



INTERNATIONAL
NUREMBERG
PRINCIPLES
ACADEMY

ICLU
Erlangen-Nuremberg
International Criminal Law
Research Unit of the FAU

Nuremberg Moot Court 2018





Nuremberg Principles

- Principle I Any person who commits an act which constitutes a crime under international law is responsible therefore and liable to punishment.
- Principle II The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.
- Principle III The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible Government official does not relieve him from responsibility under international law.
- Principle IV The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him.
- Principles V Any person charged with a crime under international law has the right to a fair trial on the facts and law.
- Principle VI The crimes hereinafter set out are punishable as crimes under international law: Crimes against peace, War crimes, Crimes Against Humanity.
- Principle VII Complicity in the commission of a crime against peace, a war crime, or a crime against humanity as set forth in Principle VI is a crime under international law.



Dear Participants of the Nuremberg Moot Court 2018

As President of the Advisory Council of the International Nuremberg Principles Academy I extend my warm welcome to all the participants of the Nuremberg Moot Court 2018! We are extremely pleased with the overwhelming interest received for this year's competition which has once again resulted in a greater number of teams, originating from all five continents. It surely signifies the international character of this competition.

For the fifth time, the unique setting of Courtroom 600, which itself applied international criminal law for the first time against major Nazi war criminals, welcomes law students from across the globe to apply their knowledge and simulate international court proceedings. The Nuremberg Moot Court 2018 is a wonderful opportunity for students to extend their familiarity with international criminal law, understand and experience authentic difficulties that exist in this field of law, and to be judged by renowned judges and professionals from international courts and tribunals. While gaining firsthand practical experience to develop their skills in international criminal law, students are also able to share common values and build their networks of like-minded lawyers.

I sincerely hope you will enjoy your stay in Nuremberg, and truly benefit from everything the competition has to offer. Good luck to everyone and most of all, enjoy!

Navi Pillay
President of the Advisory Council of the International Nuremberg Principles Academy
Former United Nations High Commissioner for Human Rights





Dear participants of the Nuremberg Moot Court 2018,

Courtroom 600 of the Nuremberg Palace of Justice is a very special place. The Nuremberg Trials, which are a fundamental chapter in German and international legal history, took place here. These trials have come to symbolize the victory of the rule of law in the face of injustices which held mankind in contempt and, after the recognition of the Nuremberg Principles by the UN General Assembly, they can be considered the birthplace of modern international law. One cannot think of a better place for the Nuremberg Moot Court 2018 on international criminal law than Courtroom 600 in the Nuremberg Palace of Justice. International criminal law is of great importance for the maintenance of peace everywhere around the world. It is a complex area of law and one that is characterized by strong political tensions. International criminal law wants to be effective and at the same time aims to establish and ensure justice. I am extremely pleased that the participants of the Nuremberg Moot Court are interested in this area of law already at such an early stage of their education. You are the jurists of tomorrow and maybe some of you will actually later specialize in international criminal law. Not only for those, but also for all participants, the participation in the Nuremberg Moot Court will surely be an enriching experience.

I would like to express my respect to all participants. To plead a fictitious case of international criminal law before the “International Criminal Court” is not an easy task and certainly costs a lot of time and effort. I appreciate the troubles you have taken upon yourselves to participate at the Moot Court. I am sure that all of you will learn a lot for your professional and personal future.

I wish all participants a lot of joy and success!

Prof. Winfried Bausback
Member of the State Parliament, Bavarian Minister of State for Justice



Dear Nuremberg Moot Court 2018 participants,

I warmly welcome you to Nuremberg and I am delighted that once again an international society of young jurists has made their way to Nuremberg to participate in this year's Nuremberg Moot Court.

