



INTERNATIONAL  
NUREMBERG  
PRINCIPLES  
ACADEMY

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

# Nuremberg Moot Court 2017







## Nuremberg Principles on Accountability

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



Dear Participants of the Nuremberg Moot Court 2017,

As President of the Advisory Council of the International Nuremberg Principles Academy I most warmly welcome all of you who have come to participate in the Nuremberg Moot Court 2017! We are extremely pleased that again this year more teams, and indeed originating from all five continents, were attracted to this Nuremberg experience. It is a real international meeting.

It is already for the fourth time that the unique place of Courtroom 600, where in 1945/46 for the first time in history international criminal law was applied against the major Nazi war criminals, welcomes law students from all over the world to act as practitioners of international criminal law in simulated international court proceedings. Nuremberg Moot Court 2017 is a wonderful opportunity for you to become more familiar with international criminal law, to understand and experience the real difficulties that exist in this field of law, being judged by real judges working in international courts and tribunals. Gaining first practical experience in the “struggle against injustice” in international criminal law you develop not only your legal skills, but also share the values of international criminal law and find new friends to build up networks of like-minded lawyers.

I sincerely hope you will enjoy your stay in Nuremberg, take in from the competition as much as you can. Good luck to everyone and most of all, enjoy!

*With My Warmest  
good wishes*

Navi Pillay  
President of the Advisory Council of the  
International Nuremberg Principles Academy







Dear participants of the Nuremberg Moot Court 2017,

Courtroom 600 in the Palace of Justice in Nuremberg, where you will convene over the next days for your Moot Court, is not only the birthplace of International Criminal Law, the Courtroom also symbolizes the end of impunity for the worst crimes known to us.

The legal principles underlying the Nuremberg Trials were affirmed by the United Nations General Assembly by resolution 95 (I) on 11 December 1946. On 29 July 1950, the International Law Commission, which was tasked to codify these principles, submitted its version of the Nuremberg Principles, which have since been viewed as binding international law.

Principle I declares that "any person who commits an act which constitutes a crime under international law is responsible therefore and liable to punishment". Another great achievement is the inclusion of the principle of fair trial under Principle V which declares that "any person charged with a crime under international law has the right to a fair trial on the facts and law".

Nearly 50 years later, the Nuremberg Principles culminated on 17 July 1998 in the adoption of the Rome Statute, which forms the founding document for the International Criminal Court.

I trust that this legacy will be inspiring for this competition and that justice and fairness will guide your contest. I wish you good luck and success for the Nuremberg Moot Court 2017.

*Michael Koch*

Dr. Michael Koch  
Chairman of the Foundation Board of the International Nuremberg Principles Academy



Dear participants of the Nuremberg Moot Court 2017,

I warmly welcome you to Nuremberg and I am delighted that teams from 27 countries have made their way to Nuremberg to participate in this year's Nuremberg Moot Court.

Nuremberg has left different footprints in its almost 1000 years old history: for example in the Middle Ages, Nuremberg was an important hub of the Holy Roman Empire of the German Nation and it was an important location during industrialization in the 19th century. The most painful memory is however the city's significance as a highly symbolic city during National Socialism. Nuremberg is actively dealing with its past in order to keep the remembrance of the national socialist crimes and its victims alive, while supporting the protection of human rights today. Important elements of these activities are the Documentation Center at the Nazi Party Rally Grounds, the Memorium Nuremberg Trials, as well as the International Human Rights Award given out by the City of Nuremberg.

With the establishment of the International Nuremberg Principles Academy in Nuremberg there is now an important institution that promotes the development of international criminal law on an international level responding to serious crimes against humanity and supporting the fight against the impunity of such crimes.

During the next days the Moot Court organized by the Nuremberg Academy will give you the opportunity to gather practical experience in the area of international criminal law at the historic venue of the Nuremberg Trials. I wish you a lot of success!

