



Department of Justice

STATEMENT OF

**LISA O. MONACO
DEPUTY ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

BEFORE THE

**COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE**

AT A HEARING ENTITLED

**“HOLDING RUSSIAN KLEPTOCRATS AND HUMAN RIGHTS VIOLATORS
ACCOUNTABLE FOR THEIR CRIMES AGAINST UKRAINE”**

PRESENTED

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I. Introduction

Chairman Durbin, Ranking Member Graham, and members of the Committee, I am honored to testify about the Department of Justice’s tireless efforts to respond to Russia’s brutal and unprovoked invasion of Ukraine. Ensuring accountability for Russia’s aggression upholds core responsibilities of the Department of Justice: promoting the rule of law and keeping the American people safe. I am incredibly proud of our work to ensure that justice is done for the Ukrainian people, and that war criminals, their enablers, and others who would threaten global security know that they cannot act with impunity, because we will use every tool we have to hold them accountable.

It has been just over a year since Russia launched its full-scale invasion of Ukraine. The atrocities committed by Russia’s forces are shocking. Thousands of civilians have been killed over the past 14 months, in addition to the numerous lives previously lost in the conflict in eastern Ukraine. Civilians have been kidnapped, detained, and tortured. Health facilities—including maternity hospitals and children’s hospitals—have been bombed. Men, women, and children have been murdered in execution-style killings and their bodies found dumped in mass graves. Thousands of children have been ripped from their families and homes and forcibly and illegally transported to Russia from Russia-occupied territory. Some 14 million people have been displaced from their homes. As the war has entered its second year, the UN also reports that amid electricity and water shortages during the cold months of winter and early spring, nearly 18 million people have been put in dire need of humanitarian assistance. And, as is tragically common in war zones around the world, sexual violence has been deployed as a devastating weapon of war. The damage is growing every day that Russia continues its war of aggression.

I therefore want to express the Department’s deep gratitude for the new legal authorities that Congress has provided to push back on Russia’s aggression against Ukraine. This Committee’s bipartisan support for these new measures demonstrates that protecting the rule of law and national security are not just the Department’s values, but shared American values that

should unite us all in opposition to this illegal war. But additional tools are needed. As the Secretary of State recently explained, these barbaric acts of murder, torture, rape, and deportation are not random or spontaneous; they are part of the Kremlin's widespread and systematic attack against Ukraine's civilian population. Members of Russia's forces have committed crimes against humanity as defined under international law; however, the United States does not currently have a statute defining crimes against humanity under U.S. law that would enable us to bring our own investigations and prosecutions for these horrific acts.

Therefore, I am also here today to urge you to expand our toolset by granting federal courts jurisdiction over crimes against humanity, expanding jurisdiction to prosecute crimes of torture committed against Americans abroad under the color of law, and expanding our authorities to disrupt illicit finance.

Accountability for the perpetrators and decisionmakers behind these crimes—and their funders, proxies, profiteers, and other enablers—honors their victims. Accountability is also essential to international efforts to impede Russia's aggression in the present and to deter would-be war criminals in the future. As the Attorney General has said, "America, and the world, are watching very closely what is happening in Ukraine."¹ Russia's unlawful behavior in Ukraine is thus a test – not just for Ukraine, but for the United States and the rules-based system that we helped build over the last century and upon which the security and prosperity of countries worldwide depends. Failure to hold war criminals accountable will cheapen the price of unlawful war.

Since Russia's full-scale invasion of Ukraine, the Department has deployed every tool at its disposal to impose accountability and serious costs on Russia and its enablers. Although some of these tools are new, the principles behind them are longstanding. The Department of Justice is proud of its long history of holding war criminals accountable. That legacy can be traced in part to President Truman's appointment of former Attorney General Robert Jackson as U.S. Representative and Chief Counsel to bring Nazi leaders to justice at Nuremberg after World War II.² As the chief architect of the Allied prosecution effort at Nuremberg, Jackson served in a novel role that required pathbreaking innovation. He could not rely upon an extensive body of formal precedents. Nor did he have established institutional structures or processes for the historic task before him. But he had the backing of his government and the conviction that while summary punishment of Nazi leaders would be an unacceptable victor's vengeance, failing to hold them accountable would "mock the dead and make cynics of the living."³ So Jackson's team and its international partners drew upon longstanding principles of justice and due process

¹Remarks of Attorney General Merrick Garland in Meeting with Ukraine Prosecutor General Venediktova (May 4, 2022).