Nuremberg has left different footprints in its almost 1,000-year-old history: for example, in the Middle Ages Nuremberg was an important hub of the Holy Roman Empire of the German Nation and it was an important location during industrialization in the 19th century. The most painful memory is however the city's significance as a highly symbolic city under National Socialism. Nuremberg is actively dealing with its past in order to keep the remembrance of the National Socialist crimes and its victims alive, while supporting the protection of human rights in the modern world. Important elements of these activities are the Documentation Center at the Nazi Party Rally Grounds, the Memorium Nuremberg Trials, as well as the International Human Rights Award given out by the City of Nuremberg.

With the establishment of the International Nuremberg Principles Academy in Nuremberg there is now an important institution that promotes the development of international criminal law on an international level, responding to serious crimes against humanity and supporting the fight against the impunity of such crimes. Over the coming days the Moot Court organized by the Nuremberg Academy will give you the opportunity to gather practical experience in the area of international criminal law at the historic venue of the Nuremberg Trials.

I wish you a lot of success!

Dr. Ulrich Maly
Lord Mayor of the City of Nuremberg



Program of the Nuremberg Moot Court 2018

Wednesday, 25 July

Opening

17:00–18:30

Registration

Location: Memorium Nuremberg Trials, Bärenschanzstraße 72, Nuremberg

18:30–19:30

Opening Speeches

Waltraud Bayerlein, Chief Judge at the Higher Regional Court of Nuremberg
Dr. Klemens Gsell, Mayor of the City of Nuremberg
Klaus Rackwitz, Director of the International Nuremberg Principles Academy
Professor Dr. Christoph Safferling, ICLU, Friedrich-Alexander University
Gurgen Petrossian, ICLU, Friedrich-Alexander University
Petra Härtel, International Nuremberg Principles Academy

20:00

Welcome Dinner at Lederer Kulturbrauerei, Sielstraße 12, Nuremberg

Thursday, 26 July

Preliminary Round I

Location: Eckstein, Burgstraße 1–3, Nuremberg

08:00–09:30

Preliminary Round I

09:45–11:15

Preliminary Round I

11:30–13:00

Preliminary Round I

13:00–14:00

Break

14:00–15:30

Preliminary Round I

15:45–17:15

Preliminary Round I

17:15

End of Preliminary Round I

Friday, 27 July

Preliminary Round II

Location: Eckstein, Burgstraße 1–3, Nuremberg

08:00–09:30

Preliminary Round II

09:45–11:15

Preliminary Round II

11:30–13:00

Preliminary Round II

13:00–14:00

Break

14:00–15:30

Preliminary Round II

15:45–17:15

Preliminary Round II

End of Preliminary Round II

19:00

Announcement: Results of Preliminary Rounds

Location: Courtroom 600, Memorium Nuremberg Trials, Bärenschanzstraße 72, Nuremberg

Saturday, 28 July

Last 16, Quarter-finals, Semi-finals and Final Round

Location: Nuremberg Palace of Justice, entrance via Bärenschanzstraße 72, Nuremberg