*U. Maly*

Dr. Ulrich Maly  
Lord Mayor of the City of Nuremberg





## Program of the Nuremberg Moot Court 2017

### Wednesday, 26 July **Opening**

- 17:00–18:30 **Registration**  
Location: Memorium Nuremberg Trials, Bärenschanzstraße 72, Nuremberg
- 18:30–19:30 **Opening Speech**  
Dr. Christoph Strötz, President of the Higher Regional Court Nuremberg  
Professor Dr. Winfried Bausback, State Minister of Justice of Bavaria  
Klaus Rackwitz, Director of the Nuremberg Academy  
Professor Dr. Christoph Safferling, ICLU/FAU
- 20:00 **Dinner at Lederer Kulturbrauerei** Sielstraße 12, Nuremberg

### Thursday, 27 July **Preliminary Round I**

- Location: Caritas-Pirckheimer-Haus, Königstraße 64, Nuremberg
- 09:00–10:30 Preliminary Round I
- 10:45–12:15 Preliminary Round I
- 12:15–13:00 Break
- 13:00–14:30 Preliminary Round I
- 14:45–16:15 Preliminary Round I
- 16:30–18:00 Preliminary Round I
- 18:00 End of Preliminary Round I

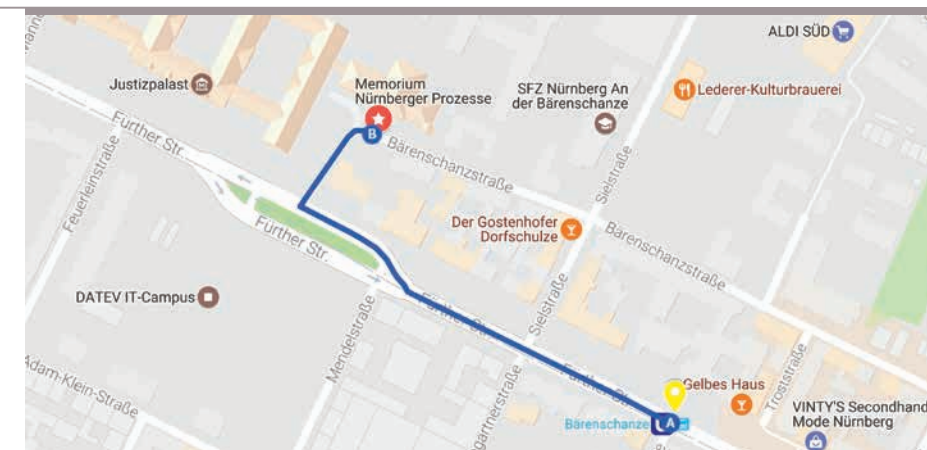
### Friday, 28 July **Preliminary Round II**

- Location: Memorium Nuremberg Trials, Bärenschanzstraße 72, Nuremberg
- 09:00–10:30 Preliminary Round II
- 10:45–12:15 Preliminary Round II
- 12:15–13:00 Break
- 13:00–14:30 Preliminary Round II
- 14:45–16:15 Preliminary Round II
- 16:30–18:00 Preliminary Round II
- End of Preliminary Round II
- 18:15 Announcement: Results of Preliminary Rounds

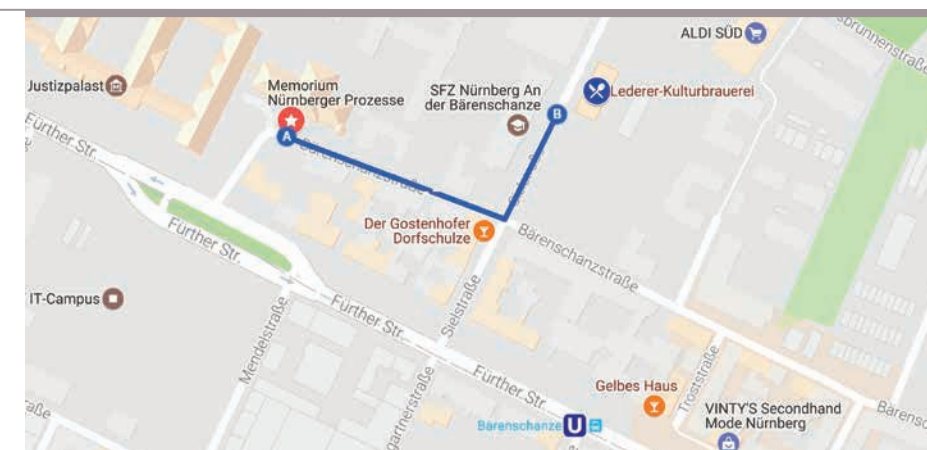
### Saturday, 29 July **Eighth Finals, Quarter Finals, Semi Finals and Final Round**

