



INTERNATIONAL
NUREMBERG
PRINCIPLES
ACADEMY

Annual Report

International Nuremberg Principles Academy





Table of Contents

2	Foreword
5	About us
7	A Forum for Dialogue
8	Events
14	Network and Cooperation
21	Capacity Building
29	Research
33	Publications and Resources
37	Communications
38	Organisation
40	Partners

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Foreword



We proudly present the fourth edition of the Annual Report of the International Nuremberg Principles Academy. As an exception from the previous editions, this report covers the

years 2020 and 2021. This two-year edition is a result of the COVID-19 pandemic and the rapidly evolving situation which has massively influenced the work of the Academy since early 2020.

One of the most important milestones for the Academy was certainly the move from the interim premises into the Academy's permanent location, the historic east wing of the Nuremberg Palace of Justice. This move marks the completion of the Academy's establishment phase. The Free State of Bavaria has generously provided for an entire renovation of the ground floor of the east wing which is now the home of the Academy. State of the art technology and equipment allows for traditional, hybrid and fully digital events. The historic Courtroom 600, which is the venue of the Academy's flagship events, is just two floors away. We are very much looking forward to the end of the pandemic situation which will allow us to utilise the premises and its infrastructure including Courtroom 600 to the fullest and once again welcome experts and participants from around the world to Nuremberg.

The impact of the pandemic on the work programme of the Academy was as substantial as for many other organisations. All the Academy's events planned in person for 2020 had to be cancelled, some of them only a few weeks before they were supposed to take place. Accordingly, our institution went through significant changes. Personal meetings, an essential tool for the Academy in offering a forum for dialogue, could no longer take place. Working in the office became impossible overnight. Our international conferences, planned for May and October 2020, had to be cancelled. All capacity building activities *in situ* in 2020 also had to be cancelled.

However, the situation caused by the pandemic also offered opportunities to reach a truly global audience, to extend the reach of the Academy and to explore new formats, in particular digitally held events and activities. In October 2020, only a few days after the Academy's move to its final premises, the first digital event was held. From that moment, the Academy resumed many activities, albeit not in the traditional form but in digital formats. Although personal interaction is limited and different in online events, these new formats also offer chances for experts from across the world to participate. At the same time digital events provide easier access for a global audience, thus increasing the visibility of the Academy among interested communities worldwide. The Academy's digital events have been well received and reached hundreds of viewers for the live events. And the event recordings available on YouTube have together racked up thousands of views.

Although we all hope to return to in-person meetings and conferences, the digital formats will be kept given the positive experience of the Academy over the last two years. In the future, the Academy will combine the best of both worlds: personal interaction and dialogue between experts in Nuremberg as well as easy access through streaming and digital participation for a global audience.

The massive restrictions that the pandemic imposed on the Academy in the field of conferences and events allowed a stronger focus on research projects and publications. In 2020 and 2021, three new volumes have been published in the Nuremberg Academy Series. Significant progress was made in the larger research projects, such as the project on the length of proceedings at the International Criminal Court or the e-evidence project. New digital formats were established successfully, among them unique events such as the ceremony in honour of the 101st birthday of Benjamin "Ben" Ferencz, the last living prosecutor of the Nuremberg trials, who joined us live on this occasion. Almost all actively serving prosecutors of international courts and tribunals were brought together on 1 October 2021 with the German Federal Prosecutor General in a discussion on the occasion of the 75th anniversary of the judgment of the International Military Tribunal.

The success of our work also depends on all those without whom our projects, events, training offers and publications would not be possible. Special thanks go to all experts, speakers, contributors, participants and partners. The ongoing engagement of the three founders of the Nuremberg Academy is crucial for our work. A very special mention should be made here of the invaluable support of the Foundation Board and of the Advisory Council of the Nuremberg Academy. We remain most grateful for the continuous dedication and commitment of their members.

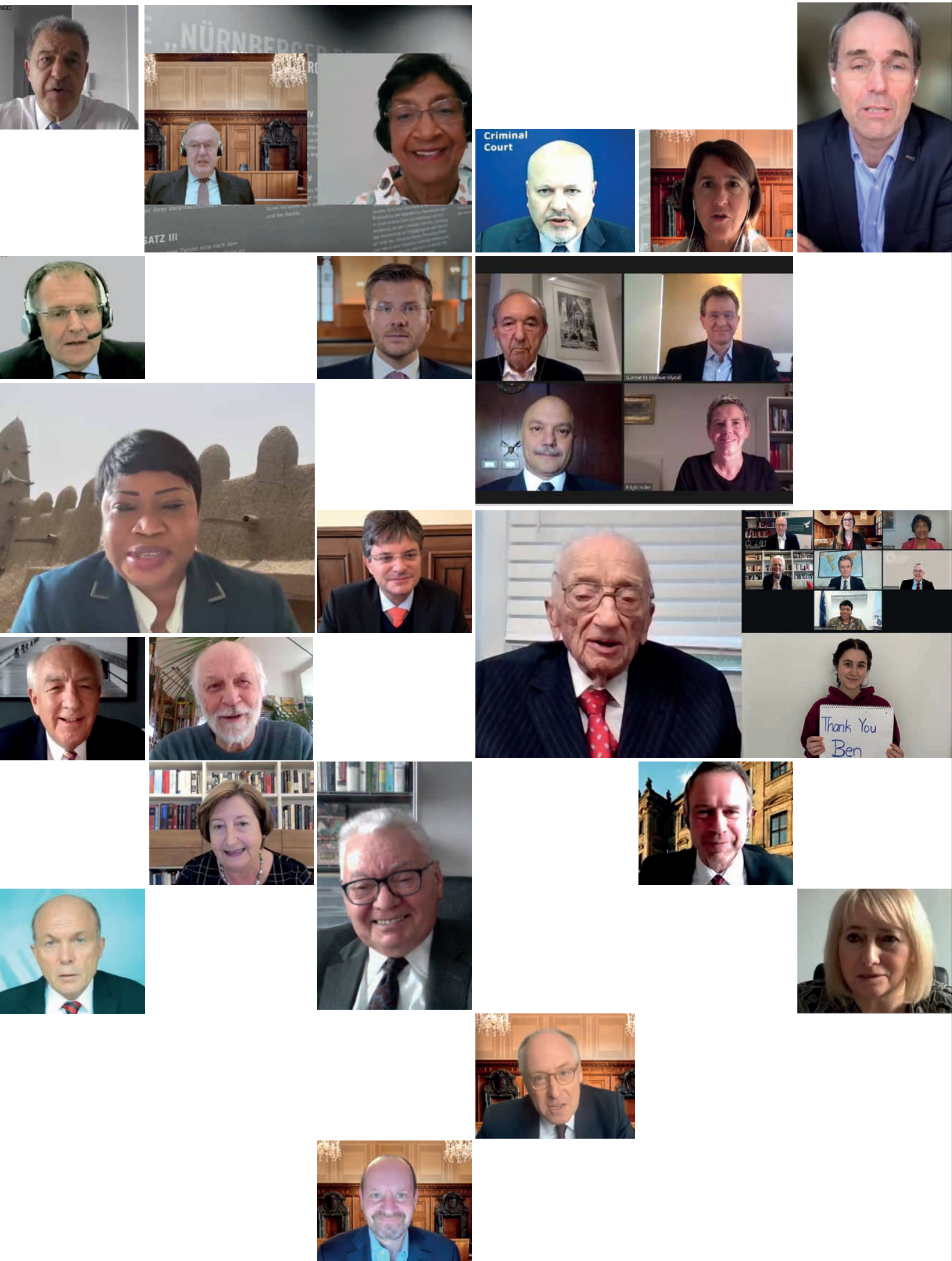
We wish to extend our warmest gratitude to all partners, especially the City of Nuremberg, the Free State of Bavaria, the Federal Foreign Office of Germany, the Higher Regional Court of Nuremberg, the Friedrich-Alexander-Universität Erlangen-Nürnberg, the Château de Goutelas, the Centre of International Law Research and Policy, Center for International Law and Policy in Africa, the Robert H. Jackson Center, the International Residual Mechanism for Criminal Tribunals, the Hague Institute for Innovation of Law, the T.M.C. Asser Institute, the Antonio Cassese Foundation for Justice, Peace and Humanity and of course to our team of the Nuremberg Academy for their dedication and hard work.

We look forward to continuing our common journey together in the next year.

Klaus Rackwitz
Director

Dr Viviane Dittrich
Deputy Director

International Nuremberg Principles Academy



The International Nuremberg Principles Academy (Nuremberg Academy) is a non-profit foundation dedicated to the advancement of international criminal law and human rights. It was established by the Federal Republic of Germany, the Free State of Bavaria and the City of Nuremberg in 2014. The Nuremberg Academy is located in Nuremberg, the birthplace of modern international criminal law, where the Nuremberg trials of the major war criminals were held by the International Military Tribunal (IMT) from 1945 to 1949. For the first time in history, an international tribunal was authorised to hold leading representatives of a state personally accountable for crimes under international law.

About us



The foundation carries forward the legacy of the Nuremberg trials and the “Nuremberg Principles”, which comprise the principles of international law recognised in the Charter of the Nuremberg Tribunal and in the judgment of the Tribunal. They were formulated by the International Law Commission of the United Nations General Assembly in 1950.

Conscious of this historic heritage, the Nuremberg Academy supports the fight against impunity for universally recognised international core crimes: genocide, crimes against humanity, war crimes and the crime of aggression. Its main fields of activity include providing a forum for dialogue by convening international conferences and expert meetings, conducting interdisciplinary and applied research, engaging in specialised capacity building for practitioners of international criminal law and human rights education. Dedicated to supporting the worldwide enforcement of international criminal law, the Nuremberg Academy upholds the Nuremberg Principles and the rule of law with a vision of sustainable peace through justice, furthering knowledge and building capacities of those involved in the judicial process in relation to these crimes.



The Nuremberg Principles

Under UN General Assembly Resolution 177 (II), paragraph (a), the International Law Commission was directed to “formulate the principles of international law recognized in the Charter of the Nuremberg Tribunal and in the judgment of the Tribunal.” In order to fulfill this mandate, the International Law Commission duly codified seven principles, listed below, and adopted them on July 29, 1950.

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.

Principle 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:

(a) Crimes against peace:

- (i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;
- (ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).

(b) War crimes:

Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave labor or for any other purpose of civilian population of or in occupied territory; murder or ill-treatment of prisoners of war or persons on the Seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

(c) Crimes against humanity:

Murder, extermination, enslavement, deportation and other inhumane acts done against any civilian population, or persecutions on political, racial, or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.

Principle VII

Complicity in the commission of a crime against peace, a war crime, or a crime against humanity set forth in Principle VI is a crime under international law.



A Forum for Dialogue

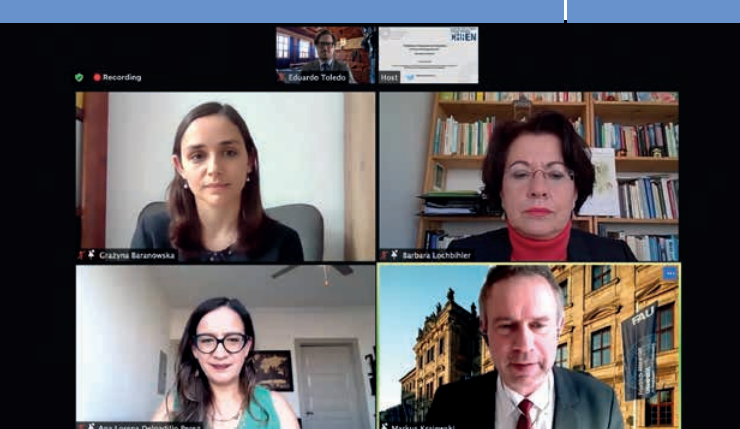
March 2020: the whole of Germany goes into lockdown. All conferences and meetings, our capacity building activities that were planned and already prepared for 2020 had to be cancelled. Nobody knows, when the situation will improve. Realistic planning for the coming months seems impossible.