09:00–10:30

Last 16

10:45–12:15

Last 16

12:15–13:00

Break

13:00–14:30

Quarter-finals

14:45–16:15

Semi-finals

17:00–18:30

Finals

18:30

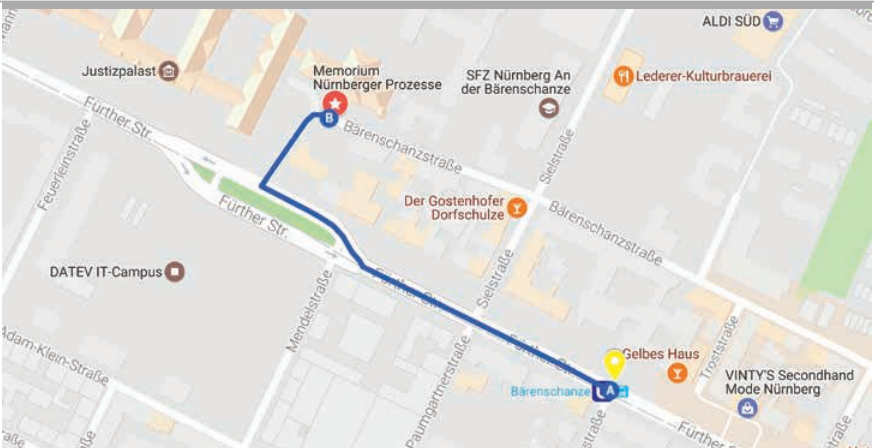
Awards Ceremony

20:00

Optional Get-together (cost not incl.) at Lederer Kulturbrauerei, Sielstraße 12, Nuremberg