- Location: Memorium Nuremberg Trials, Bärenschanzstraße 72, Nuremberg
- 09:00–10:30 Eighth Finals
- 10:45–12:15 Eighth Finals
- 12:15–13:00 Break
- 13:00–14:30 Quarter Finals
- 14:45–16:15 Semi Finals
- 17:00–18:30 Final
- 18:30 Awards Ceremony
- 20:00 (Self-Paid) Optional Get Together at Lederer Kulturbrauerei

**Memorium Nuremberg Trials**  
Bärenschanzstraße 72, Nuremberg  
Subway Station: Bärenschanze, U1



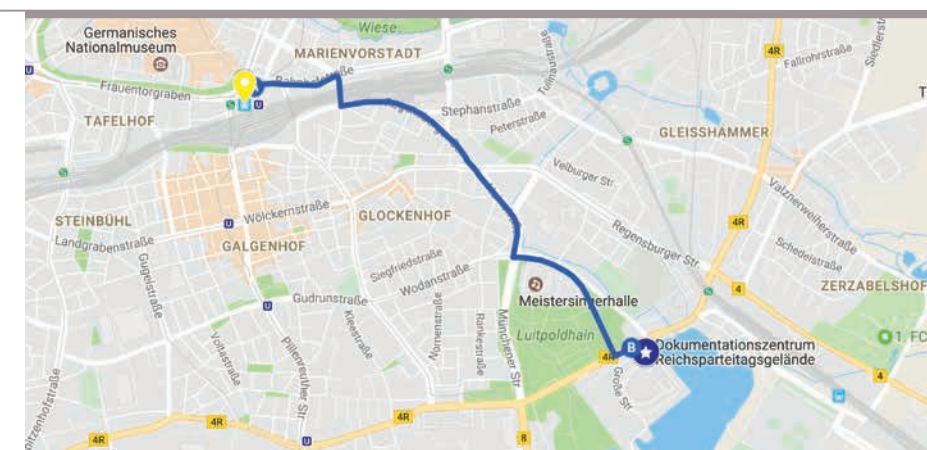
**Lederer Kulturbrauerei**  
Sielstraße 12, Nuremberg  
Subway Station: Bärenschanze, U1



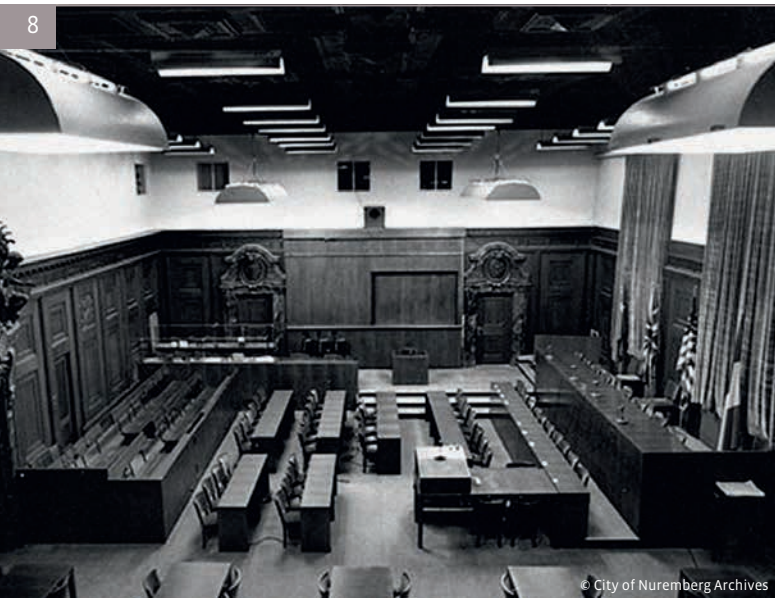
**Caritas-Pirckheimer-Haus**  
Königstraße 64, Nuremberg  
Station: Hauptbahnhof