²Executive Order 9547, Providing for Representation of the United States in Preparing and Prosecuting Charges of Atrocities and War Crimes Against the Leaders of the European Axis Powers and Their Principal Agents and Accessories (May 2, 1945).

³Report to the President from Justice Robert H. Jackson, Chief of Counsel for the United States in the Prosecution of Axis War Criminals (June 7, 1945).

to develop innovative legal and institutional tools—such as crimes against peace, which included waging a war of aggression—to ensure that the Nuremberg defendants faced justice consistent with the rights and rule-of-law protections that the Nazi regime denied its victims.

The Department’s work to hold Russia accountable draws upon these principles and tools, refined by experience and supplemented by authorities from Congress. In providing new authorities for prosecuting war crimes and contributing to the reconstruction of Ukraine through the transfer of forfeited Russian assets, this Congress has honored and continued Jackson’s legacy of finding innovative ways to combat the deepest evils with our highest values.

America, our people, and the rule of law are safer and more secure as a result of our work to hold Russia and its enablers accountable. For example, in coordination with our international partners, we have used export controls and sanctions to restrict Russia’s access to advanced technology, impeding Russia’s ability to replace its equipment and munitions. These sanctions have also made it difficult for Russia to resupply its army and air force. Together with our international Allies and partners, we have isolated Russia from commodities, technologies, and software that Russia needs to carry out its war of aggression. Every day, Russia and its enablers awaken knowing the Department’s prosecutors and investigators, and our partners across the United States government as well as counterparts in other countries are tirelessly pursuing them and their finances. Their freedom of movement is constrained. Their access to the backbone of the global economy is constricted. We are striking blows to Russia’s effectiveness and to its confidence. And we are laying down precedents that will serve as deterrents long into the future.

II. Actions we are taking to hold Russia accountable for war crimes in Ukraine

The Department of Justice is actively incorporating these new tools into our ongoing work to uphold the rule of law and mitigate threats here and abroad, including by pushing back on, and providing justice for, Russia’s war crimes in Ukraine.

Upholding the Rule of Law Through Investigation and Prosecution of War Crimes. Last June, the Attorney General created the War Crimes Accountability Team (“Team”), based in the Criminal Division’s Human Rights and Special Prosecutions Section (“HRSP”), to centralize and strengthen the Department’s accountability efforts in the wake of Russia’s full-scale and unprovoked invasion of Ukraine. As the Attorney General has stated, this initiative reflects the Department’s deep commitment to “working alongside our domestic and international partners . . . to hold accountable every person complicit in the commission of war crimes, torture, and other grave violations during the unprovoked conflict in Ukraine.”⁴

The Team brings together the Justice Department’s leading experts in investigations involving human rights abuses and plays an integral role in the Department’s ongoing investigations of potential offenses under the U.S. law, particularly where U.S. nationals have

⁴Remarks of Attorney General Merrick Garland Upon Meeting with Ukrainian Prosecutor General Iryna Venediktova (June 21, 2022).

potentially been victims of war crimes. As the Attorney General has stated, “[a]lthough we are still building our cases, interviewing witnesses, and collecting evidence, we have already identified specific suspects.”⁵ Where there may not be U.S. jurisdiction, the Team provides Ukraine’s authorities with wide-ranging assistance, including by helping Ukraine’s Prosecutor General’s Office to develop war crimes cases that may be brought in Ukraine. The Team also provides advice to Ukraine’s authorities on evidence collection, forensics, relevant legal analysis, development of a modern electronic case management and analysis system, and more.

Our mutual assistance builds on our highly effective partnership with Ukraine’s Prosecutor General’s Office, dating back to 1993, that helped enable the Department to repeatedly prove in U.S. courts atrocity crimes that were committed in Ukraine during a previous full-scale invasion of that country – the one perpetrated by Nazi Germany during World War II. Our assistance also builds off the extensive work done by the Criminal Division’s International Criminal Investigative Training Assistance Program (“ICITAP”), which, since 2005, has maintained a full-time police assistance mission in Kyiv and since the Revolution of Dignity in 2014, has been instrumental in the assistance, development, and training of the National Police of Ukraine and the State Border Guard Service using funds provided by the State Department. We are also working shoulder to shoulder with Allies and other partners abroad, such as the countries of the Joint Investigative Team (“the JIT”), created last year by Ukraine and European partners. On March 3, in Lviv, Ukraine, Attorney General Garland signed a landmark Memorandum of Understanding with the JIT countries, to “formalize and facilitate coordination between the United States and JIT member countries on our respective investigations and prosecutions.”⁶

The Team will have the benefit of the Department’s collective expertise across many components to hold Russia and its enablers accountable. I am deeply proud of the contributions from components across the Department to this critical work.