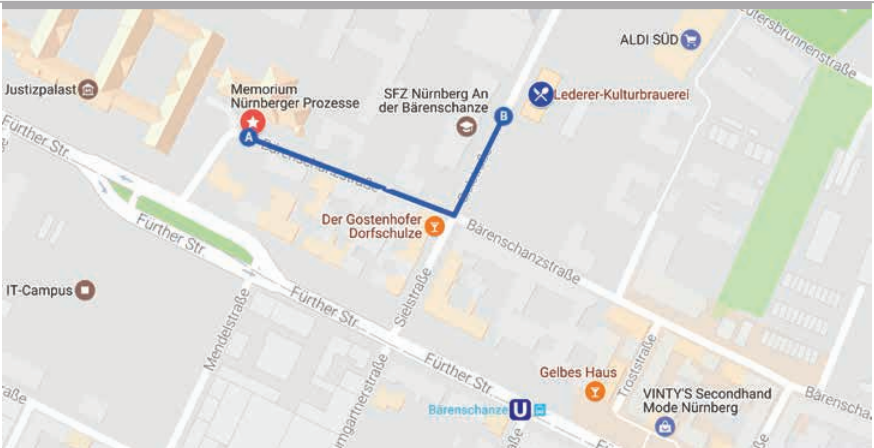
Memorium Nuremberg Trials

Bärenschanzstraße 72, Nuremberg
Subway Station: Bärenschanze, U1



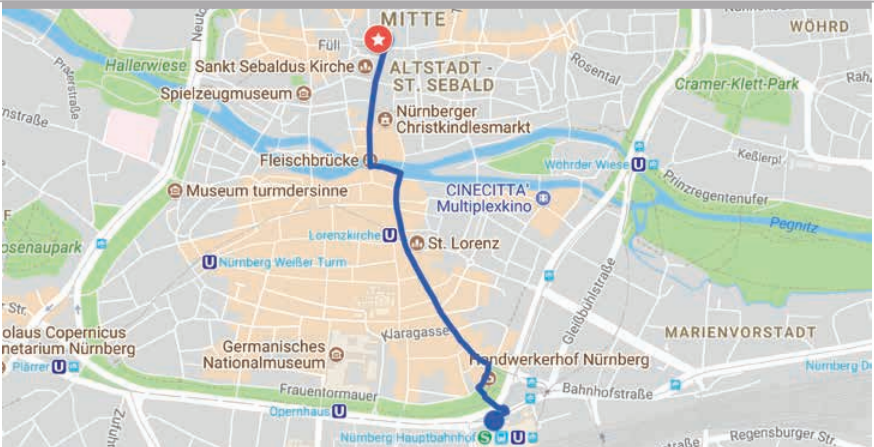
Lederer Kulturbrauerei

Sielstraße 12, Nuremberg
Subway Station: Bärenschanze, U1



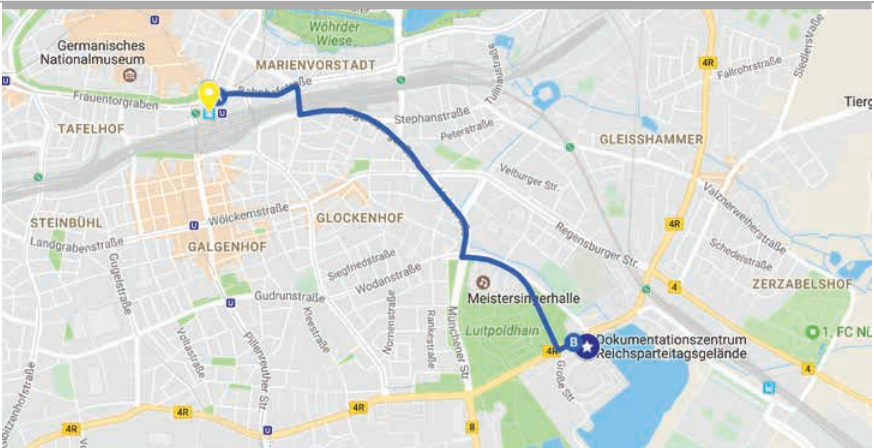
Eckstein

Burgstraße 1–3, Nuremberg
Subway Station: Hauptbahnhof or Lorenzkirche, U1



Documentation Center
Nazi Party Rally Grounds

Bayernstraße 110, Nuremberg
Station: Doku-Zentrum, Tram 6, 8



Courtroom 600



Courtroom 600 after refurbishment in 1945



Courtroom 600 today

With the beginning of the so-called “Trial of the Main War Criminals” on November 20, 1945, Courtroom 600 in the Nuremberg Palace of Justice became known all over the world. The decision to locate the Trial in Nuremberg was made mainly for political and infrastructure reasons.

The Americans were very anxious to have the trial venue in their occupation zone. At the same time, the Nuremberg Palace of Justice, which had been inaugurated by the last Bavarian king, Ludwig III, in 1916, had remained largely undamaged during the war, and the adjacent prison building simplified the security measures which would be required.

For the Trial, a wooden corridor was constructed, connecting the prison with the east wing of the Palace of Justice and enabling safe transport of prisoners from their cells directly into the courtroom. In addition, a wide security zone was established around the premises containing the court buildings and prison.

The fact that Nuremberg had been the “City of the Nazi Party Rallies” and of the “Nuremberg Racial Laws” added a particular symbolism to this choice of venue. Major alterations were made to Courtroom 600 in preparation for the Trial of the Main War Criminals. The judges’ bench was turned by 90 degrees and thus positioned below the windows. The dock was enlarged and numerous technical systems were installed. These included a system provided by IBM for simultaneous interpreting of the trial in four languages.

The largest alteration to the completely wood-panelled courtroom was the extension of the visitors’ area. The back wall of the room was removed and the lower part was extended as a press stand. In addition, an upper gallery was installed housing a separate visitors’ area.

On December 9, 1946, the “Medical Trial”, the first of the so-called “Subsequent Trials”, opened in Courtroom 600. Between 1946 and 1949, 12 trials were held by U.S. American Military Tribunals, both here and in other courtrooms in the Nuremberg Palace of Justice. But the Americans also had the use of the buildings after the end of the trials, and they were handed back to the judiciary step by step in the course of the next 20 years. Courtroom 600 was officially handed back to the Bavarian judiciary on June 30, 1961. In the same year, comprehensive refurbishment measures reversed the changes made by the Americans. This included the installation of completely new furniture. Since then the courtroom has again been a seat of German justice.




In May 2000 the Nuremberg Municipal Museums opened Courtroom 600 for the first time for public guided tours, and since then visitor numbers have increased every year.

