations to build a more compassionate and inclusive world.

Book Talk: Nuclear Weapons and International Law

In September, CLIHHR hosted a book talk featuring Charles J. Moxley Jr., author of *Nuclear Weapons and International Law: Existential Risks of Nuclear War and Deterrence through a Legal Lens*, who provided a thought-provoking discussion on the legal challenges posed by nuclear weapons. Moderated by Professor Brett Jones, the event explored the urgent need to reassess nuclear deterrence strategies through the lens of international law.

Moxley highlighted the existential risks of nuclear conflict in the modern era and examined the available legal pathways to reduce these threats. His presentation underscored the critical role of international legal frameworks in addressing global security challenges and promoting conflict resolution.

The event, co-sponsored by the Kukin Program for Conflict Resolution fostered an engaging conversation about how legal scholarship and advocacy can contribute to mitigating nuclear risks in today's ever-changing geopolitical climate.



Pictured speaking to audience:
Charles J. Moxley Jr.

Fall 2024 Events



Pictured left to right: ElsaMarie D'Silva and Ramya Jawahar Kudekallu

Safecity: Crowd Mapping Sexual and Gender Based Violence

During a lunchtime discussion on Sept. 18th, Professor Ramya Jawahar Kudekallu and ElsaMarie D'Silva, founder of the Red Dot Foundation, shared powerful insights on combating sexual and gender-based violence through innovative approaches and the creative integration of technology, artforms, and civil society in justice initiatives. The event highlighted Safecity, a pioneering initiative that uses crowd mapping technology to document and address sexual violence in both public and private spaces worldwide.

ElsaMarie D'Silva, who founded Safecity, explained how the platform empowers individuals to anonymously share their experiences, creating a data-driven approach to identify unsafe spaces and advocate for systemic change. She emphasized the importance of leveraging technology to raise awareness, influence policy, and drive community-led solutions to tackle gender-based violence.

The event offered attendees a unique opportunity to learn about Safecity's impactful work and to explore practical and creative solutions to combat gender-based violence. The discussion served as an inspiring reminder of the role of innovation and the significance of community-led advocacy in creating safer, more equitable spaces for everyone.

Ukraine/Russia and Israel/Palestine: What's Law Got To Do With it?

At an internal event for Cardozo Law students on Nov. 11th, Professors Gabor Rona and Dymtro Vovk delved into the international legal obligations of parties involved in these armed conflicts, as well as the responsibilities of other states in upholding those obligations.

The conversation addressed key issues surrounding the application and enforcement of international law. Professors Vovk and Rona explored the legal frameworks governing armed conflict, including obligations under international humanitarian law, and examined the mechanisms available to enforce these obligations in the two ongoing conflicts. The discussion underscored the challenges of ensuring accountability and compliance in highly politicized and complex conflicts.

Attendees gained valuable insights into how international legal principles intersect with real-world geopolitical challenges and the critical role of states and institutions in upholding the rule of law. The event sparked a rich dialogue on the ongoing struggle to balance law, power, and justice in modern armed conflicts.



Students listening to Professor Rona (above) and Professor Vovk (Below)