**Documentation Center  
Nazi Party Rally Grounds**  
Bayernstraße 110, Nuremberg  
Station: Doku-Zentrum Tram 6, 9







Courtroom 600 after refurbishment in 1945



Courtroom 600 today

## Courtroom 600

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

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

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

The fact that Nuremberg had been the “City of the Nazi Party Rallies” and of the “Nuremberg Racial Laws” added a particular symbolism to this choice of venue.

Major alterations were made to Courtroom 600 in preparation for the Trial of the Main War Criminals. The judges’ bench was turned by 90 degrees, and thus positioned below the windows. The dock was enlarged, and numerous technical systems were installed. These included a system provided by IBM for simultaneous interpreting of the trial in four languages.

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

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

On December 9, 1946, the „Medical Trial“, the first of the so-called „Follow-up Trials“, opened in Courtroom 600. Between 1946 and 1949, 12 trials were held by US American Military Tribunals, both here and in other court rooms in the Nuremberg Palace of Justice.

But the Americans also had the use of the buildings after the end of the trials, and they were handed back to the judiciary step by step in the course of the next 20 years. Courtroom 600 was officially handed back to the Bavarian judiciary on June 30, 1961. In the same year, comprehensive refurbishment measures reversed the changes made by the Americans. This included the installation of completely new furniture. Since then, the court room has again been a location of German jurisdiction.

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

**All participants of the Nuremberg Moot Court 2017 have free entry to the Memorium Nuremberg Trials and to the Documentation Center Nazi Party Rally Grounds**

### Opening hours of the Memorium Nuremberg Trials:

Wednesday to Friday: 9.00 a.m.–6.00 p.m.  
Saturday, Sunday: 10.00 a.m.–6.00 p.m.  
Last admission 5.00 p.m.