Personal interaction with practitioners, scholars, students and partners is suspended almost completely, which is regrettable, but unavoidable. Essential networking through direct personal relations is severely reduced.

However, being forced to reposition the Academy and to revitalise its activities creates an innovative spirit that motivates the entire team: everybody wants to go back to business as soon as possible. The new technical infrastructure allows for the development of digital and hybrid formats and the Academy launches its first digital event only a few days after the move to its new premises. Travelling to Nuremberg, be the journey short or intercontinental, is no longer necessary to get involved in one of the Academy's events. Hundreds, in some cases thousands of interested persons participate in digital events.

Although we hope to return to traditional meetings and conferences, the Academy will continue to offer a digital element and options for speakers, moderators and the audience in general to participate remotely. And insofar, the forced changes in the working methodology in 2020 and 2021 yielded a positive result.

Most of our events during these two years were held in online formats and have been recorded. The videos are available on the Nuremberg Academy's YouTube channel.



Events

INTERNATIONAL CONFERENCES

Due to the outbreak of the Covid-19 pandemic, the conferences planned as in-person events in 2020 had to be postponed to 2021 and took place as online formats.

7–8 May 2021, online **International Conference**

“Prohibition, Prosecution and Prevention of Enforced Disappearances” in cooperation with Friedrich-Alexander-Universität Erlangen-Nürnberg

Enforced disappearances cause harm and structural disruption to many societies. The conference reflected on the importance of preventing, investigating and repairing the systematic use of arrests, detentions, kidnapping and other forms of deprivation of liberty without revealing the fate and the whereabouts of the disappeared persons.

Professor Olivier de Frouville (Université Panthéon-Assas – Paris II, Paris Research Centre for Human Rights and United Nations Committee on Enforced Disappearances) delivered the keynote address. Professor Markus Krajewski (Friedrich-Alexander-Universität Erlangen-Nürnberg and Interdisciplinary Research Centre for Human Rights Erlangen-Nürnberg – CHREN) gave the closing remarks.

In four panels, internationally renowned experts presented the state of discussions and research of the concept of enforced disappearances and its origins. They centred on three key topics in the current debate about this issue: new forms of commission of enforced disappearances, State duties regarding the investigation and prevention of enforced disappearances, and prosecution of the crime at the international and national levels.

15–16 October 2021, online

Nuremberg Forum 2021

“The Fight against Impunity since 1950: Living up to the Nuremberg Principles?”

This topic was originally planned for the Nuremberg Forum 2020, in the year marking the 70th anniversary of the Nuremberg Principles. We decided to keep the important topic for the Nuremberg Forum 2021 and to address the critical questions connected to the Nuremberg Principles as well as wider questions of the common fight against impunity. The goal for this sixth edition of our major annual high-level expert conference was to assess whether the common fight against impunity has been living up to the expectations and standards set out by the Nuremberg Principles.

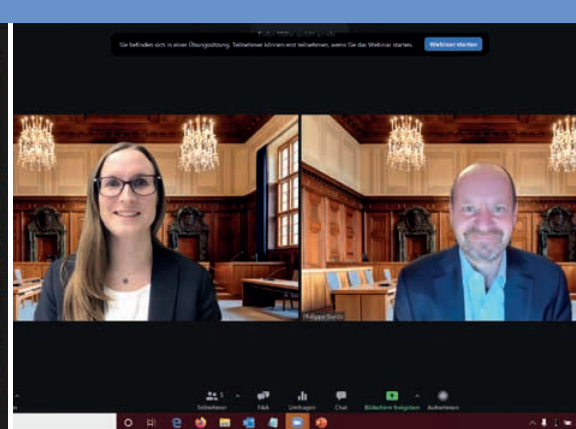
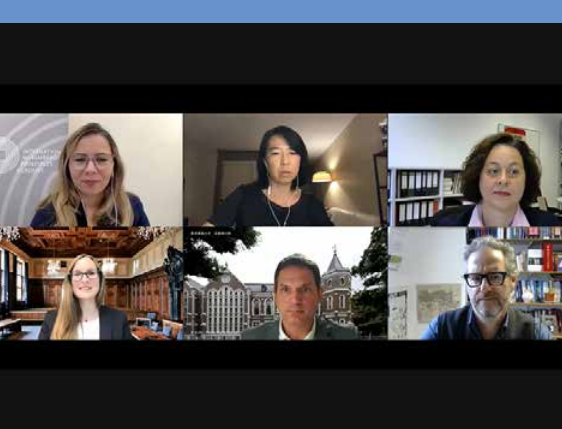
This Nuremberg Forum was our first entirely digital conference. This new format was reflected in a restructured conference website and allowed us to offer digital side events. The high number of online participants showed that the Nuremberg Forum is still able to attract the international criminal law (ICL) community when held in a digital format.

Professor Claus Kress (Universität zu Köln), gave an opening statement. The first keynote address was delivered by Professor Patrícia Galvão Teles (United Nations International Law Commission – ILC) reflecting on the 70th anniversary of the Nuremberg Principles, their universal application and the role of the ILC in advancing International Criminal Law. In the second keynote address, Judge Navi Pillay (Advisory Council of the Nuremberg Academy, former High Commissioner of the United Nations High Commission for Human Rights and former Judge at the International Criminal Tribunal for Rwanda and the International Criminal Court) shared personal considerations on the fight against impunity.

In a series of seven panels, the experts discussed and contemplated on, *inter alia*, the post-Second World War set-up and the status quo today, harm caused to the community as a whole, which crimes concern the „community as a whole“ and the reasoning behind this qualification. Further topics were the current system of addressing or enforcing the Nuremberg Principles, the United Nations Sustainable Development Goals and wider aspirations of sustainable peace through justice as well as similarities, differences and the way forward in the fight against impunity and accountability.

The discussions identified a number of needs, including the need to enhance further understanding and application of the Nuremberg Principles, the need to gain deeper contextual understanding of the conflicts, to consider proactively and innovatively changes in the international criminal justice system, the need to promote collaboration, continued dialogue and enhanced clarity as regards the various objectives that have been set in addressing the challenges facing international criminal justice.





LIVE ONLINE PANEL DISCUSSIONS AND BOOK LAUNCHES

30 October 2020, online ***The Tokyo Tribunal: Perspectives on Law, History and Memory (Nuremberg Academy Series Volume 3)***

The co-editors Viviane E. Dittrich, Kerstin von Lingen (Universität Wien), Philipp Osten (Keio University) and Jolana Makraiová (Nuremberg Academy) launched and presented the anthology entitled *The Tokyo Tribunal: Perspectives on Law, History and Memory*. Professor Gerry Simpson (London School of Economics and Political Science) and Professor Yuma Totani (University of Hawaii) joined the co-editors for the ensuing panel discussion which was moderated by Dr Dittrich. The exchange focused, *inter alia*, on contemporary perspectives on law and history and the appreciation of the Tokyo Tribunal in Japan and internationally, as well as the ongoing significance of the Nuremberg and Tokyo Tribunals and accountability for international crimes.

2 February 2021, online ***Integrity in International Justice (Nuremberg Academy Series Volume 4)***

The anthology *Integrity in International Justice*, edited by Morten Bergsmo and Viviane E. Dittrich, was presented in the first part of the event by Deputy Director Dr Dittrich and Gunnar M. Ekeløve-Slydal (Norwegian Helsinki Committee). The panel discussion following the book launch included the participation of the international experts Judge Richard Goldstone (Independent Expert Review (IER) and formerly International Criminal Tribunals for the former Yugoslavia and for Rwanda), Judge Ivana Hrdličková (Special Tribunal for Lebanon), Judge Adel Maged (Court of Cassation of Egypt) and Brigid Inder (Women's Initiative for Gender Justice). The discussion centred around four key topics: the "high moral character" requirement and the notion of integrity, the IER, the relationship between independence and integrity and the culture of integrity in international justice institutions.

NUREMBERG ACADEMY LECTURES

In 2020, we launched our *Nuremberg Academy Lectures* to mark the 70th anniversary of the formulation of the Nuremberg Principles. The Nuremberg Academy Lectures explore topical issues at the intersection of international criminal law, transitional justice and policy. We will invite leading scholars and practitioners to deliver a lecture and engage in dialogue. Through this public lecture series featuring speakers of national and international renown, we provide a forum for discussion around contemporary issues in international criminal law and promote public understanding of international law.

24 November 2020, online ***Inaugural Lecture by Philippe Sands on "International Justice and Personal Stories"***

We are particularly honoured that Professor Philippe Sands QC, British-French human rights lawyer, Professor of Law at University College London and author of seventeen books on international law, delivered the inaugural lecture "International Justice and Personal Stories: *From East West Street to The Ratline, and Beyond*". Professor Sands discussed the origins of international criminal law (ICL) in light of the 75th anniversary of the opening of the International Military Tribunal in Nuremberg and addressed contemporary developments of ICL. A discussion moderated by Deputy Director Dr Viviane Dittrich followed the lecture.

FILM SCREENINGS OF THE DOCUMENTARY "PEACE THROUGH JUSTICE – THE LEGACY OF THOMAS BUERGENTHAL" AND PANEL DISCUSSIONS

In 2018, in recognition of the life and work of Judge Thomas Buergenthal, Honorary President of the Advisory Council of the Nuremberg Academy and former Judge at the International Court of Justice and the Inter-American Court of Human Rights, we produced the documentary "Peace Through Justice – The Legacy of Thomas Buergenthal". This film by Ilona Kalmbach and Sabine Jainski depicts the life and the ground-breaking work of Judge Thomas Buergenthal in the field of international human rights law, his engagement with international justice and with the Nuremberg Academy. The documentary has been produced with the kind support of the Zukunftsstiftung der Sparkasse Nürnberg.

13 April 2021 ***"Peace Through Justice" – Online Film Screening and Conversation with Judge Thomas Buergenthal***

It was a particular pleasure to welcome the protagonist Judge Thomas Buergenthal to this live event. After the screening of the film, the event featured a conversation with Deputy Director Dr Viviane Dittrich which allowed the audience to ask questions.

During the conversation, Judge Buergenthal revisited some significant moments from his life and long career. This included his work as a judge at the Inter-American Court of Human Rights and the International Court of Justice, as a professor at several universities as well as his personal memories of the Nuremberg trials and some childhood memories.

Speaking on human rights and international law more generally and the importance of reconciliation and justice, he reiterated time and again his sense of optimism and determination not to abandon the goal of making a difference in the world in the field of human rights and international law.