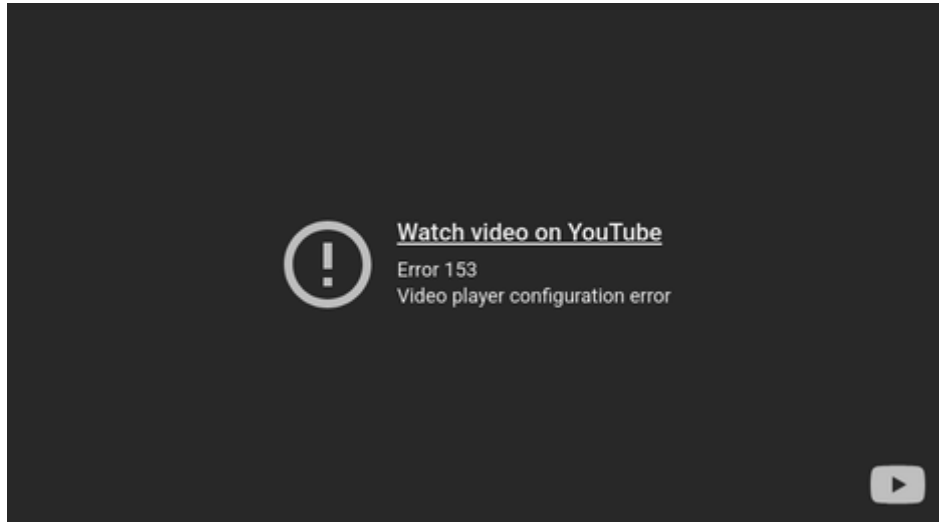


Fall 2024 Events

Violations of Human Rights and Available Remedies under International Law: The Case of the United Arab Emirates

On November 15, 2024, a diverse group of international law experts gathered at Cardozo Law School for a panel discussion focused on the United Arab Emirates (UAE), a country that has recently attracted global scrutiny for its role in sponsoring the Rapid Support Forces (RSF) in Sudan, focusing on its military and financial support for the RSF. The RSF has been responsible for numerous atrocity crimes against civilians in Sudan, including mass killings, sexual violence, and forced displacement.

The panelists stressed that the UAE's involvement not only violates various sects of international law but also breaches the UN Security Council's arms embargo on Sudan. The UAE's actions have directly contributed to one of the most severe humanitarian crises in the



[Click to watch a recording of this event](#)

world, with millions displaced and tens of thousands killed since the conflict escalated again in April 2023.

The panel further explored the potential legal accountability of the UAE's leaders for these actions, noting that individual criminal responsibility may apply. Panelists explored the potential for prosecution through the International Criminal Court (ICC), which has jurisdiction over crimes committed in Darfur, a region heavily affected by the RSF's operations. Additionally, national courts exercising universal jurisdiction could also play a pivotal role in holding UAE leaders accountable for their involvement in war crimes and crimes against humanity.

The concept of countermeasures was also highlighted, which allow States to take legal actions against another State engaged in wrongful acts.



Pictured left to right: Ruth Delbaere, Rodney Dixon, David Donat Cattin, Justyna Gudowska, and Professor Jocelyn Getgen Kestenbaum

Fall 2024 Events

Violations of Human Rights and Available Remedies under International Law: The Case of the United Arab Emirates

Proposed countermeasures included targeted sanctions, asset freezes, and the enforcement of existing multilateral sanctions, such as the UN Security Council's arms embargo on Sudan.

Further, the panel discussed strategies for civil society and States to address the UAE's role in human rights abuses, emphasizing the importance of diplomatic pressure, naming and shaming the UAE in relevant forums, and raising public awareness.

There was a strong call to “change the narrative” surrounding the UAE, especially given its reputation as a global hub for business, tourism, and entertainment.

Professor Jocelyn Getgen Kestenbaum moderated the panel, which included insightful remarks from Kyle Matthews, Sophia Romma, Mary Lawlor, Justyna Gudzowska, David Donat Cattin, Ahmed Al-Nuaimi, Niemat Ahmadi, Rodney Dixon, Ruth Delbaere, and Marcos Buscaglia.

The event was co-sponsored by an array of distinguished organizations, including the



Pictured left to right: Ruth Delbaere, Rodney Dixon, Jocelyn Getgen Kestenbaum, Justyna Gudzowska, and David Donat Cattin

Cardozo Law Institute in Holocaust and Human Rights (CLIHHR), the Montreal Institute for Global Security (MIGS), the NYC Bar Association (specifically the African Affairs, International Human Rights, International Law, and UN Committees), Avaaz – The World in Action, the Cardozo International Law Society (CILS), and the Students' Association in Global Affairs (SAGA) at the NYU Center for Global Affairs.