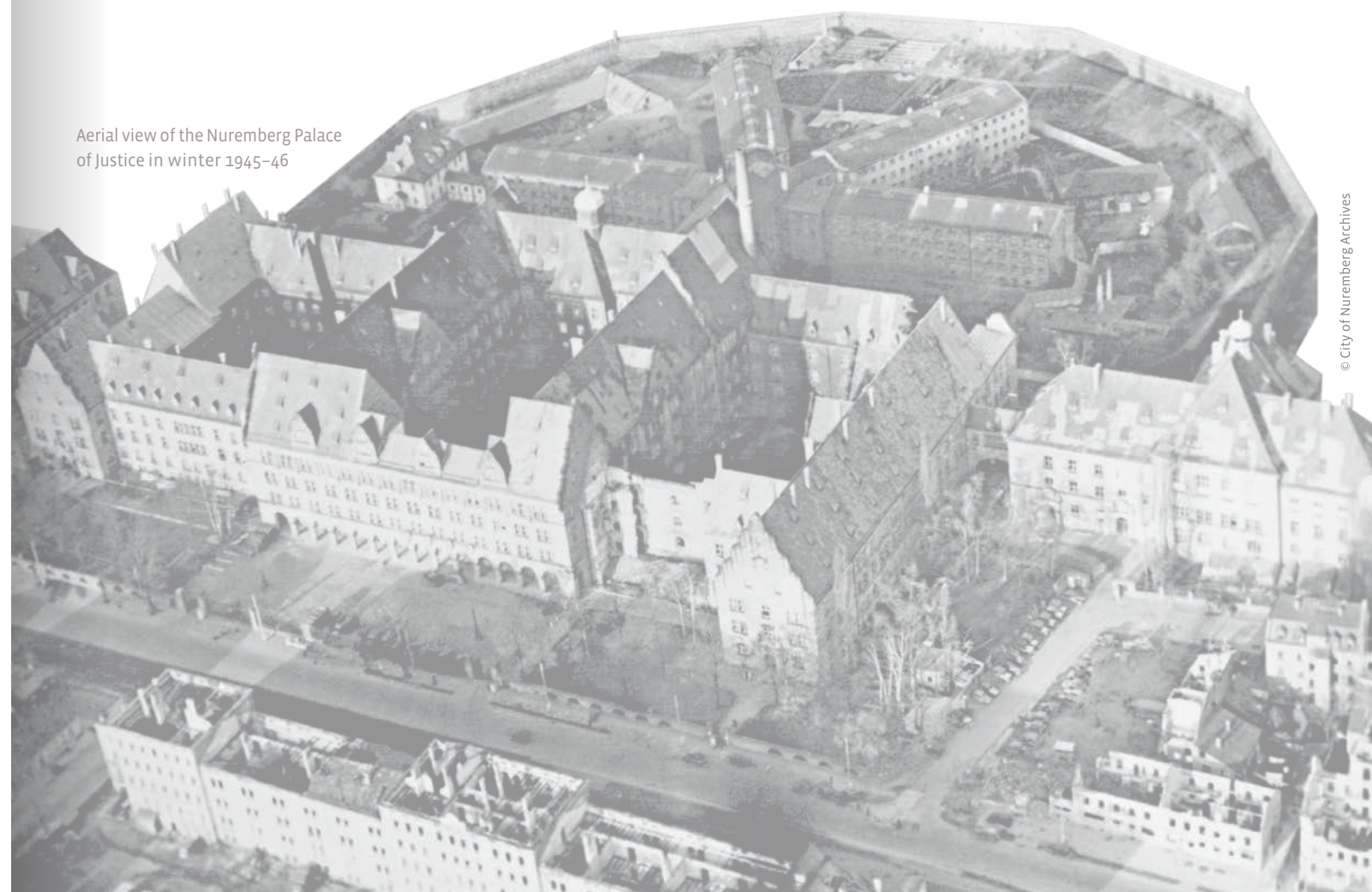
<https://museums.nuernberg.de/memorium-nuremberg-trials/>

### Opening hours of the Documentation Center Nazi Party Rally Grounds:

Monday to Friday: 9.00 a.m.–6.00 p.m.  
Saturday, Sunday: 10.00 a.m.–6.00 p.m.  
Last admission 5.00 p.m.

<https://museums.nuernberg.de/documentation-center/>

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





## The Judges



**Professor Dr. Betram Schmitt**  
Presiding Judge  
Judge of the International Criminal Court (ICC) since 2015, former Judge and Investigating Judge at the German Federal High Court (Bundesgerichtshof), former ad-hoc Judge at the European Court of Human Rights (ECHR), former German Member of the Joint Supervisory Body of Eurojust



**Christopher Gosnell**  
Lecturer-in-law at Columbia Law School in New York, adjunct lecturer at the Académie de droit humanitaire in Geneva, Defense Lawyer in criminal cases before the ICC, ICTY, ICTR, MICT and Special Court for Sierra Leone



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



**Dr. Ines Peterson**  
Prosecutor, former Associate Legal Officer at the International Criminal Tribunal for Rwanda, former Judge at the District Court of Beckum (Germany)



**Professor Bakhtiyar Tuzmukhamedov**  
Professor of International Law, Judge (ret.) at the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the former Yugoslavia, Appeals Chamber



**Dr. Christoph Barthe**  
Senior Public Prosecutor at the German Federal Court of Justice, Judge at the Kosovo Specialist Chambers



**Dr. Nobuo Hayashi**  
Former Senior Legal Advisor at the International Law and Policy Institute, Legal Officer at the Prosecutions Division, Office of the Prosecutor, International Criminal Court for the former Yugoslavia



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



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



**Professor Anita Usacka**  
Former Judge of the Constitutional Court of the Republic of Latvia, former Judge of the International Criminal Court