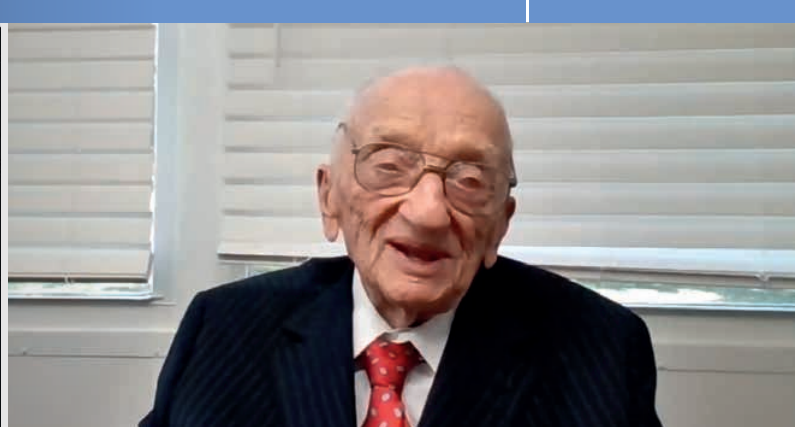
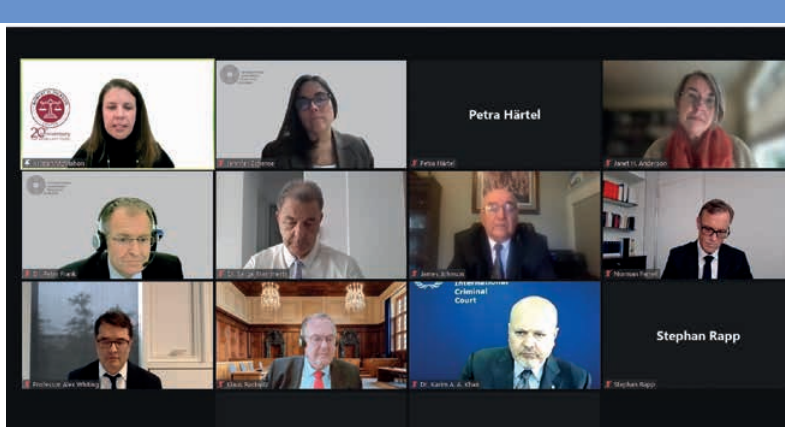
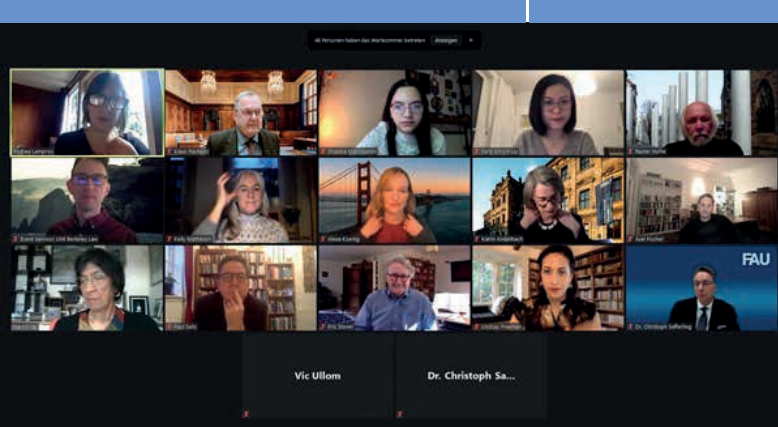
Film Screenings and Panel Discussions

16 January 2020, Jena Screening in cooperation with Friedrich-Schiller-Universität Jena, in Jena, Germany, followed by a panel discussion with Director Klaus Rackwitz, Dr Alexander Schwarz (Universität Leipzig), Gerlinde Sommer (Thüringische Landeszeitung) and Professor Annette Weinke (Friedrich-Schiller-Universität Jena), chaired by Professor Thomas Kleinlein (Friedrich-Schiller-Universität Jena).

25 January 2021, online Screening during the event "International criminal law – more topical than ever!" of the Higher Regional Court of Nuremberg, aimed at legal trainees and junior judges. With a keynote address by the German Federal Prosecutor General Dr Peter Frank and an interactive panel discussion including Dr Peter Frank, Professor Christoph Safferling (Friedrich-Alexander-Universität Erlangen-Nürnberg) and Director Klaus Rackwitz.

18 September 2021, Nuremberg Screening as part of a three-day cultural programme of educational tours organised by the City of Nuremberg called "Stadt(ver)führungen" followed by a discussion with Director Klaus Rackwitz and two members of the German Social Democratic Party, Gabriela Heinrich and Dr Anja Pröbß-Kammerer.





1 December 2020, online

COMMEMORATING THE 75TH ANNIVERSARY OF THE NUREMBERG TRIALS Nuremberg at 75: Launching the Berkeley Protocol on Digital Open-Source Investigations and the Future of Visual Evidence in International Accountability

Director Klaus Rackwitz, the President of the Advisory Council of the Nuremberg Academy, Dr Navi Pillay, and its Vice President, Professor Christoph Safferling, participated in this online event co-organised with five partners, amongst others Friedrich-Alexander-Universität Erlangen-Nürnberg and UC Berkeley School of Law. The event commemorated the 75th anniversary of the first use of film as evidence in an international trial and discussed the present and the future of film and digital evidence in trials of core international crimes. The Mayor of the City of Nuremberg, Marcus König, and the UN High Commissioner for Human Rights, Michelle Bachelet, delivered the opening statements. Two panels addressed the past, present and future of visual imagery and digital information as well as their impact and relevance in ensuring accountability for core international crimes. Almost 400 online attendees followed the event which closed with concluding remarks delivered by Dr Rainer Huhle (Nuremberg Human Rights Centre).

30 September–1 October 2021, online

75th Anniversary of the Verdict of the International Military Tribunal

Together with the Robert H. Jackson Center, we hosted two high-profile round-table discussions commemorating the 75th anniversary of the final Judgment of the International Military Tribunal (IMT) of Nuremberg and considered the Judgment's ongoing impact on modern international criminal law (ICL). The round tables comprised most of the currently active international prosecutors from the various ad hoc tribunals and the permanent International Criminal Court, as well as three former prosecutors. The first discussion analysed the legal aspects of the Judgment as a precedent for the evolution of the field of ICL. The second panel discussed the challenges for the prosecution of international crimes today and reflected on the legal implications of the IMT Judgment for prosecutors today. Speakers addressed several common themes, reinforcing the conviction that the Nuremberg Judgment remains an essential part of international law, both in its foundations and in its daily practice. A brief report of the event is available on our website.

11 March 2021, online

“Law. Not War.” Special Event Honouring Ben Ferencz on his 101st Birthday

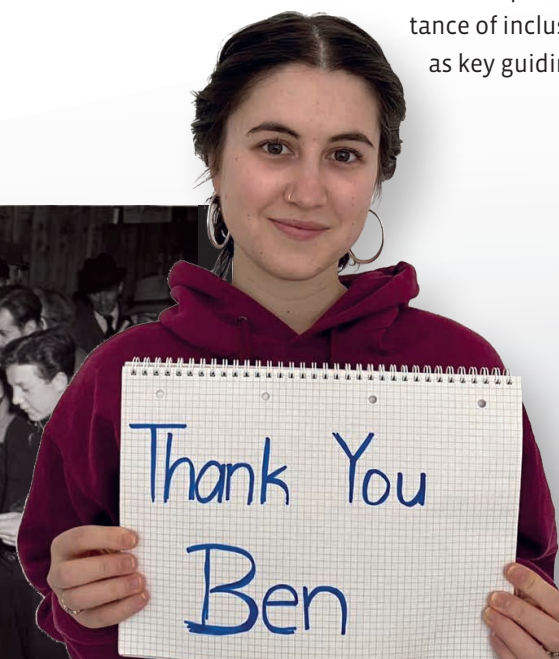
In honour and with live participation of Benjamin “Ben” Ferencz on his 101st birthday, we held a special online event moderated by Deputy Director Dr Viviane Dittrich. Chosen photo impressions and video clips of Ben Ferencz, featuring a conversation between him and Dr Viviane Dittrich that had been specially recorded for this event, were presented. Selected invitees shared their personal reflections and birthday wishes: Dr Navi Pillay (former UN High Commissioner for Human Rights and President of the Advisory Council of the Nuremberg Academy), Ambassador Christian Wenaweser (Permanent Representative of the Principality of Liechtenstein to the United Nations), Fatou Bensouda (Prosecutor of the International Criminal Court), Professor Claus Kreß (Director of the Institute for International Peace and Security Law at the Universität zu Köln), Elisabeth Kaul (close friend of the Ferencz family) and Director Klaus Rackwitz.

7 December 2021, online

Twentieth Session of the Assembly of States Parties and Panel Discussion “Benchmarking in International Criminal Justice: Feasibility or Fiction?”

During the twentieth session of the Assembly of States Parties (ASP) to the Rome Statute, we organised a panel discussion together with the Hague Institute for Innovation of Law (HiIL) and with kind support and hosting by Germany. The German Ambassador to the Kingdom of the Netherlands, Dr Cyrill Jean Nunn, delivered the welcoming remarks. We presented the common research project which proved the usefulness of benchmarks in international criminal justice. The second part of the event looked at the relevance of this project for the broader question of effectiveness, efficiency, the International Criminal Court's (ICC) work and the recommendations of the independent expert report of 30 September 2020. Experts highlighted the critical role of the ICC in achieving the goals of international criminal justice, and the need to reflect on the international criminal justice system as a whole when identifying what might be measurable.

In terms of a practical implementation, the experts stressed the importance of inclusiveness, transparency, objectivity and legitimacy as key guiding principles of any project.





Network and Cooperation

EXPERT PRESENTATIONS AND SPEAKING ENGAGEMENTS

The Executive Board and staff members are regularly requested to contribute their expertise in a wide variety of event formats by giving lectures, presentations, expert contributions or similar interventions.

Journées de la Justice Pénale Internationale

by the Centre Thucydide and the Centre de recherche sur les droits de l'homme et le droit humanitaire at Université Paris II Panthéon-Assas

The Journées internationales de la justice pénale internationale are held annually, bringing together French-speaking experts to discuss topical questions and recent developments in the field of international criminal law.

30–31 January 2020, Paris

Deputy Director Dr Viviane Dittrich and Natacha Bracq, Senior Officer for Training and Capacity Building, participated at the 5th Journées de la justice pénale internationale. Key topics discussed included accountability for crimes committed by ISIS, the role of international investigative mechanisms such as the IIIM and national prosecutions, and the principle of complementarity.

29 January 2021, online

At the 6th Journées de la justice pénale internationale, Dr Viviane Dittrich gave a presentation in French (“Les poursuites engagées devant les juridictions allemandes”) on the national prosecution of international crimes in Germany. The President of the International Criminal Court (ICC), Chile Eboe-Osuji, delivered the opening speech. Topics discussed at the conference included, *inter alia*, the Independent Expert Review and final report, the election process of the third ICC Prosecutor, national prosecutions of international crimes and wider political and societal dynamics of international criminal justice.

4 March 2020, Nuremberg

Nuremberg Lunchtime Lectures

by the Nuremberg Lunchtime Book Club

Invited as guest speaker at the Nuremberg Lunchtime Book Club (“Nürnberger Mittagslesungen”), Deputy Director Dr Viviane Dittrich presented the work and current projects of the Academy to a local audience in Nuremberg. The Nuremberg Lunchtime Book Club, organised by the Bildungscampus Nürnberg, invites local, regional and international guests every week to speak in the Künstlerhaus in the KunstKulturQuartier in Nuremberg.

8 August 2020, online

Webinar “The Age of Robert H. Jackson – London, Nuremberg, Today”

by the Robert H. Jackson Center

The President of the Advisory Council of the Nuremberg Academy, Dr Navi Pillay, and Director Klaus Rackwitz took part in the high-level expert webinar as speakers. The Nuremberg Academy was one of the programme partners of this global event marking the 75th anniversary of the signing of the London Charter and Agreement and the establishment of the International Military Tribunal at Nuremberg. The webinar commemorated these events and the panellists in New York, London and Nuremberg discussed how the legacy of Robert H. Jackson and the Nuremberg trials live on in the world today.

18 August 2020, Nuremberg

Round-table Meeting with Representatives of the United States Army

Private initiative

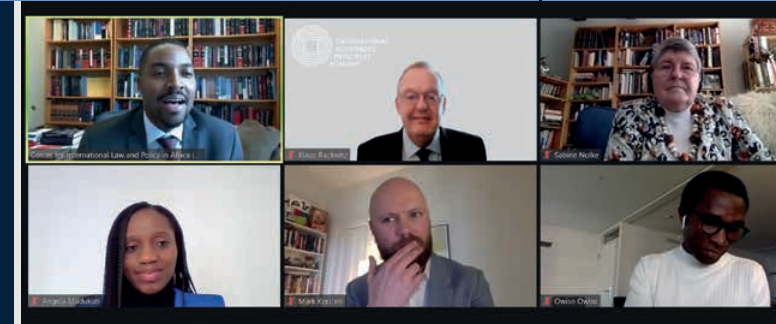
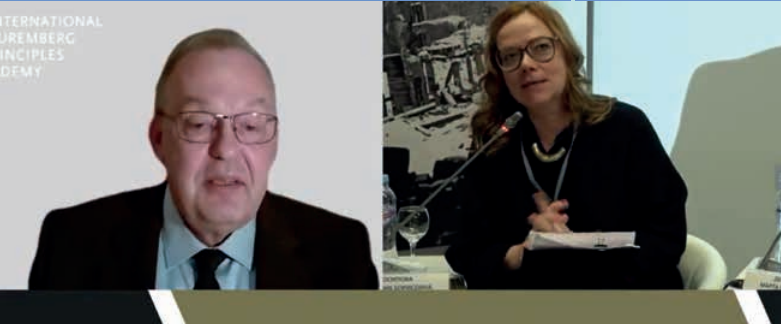
The Executive Board of the Nuremberg Academy, Klaus Rackwitz and Dr Viviane Dittrich, participated in a round-table meeting with representatives of the United States Army and museum staff from the city of Nuremberg. Representatives from all the garrisons located near Nuremberg took part, including officers from the judicial branch. The Directors of the Academy presented the Nuremberg Academy and our work and offered the possibility of specific capacity building training in international criminal and humanitarian law for the Army staff.