The agenda and concept note for this event can be found [here](#). The main takeaways of the panel can be found [here](#).

CLIHHR Out & About

On December 4, 2024, **Professor Jocelyn Getgen Kestenbaum** participated in an event at the 23rd Assembly of States Parties to the International Criminal Court in The Hague. Co-organized by the Kingdom of Belgium, the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict, and IMPACT: Center against Human Trafficking and Sexual Violence in Conflict, the event brought together leading scholars and practitioners to examine the critical nexus between conflict-related sexual violence (CRSV), slavery, the slave trade, and trafficking in persons.



From left: Alexandra Lily Kather, Jocelyn Getgen Kestenbaum, Patricia Viseur Sellers, Chloe Marnay-Baszanger & Amb. Olivier Belle

Professor Getgen Kestenbaum shared insights from her scholarship on slavery and slave trade crimes, emphasizing the urgent need to address significant gaps in international criminal law. Her work exposes the limitations of the Rome Statute, which fails to explicitly enumerate the slave trade as a war crime or crime against humanity. Additionally, the bifurcation of enslavement and sexual slavery under the Statute creates discriminatory and incomplete legal outcomes, leaving many victims without even the opportunity to seek full redress.

The discussion also bolstered recent efforts to deepen understanding of these crimes, including the 2024 *Special Issue of the Journal of Human Trafficking, Enslavement and Conflict-Related Sexual Violence (JHEC)*, featuring contributions from Professor Getgen Kestenbaum and other experts, and an upcoming report for the UN Team of Experts examining the CRSV-trafficking nexus. The *Special Issue* can be found [here](#).



Professor Getgen Kestenbaum speaking alongside panelists at the official side event of the 23rd ICC ASP.

Moderated by Patricia Viseur Sellers, Special Advisor to the ICC on Slavery Crimes, the event was a testament to growing international efforts to close impunity gaps for slavery and related crimes. Sierra Leone's proposed amendments to the Rome Statute—an ongoing project our clinic students are actively involved in—advocating for explicit recognition of the slave trade as a crime against humanity, were highlighted as a crucial step forward in addressing these gaps.

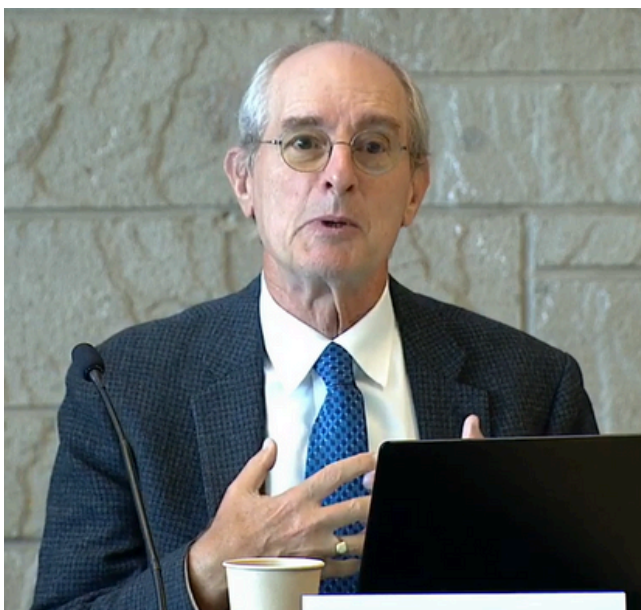
CLIHHR Out & About

Professor Jocelyn Getgen Kestenbaum has engaged in several important discussions, including the Association of Defense Counsel Webinar on "Defending Future Defendants: Slavery" (9/12), where she contributed to discussions surrounding accountability in the context of modern slavery. Additionally, she participated in a panel at PeaceCon that focused on atrocity prevention and the role of international law. The panel discussed two key topics: presenting a report on the Office of the Special Advisor to the Secretary General on the Prevention of Genocide, which was commissioned by the Stimson Center and co-authored by Doug and Ernesto Verdeja, and an assessment of the state of atrocity prevention, particularly in light of the upcoming review of the UN Peace Building Architecture.