**Dr. Manfred Dauster**  
Presiding Judge at the Higher Regional Court of Appeals in Munich, former Judge of the State Court of Bosnia and Herzegovina, former Public Prosecutor in the Prosecutor's Office Munich I (Germany)



**Florian Kirschner**  
PhD Candidate at the Friedrich-Alexander University Erlangen-Nürnberg



**Goldah Nakesa Matete**  
Former Associate Legal Officer at the Office of the President, Mechanism for International Criminal Tribunals



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



**Stefan Waespi**  
Former Senior Trial Attorney at the International Criminal Tribunal for the former Yugoslavia



**Professor Dr. Gennady Essakov**  
Department of Criminal Law and Criminalistics, Law School at the National Research University, Higher School of Economics (Moscow, Russia), Chairman of the Organizing Board of the Russian National International Criminal Court Moot Competition



**Professor André Klip**  
University Professor of Criminal Law, Criminal Procedure and the Transnational Aspects of Criminal Law at Maastricht University, Judge at the s'Hertogenbosch Court of Appeal, member of the Royal Netherlands Academy of Sciences



**Mirka Möldner**  
Academic Council at the Friedrich-Alexander University Erlangen-Nürnberg, former Senior Research Fellow at the Max-Planck-Institute for Comparative Public Law and International Law and PhD Candidate at the Ruprecht-Karls-University Heidelberg



**Dr. Benedikt Salleck**  
Attorney



**Natalie von Wistinghausen**  
Attorney, former Defense Attorney at the International Criminal Tribunal for Rwanda



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



**Joanna Korner CMG QC**  
Crown Court Judge at the Ministry of Justice of the United Kingdom, former Senior Trial Attorney at the International Criminal Tribunal for the former Yugoslavia



**Franziska Oehm, LL.M.**  
PhD Candidate at the Friedrich-Alexander University Erlangen-Nürnberg



**Eduardo Toledo**  
Senior Legal Officer International Criminal Law at the International Nuremberg Principles Academy, Master in International and European Criminal Law, Lecturer at the Master Program of Criminal Law and Criminal Sciences at the Universidad Nacional de Cuyo, PhD Candidate at the University Paris 1 Panthéon Sorbonne



**Professor Dr. h.c. Peter Wilkitzki**  
Former Judge and former Prosecutor in Nuremberg, former Head of the Criminal Law Department, German Federal Ministry of Justice

## Participating Universities



**American University of Afghanistan**, Afghanistan  
**Yerevan State University**, Armenia  
**Western Sydney University**, Australia  
**Mackenzie Presbyterian University**, Brazil  
**University of São Paulo**, Brazil  
**University of Dschang**, Cameroon  
**University of Ottawa**, Canada  
**York University**, Canada  
**Peking University**, China  
**Friedrich-Alexander University Erlangen-Nürnberg**, Germany  
**Philipps-University Marburg**, Germany  
**Julius-Maximilians-University Würzburg**, Germany  
**Sastra University**, India  
**University of Limerick**, Ireland  
**Strathmore University**, Kenya  
**American University of Central Asia**, Kyrgyz Republic  
**University of Lagos**, Nigeria  
**University of Amsterdam**, Netherlands  
**The Hague University of Applied Sciences**, Netherlands  
**Maastricht University**, Netherlands  
**Indus College of Law**, Pakistan  
**University of Karachi**, Pakistan  
**Jagiellonian University**, Poland  
**University of Silesia**, Poland  
**University of Lisbon**, Portugal  
**Kazan Federal University**, Russia  
**University of Rwanda**, Rwanda  
**University of Nis**, Serbia  
**National University of Singapore**, Singapore  
**Singapore Management University**, Singapore  
**Geneva Academy**, Switzerland  
**Makerere University**, Uganda  
**National University of Kyiv-Mohyla Academy**, Ukraine  
**Queen's University Belfast**, United Kingdom  
**University of Glasgow**, United Kingdom  
**Creighton University School of Law**, USA  
**University of Maine School of Law**, USA

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## Organizers

## Partners