24 September 2020, Prague and online

59th Meeting of the Committee of Legal Advisers on Public International Law (CADHI) of the Council of Europe

Director Klaus Rackwitz gave a remote presentation on the ongoing significance of the seven Nuremberg Principles, the basis for all international courts and tribunals and, in particular, the International Criminal Court. In the ensuing dialogue, several delegates stressed the need for further efforts on the international level, such as the draft Convention on the Prevention and Punishment of Crimes against Humanity. CAHDI is an intergovernmental committee which brings together the legal advisers to the Ministries of Foreign Affairs of the member states of the Council of Europe as well as of a significant number of observer states and organisations.





10 October 2020, Boston

35th Annual Norris and Margery Bendetson EPIIC International Symposium on “Preventing Genocide and Mass Atrocities”

by the Institute for Global Leadership of Tufts University

The symposium brought together practitioners and academics who addressed a rich spectrum of topics, including causes and prevention of genocide, prosecution and transitional justice, reconciliation, memory and survival. The keynote lecture was delivered by Ambassador David Scheffer (former US Ambassador-at-Large for War Crimes Issues). Deputy Director Dr Viviane Dittrich participated in the panel “After Genocide: Prosecution, Transitional Justice and Reconciliation”. In her presentation at the start of the panel, Dr Dittrich highlighted the significance of the Nuremberg trials and the Nuremberg Principles, the interplay of law and politics and the role of national prosecutions of international crimes today.

21 November 2020, Moscow and online

Conference “Lessons of Nuremberg”

by the Victory Museum in Moscow

At the International Scientific and Practical Forum, Director Klaus Rackwitz participated online in an international panel discussion which formed part of the thematic platform “Historical Truth or Propaganda: How to Talk about War and Genocide in the Modern Public Landscape”. He presented on the significance of the Nuremberg Principles and highlighted that even though the principles remained undisputed, alleged perpetrators of crimes against humanity, war crimes and genocide still go unpunished due to the vetoes of permanent members of the UN Security Council, vetoes which prevent the establishment of special jurisdictions or a referral of the situations to the International Criminal Court.

23 November 2020, online

Online Event “Recht und Gerechtigkeit – 75 Jahre nach den Nürnberger Prozessen”

by the German Federal Ministry of Justice

Deputy Director Dr Viviane Dittrich took part in this high-level event on “75 Years after the Nuremberg Trial: The Path to International Criminal Law”. Marking the 75th anniversary of the beginning of the Nuremberg trials, the event brought together high-profile representatives from the judiciary, human rights defenders and academics. German Parliamentary State Secretary Christian Lange opened the event which also featured a talk with Anwar al-Bunni, the Syrian lawyer and human rights activist. In her interventions, Dr Dittrich stressed the relevance of the Nuremberg Principles, then and now, as the foundation of modern international criminal law. She also noted the ongoing cases of crimes committed in Syria now being prosecuted in Germany and the ground-breaking role of the Federal Public Prosecutor General in the present domestic prosecution of international crimes. Finally, she emphasised the interplay of law and politics, of political will and capacity, and of the past, the present and the future with regard to a principled commitment to the rule of law.

CILPA INTERNATIONAL CRIMINAL COURT COLLOQUIUM SERIES

by the Center for International Law and Policy in Africa (CILPA) with co-sponsorship of the American Society of International Law (ASIL) and the International Nuremberg Principles Academy

The series consisted of four round-table discussions dedicated specifically to advancing the scholarly debate on the work of the world’s only permanent international penal tribunal with responsibility to prosecute genocide, crimes against humanity, war crimes and the crime of aggression. The series was part of the CILPA’s “Africa-ICC Research Project” and sought to highlight issues of particular relevance to the future success of the International Criminal Court (ICC), especially from an African perspective. Representing the Nuremberg Academy as co-sponsor of the event, the Directors Klaus Rackwitz and Dr Viviane Dittrich delivered opening statements at the respective events.

29 March 2021, online

The ICC Prosecutor Selection Process

The first round table assessed the ICC Prosecutor selection process which has received a wide range of comments and concerns regarding the shortlist of candidates presented. Panellists discussed the recent search as well as how the Assembly of States Parties might strengthen future competency-based searches for ICC principals. Important issues were raised, among them the vetting process and its challenges, the politicisation of elections of ICC officials, the importance of consensus and the limited number of candidates from some of the geographical regions.

14 May 2021, online

The International Criminal Court Prosecutor: Achievements, Challenges

The second round table discussed the key challenges that lie ahead for the Office of the Prosecutor (OTP) and the ICC as a whole. These include, *inter alia*, addressing low staff morale, working to improve and implement more streamlined situation and case selection criteria in concrete cases, persuading States to strengthen their support for investigations and prosecutions and engaging the ongoing ICC review and reform process to implement appropriate policy changes.

19 October 2021, online

Is it time to “Reset” the Africa-ICC Relationship?

The third round table explored the possibility of „resetting“ the Africa-ICC relationship. Panellists analysed the current state of affairs regarding the tense relationship between the ICC and African states where there have been several threats of withdrawals. The panel discussed, among other topics, the recent opening of investigations on continents other than Africa, the stagnation of African initiatives to create alternatives to the ICC and the expectation of an improved dialogue between the ICC and African states. The fourth round table that was intended to conclude the 2021 International Criminal Court Colloquium Series took place in January 2022.

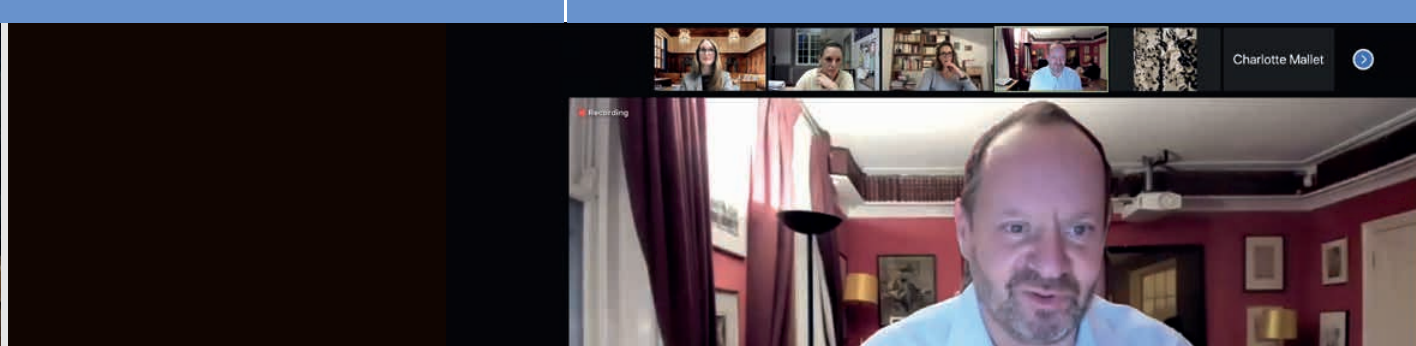
18 November 2021, online

Assassins of Memory – Political and Legal Problems of Uncovering, Whitewashing and Rewriting History

by the Polish Academy of Sciences in Vienna, Austria

Director Klaus Rackwitz participated with an online lecture in this international conference. The conference provided political and legal input to the discussion of the politics of history and the broader aspect of memory as an essential part of political strategic planning.

In his lecture, Mr Rackwitz focused on the transitional periods in Germany after the two world wars and after the unification of Germany in 1990. He considered the judicial proceedings that took place in each case. In the subsequent discussion, he highlighted the way Germany moved from denying “victor’s justice” and rejecting the judicial proceedings after the wars to an acceptance of transitional justice as an important factor for a peaceful regime change.



PARTICIPATION IN ICL EXPERT MEETINGS

Klaus Rackwitz and Dr Viviane Dittrich, Director and Deputy Director of the Nuremberg Academy, also participated albeit not as speaker in several key events in the field of international criminal law.

5-6 June 2020, online

Annual Meeting of the Arbeitskreis Völkerstrafrecht

by the Arbeitskreis Völkerstrafrecht

The Arbeitskreis Völkerstrafrecht is the largest gathering of German-speaking international criminal law experts, usually hosted in a different city each year and bringing together up to 100 scholars and practitioners to discuss relevant questions and recent developments in the field of international criminal law.

9 October 2020, online

Conference “The UN at 75: Effective Multilateralism and International Law”

by the Office of Legal Affairs of the United Nations and the German Federal Foreign Office

The conference brought together eminent scholars and practitioners from around the world. It addressed, *inter alia*, the evolution of international law since the establishment of the United Nations (UN), the achievements of the UN in advancing international law and its future role in effective multilateralism.

The conference was opened by Heiko Maas, the German Federal Minister for Foreign Affairs. Welcoming remarks were delivered by Dr Christophe Eick, Director-General for Legal Affairs, Federal Foreign Office and Chairperson of the Foundation Board of the Nuremberg Academy, and Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and UN Legal Counsel. Closing remarks were delivered by D. Stephen Mathias, Assistant Secretary-General for Legal Affairs, UN Office of Legal Affairs.

VISITOR GROUPS IN NUREMBERG

Visitor groups from different fields and countries are interested in the Nuremberg Academy and its activities. We are pleased to welcome them, to present our mandate and work and engage in discussions. Due to the pandemic situation, the number of visits at the Academy was very limited in 2020 and 2021.

18-19 January 2020

Berg Institute Study Tour “International Criminal Law, Jurisdiction and Cooperation”

The participants also visited the International Criminal Court in The Hague, the former German Nazi Concentration and Extermination Camp in Auschwitz-Birkenau, the Documentation Centre Nazi Party Rally Grounds in Nuremberg and the Courtroom 600.

3 March 2020

Scholars and Lawyers from Kashmir

A group of scholars and lawyers from Kashmir visited the Academy on the occasion of a visit to Nuremberg and a panel discussion was held in which members of the group participated. Director Klaus Rackwitz and Project Officer Kiran Menon hosted the visit and discussed with them the current situation in Kashmir following the revocation of Kashmir’s autonomy on 5 August 2019.

21 October 2020

International Media Correspondents

Members of the Association of the Foreign Press in Germany (Verein der ausländischen Presse in Deutschland), international correspondents from television, radio and the print media, paid a two-day visit to Nuremberg. They got insights into the Nuremberg Academy, the Memorium Nuremberg Trials and the Documentation Center Nazi Party Rally Grounds.

TEACHING ACTIVITIES

Staff members of the Nuremberg Academy are regularly invited to share their expertise by giving seminars and lectures at universities and educational institutions.

9 June and 7 July 2020, online

Human Rights Master Course at Friedrich-Alexander-Universität Erlangen-Nürnberg

Senior Officer Eduardo Toledo and Project Officer Dr Salim Amin lectured in the Human Rights Master Programme as part of the International Criminal Law module of the International Criminal Law Research Unit.