Expanded Jurisdiction for the Prosecution of War Crimes. Congress—and specifically this Committee—recently expanded tools available to the Department’s investigators and prosecutors, making our work more formidable and effective. Previously, the federal war crimes statute only provided for U.S. jurisdiction over war crimes if the victim or offender was a member of the U.S. Armed Forces or a U.S. citizen. In effect, that meant war criminals could come to the United States with minimal fear of accountability for their horrific actions. Those days are over. Thanks to the work of this Committee and Congress in passing the Justice for Victims of War Crimes Act, we now can prosecute foreign nationals who commit war crimes – no matter where they occurred – and are subsequently present in the United States. We can also

⁵Remarks of Attorney General Garland at the United for Justice Conference, Lviv, Ukraine, March 3, 2023. <https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-delivers-remarks-lviv-ukraine>

⁶Remarks of Attorney General Garland at the JIT MOU Signing Ceremony, March 3, 2023, Lviv, Ukraine. <https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-delivers-remarks-lviv-ukraine>

continue to prosecute war crimes offenders wherever they may be located if the offense occurred in whole or in part in the United States. In this way, we've made our resolve explicit to the world: war criminals cannot run, and they cannot hide.

III. Actions targeting the larger criminal ecosystem that enables Russia's perpetrators to evade our laws, act with impunity, and threaten global peace and stability

In addition to holding Russia to account for war crimes, the Department has sought to disrupt the complex ecosystem – involving companies, networks, and individuals across the globe – that has enabled Russia's illegal actions and has threatened our national security.

Task Force KleptoCapture and the REPO Task Force. As the Committee knows, in March of last year we launched Task Force KleptoCapture (“Task Force”). The Task Force brings together law enforcement personnel from across the U.S. government to enforce sweeping sanctions, export restrictions, and economic countermeasures in response to Russia's aggression. In March 2022, together with the Treasury Department, we helped launch the Russian Elites, Proxies, and Oligarchs (“REPO”) Task Force, an international collaboration of representatives from the United States, Australia, Canada, the European Commission, France, Germany, Japan, Italy, and from the United Kingdom who work together to hunt down the assets of the Kremlin's key elites and proxies and to act against their enablers and facilitators.

Coordination of priorities and marshalling of relevant law enforcement authorities through the REPO Task Force, coupled with a sea change in our Allies and partners' local sanctions regimes, has enabled the Department to extend the reach of Task Force KleptoCapture's investigations around the world. Thanks to the work of the Task Force and our close collaboration with international Allies and partners, we have successfully seized, forfeited, or otherwise restrained over \$500 million in assets belonging to Russia's oligarchs and others who unlawfully supported the Kremlin's war machine—from luxury yachts in Spain and Fiji to deluxe penthouses across the continental United States. We have indicted more than thirty individuals and two corporate entities accused of sanctions evasion, export control violations, money laundering, and other crimes. And we have arrested defendants in over a half-dozen countries in 2022.

In every one of Task Force KleptoCapture's cases, we have benefited substantially from the assistance of foreign and interagency partners. The REPO Task Force has also leveraged extensive multilateral coordination to exert unprecedented pressure on sanctioned individuals and entities. The members of the REPO Task Force have successfully blocked or frozen more than \$58 billion worth of sanctioned assets, tracked sanctioned assets across the globe, and heavily restricted sanctioned Russian Federation nationals and entities from the international financial system.

Export Controls. In addition to using its important new authorities, the Department of Justice is rigorously enforcing existing authorities, including export-control laws, in new ways. Enforcement of U.S. export controls has been a key priority for the KleptoCapture Task Force,

and the Department's National Security Division is surging resources into export control enforcement more broadly. The Task Force's efforts have resulted in seizure warrants for multiple luxury aircraft, the seizure of dual-use technology and munitions, and the arrests of members of transnational procurement networks engaged in the smuggling of sensitive technology.