A central theme of the panel was the intersection of peace and justice, emphasizing how international law can and should contribute to preventing atrocities, rather than merely offering post-facto accountability. The session explored the often-overlooked role of international judicial institutions in peacekeeping and conflict prevention, stressing the importance of ensuring that the promise of prevention and justice does not remain an elusive goal but rather a standard justice practice with atrocity crimes.



Pictured left to right: Ernesto Verdeja, Doug Verdeja, and Jocelyn Getgen Kestenbaum



Pictured: Gabor Rona speaking at Case Western Law

At a recent Case Western Law event marking the 75th anniversary of the Geneva Conventions, **Professor Gabor Rona** joined other experts to discuss the pressing question: "Is there a need for a new Geneva Convention on the Treatment of Non-State Actors?"

A key focus of the discussion was the growing role of private military and security contractors in contemporary conflicts and the urgent need for international legal regulation governing their activities. Additionally, the event highlighted the need for enhanced legal frameworks on grounds and procedures for deprivation of liberty in non-international armed conflicts, where gaps in regulation remain a critical concern. A link to Professor Rona speaking at this event can be found [here](#).

CLIHHR Out & About

Professor Gabor Rona moderated a panel entitled *The War in Ukraine: Lessons Learned and Challenges Ahead for International Criminal Law* at the International Law Weekend conference, hosted at Fordham Law School. The panel discussed Russia's invasion of Ukraine as a defining moment for International Criminal Law (ICL). With the conflict now well into its third year, the panel provided an in-depth analysis of the legal, political, and practical implications for ICL, exploring how this war has reshaped the landscape of international justice. The panelists addressed critical issues such as the crime of aggression, the evolving role of the International Criminal Court (ICC), and the increasing importance of national prosecutions in a multipolar world. A central theme of the discussion was how Ukraine has brought renewed focus to the enduring tension between justice and power in international law, offering valuable lessons about accountability, state sovereignty, and the pursuit of global justice.



INTERNATIONAL LAW ASSOCIATION
AMERICAN BRANCH • EST. 1922

International Law Weekend 2024
Powerless Law or Law for the Powerless?

The War in Ukraine: Lessons Learned and Challenges Ahead for International Criminal Law
October 25 at 10:45 AM | Room 2-02C

David Donat Cattin
NYU Center for Global Affairs

Jonathan Hafetz
Seton Hall University, School of Law

Oona A. Hathaway
Yale University, Law School

Gabor Rona
Cardozo Law

Ambassador Beth Van Schaack
US Ambassador-at-Large for Global Criminal Justice

Ambassador Christian Wenaweser
Permanent Representative of Liechtenstein to the United Nations

Sponsored by the ABILA International Criminal Court Committee

Additionally, at the International Law Weekend conference, **Professor Gabor Rona** also joined a roundtable of experts to discuss the international humanitarian law (IHL) and human rights obligations of parties involved in the escalating conflict between Israel, Palestine, and the broader region.

The discussion included a focus on recent and ongoing cases before the International Court of Justice (ICJ), shedding light on the role of international legal institutions in addressing alleged violations and promoting pathways to justice. Panelists also assessed how international lawyers and legal frameworks can contribute to efforts toward ceasefire and peace in the region, despite the deeply rooted tensions and rapidly evolving dynamics.

CLIHHR Out & About

On Tuesday, November 12th, the Cardozo International and Comparative Law Review hosted its 2024 Fall Symposium titled “The Rights of the Child in the 21st Century.” The event featured a thought-provoking panel discussion moderated by **Professor Ramya Kudekallu**.