20 January 2021, online

Sciences Po Paris Online Seminar on the 75th Anniversary of Nuremberg Trials

Together with Professor Philippe Sands (British-French human rights lawyer, Professor of Law at University College London and author of books on international law), Deputy Director Dr Viviane Dittrich was invited to speak at a Sciences Po Paris online seminar commemorating the 75th anniversary of the Nuremberg trials. Dr Dittrich focused in her presentation on the significance of the Nuremberg trials and the Nuremberg Principles for modern international criminal law. In his lecture, Professor Philippe Sands explained the origins of the concepts of genocide and crimes against humanity. The audience comprised more than 450 participants from all seven campuses of Sciences Po.

14 May 2021, online

Online Lecture for Participants of the ICC Moot Court Chinese Edition

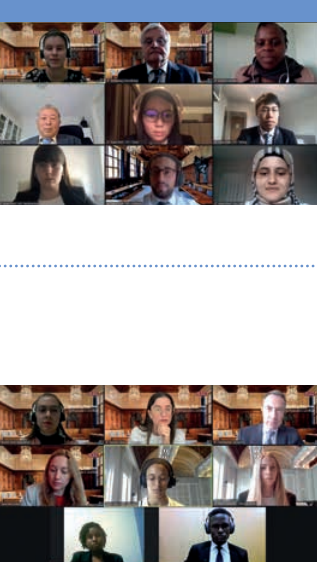
Director Klaus Rackwitz lectured on “The Nuremberg Trials and Current Prosecutions of International Crimes in Germany” for participants of the ICC Moot Court, Chinese language version. The lecture touched upon the German views of the Nuremberg trials right after the war and later, the failed attempts of the German judiciary to meaningfully prosecute and try Nazi perpetrators, the change of the German position and the current proceedings against alleged perpetrators of core international crimes. The students discussed the German efforts to avoid impunity by conducting numerous investigations and trials based on universal jurisdiction. Ground-breaking judgements such as the first German judgement against Syrian perpetrators and the decision of the German Federal Court rejecting functional immunity for officials of other states were presented and analysed.



Capacity Building

While as a result of the pandemic all capacity building activities which were planned for 2020 had to be cancelled, as of 2021, the Nuremberg Academy's projects in this area were restored and offered as digital events. The Summer Academies for Young Professionals, both in the English and French edition, the Nuremberg Moot Court and training courses, organised with partners in Africa, all took place.

In addition, the capacity building team of the Academy focused on conceptual work and developed capacity building material, which included a comprehensive manual on international criminal law, a facilitator's guide and associated training material for legal practitioners. International tenders were put out for the development of specific e-learning modules and a large-scale translation project for the e-learning platform Lexisut from English into French has started. These projects are long-term investments which will substantially enhance the French language resources for capacity building.



NUREMBERG MOOT COURT

The Nuremberg Moot Court is organised annually together with Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU). Students refine their advocacy skills by presenting their arguments in the roles of Prosecution and Defence. Until the start of the pandemic, students from all over the world came to Nuremberg to plead a fictitious case in international criminal law in a realistic setting at the historic Courtroom 600. The outbreak of Covid-19 confronted us with the challenge of re-implementing this competition, which thrives in large part on the personal international encounters and Courtroom 600. We had to find an appropriate new format.

Nuremberg Moot Court 2020

Over 250 students from 65 universities located in 40 countries

At the beginning of the pandemic, the time available to convert the Moot Court with over 250 participants into an online format was too short. Therefore, with a heavy heart, we decided to cancel the oral round and let the competition end after the written round. The case focused on the topical issues of “climate refugees”, immigration and hate speech as well as deportation and murder as crimes against humanity, allowing participants to address the relationship between international criminal law and international human rights law. The competition ended on 19 June with an online awards ceremony with videos prepared by the teams themselves. The team from Maastricht University in the Netherlands was awarded the prize for the best memorandum.

Pilot Project “Digital Criminal Moot Court” 14–15 August 2020

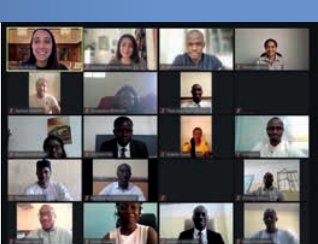
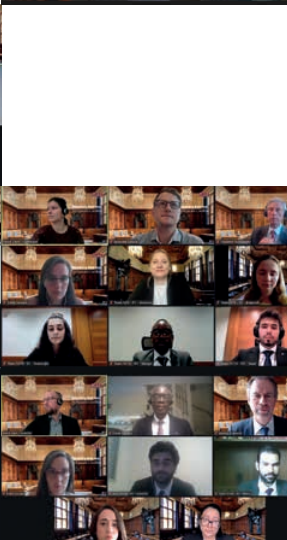
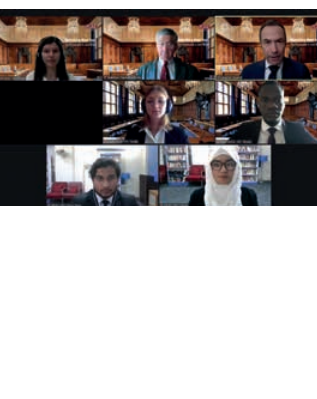
This pilot project evaluated feasibility, technical difficulties and other unforeseen issues for the organisation of online oral rounds. The three best teams from the written rounds of the Nuremberg Moot Court 2020 were invited, as well as a team from FAU. The evaluation provided the organisers with useful information, data and lessons learnt allowing to temporarily convert the Nuremberg Moot Court into an online format.

Nuremberg Moot Court 2021

Over 190 students from 46 universities located in 30 countries

Based on the findings of the pilot project, the joint organising team of the Academy and FAU transferred the Moot Court requirements into a digital format. Despite the exceptional and difficult circumstances created by the COVID-19 pandemic, the students demonstrated outstanding advocacy skills and successfully addressed the 2021 case that dealt with issues related to enslavement as a crime against humanity and amnesties.

Judges were high-profile international and national judges, prosecutors, academics and civil society actors. Judge Raul Pangalangan, former Judge at the International Criminal Court, presided during the finals on 30 July. On completion of initial rounds, the team of Queen Mary University in London won against the team from Maastricht University.



SUMMER ACADEMY FOR YOUNG PROFESSIONALS

2021 Anglophone Edition

14 participants out of 337 applications coming from Afghanistan, Bosnia and Herzegovina, Brazil, Colombia, Egypt, Georgia, Kenya, the Philippines, Rwanda, Uganda, Ukraine and the United Kingdom

Francophone Edition

19 participants out of 283 applications coming from Brazil, Burkina Faso, Burundi, Cameroon, the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea, Madagascar, Nigeria and Senegal

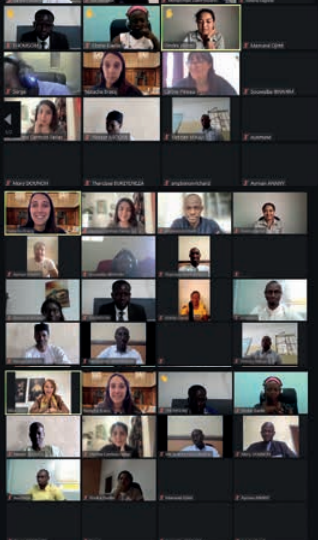
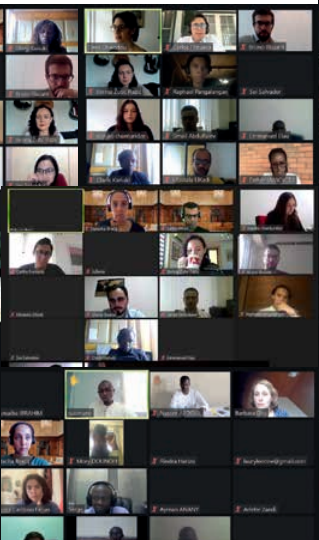
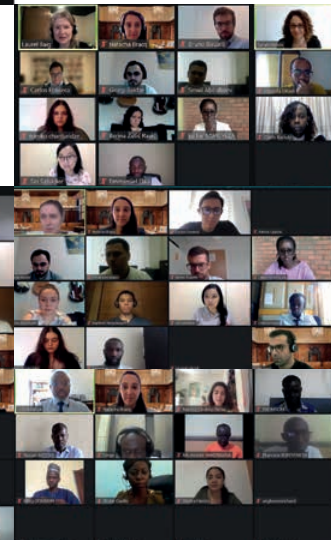
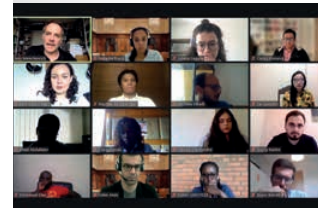
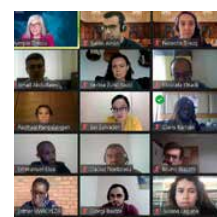
Every year, the Nuremberg Academy brings together young professionals, including lawyers, prosecutors, legal experts, UN staff members and academics, from conflict and post-conflict countries and countries with limited or no international criminal law education.

After a close monitoring of the situation and careful consideration, we decided to cancel both editions of the Nuremberg Summer Academy for Young Professionals 2020 as planned for July (anglophone edition) and August (francophone edition). Participants selected to take part in the 2020 edition were automatically invited in 2021.

The sixth anglophone edition of the Nuremberg Summer Academy for Young Professionals in 2021 took place from 2 to 13 August and was followed by the second francophone edition from 16 to 27 August. Both were held online via Zoom.

The faculty was composed of 22 international experts, including academics, staff of the International Criminal Court and other international tribunals and mechanisms. The two-week intensive summer course was divided into two parts: (1) live lectures and (2) guided self-study time via Moodle, including daily quizzes and assignments. The live sessions comprised eleven lectures as well as group assignments, followed by interactive discussions.

We provided daily debriefings discussing key aspects of the lectures as well as a screening of the documentary „Peace Through Justice“.



INTERNATIONAL AND TRANSNATIONAL CRIMINAL LAW SEMINAR SERIES

We partnered with the T.M.C. Asser Institute and the Cassese Initiative to offer a joint high-level training programme on international criminal law (ICL) and transnational criminal law (TCL). The goal of the programme is to support countries with fragile or weak judicial institutions, International Criminal Court (ICC) situation countries and countries facing challenges in prosecuting international and transnational crimes. It aims to assist judges and prosecutors to strengthen their capacity to prosecute and try international and transnational crimes; to enhance their ability to protect human rights; to ensure effective cooperation with the ICC and other international criminal tribunals; and to increase cooperation among national judiciaries. The first round of seminars took place in 2018 and 2019 and consisted of two face-to-face seminars of one week each in The Hague, both followed by a subsequent e-streaming session. The training series features high-level speakers coming from international and national courts and tribunals as well as from academic and professional institutions and organisations focusing on ICL and TCL. Past training cycles included honoured guests such as Judge Abdulqawi A. Yusuf, the recently elected president of the International Court of Justice, and Judge Guénaél Mettraux from the Kosovo Specialist Chambers.

24–28 February 2020, Arusha

Training on “Strengthening the Capacities of Magistrates for the Suppression of International and Transnational Crimes in Africa”

With prosecutors and judges from Benin, Burkina Faso, Burundi, Cameroon, the Central African Republic, Chad, the Congo, the Democratic Republic of the Congo, Mali and Niger

Carefully selected prosecutors and judges from French-speaking African countries participated in this high-level francophone one-week seminar in partnership with the African Institute of International Law (AIIL). It was moderated by Natacha Bracq, Senior Officer for Training and Capacity Building at the Nuremberg Academy, and Professor Mathias Sahinkuye, Senior Research Fellow with the AIIL.

The training programme covered a wide range of topics, *inter alia*, interactions between international criminal law, international humanitarian law and domestic law, sexual and gender-based violence and transnational crimes in Africa, including human trafficking, piracy and terrorism.



