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NOTICE OF PUBLIC ADDRESS

In association with the International Law Association (Auckland Sub-Branch)

Speaker **Judge Jonathan Moses**

Topic *Did The Trials In The International Criminal Court For Rwanda Set A Precedent?*

Date & Time **Monday 24 July 2023 at 6 p.m.**

Location **Lecture Theatre, Old Government House** (University of Auckland), Princes Street, Auckland. Choice of masks and distancing is **Respected**.

Synopsis Attempts to regulate the conduct of warfare between nations began to take legal form in the late 19th century, and continued through to the 1930's. Yet, World War 2 revealed the failure of agreed international mechanisms to prevent or temper warfare.

In the aftermath of World War 2, a decision was made by the victor Powers to affix criminal liability on the leaders of a losing Power. Surviving leaders of the German régime were prosecuted in an *ad hoc* court in Nuremberg, Germany. Surviving leaders of the Japanese régime were prosecuted in a separate *ad hoc* court in Tokyo, Japan. The latter court was distinguished by a strong dissenting opinion from the Indian Judge. Still, a principle was established that individuals could be responsible for mass homicides.

A series of linked massacres in Rwanda in 1994 came to be regarded as a genocide. In November 1994 the United Nations Security Council established the *International Criminal Court for Rwanda*. By 2009, it had finished 50 trials and convicted 29 persons. By the Council's decree, it completed its work in 2012, and was closed by the end of 2016.

The activities of the Russian state in Ukraine since 2014 have revived interest in the prosecution of individuals for war crimes.

A generation after the establishment of the International Criminal Court for Rwanda, have its guilty verdicts and the sentences resulted in deterrence to individual military and civilian leaders, and (if not) do major Powers have the will to establish a trial system?

Biographical Details Judge Moses graduated from the University of Auckland. Legal practice in litigation followed in Manukau. He co-founded the Mangere Community Law Center in 1986.

Then he lived for six years in Tanzania. There he worked as a trial attorney, and later as a senior trial attorney, in the International Criminal Court for Rwanda. In both of the trials in which he was lead counsel, a conviction was entered and a life sentence imposed.

In 2010 he was appointed as a Judge in the District Court, based in Manukau.

The Forum provides a space and an opportunity for discussion and consideration of topics of international affairs. The meeting is open to the public, without charge or seat reservation.

¹ World Affairs Forum Incorporated, # 50081789. Available from: <https://app.businessregisters.govt.nz>.
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