Text provided by the Memorium Nuremberg Trials of the City of Nuremberg



Aerial view of the Nuremberg Palace of Justice in winter 1945-46

The Judges

	<p>Professor Dr. Bertram Schmitt Presiding Judge Judge of the International Criminal Court (ICC) since 2015; former Judge and Investigating Judge at the German Federal High Court (Bundesgerichtshof); former ad-hoc Judge at the European Court of Human Rights (ECHR); former German Member of the Joint Supervisory Body of Eurojust</p>		<p>Eleni Chaitidou Legal Officer, Pre-Trial and Trial Division, International Criminal Court (ICC)</p>
	<p>Dr. Christoph Barthe Senior Public Prosecutor at the German Federal Court of Justice; Judge at the Kosovo Specialist Chambers</p>		<p>Professor Dr. David Chilstein University Professor at the Pantheon-Sorbonne University</p>
	<p>Dr. Paul Blaise Bess Attorney at Law; former U.S. Judge Advocate in the U.S. Army</p>		<p>Dr. Manfred Dauster Presiding Judge at the Higher Regional Court of Appeals in Munich; former Judge of the State Court of Bosnia and Herzegovina; former Public Prosecutor in the Prosecutor's Office Munich I</p>
	<p>Nicolai Bülte Ph.D. Candidate at the Philipps-University Marburg</p>		<p>Rodney Dixon Lawyer in criminal cases before the ICC, ICTY, ICTR, SCSL, IST, ECCC, STL and international cases before the ICJ, ECHR, ACHPR</p>

The participants of the Nuremberg Moot Court have the possibility to visit the Memorium Nuremberg Trials and the Documentation Center for free

Opening hours of the Memorium Nuremberg Trials:
Wednesday to Friday: 9.00 a.m.–6.00 p.m.
Saturday, Sunday: 10.00 a.m.–6.00 p.m.
Last admission 5.00 p.m.
<https://museums.nuernberg.de/memorium-nuremberg-trials/>

Opening hours of the Documentation Center Nazi Party Rally Grounds:
Monday to Friday: 9.00 a.m.–6.00 p.m.
Saturday, Sunday: 10.00 a.m.–6.00 p.m.
Last admission 5.00 p.m.
<https://museums.nuernberg.de/documentation-center/>



Professor Dr. Gennady Esakov
Professor in the Department of the Criminal Law and Criminalistics Law School, National Research University Higher School of Economics (Moscow); Chairman of the Organising Board of the Russian-National International Criminal Court Moot Competition



Dr. Alexander Heinze, LL.M.
Assistant Professor of Law at the University of Göttingen; former visiting professional at the Appeals Chamber of the ICC; elected member of the ILA's Committee on Complementarity in ICL; co-editor of the German Law Journal



Peter Kremer QC
Former Federal Prosecutor and Director of War Crimes and Crimes Against Humanity Section, Department of Justice, Canada; former Chief of Appeals and Acting Deputy Prosecutor at the International Criminal Tribunal for the former Yugoslavia (ICTY)



Keith Raynor
Vice-President of The Kosovo Specialist Chambers; Circuit Judge in Woolwich Crown Court; former Prosecutor at the Extraordinary Chambers in the Courts of Cambodia; former Senior Prosecutor with the UK Iraq Historic Allegations Prosecution Team



Professor Dr. Sabine Swoboda
Professor of Criminal Law, Criminal Procedure and International Criminal Law at the Ruhr-University Bochum



Stefan Waespi
Former Senior Trial Attorney at the International Criminal Tribunal for the former Yugoslavia (ICTY)



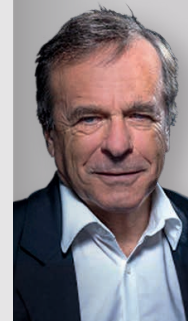
Dr. Hilde Farthofer
Head of the International Criminal Law Research Unit at the Friedrich-Alexander University Erlangen-Nuremberg



Brad Huestis
Senior Civilian Attorney and Chief of Client Services for the Office of the Staff Judge Advocate, 7th Joint Multinational Training Command



Franziska Oehm, LL.M.
Ph.D. Candidate at the Friedrich-Alexander University Erlangen-Nuremberg



Professor Dr. Robert Roth
Director of the Geneva Academy of International Humanitarian Law and Human Rights; former President of the Trial Chamber of the Special Tribunal for Lebanon (STL); former Judge at the Geneva Cour de cassation