The panel brought together leading experts, including Dr. Hille Haker from Loyola University of Chicago and Payal Shah, JD, Director of Research, Legal, and Advocacy at Physicians for Human Rights, to examine the evolving challenges and opportunities in advancing children's rights globally.

Panelists explored critical issues such as protection from exploitation and the role of agency children deserve in justice processes. They addressed the ways in which international human rights frameworks can adapt to meet the unique needs of children through the principles of assent and evolving capacity and center children in advocacy initiatives.

The symposium fostered a rich dialogue on the role of advocacy, perspective shifting justice frameworks and legal innovation in safeguarding children's rights.

At the annual meeting of the Lawyer's Guild in Birmingham, AL, **Professor Gabor Rona** delivered a compelling presentation on the use of U.S. courts for human rights accountability in the context of the Israel/Palestine conflict.

Professor Rona explored the legal avenues available within the U.S. judicial system to address human rights violations stemming from the conflict. His remarks delved into the challenges and opportunities presented by domestic litigation, including the application of statutes like the Alien Tort Statute (ATS) and other legal frameworks that enable accountability for international human rights abuses.

The event offered attendees valuable insights into the potential—and limitations—of domestic courts as a tool for addressing international human rights violations, encouraging continued dialogue and advocacy on this pressing issue.



Ramya Jawahar Kudekallu,
Assistant Professor



Dymtro Vovk, CLIHHR Affiliated
Faculty

In addition to the on campus event co-hosted with Professor Gabor Rona, **Professor Dmytro Vovk**, an affiliated faculty member, has kept incredibly busy by engaging in several important discussions off-campus, including delivering a lecture on the Russian Orthodox Church and the Russia-Ukraine War for the State Department Foreign Service Institute (August 27, 2024), briefing the State Department on religious freedom issues in Ukraine (November 26, 2024), offering a guest lecture on "Totalitarian Law: Between Literature and Reality" at BYU Law, and presenting on religious freedom in Ukraine at the Shevchenko Scientific Society in the U.S. (October 16, 2024).

Noteworthy News

Clinic Plays Key Role in Advancing the Convention on Crimes Against Humanity

In a landmark development on November 22, 2024, the United Nations' Sixth Committee has approved the text that will begin the process of negotiating an international **Convention on Prevention and Punishment of Crimes Against Humanity (CAH)**. This historic decision, finalized during the Committee's 79th session, marks a significant step toward filling a critical gap in international law. The new convention will aim to hold perpetrators of these heinous crimes accountable, ensuring justice for victims and strengthening global human rights protections.

For years, the Cardozo Law Institute in Holocaust and Human Rights (CLIHHR), along with its clinical arm, the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic, has been a driving force behind the push for a CAH treaty. Since 2018, Cardozo has worked closely with civil society organizations and international legal experts to advocate for a legally binding instrument to prevent and punish crimes against humanity. Their efforts, in collaboration with global partners, have culminated in this historic moment of progress.

During the UN meeting, the Committee, after extensive informal discussions, approved 16 draft texts, including the pivotal resolution on the CAH convention. The draft resolution was introduced by the delegate of Gambia, who emphasized that the resolution is the result of many exchanges and difficult compromises.

This decision is a milestone in the ongoing work to combat impunity for crimes against humanity and reinforces the need for a new international legal framework to address such crimes. Following the approval, many delegations expressed their optimism, with representatives from Palestine, Brazil, the United Kingdom, and the United States

≡ Meetings Coverage and Press Releases

Meetings Coverage
General Assembly / Sixth Committee

SEVENTY-NINTH SESSION,
38TH & 39TH MEETINGS (AM & PM)

GA/L/3738
22 November 2024

Sixth Committee, Upholding Tradition of Consensus in Historic Meeting, Approves Text to Begin Elaborating International Convention on Crimes Against Humanity

[Click image to view press release](#)

noting the historic significance of this move. They emphasized the moral, legal, diplomatic, and political importance of establishing such a convention, with the expectation that it will have a lasting impact on the fight against impunity. More details about the United Nations' Sixth Committee's decision can be found [here](#).