These efforts are just some of the recent successes of the Department in this space. The National Security Division, in collaboration with the Department of Commerce's Bureau of Industry and Security ("BIS"), launched the Disruptive Technology Strike Force ("Strike Force"), focusing on technologies such as advanced semiconductors, supercomputer hardware, quantum technologies, hypersonics, military bioscience, and advanced avionics. The Strike Force will investigate and prosecute criminal violations of U.S. export control laws, using intelligence and data analytics to develop leads. The Strike Force will also foster partnerships with the private sector and leverage international partnerships to coordinate law enforcement actions. The goal is to protect critical technological assets from being acquired or used by nation-state adversaries. Already, the National Security Division has coordinated in the creation of 14 local units in 12 metropolitan regions across the country, with each cell consisting of DOJ prosecutors and law enforcement agents from the FBI, BIS, and Homeland Security Investigations.

New Forfeited Asset Transfer Authority. Last year, with bipartisan support and tremendous cooperation between this Committee and the Department, Congress passed, and the President signed into law, critical, ground-breaking legislation allowing for the transfer of certain forfeited assets for the benefit of Ukraine. That legislation is important in several respects, foremost because it provides additional assistance to our Ukrainian partners and makes clear that Russia's oligarchs who enable the war effort should pay for the costs of its unprovoked war. But it also demonstrates to our Allies and partners that it is possible to devise mechanisms to divest ill-gotten assets for the benefit of Ukraine while respecting core principles of due process and respect for property rights. Through that legislation, the Attorney General has already authorized the first transfer of assets to the State Department for the aid of Ukraine, and we expect to continue using that power in the weeks and months ahead.

Our first use of the new legislation relates to a \$5.4 million forfeiture of funds belonging to sanctioned oligarch Konstantin Malofeyev, a Kremlin propagandist who has provided support to Russia's aggression in Ukraine since 2014. Malofeyev is an oligarch sanctioned under one of the specific executive orders listed in the new legislation as a predicate for these transfers.

Earlier this year, our prosecutors in New York filed another civil forfeiture complaint against six real properties located across New York and Florida. These properties, belonging to the oligarch Viktor Vekselberg, are worth approximately \$75 million. Should that litigation conclude in our favor, we intend to authorize transfer of forfeited funds to the State Department to support reconstruction efforts in Ukraine.

We also anticipate that the beneficial-ownership provisions of the Corporate Transparency Act, currently being implemented by our colleagues at the Department of the

Treasury, will be a critical resource for unmasking and dismantling the illicit-finance ecosystem that enables wrongdoers to abuse corporate entities to hide from justice and profit from their crimes. But we could do much more to assist the Ukrainian people and other victims of kleptocracy if the transfer authority were expanded to include additional predicates and other asset recovery actions. The Department stands ready to discuss with the Committee the utility of expanding the list of offenses and applicable executive orders that allow for transfers of forfeited property for Ukraine's benefit, including through the addition of forfeitures arising from criminal violations of our export controls targeting Russia, and, where we recover assets in other foreign corruption cases, to allow similar transfers to remedy some of the devastating harms of kleptocracy in other parts of the world.

IV. Actions to promote democracy and harden our defenses at home and abroad

In addition to holding perpetrators accountable for Russia's war crimes and seeking to disrupt the complex ecosystems that enable the Kremlin's war of aggression to continue, we've been highly focused on shoring up our nation's defenses—from countering insidious efforts to undermine the integrity of our democratic institutions to preventing cyberattacks on our critical infrastructure that could have far-reaching real-world consequences.

Combatting Corruption and Promoting Democracy. As Robert Jackson acknowledged at Nuremberg, “[t]he common sense of mankind demands that law shall not stop with the punishment of petty crimes by little people.”⁷ For decades, the Justice Department has worked to hold accountable both bad actors who use bribes to undermine the rule of law and corrupt officials who abuse positions of public trust for private gain. But corruption is not limited to the pursuit of wealth. Some governments, like Russia's, use corruption as a malicious tool of statecraft – hollowing out institutions in other countries to extend their own anti-democratic influence. In line with the whole-of-government U.S Strategy on Countering Corruption, the Department of Justice is using every tool at its disposal to increase the resilience of democratic institutions by strengthening anti-corruption and anti-money laundering measures across the world. With funding from the Department of State, our Criminal Division's Office of Overseas Prosecutorial Development, Assistance and Training (“OPDAT”) has experienced prosecutors in approximately 50 countries, including many threatened by Russia's malign influence. We will also continue to enforce U.S. anti-bribery laws, including the Foreign Corrupt Practices Act and related money laundering statutes.

