

## DEVELOPMENTS

### *Conference Announcement - Judging Nuremberg: The Laws, The Rallies, The Trials: Conference 17 July - 20 July 2005 in Nuremberg, Germany*

*By Christoph J.M. Safferling\**

#### **Returning to Courtroom 600 on the 60th Anniversary of the Nuremberg Trials**

Nuremberg is connected to the Nazi-regime in Germany like no other place. It was the place of the party rallies of the National Socialist Party in Germany; it was the place where the Racial Laws of the Nazis were proclaimed in 1935. After the war, it was again in Nuremberg where the surviving Nazi war criminals like Goering, Hess and Speer were called to justice at the International Military Tribunal and convicted for crimes against humanity - the first conviction of an international tribunal for international criminal law. Nuremberg is both the place where the Nazis celebrated themselves in unprecedented PR-shows and the place where the regime found its end by the re-establishment of the rule of law in Germany, in courtroom 600 of the Palace of Justice.

This year, 2005, is not only the 60th anniversary of the end of the Second World War, the liberation of Europe from the Hitler-regime and the end of the holocaust. It is also sixty years ago that the prosecution of war crimes and crimes against humanity began. At the same time, this will probably be the last anniversary at which contemporary witnesses can report on their personal experiences. The international conference to be held in Nuremberg in historic courtroom 600 (and other venues) is of peculiar significance considering the recent German discussion on the re-birth of the right (skinheads).

This conference is presented by Touro College's Jacob D. Fuchsberg Law Center, Huntington, New York; by the Foundation "Remembrance, Responsibility and Future"; "Remembrance and Future" Fund, Berlin, Germany, and is supported by the Upper Regional Court of Nuremberg, the Law Faculty of the University of Erlangen-Nuremberg, the German-American Lawyers' Association and others. The

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conference will not only deal with legal issues - in particular those regarding penal and public international law - but also with the historical background and political interest at the trials, held in Nuremberg between 1945 and 1947, and their influence on modern ethics and law. The establishment of the International Criminal Court in The Hague is, after all, one consequence of "Nuremberg".

The conference will begin with a panel of leading scholars, one from each of the four allied nations represented by judges and prosecutors in Nuremberg (amongst them Professor Raymond Brown, USA; Professor David Cesarani, UK, Professor Michael Bazylar, Soviet Union, Professor Hervé Ascensio, France). Each will present his view on the trial of the mayor of German war criminals. In addition, the German Judge at the International Criminal Tribunal for the former Yugoslavia, Professor Albin Eser, will present a German view on the Nuremberg trials. This meeting will take place in the historic Courtroom 600 of the Nuremberg Court House (Justizpalast). The war crimes trials in the context of the holocaust, the role of the victims, and the political relevance of the trials will be discussed in the afternoon. Justice Jackson, the US chief prosecutor's right hand, Whitney Harris, will give a keynote address at the evening convention.

The second day will start with a look at Nazi ideology and German jurisprudence. Departing from the trials of the major war criminals, we will then look at the later Nuremberg Trials against members of the special extermination squads (so called Einsatzgruppen), doctors, jurists and industrialists. Amongst the speakers will be Benjamin Ferencz, who served as the Chief prosecutor in the "Einsatzgruppen" trial, and Roland Bank, the former principal legal adviser at the "Remembrance, Responsibility and Future" Foundation, which was established to compensate Nazi forced laborers. After the sessions there will be an opportunity to visit the Nazi Party Rally Grounds and the Documentation Centre.

A focus of the third day is the national prosecutions of war criminals in Germany, Israel, the USA and Australia. The former Assistant Prosecutor in the Eichmann trial, Justice Gabriel Bach, will be amongst the speakers. In a special session, one of the leading members of the German delegation at the Rome Conference, Professor Claus Kress, will talk about "Germany's Attitude Toward International Criminal Law entitled Continuity or Change?" The afternoon is reserved for discussion of the Nuremberg legacy and modern international criminal law. Several presentations will deal with recent conflicts, such as those in Sierra Leone and in Sudan, and will discuss the role of the International Criminal Court (ICC) and its future. The panel will consist of both American and German scholars, and of those in favour of and those against the ICC, so we can expect a lively discussion.

On the final day, there will be time for discussion of new scholarship on the holocaust and Nuremberg. As it is July 20<sup>th</sup>, we have two speakers on resistance movements in Nazi Germany, later Socialist East Germany. At the end of the Conference there is the option of a bus tour to visit the Concentration Camp in Dachau.

For further information, the programme as well as registration details and registration forms please visit:

[www.nuernberger-konferenz-2005.de](http://www.nuernberger-konferenz-2005.de) or [www.tourolaw.edu/nuremberg](http://www.tourolaw.edu/nuremberg)

It is important to remember Nuremberg. There are many lessons still to be learned. In order to take responsibility for the protection of minorities and human rights today it is important to know the history of the Nuremberg trials and the reasons for international criminal prosecution. This conference starts with the history to try to understand what the needs and lessons are for us today.