Hungary v. Simon: A Landmark Case in the Fight for Holocaust Justice

On December 3, 2024, the U.S. Supreme Court heard oral arguments in *Hungary v. Simon*, a significant case brought by Holocaust survivors against Hungary for the expropriation of their property during World War II. The case underscores a continuing effort, more than 80 years later, to seek justice and reparation for the atrocities committed during the Holocaust—a pursuit that resonates deeply with the mission of the Cardozo Law Institute of Holocaust and Human Rights, which was founded with the proceeds of Holocaust reparations and has long focused on holding perpetrators of mass atrocities accountable.

Holocaust survivors filed their lawsuit in 2010

Noteworthy News

against Hungary and its state-owned railway, MAV, under the Foreign Sovereign Immunities Act (FSIA), claiming Hungary expropriated their property during WWII. The case hinges on whether commingled funds from the sale of the expropriated property, now in the U.S., meet the FSIA's "commercial nexus" requirement for bringing a lawsuit. Hungary argues the funds must be directly traceable to the expropriated property, while the plaintiffs contend that commingled funds can still be linked to the original property, allowing their claims to proceed. Unlike lesser offenses, which fade into the past under the weight of statutes of limitations, the atrocities of the Holocaust remain timeless, their severity demanding a response that stretches beyond borders and decades.



Hungary v. Simon Offers Supreme Court Stark Choice

Hungary v. Simon has significant implications for the Foreign Sovereign Immunities Act's expropriation exception.

 Just Security / Apr 29

[Click image to view more details on the case](#)

The Hungary v. Simon case serves as a poignant reminder that some injustices—particularly those committed by Nazi Germany and its collaborators—demand a persistent, global effort to seek justice. Even after all these years, the case underscores how the fight for Holocaust survivors' rights is far from over, keeping the pursuit of justice alive both in legal scholarship and in the conscience of the international community.

This case brings to light important themes of accountability, reparation, and international law, motifs that the Cardozo Institute has consistently emphasized in its work. It highlights that, despite the passage of time, there is still a global interest in righting the wrongs of the Holocaust. The case exemplifies the international community's commitment to holding states accountable for mass atrocities and jus cogens violations, even in the face of legal doctrines like "comity" and the "act of state" doctrine, which can protect sovereigns from lawsuits in foreign courts. More details and coverage on the case can be found [here](#).

Support our Critical Work

As we begin the new year and embark onto the spring semester, we hope that you will find a way to include a gift to CLIHHR to help our vision become a reality. To make a tax-deductible gift please click the link below: (If you decide to support our work, please ensure to select Cardozo Law Institute in Holocaust and Human Rights from the designation section drop down menu).

**[Make a Gift to
CLIHHR](#)**

CLIHHR Team



Marina Coriale, CLIHHR Legal Fellow, Student at Benjamin N. Cardozo School of Law ('25)



Jocelyn Getgen Kestenbaum  (@JocelynGetgen), Professor of Clinical Law and Director of CLIHHR and the Benjamin B. Ferencz Human Rights & Atrocity Prevention Clinic



Rebecca Ingber, Professor of Law, Co-Director of the Floersheimer Center for Constitutional Democracy, U.S. Substitute Member to the Council of Europe's Commission for Democracy Through Law, CLIHHR Affiliated Faculty Member




Ramya Jawahar Kudekallu, Charles E. Schedit Visiting Assistant Professor



Brett Jones, Visiting Clinical Instructor and Charles E. Scheidt Human Rights Clinical Teaching Fellow for the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic



Gabor Rona  (@GaborRona1), Professor of Practice and Director of the Law and Armed Conflict Project



Richard H. Weisberg, CLIHHR Founding Director & Professor of Law Emeritus



Dymtro Vovk, Visiting Professor, CLIHHR Affiliated Faculty Member