8–12 March 2021, online

International and Transnational Criminal Law Online Seminar

With prosecutors and judges from Benin, Burkina Faso, Burundi, Cameroun, Chad, Democratic Republic of the Congo and Niger

The follow-up to the training course held in February 2020 in Arusha, Tanzania, aimed to build on the knowledge and skills gained during the first session, further strengthening the justice sector in French-speaking African countries facing challenges in the administration of justice. Participants benefitted from lectures in the fields of international criminal law, transnational criminal law and international humanitarian law (IHL). The modules covered the following topics: classification of armed conflicts, terrorism and IHL, superior liability, human trafficking, financial investigations, the use of open-source evidence and the investigation and prosecution of international crimes.



28 October 2020, Abuja and online

Second Workshop of the International Criminal Law Course with a Training-of-Trainers (ToT) Component

Together with the Wayamo Foundation we organised the second workshop of the international criminal law (ICL) course with a training-of-trainers component (ToT). It was held in a hybrid format: some participants and experts were on-site, others participated online via Zoom. Members of the National Judicial Institute, the Nigerian Institute of Advanced Legal Studies and the Nigerian military took part in the programme.

It was a follow-up to the training held between 26 and 29 November 2019 in Abeokuta and the last of a series of eight organised in partnership with the Wayamo Foundation in Nigeria since December 2016. With a view to ensuring the sustainability of these combined efforts, the scope of the capacity building programme was expanded with a ToT component in 2019. The objective was to support and further equip participating institutions with the necessary skills and ICL knowledge to pass on to their network of relevant actors in Nigeria.



24–29 May 2021, Grand-Bassam

Training Course on Core International Crimes for Ivorian Magistrates

We partnered with the Observatoire Ivoirien des Droits de l'Homme (OIDH) and the Ivorian Ministry of Justice and Human Rights to organise a training course on core international crimes. This is one of the first training courses held on the topic in the country following the incorporation of core international crimes into the Ivorian Criminal Code on 27 December 2018.



It aimed to build the capacity of 50 civil and military Ivorian magistrates on international crimes, in order to promote their specialisation and the establishment of a specialised unit within the Ivorian judicial system. The lectures included, *inter alia*, core international crimes, modes of liability, sexual and gender-based violence, international crimes in Ivorian law, the Hissène Habré trial, victims' rights and the UN accountability mechanisms. This seminar was organised with the financial support of the French Ministry of Justice and Open Society Justice Initiative.

9–20 August 2021, Kinshasa

Intensive Course on Human Rights, International Criminal Law and Transitional Justice

Since 2019, we have contributed to the “Cours intensifs sur les droits de l’homme, le droit international pénal et la justice transitionnelle” (Intensive Courses on Human Rights, International Criminal Law and Transitional Justice) organised by Le Club des amis du droit du Congo (CAD). The ninth edition of this two-week intensive course was delivered by eminent professors as well as national and international experts.

This project addresses the lack of knowledge of law students, judicial and legal professionals in relation to theoretical and scientific aspects of human rights, international criminal justice and transitional justice as well as their difficulty in accessing information and updated knowledge about the current issues and challenges in this field. The programme was supported by the Nuremberg Academy, Switzerland and the French Embassy in the Democratic Republic of the Congo.



11–19 September 2021, Marcoux

European Residency Programme for Legal Researchers

Between 11 and 19 September 2021, we partnered with the Château de Goutelas, the French Conseil constitutionnel, the Association Internationale de Droit Economique and the Mission de recherche Droit et Justice, to open the first European residency program for legal researchers, called the „Résidences Adamas“. Inspired by artist residencies, Résidences Adamas aims to provide an exceptional working environment and allow residents to link and exchange with other legal researchers and practitioners. It also seeks to foster debate about the place of legal humanism, particularly in the fields of constitutional, international, criminal, or economic law and to contribute to the clarification of the relationship between legal humanism and major contemporary social issues (new technologies, environment, demography, migration, work, health, etc.).

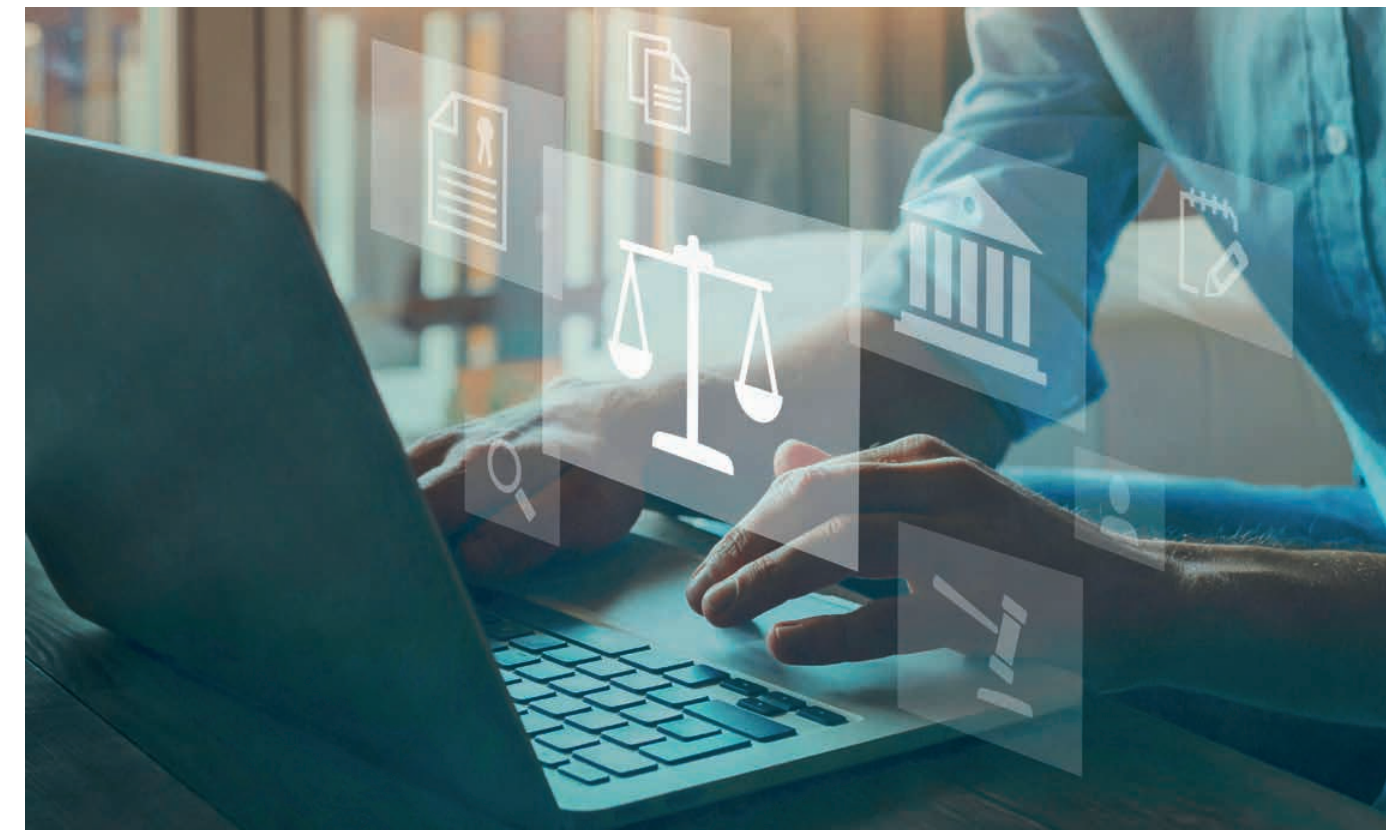
The four partners awarded grants to four researchers to enable them to participate in the programme. The 2021 Research Award of the International Nuremberg Principles Academy went to Aude Brejon.



E-Learning Platform

The Covid-19 pandemic and the related travel restrictions gave the impetus for deciding on a project to create the Academy’s own e-learning platform in order to be able to offer remote capacity building measures. The new platform will ensure the continuation of our activities during the pandemic. In the long term, the new platform will complement and strengthen our existing capacity building programme by expanding its training materials and options.

During 2021, the concept and structure of the e-learning platform were developed, then to be implemented with a first course on international criminal law for legal professionals. The relaunch of the platform is planned for 2022.



Research

According to our mandate, we carry out multidisciplinary and applied research in particular in international criminal law (ICL) topics. A clear focus lies on practitioners and their needs – all of the Nuremberg Academy's research projects support the application of ICL, be it in an international, hybrid or domestic jurisdiction. When theory meets practice, our research projects aim to provide tangible results, practitioner-oriented recommendations and to contribute to contemporary debates and enhance practice.

This focus is reflected in the projects undertaken by the Academy in 2020 and 2021. The largest of our research projects, conducted in partnership with Friedrich-Alexander-Universität Erlangen-Nürnberg, which analyses the length of the proceedings at the International Criminal Court was brought close to completion. After the conclusion of all the analysis and research tasks the drafting of the final report has started and will be completed in 2022. Progress was also made in the E-Procedure project where numerous online workshops advancing various clusters and the research question were conducted.

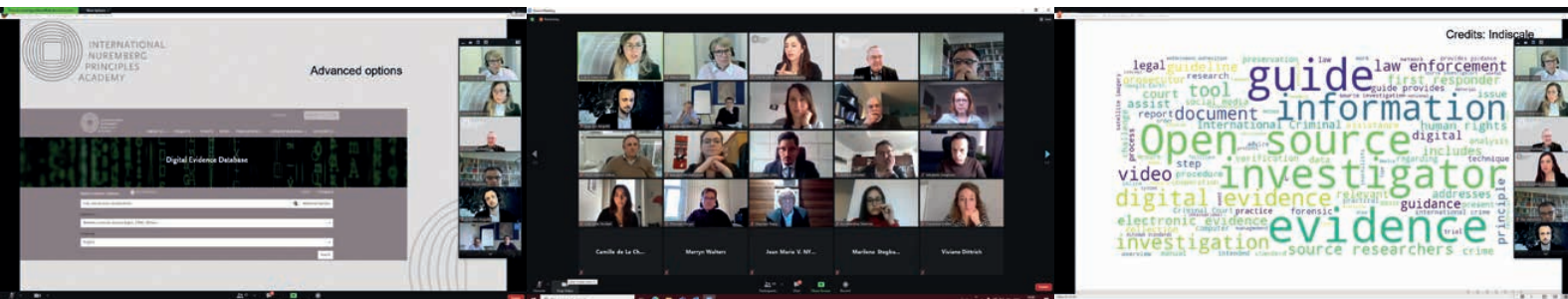
Length of the Proceedings at the International Criminal Court

This project, carried out jointly with Friedrich-Alexander-Universität Erlangen-Nürnberg, is in response to a resolution adopted by the German parliament (Bundestag) in July 2018. It seeks to identify the factors impacting the length of the proceedings before the ICC and to establish recommendations for improvements. During 2020–2021, public records and documents relating to cases before the Court were analysed and stakeholder interviews were conducted. In February 2020, an expert seminar took place in The Hague that brought together experienced academics and practitioners, who had high-level thematic discussions, exchanged their views on the length of proceedings and discussed topical conceptual and methodological questions. A second expert workshop taking place in 2021 involved judges, practitioners and scholars in the process of the finalisation of the report and collected their expertise and opinions on the subject. Detailed timelines have been established for each trial and the report which will be submitted to the German parliament will be finalised in English and German in 2022.



E-Procedure: Evidence in Time of Increased Use of Technology and Digitalisation

We have been looking into whether the increased usage of digital evidence and the sophistication of the technology used in the documentation of human rights abuses and prosecution of core international crimes might impact the operations of judicial or quasi-judicial mechanisms. Specifically, the project addresses and considers the potential impact these developments might have on the rules of procedure and evidence at the international level, focusing on the International Criminal Court (ICC) as the first permanent international criminal tribunal. Through 2020 and 2021, the project has reached several milestones, in particular: the release of a practical tool, the Digital Evidence Database, which contains guidelines and manuals on digital evidence. The database also serves as a repository of research gaps and aims to keep a running list of the identified gaps that interested stakeholders could explore further to advance discussion and research in the field. Moreover, the project advanced its work on all other clusters. The project team researched the legal standard governing digital evidence at the ICC, explored the correlations between human rights and digital evidence and prepared the methodology for cluster E (which aims to provide a conclusive answer to the project's research question) to assess whether there is a need to amend the ICC. The project will continue in 2022.



