



INTERNATIONAL
NUREMBERG
PRINCIPLES
ACADEMY

**Opening of the
International Nuremberg
Principles Academy
on 6 June 2015**

Speech by Federal Foreign Minister
Frank-Walter Steinmeier



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Minister President,
Mayor,
Excellencies,
President of the Court,
Ladies and gentlemen,

Seventy years ago people who had been accused of unimaginable crimes were sitting in the dock here in this room.

Here, in the Palace of Justice in Nuremberg, they were called to account before an international tribunal. That was unprecedented in world history.

The trial began only a few months after the end of the Second World War – after the weapons had finally become silent. Large parts of Europe had been destroyed. The war and the National Socialist reign of terror had claimed the lives of more than 60 million people. The Shoah – that crime against humanity involving the murder of more than six million Jews – left the world in a state of shock.

Nonetheless – and that is what this room stands for – nonetheless, the victorious allied forces did not set out to take revenge on the perpetrators of these unimaginable atrocities.

No indeed. Instead, here they intended to prosecute the representatives of the NS totalitarian state in an orderly procedure in accordance with the rule of law.

By so doing they sent the clear message that nobody is above the law. Anyone can be held to account for their actions!

That is the spirit of Nuremberg and that is what this room stands for, ladies and gentlemen!

And it is precisely this legacy that is represented by the International Nuremberg Principles Academy, the opening of which we are celebrating today.

The Academy is intended to bring “the spirit of Nuremberg” into the 21st century.

For it is clear to us that particularly in a world plagued by crises and conflict, as we are experiencing at the moment, we have to strengthen the rule of law!

What is going on around us?

Whether we consider the IS terrorists in Syria and Iraq, the rampaging of Boko Haram in Nigeria, or the crisis on our doorstep in eastern Ukraine, at no point in all my political career can I recall a time in which so many international crises in so many different places were coming as thick and fast as they are today. And the question we need to ask is whether this is a coincidence, or if we are not perhaps experiencing a showdown between systems in a world that currently lacks an overarching order. A world which, following the end of the Cold War, has lost the old order without a new order coming in to replace it.

We are living in a world in search of order. And in my view one thing is crucial in this search: we have to agree on a common set of rules. On rules to which all parties can subscribe and which everyone observes.

We also need effective institutions to monitor and enforce compliance with these rules.

Here in Nuremberg 70 years ago, the process for rules of this very kind was set in motion – an impetus which, thanks to the newly founded Academy, will not now be lost.

The American chief prosecutor, former Supreme Court Justice Robert H. Jackson, uttered clear words on that day in Nuremberg: “That four great nations, flushed with victory and stung with injury stay the hand of vengeance and voluntarily submit their captive enemies to the judgement of the law is one of the most significant tributes that Power has ever paid to Reason.”



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Jackson underscored the desire of the victorious Allies to use the trials also explicitly to help establish a new, peaceful world order – an international order based on law.

From that time onwards, relations between all peoples were to be controlled not by arbitrary political and military acts, not by power, but by the law.

A few months previously, the 50 founding members of the United Nations had pledged their allegiance to the idea of a peaceful world order based on law when adopting the UN Charter in San Francisco.

A little later, here in this room, guidelines which would subsequently gain international prominence as the Nuremberg Principles were applied for the first time to implement this idea.

Nuremberg represented the point at which international criminal law spilled over into international relations. A major step had been taken.

Where are we now?

International courts to prosecute the most serious of crimes have been established: first the International Criminal Tribunal for the Former Yugoslavia, then Rwanda. Then followed the International Criminal Court in The Hague with the adoption of the Rome Statute, in which the process set in motion with the Nuremberg Principles was enshrined in law. And not just as a vision, but as a remit. For since then the UN Security Council has referred two truly significant conflicts to the Court with the Sudan and Libya!

Positive examples do, therefore, exist. However, much remains to be done. And the very reason why we have established the Academy in Nuremberg is because we have such a long way to go, ladies and gentlemen! For here we want to continue to elucidate urgent questions of international law – and thus also questions pertaining to our international order.

Let me touch on four points here.

Firstly, we have to continue to develop the role of the ICC. In this connection the agreement reached five years ago in Kampala concerning the crime of aggression could become a significant factor. To date 23 States Parties have ratified this agreement. And we are optimistic that we will reach the required number of 30 states by 2017, so that the ICC can then exercise its jurisdiction over this crime.

Secondly, ladies and gentlemen, in my opinion it is regrettable that major countries such as the United States, China, Russia and India have not yet acceded to the Rome Statute. More than half of the world's population continues to live in countries that have not ratified the agreement. We therefore still have a long way to go before international criminal law is universally applicable.

Thirdly, we must realise that the work of the ICC can only be successful if all States Parties cooperate effectively with the Court. Overall, the past few years have not always been positive.

Fourthly, here at the Academy we also need to discuss the difficult cases which confront us with a dilemma – where there appears to be an unbridgeable gap between the desire for criminal prosecution and the goal of reconciliation within a society. How can we prevent criminal law being used as a weapon against political opponents if what we really want to do is to prepare the ground for political dialogue? For example, this question is currently being raised in efforts to resolve one of the longest internal conflicts in the world, in Colombia. We are familiar with this dilemma. It also played a role in ending apartheid in South Africa. And in the peace talks between the conflicting parties in Colombia, the FARC says: We don't want to negotiate ourselves into prison. One conflicting party's expectations of guaranteed impunity clash with the other's expectations that the law will be enforced.



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How can we ensure that prosecution of crimes does not stand in the way of putting an end to a conflict? And how can we guarantee that ending a conflict does not lead to the most serious of crimes going unpunished?

These are all difficult questions that need to be wrestled with here at the Academy.

The Academy, which we have established in cooperation with the Free State of Bavaria and the City of Nuremberg, is therefore designed to be a place of exchange. A place which promotes academic research and a meeting place for all those who work with international criminal law, whether they be judges, reporters, lawyers or diplomats. A place of learning, where students from various parts of the world can stand face to face and engage in negotiations in simulated trials.

In the future and with regard to the goals of the Academy, we should allow ourselves to be guided by the process which began 70 years ago here in Courtroom 600 in Nuremberg: joint commitment to a peaceful world order based on law!

For, as Nobel Peace Prize laureate Willy Brandt once said: “Whenever terrible suffering is inflicted on people, it concerns all of us. Don’t forget: anyone who turns their back on an injustice for any length of time opens the door to the next one.”

My sincere thanks go to all those who have worked with determination and dedication to help establish this institution.

Thomas Buergethal,

I could not imagine a more suitable person to represent the Academy and to be its public face!

On behalf of everyone here today I would like to offer you my warm congratulations on your appointment as President of the Advisory Board, and my heartfelt thanks for assuming this responsibility.

Thank you very much!