Eduardo Toledo
Senior Officer for International Criminal Law at the International Nuremberg Principles Academy



Dr. Katrin Wick
Trainee Lawyer at the Higher Regional Court of Frankfurt am Main



Christopher Gosnell
Defense Lawyer in criminal cases before the ICC, ICTY, ICTR, MICT and the Special Court for Sierra Leone



Joanna Korner CMG QC
Crown Court Judge at the Ministry of Justice of the United Kingdom; former Senior Trial Attorney at the International Criminal Tribunal for the former Yugoslavia (ICTY)



Dr. Ines Peterson
Prosecutor and former Associate Legal Officer at the International Criminal Tribunal for Rwanda (ICTR); former Judge at the District Court of Beckum



Professor Dr. Christoph Safferling, LL.M.
University Professor of Criminal Law, Criminal Procedure and International Criminal Law at the Friedrich-Alexander University Erlangen-Nuremberg; Vice-President of the Advisory Council of the International Nuremberg Principles Academy



Professor Bakhtiyar Tuzmukhamedov
Member of the Committee against Torture; Professor of International Law; Judge (Ret.) of the Appeals Chamber of the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY)



Nathalie von Wistinghausen
Defense Lawyer at the Special Tribunal for Lebanon (STL); Defense Lawyer in Berlin; former Legal Assistant at the International Criminal Tribunal for Rwanda (ICTR)



Dr. Johanna Grzywotz
LL.M. Candidate of International Criminal Law at the National University of Ireland, Galway; former Research Assistant at the Friedrich-Alexander University Erlangen-Nuremberg



Professor Dr. Markus Krajewski
University Professor of Public and International Law at the Friedrich-Alexander University Erlangen-Nuremberg



Philip Ray
Principal at Phil Ray-IDR (International Dispute Resolution); retired senior in-house counsel at Siemens AG's Legal Department, with international arbitrations in Latin America and Europe, mediations in Africa and Europe and litigations in the US and Europe



Dr. Benedikt Salleck
Attorney, law firm Salleck + Partner



Dr. Vladimir D. Vardanyan
Head of Staff of the Constitutional Court of the Republic of Armenia; lecturer at the European and International Law Department of the Yerevan State University

Participating Universities



Asia

- American University of Afghanistan
- Royal University of Law and Economics, Phnom Penh
- Peking University
- National Law University Jodhpur
- Jamia Millia Islamia
- Universitas Trisakti
- Shahed University
- Ala-Too International University
- American University of Central Asia
- The Holy Spirit University of Kaslik
- National University of Malaysia
- University of Mandalay
- Indus College of Law
- Lyceum of the Philippines University
- National University of Singapore
- Singapore Management University

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- Strathmore University
- Tripoli University
- University of Zululand
- Kampala International University
- Cavendish University Zambia

Europe

- Yerevan State University
- University in Stepanakert
- Belarusian State University
- International University "MITSO"
- International University of Sarajevo
- Sofia University "St. Kliment Ohridski"
- Charles University
- University of Copenhagen
- Ivane Javakhishvili Tbilisi State University
- Friedrich-Alexander University Erlangen-Nuremberg

- Justus-Liebig-University Gießen
- University of Regensburg
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- Pazmany Peter Catholic University
- Trinity College Dublin
- University of Milano-Bicocca
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- University of Prishtina
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- Kazan Federal University
- National Research University "Higher School of Economics"
- Lund University
- Geneva Academy of International Humanitarian Law and Human Rights
- Özyegin University
- National University of Kyiv-Mohyla Academy
- University of Law, London
- University of Sheffield

Australia

- La Trobe University

North America

- Creighton University-School of Law
- Lincoln Memorial University – Duncan School of Law

South America

- University of São Paulo
- Mackenzie Presbyterian University
- Pontifical Catholic University of Rio de Janeiro

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Organizers



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LL.M.



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Petra Härtel



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