Private Investigations in International Criminal Justice

This project was initiated together with the Max Planck Institute for Foreign and International Criminal Law and the Commission for International Justice and Accountability (CIJA). Following an expert meeting on the prospects of private investigations in international criminal justice that took place on 2 November 2018, the project partners prepared a first draft of the *Nuremberg Guidelines for Non-Public Investigative Bodies in the Field of International Criminal Law and Humanitarian Law* taking into consideration the discussions during the meeting, existing instruments on the conduct of international criminal investigations and relevant academic literature.

In August 2020, almost 50 experts, among them practitioners and academics, were invited to review the draft. The results led to a revision of the draft guidelines which is ongoing.

In September 2021, Dr Alexander Heinze from Georg-August-Universität Göttingen joined as scientific advisor after the Max Planck Institute withdrew from the project when they ceased their activities in the area of international criminal law.

Nuremberg Benchmarks for International Criminal Justice

From 2018 to 2021, we conducted a feasibility study together with The Hague Institute for Innovation of Law (HiIL) (project partners) and in collaboration with Pontificia Universidad Javeriana in Bogotá, Colombia. The goal was to determine whether benchmarks for international criminal justice could be established and, if so, to assess the practicability of such benchmarking. The substantial feasibility study concluded that setting out benchmarks for international criminal justice could be possible and concluded that they could become a system of indicators designed to measure the effectiveness of the response by multiple actors in addressing international crimes. The project partners outlined a feasible project methodology, outlining potential risks and benefits. In 2020-2021, the project partners further explored, from a practical standpoint, what such an establishment of benchmarks could look like and what would be the ideal project parameters, including budget limitations. Having explored the operational follow-up feasibility, the project partners concluded in 2021 that they could not carry out a project of this magnitude and at this point in time. They decided to collect feedback on the draft report and finalise its findings by releasing a comprehensive report, a blueprint for a project, which would outline the project idea, methodology and conclusions. The final report will be released in 2022, concluding this project.

Complementarity

From 2016 to 2019, we have been collaborating with the Grotius Centre for International Legal Studies on a research project analysing the ability of crisis and situation countries to investigate and prosecute core international crimes in accordance with their obligation under international law, especially the Rome Statute. The project aimed to develop a reliable assessment methodology regarding the ability to conduct domestic proceedings as well as an online repository where the findings per assessed country could be found for future reference. After a thorough assessment of the feasibility of the project's undertaking and discussions of potential ways forward throughout 2018 and 2019, the project partners concluded that the available resources do not allow the required updates and reassessments at this point in time. Nonetheless, they believe that the methodology developed for this project, including the mapping exercises conducted by the leading experts in the field are of relevance to the topic and advance the ongoing discussions. In 2020, the project partners decided to conclude the project with the publication of these relevant documents.

Understanding Hate Speech within the Context of International Criminal Law

The project on prevention of and accountability for, hate speech has been given a reorientation as a result of exploratory work conducted throughout 2020-2021, assessing how it could advance the discussion in the field of hate speech and international criminal law (ICL). After expert consultations with practitioners and experts in the field of ICL and related fields, a round-table discussion on 22 September 2021 led to a revised concept that aims to address and situate hate speech in the context of the case law and provide a robust foundation for better understanding. The planned research will yield new and contemporary cross-disciplinary insights into a complex and underdeveloped area of ICL.

ray (editor)

Islam and International Criminal Law

The Tokyo Tribunal: Perspectives on Law, History and Merit

Two Steps Forward, One Step Back:
The Deterrent Effect of International Criminal Law

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International Justice

Publications and Resources

With reduced options for conferences and events, we increased our work on publications and resources and it is fair to say that the period of 2020 and 2021 was the most productive in the Academy's history in this domain.

Three major volumes were published in our flagship publication series, the Nuremberg Academy Series. All three of them are anthologies and unique in their fields. As with the previous editions published in the Nuremberg Academy Series, they address under-researched areas, provide an overview of the state of opinions and advance discussion.

In light of the 70th anniversary of the formulation of the Nuremberg Principles, the Nuremberg Academy took the initiative

in 2020 to put together a timely publication including 70 perspectives from leading actors in the field of international criminal law and more widely the wider ambit of the connected disciplines. The book, initiated and edited by Viviane E. Dittrich, explores the extraordinary heritage of the Nuremberg Principles, by engaging with these distinguished voices, and drawing on their unique personal and institutional experiences as well as their scholarship. The publication is composed of short personal reflections that deal with the various facets of the Nuremberg Principles including their influence on the origins and development of modern international criminal law, the field's most prominent institutions and their impact across the world today. Work on this volume was ongoing throughout 2021.

In terms of other publications, Dr Viviane Dittrich contributed to two books published in 2020: a chapter on the topic of legacy in the edited volume *Legacies of the International Criminal Tribunal for the Former Yugoslavia* (edited by Carsten Stahn, Carmel Agius, Serge Brammertz and Coleen Rohan) and a short piece on the Nuremberg trials in the anniversary publication *That Four Great Nations ... 75 Years Nuremberg Trials* (edited by Memorium Nuremberg Trials).

Additional databases support the practitioners: a database for questions related to digital evidence was launched in 2021 as well as a resource collection on the Nuremberg Principles which is, to the best of our knowledge, the most comprehensive repository on this topic. The database on sexual crimes in conflict has been redesigned and updated.

We remain committed to the principle of open access for all our materials, whether books, reports, specific papers, guidelines or databases. We remain grateful to all authors who contributed to our books and publications, supporting the Academy's open access policy.

Open Access Policy

The Nuremberg Academy is firmly committed to open access publishing. It thus ensures that all interested persons can access and use the publications and resources as freely available electronic versions on our website. The cost-free availability of publications and of learning and working tools facilitates the dissemination of international law, proper access to law and thereby access to justice. Books of the Nuremberg Academy Series are also available for order as hard copies at a reduced rate as the Torkel Opsahl Academic EPublisher (TOAEP) only charges the production and handling costs.

Nuremberg Academy Series

The Nuremberg Academy Series, a book publication series from the International Nuremberg Principles Academy, was launched in April 2017. The series editor is Dr Viviane Dittrich. The series has been published by the Torkel Opsahl Academic EPublisher (TOAEP). We cooperate with the Centre for International Law Research and Policy (CILRAP) on the promotion of high-quality open access publications in international law.

The series includes work that is interdisciplinary and brings together academics and practitioners focused on practical and innovative applications of international criminal law (ICL). The series seeks to cover relevant and topical areas that are under-researched or require renewed attention. Grounded in the legacy of the Nuremberg Principles – the foundation of contemporary ICL – it addresses persistent and pressing legal issues and explores the twenty-first century challenges encountered in combatting impunity for core international crimes.

The third volume of the Nuremberg Academy Series, an anthology entitled *The Tokyo Tribunal: Perspectives on Law, History and Memory*, edited by Viviane E. Dittrich, Kerstin von Lingen, Philipp Osten and Jolana Makraiová, was released in October 2020 and presented to a large audience in an online panel discussion. The International Military Tribunal for the Far East (IMTFE), held in Tokyo from May 1946 to November 1948, was a landmark event in the development of modern international criminal law. The trial in Tokyo was a complex undertaking and an international effort to hold individuals accountable for core international crimes and to deliver justice. This volume combines perspectives from various fields – law, history and the social sciences – to discuss the legal, historical, political and cultural significance of the Tokyo Tribunal. The collection is based on an international conference marking the 70th anniversary of the judgment of the IMTFE, which was held in Nuremberg in 2018. The volume features reflections by eminent scholars and experts on the establishment and functioning of the Tribunal, procedural and substantive issues as well as the ways in which the trial was received and its repercussions.

Integrity in International Justice, volume 4 of the Nuremberg Academy Series, edited by Morten Bergsmo and Viviane E. Dittrich and published in November 2020, is the first book to comprehensively analyse integrity in international justice. Thirty-three chapters discuss in-depth the meaning of integrity, the awareness and culture of integrity, the roles of international organisations and states as well as international courts in enhancing integrity, integrity as seen through the lens of cases, and the relationship between the principles of independence and integrity. The book considers integrity as a legally binding standard in international courts, while including perspectives from other disciplines such as philosophy, history, psychology and religion. It argues that respect for integrity among high officials and staff members is a prerequisite for international courts and other international organisations to fulfil their mandates.

In December 2021, the Nuremberg Academy published the fifth volume of the Nuremberg Academy Series entitled *The Past, Present and Future of the International Criminal Court*, edited by Alexander Heinze and Viviane E. Dittrich. This edited volume provides a broad perspective on the International Criminal Court's development over time and explores some of its topical issues, achievements, challenges and critiques. The anthology combines reflections from scholars and practitioners and includes voices from inside and outside the Court, featuring multiple readings of its activities, practice and developments. In line with the volume's title, the authors portray

the establishment and development of the Court, critically engage with its successes and challenges and draw conclusions on its achievements and the way forward. The book examines five key topics: prosecutorial policy and strategy, jurisdiction and admissibility, victims and witnesses, defence issues and legitimacy and independence. It includes a number of academic papers as well as speeches given at the Nuremberg Forum 2018.

The Volumes of the Nuremberg Academy Series

- *Two Steps Forward, One Step Back: The Deterrent Effect of International Criminal Tribunals* (2017) edited by Jennifer Schense and Linda Carter
- *Islam and International Criminal Law and Justice* (2018) edited by Tallyn Gray
- *The Tokyo Tribunal: Perspectives on Law, History and Memory* (2020) edited by Viviane E. Dittrich, Kerstin von Lingen, Philipp Osten and Jolana Makraiová
- *Integrity in International Justice* (2020) edited by Morten Bergsmo and Viviane E. Dittrich
- *The Past, Present, and Future of the International Criminal Court* (2021) edited by Alexander Heinze and Viviane E. Dittrich



Conference Reports

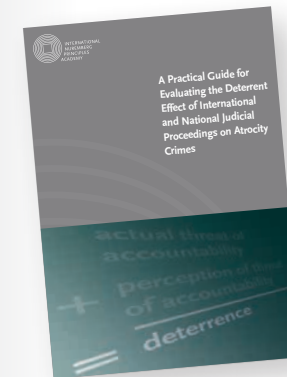


Nuremberg Forum 2018 Conference Report "20th Anniversary of the Rome Statute: Law, Justice and Politics"

This conference report is based on the high-level discussions of the 2018 Nuremberg Forum. It captures key arguments, central debates and various perspectives of the participating distinguished academics and practitioners as well as a number of significant issues for further consideration and debate. The report reflects on the discussions and outcomes of the conference and highlights the developments of the past 20 years and looks at what practical steps can be agreed for future consideration.

The 2018 Nuremberg Forum, the fourth annual conference of the Nuremberg Academy, commemorated the 20th anniversary of the Rome Statute. In light of the carefully chosen focus on "law, justice and politics", the conference critically underlined pertinent issues with regard to the functioning of the first permanent International Criminal Court through the lens of the past, present and future.

Guidelines



Practical Guide for Evaluating the Deterrent Effect of International and National Judicial Proceedings on Atrocity Crimes

Published in May 2021, this practical guide has been created in collaboration with Professor Linda Carter and Jennifer Schense, who, in 2017, edited the first Nuremberg Academy Series publication *Two Steps Forward, One Step Back: The Deterrent Effect of International Criminal Tribunals*. We decided to conduct a follow up project on deterrence and create a practical guide from the study with the goal of presenting the results in a more practice-oriented tool. This practical guide has been created as a stand-alone tool and is relevant for experts interested in studying further and undertaking research into (potential) deterrent effects in the context of international criminal law. The Nuremberg Academy Series' publication can provide additional illustrations.