Combatting Cybersecurity Threats. The Russian government also threatens U.S. national security, European security, and individual victims by providing a safe harbor for ransomware groups. This Administration has made targeting ransomware a priority, and the Department is leading the government's work in disrupting and deterring ransomware actors. We organized the Department's efforts in this area by assigning DOJ's Computer Crimes & Intellectual Property Section (“CCIPS”) a lead role in the campaign to disrupt ransomware and

⁷Robert Jackson, Opening Statement Before the International Military Tribunal (Nov. 21, 1945).

empowering it with additional resources. The Department's prosecutors and trial attorneys have been directed to deploy not only arrests and prosecutions, but also disruptive actions to deter ransomware actors' activities and their attempts to monetize or otherwise leverage their criminal acts. I instructed Department prosecutors to use every legal authority at their disposal proactively and go on offense: to seize criminal infrastructure, such as servers or domain names; to use court orders to remove or disrupt malicious software to prevent additional attacks and harm to victims; and to freeze, seize, and forfeit property derived from or involved in criminal activity.

We will work with our partners here and abroad to go after cybercriminals, wherever they may be. CCIPS has assigned nearly all of its litigators to ransomware cases, and they are handling cases involving some 40 known ransomware groups. This strategy has yielded significant successes, such as the seizure of the Colonial Pipeline ransomware payment in June 2021, the extradition of Sodinokibi/REvil ransomware group actors Yaroslav Vasinskyi and Sebastien Vachon-Desjardins in March 2022, and the undercover operation announced in January 2023 against the Hive ransomware gang that led to the decryption of over a thousand victim computers without their having to pay ransom, thwarting over \$130 million in ransomware demands.

I am proud of how our efforts have saved thousands of companies from damage and blocked millions of dollars from reaching criminals. We have repeatedly identified and dismantled Russian botnets before they could strike. For example, in March 2022, the FBI and the National Security Division collaborated with international and interagency partners to disrupt a two-tiered global botnet of thousands of infected network hardware devices under the control of a threat actor known as Sandworm, attributed to the Main Intelligence Directorate of the General Staff of the Armed Forces of the Russian Federation "the "GRU"). Last year, working with partners in Germany, the Netherlands, and the United Kingdom, we dismantled the infrastructure of a Russian botnet known as RSOCKS, which had compromised millions of devices around the world.

As described in the National Cybersecurity Strategy, the United States is employing all aspects of the government's power to counter the ransomware threat through four paths: leveraging international relationships; investigating ransomware crimes and using law enforcement authorities to disrupt ransomware infrastructure and actors; bolstering critical infrastructure resilience to withstand ransomware attacks; and addressing the abuse of virtual currency to launder ransom payments. We will continue to work tirelessly on all these fronts.

V. Moving Forward to Ensure Accountability

The Department is proud of these efforts and will continue to deploy all of its existing resources and authorities forcefully and creatively to respond to Russia's aggression, war crimes, and crimes against humanity in Ukraine, as well as related threats to the rule of law and U.S. national security. But, as this Committee knows, there is more work to do.

Conferring Jurisdiction to Prosecute Crimes Against Humanity and Torture of Americans Abroad. In the last Congress, the Biden Administration supported a package of new measures championed by Members of this Committee to support justice for Ukraine. As I have discussed, we are grateful that Congress enacted the forfeited asset transfer authority and expanded federal court jurisdiction for the prosecution of war crimes. However, we were disappointed that other proposals, including conferring federal court jurisdiction over certain crimes against humanity and enabling the Department to prosecute acts of torture committed abroad against U.S. nationals “under the color of law”, did not also make it through to the President’s desk.

The Administration continues to support expansion of federal court jurisdiction to encompass prosecutions for crimes against humanity. The current statutory landscape contains a particularly large gap in our ability to pursue justice and to deter the commission of atrocities. War crimes and genocide statutes alone simply are not sufficient to address the full and tragic array of large-scale atrocity crimes that continue to occur. Crimes against humanity laws, which have been adopted by many other countries, among them Canada, the United Kingdom, South Africa, France, and Australia, enable prosecutions of certain criminal acts when committed as part of a widespread and systematic attack directed against a civilian population even if they occur outside the context of an armed conflict. The United States played a key role, at the postwar Nuremberg and Tokyo trials, in introducing this crime to world jurisprudence.

Enactment of a crimes against humanity statute would bring us into alignment with the laws of many of our NATO Allies and would strengthen the United States’ ability to hold accountable perpetrators of atrocities. Enactment would also increase deterrence by warning prospective offenders of the possibility of prosecution by the Department of Justice. Criminally prosecuting perpetrators who are within the reach of U.S. laws also ensures that our country does not become a safe haven for those who have committed the most serious crimes known to humanity. And it would strengthen our whole-of-government approach—along with our international partners—in promoting accountability for the perpetrators of the most horrific crimes, including those committed by members of Russia’s forces in Ukraine. As part of the productive partnership between the Department and Members of this Committee to continue holding Russia accountable, we respectfully urge your support for the measure and look forward to engaging with you on this important proposal.

Furthermore, the federal torture statute currently does not allow for prosecution of cases involving torture of U.S. victims abroad unless the offender is a U.S. national or is present in the United States after commission of the crime. The Administration proposed amending the statute to add jurisdiction over those cases in which a U.S. national (including a dual national) is tortured abroad under the color of law. Thus, for example, if a U.S. national is tortured outside the United States by a foreign authority, the United States could secure federal charges made possible by the proposed amendment, then seek extradition of the suspected offender if he travels to a country with which the United States has an extradition treaty in force. Filling this gap would serve to provide justice for U.S. victims and warn prospective offenders that the United States will seek to prosecute torturers of U.S. nationals no matter where this heinous crime is

committed. The amendment would also bolster prospects for achieving accountability for egregious human rights abuses. The proposed amendment effects a simple three-word revision of the current statutory language to add the words “or a victim” after the words “the alleged offender” in the statutory text “the alleged offender is a national of the United States.”

Providing New Tools to Dismantle the Illicit-Finance Ecosystem. As I have noted, we are grateful to this Committee for our new forfeited asset transfer authorities. However, there is more that can be done. For example, expanding the United States’ ability to pursue money laundering charges based on foreign offenses and extending the statute of limitations for certain violations of the federal money laundering statutes and sanctions evasion to ten years. We also seek to add criminal violations of the International Emergency Economic Powers Act and the Export Control Reform Act as Racketeer Influenced and Corrupt Organizations Act predicate offenses, which would provide powerful new tools against sanctions evaders, including the enablers of Russia’s aggression. As previously noted by Ukraine’s Prosecutor General, with whom we are meeting again this week at the Department of Justice, the tools of justice must be as strong as the tools of war.⁸

Authorizing Assistance to the International Criminal Court. In the last Congress, Members of this Committee further demonstrated your bipartisan commitment to the rule of law by supporting, via the Fiscal Year 2023 Appropriations Act, broadened authority for the United States to render assistance to the International Criminal Court (“ICC”) to assist with investigations and prosecutions of foreign nationals related to the situation in Ukraine. The legislation also removes certain legal impediments to the provision of such assistance in the form of funding. Further, the legislation allows, with the concurrence of the Attorney General, agents of the ICC to conduct investigative activities in the United States of crimes by foreign persons within the jurisdiction of the ICC related to Russia’s invasion of Ukraine.

This legislation is an important accomplishment. In his opening statement at the international Nuremberg trial of Nazi leaders, Jackson described the victorious Allies’ choice to “submit their captive enemies to the judgment of the law” as one of the “most significant tributes that Power has ever paid to Reason.”⁹ By passing this legislation, Congress has continued to show the world, as we did at Nuremberg, that the United States can protect its values and its people not only through the force of arms but also the rule of law. As the Committee knows, implementation of these new legislative amendments is under review.

Supporting an Internationalized Tribunal on Aggression. As recently noted by Ambassador-at-Large for Global Criminal Justice Beth Van Schaack, the Administration supports an internationalized tribunal, rooted in Ukraine’s judicial system with international

⁸Andriy Kostin, Prosecutor General of Ukraine, cited in Attorney General Merrick B. Garland’s Remarks at the JIT MOU Signing Ceremony, March 3, 2023, Lviv, Ukraine. <https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-delivers-remarks-lviv-ukraine>

⁹*Id.*

elements, to address Russia's war of aggression. We believe this option is the most likely to secure widespread international support and begin work now on investigating the crime of aggression, including for Russia's leaders. The exact modalities of any such court are still the subject of ongoing discussions with the government of Ukraine and with our international partners.

VI. Conclusion

Thank you again for the opportunity to testify today. I am deeply proud of the Department's commitment to upholding the rule of law—in Ukraine and around the world—in a way that both demonstrates American moral leadership and protects our national security. I am grateful for this Committee's bipartisan commitment to these values and for the steadfast support you have provided for the Department's efforts to ensure justice for Ukraine. I look forward to answering your questions.