Resource Collections



Resource Collection on the Nuremberg Principles

The International Law Commission formulated the "Principles of International Law Recognized in the Charter of the Nürnberg Tribunal and in the Judgment of the Tribunal" (Nuremberg Principles) in 1950. Since then, the Nuremberg Principles have remained some of the most valuable inheritances from the Nuremberg trial and have become a lodestar for the subsequent development of the fundamental principles of international criminal law.

This Resource Collection on the Nuremberg Principles provides an overview of official documents, case law and scholarly literature. The collection includes references in English but also in French, German and Spanish. These documents serve as a testament to the Nuremberg Principles' continued role and relevance as a benchmark of international criminal justice and their broad historic implementation in various domestic, hybrid and international jurisdictions.

Complementarity Project Publications

The research project, conducted together with the Grotius Centre for International Legal Studies, aimed at analysing the ability of crisis and situation countries to investigate and prosecute core international crimes in accordance with their obligation under international law. The goal was to develop a reliable assessment methodology regarding the ability to conduct domestic proceedings as well as an online repository where the findings per assessed country could be found for future reference. After a thorough assessment of the feasibility of the project's undertaking and discussions of potential ways forward throughout 2018 and 2019, the project partners concluded that the available resources do not allow the required updates and reassessments at this point in time. Nonetheless, they believe that the methodology developed for this project, including the mapping exercises conducted by the leading experts in the field are of relevance to the topic and advance the ongoing discussions. They were published in December 2020.

Resource Centre on Domestic Investigation and Prosecution of International Crimes
Document prepared by: Prof. Carsten Stahn, late Prof. Chandra Sriram, Marieke Wierda (consultants), Marjana Papa and Kerry-Luise Prior (formerly International Nuremberg Principles Academy)

Fair and Effective Investigation and Prosecution of International Crimes - Inventory and State-of-the-Art: Context, Cluster 1 and Cluster 2
by Carsten Stahn

Mapping the Context for National Responses to International Crimes - Inventory and State-of-the-Art: Context, Cluster 3 and Cluster 4
by Chandra L. Sriram

Databases

All databases are freely accessible on our website.

Digital Evidence Database

The Digital Evidence Database was created in 2020 as part of the research project "E-Procedure: Evidence in Time of Increased Use of Technology and Digitalisation". It was released on the occasion of an online expert workshop that took place on 17 March 2021.

The database is a practical tool providing useful search options that facilitate finding relevant information and carrying out research on digital evidence. It compiles a broad collection of guidelines and manuals on digital evidence, significant for the documentation of human rights violations and core international crimes, and incorporates material relevant to the analysis, examination, verification and submission of digital evidence to judicial and quasi-judicial bodies.

Lexsitus Online Service

Lexsitus is the open access online platform to support the learning of, and work with, legal sources in international criminal law (ICL), developed by the Centre for International Law Research and Policy (CILRAP) with the support of the Academy. The platform provides online access to videorecorded lectures, commentaries, case law, preparatory works and digests of case law, at the level of each article and main provision of the Statute of the International Criminal Court.

The two partners decided to develop a French version of the Lexsitus platform as the availability of ICL resources in French is scarce. The project aims to offer French-speaking experts and students quality information and materials related to ICL. During 2020 and 2021, work on the translation of the material related to the Rome Statutes and the Rules of Procedure and Evidence was ongoing and the release of the French Lexsitus is planned for 2022.

Communications

Activities of the Nuremberg Academy meet with positive responses and reach broad audiences through the various media channels. Media contributions, including interviews given by Klaus Rackwitz and Dr Viviane Dittrich, appeared in print, radio and online formats of various media outlets, including Radio France Internationale (RFI), Deutschlandfunk, Hessischer Rundfunk and Bayerischer Rundfunk. The years 2020 and 2021 marked several anniversaries which are of high importance in the field of international criminal law: the 75th anniversary of the opening and of the verdict of the Nuremberg trials as well as the 70th anniversary of the formulation of the

Nuremberg Principles. We received various requests from newspapers and radio to comment on the anniversaries and the relevance of the Nuremberg trials today. We are pleased to see that the attention the Academy is receiving through electronic media (Twitter, YouTube and the quarterly electronic newsletter) is steadily increasing. All our public events are recorded and freely available on our YouTube channel.

The documentary "Peace Through Justice – The Legacy of Thomas Buergenthal" receives undiminished public interest. In January 2020, we screened the film at Friedrich-Schiller-Universität Jena followed by an expert panel discussion. Due to the COVID-19 pandemic further screenings could only take place as part of online events: in a seminar of the Higher Regional Court of Nuremberg, as part of the educational tours "Stadt(ver)führungen" organised by the City of Nuremberg as well as in some of the Academy's capacity building training. The undisputed highlight amongst them came on 13 April 2021 with the online screening and live discussion with the protagonist Judge Thomas Buergenthal answering questions from the audience.

Having laid the foundations for our structure and activities and having moved to our final location in the Nuremberg Palace of Justice, we now focus on consolidating and developing the profile and operations of the Nuremberg Academy. This will also be reflected in a new external presentation. Thus, the relaunch of our corporate design, our website and the elaboration of a social media strategy has been underway since 2020. After the tendering process we are conducting this project with a renowned media consultant from Berlin. The release of the new design and website is planned for 2022.

Due to the pandemic, event organisation needed to be adapted so that a forum for dialogue could be offered as a virtual platform until such time as in-person gatherings can once again be safely organised. To meet the wide range of requirements of digital formats, Academy members participated in an online conference on the challenges and potentials of the digital transformation in event organisation. Furthermore, a new position was created within the Academy and a new colleague for digital event and content management joined the team in December 2021.



@NurembergAcadem

#NueForum

#NueMC

#NueSumAc



www.nurembergacademy.org



www.nuremberg-moot.de

Move to the Nuremberg Palace of Justice

Leaving our interim premises at the Egidienplatz in the Nuremberg city centre after five years, we moved into our new permanent premises in the east wing of the Nuremberg Palace of Justice in October 2020. The founders had already designated this location for the Academy when it was first established.

After the completion of a new building for the criminal justice branches of the Nuremberg Regional Court and the Higher Regional Court and the ending of court hearings in Courtroom 600, the time for the move had come. On 14 October 2020, Dr Thomas Dickert, President of the Nuremberg Higher Regional Court, handed over the symbolic key to Director Klaus Rackwitz in the presence of the President of the Academy's Foundation Board, Dr Christophe Eick, Legal Adviser and Director-General for Legal Affairs of the German Federal Foreign Office.

In immediate proximity to the historic Courtroom 600, we are now located in a place of great importance for world history and particularly for the field of international criminal law. In addition, the new premises offer more space and modern technology for the Academy's events and activities.

We are very grateful to the City of Nuremberg for providing the interim offices at the Egidienplatz in the heart of Nuremberg. We are equally grateful to the Free State of Bavaria for taking over the costs for the renovation of the ground floor of the east wing of the Palace of Justice and thus providing for spacious office rooms and conference rooms that will allow us to host conferences and events of different formats in the future.

Foundation Board and Advisory Council of the Nuremberg Academy

The Foundation Board of the Nuremberg Academy consists of the Adviser to the Federal Government on International Law and Head of the Legal Department of the Foreign Office, on behalf of the Federal Republic of Germany; one representative each appointed by the Free State of Bavaria and the City of Nuremberg; and the President and the two Vice-Presidents of the Advisory Council. The Foundation Board decides on the fundamental strategic matters with regard to the foundation and determines the foundation's basic orientation. It must ensure that the foundation's purpose is lastingly and sustainably fulfilled. § 12 of the Statute of the Nuremberg Academy details the duties of the Foundation Board. In 2020, the Foundation Board met on 14 February and 14 October. In 2021, the meetings took place online on 6 May and 11 and 12 October.

The Advisory Council is composed of at least nine and not more than 18 persons of international repute in the scholarship and practice of international law (especially international criminal law) or related scholarly fields according to § 14 of the Statute of the Nuremberg Academy. In addition, one representative of each founder shall attend the meetings and have a vote; this representative may also be a member of the Foundation Board. The Advisory Council advises the Executive Board and Foundation Board on the foundation's professional focus and ensures the quality of the foundation's scholarly work. The Council currently consists of 13 members, including Professor Thomas Buergenthal as Honorary President.

Members of the Advisory Council

Navi Pillay (President)
Former United Nations High Commissioner for Human Rights

Christoph Safferling (Vice-President)
Professor of International Criminal Law, Friedrich-Alexander-Universität Erlangen-Nürnberg

Serge Brammertz (Vice-President)
Chief Prosecutor of the Mechanism for International Criminal Tribunals, Former Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia

Thomas Buergenthal (Honorary President)
Former Judge at the International Court of Justice

Silvia Fernández de Gurmendi
Former Judge and President of the International Criminal Court

Peter Frank
German Public Prosecutor General at the Federal Court of Justice

Brenda J. Hollis
Chief Prosecutor of the (Residual) Special Court for Sierra Leone

Karl Huber
Former President of the Higher Regional Court of Munich, former President of the Bavarian Constitutional Court

Athaliah Lesiba Molokomme
Ambassador Extraordinary and Plenipotentiary Permanent Representative at the Permanent Mission of the Republic of Botswana to the United Nations Office in Geneva

Betty Kaari Murungi
Lawyer, Co-Founder of „The Urgent Action Fund – Africa“, Former Vice Chairperson of Kenya Truth Justice and Reconciliation Commission

Stefanie Schmahl
Professor of Public International Law, Julius-Maximilians-Universität Würzburg

Bertram Schmitt
Judge at the International Criminal Court

Sang-Hyun Song
Former President of the International Criminal Court

The Nuremberg Academy Team Members in 2020–2021:

- **Executive Board (Director, Deputy Director)**
Klaus Rackwitz, Director
Dr Viviane Dittrich, Deputy Director
- **Senior Officers**
Natacha Bracq, Senior Officer for Training and Capacity Building
Jolana Makraiová, Senior Officer for Interdisciplinary Research
Eduardo Toledo, Senior Officer for International Criminal Law (until December 2021)
Jennifer Schense, Senior Officer
Anabela Alves, Senior Officer for Training and Capacity Building
- **Project Officers**
Dr Salim Amin
Jane McCosker (until July 2021)
Kiran Mohandas Menon (until August 2021)
Marialejandra Moreno Mantilla
- **Head of Administration**
Petra Härtel
- **Communications and Event Management Officer**
Evelyn Müller
- **Executive Assistant**
Frauke Selbmann
- **Interns and Working Students during 2020 and 2021**
Ethiopia Getachew Abera
Ezinwanne Roseline Raymond
Ramón Galvis
Taynara Neves

The Governing Bodies of the Nuremberg Academy:

- Executive Board
- Foundation Board
- Advisory Council

Financial Overview

The three founders of the Nuremberg Academy are the Federal Republic of Germany, the Free State of Bavaria and the City of Nuremberg.

The City of Nuremberg's contribution, until the Nuremberg Academy's move into its new offices in the east wing of the Palace of Justice consisted of providing office space including telephone and IT infrastructure for the Academy. After the move, the City of Nuremberg contributes to the costs of the Academy's internet connection.

The renovation of the offices in the east wing of the Nuremberg Palace of Justice has been taken on by the Free State of Bavaria. The Free State of Bavaria provides these offices and conference rooms on the ground floor to the Academy free of charge.

The Federal German Government, represented by the Federal Foreign Office, provides the financial support for the Academy's work. The annual budget plan has to be approved by the Foundation Board of the Nuremberg Academy and authorised by the Federal German Parliament.

	2020	2021
Overall Budget	1,556,991 Euro	1,604,207 Euro
Personnel costs:	909,251 Euro	895,872 Euro
Administrative costs:	255,495 Euro	178,562 Euro
Program work costs:	76,527 Euro	included in administrative costs
Conferences, events, research activities costs:	315,716 Euro	529,774 Euro

Organisation



Partners

Project Partners



Event Partners






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