



INTERNATIONAL  
NUREMBERG  
PRINCIPLES  
ACADEMY

**ICLU**  
Erlangen-Nuremberg

International Criminal Law  
Research Unit of the FAU

# Nuremberg Moot Court 2019





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## Nuremberg Principles

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





### The International Nuremberg Principles Academy



### About us

The International Nuremberg Principles Academy (Nuremberg Academy) is dedicated to the promotion of international criminal law and human rights. It is located in Nuremberg, the birthplace of modern international criminal law. Conscious of this historic heritage, the Nuremberg Academy supports the fight against impunity for universally recognized core international crimes: genocide, crimes against humanity, war crimes and the crime of aggression. The Nuremberg Academy promotes sustainable peace through justice, the Nuremberg Principles and the rule of law, by supporting worldwide enforcement of international criminal law, furthering knowledge, and building capacities at the national level to investigate and prosecute these crimes.

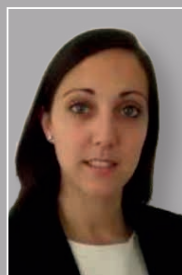
### The International Criminal Law Research Unit at Friedrich-Alexander University Erlangen-Nuremberg (ICLU)



Professor Safferling and his team have a variety of research interests. Besides matters of criminal law and criminal procedure, they are in particular, European and international criminal law and the history of criminal law. There is also a specific interest in current criminal law developments in the field of cyber and computer crime.

An important part of ICLU's work consists of research in international criminal law. The Research Unit not only follows current developments in this very dynamic field marked by great activity on the part of many states and the international community as well as legal scholarship, but it also endeavors to examine historical backgrounds, the political dimension and the future of international criminal law. The particular focus is on contemporary legal history.

### Organizers



Natacha Bracq



Petra Härtel



Dr. Gurgen Petrossian



### Nuremberg Moot Court 2019

Dear Participants of the Nuremberg Moot Court 2019,

As President of the Advisory Council of the International Nuremberg Principles Academy, I extend my warm welcome to all the participants of the Nuremberg Moot Court 2019. We are extremely pleased with the overwhelming interest received for this year's competition, which has once again resulted in a greater number of teams, originating from all five continents. It surely signifies the international character of this competition.

For the fifth time, the unique setting of Courtroom 600, which itself applied international criminal law for the first time against major Nazi war criminals, welcomes law students from across the globe to apply their knowledge and simulate international court proceedings. The Nuremberg Moot Court 2019 is a wonderful opportunity for students to extend their familiarity with international criminal law, understand and experience authentic difficulties that exist in this field of law, and to be judged by renowned judges and professionals from international courts and tribunals. While gaining firsthand practical experience to develop their skills in international criminal law, students are also able to share common values and build their networks of like-minded lawyers.

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

Navi Pillay

President of the Advisory Council of the International Nuremberg Principles Academy; former United Nations High Commissioner for Human Rights







## Welcome from the Bavarian Minister of State for Justice

The Nuremberg Moot Court has become an institution. This is now the fifth year that young legal scholars from all corners of the world are coming together in Nuremberg. Courtroom 600 in the Nuremberg Palace of Justice is the place where they will argue a fictitious case and put their theoretical knowledge of international criminal law into practice.

For several reasons this is something quite special. The place for this event is the birthplace of international criminal law. Over 70 years ago, it was at Courtroom 600 that the Nuremberg Trials were held. They stand for the victory of justice over crimes against humanity. In 1950, by formulating the Nuremberg Principles, the international community set out its commitment to put an end to impunity for crimes under international law. The creation of the International Criminal Court through the Rome Statute is another milestone in international criminal law. And the sense of international shared purpose can be seen in the Rome Statute being adopted in 1998 and the International Criminal Court then being able to start its work in 2002. But what is happening in the world today tells us that this sense of shared purpose is not something that we can take for granted.

It is therefore greatly appreciated that you, the participants in this Moot Court, are turning to this juridically demanding area of international criminal law at such an early stage of your training. You are the lawyers of tomorrow. Through your commitment here today you are sending a signal to the international community. I am certain that you will all learn a lot – for your professional and for your personal futures.

To all participants my best wishes for an enjoyable and successful time.

Georg Eisenreich  
Member of the State Parliament



## Welcome from the Lord Mayor of Nuremberg

I am very pleased to be able to welcome all of you who are taking part in the Nuremberg Moot Court 2019. More than 200 young students from all over the world are coming together here in this historic environment for a few days this July to engage in legal contests on the subject of international criminal law. It is fitting that the opening event should be taking place at Courtroom 600 of the Nuremberg Palace of Justice, a place that together with the adjoining Memorium Nuremberg Trials has hardly any equal as the birthplace of international criminal law.

We should never forget that Nuremberg was the city where the Nazis passed their so-called “racial laws”. Nuremberg was the city where Nazi rallies fostered extremes of propaganda for a reign of terror and injustice. But yet Nuremberg was also in the end the place where Nazi criminals were to hear the verdict of their judges. It was here that the Nuremberg Principles came into being.

That young, liberally minded academics and future law practitioners should now be here to discuss fundamental questions of human rights and of international criminal law in matters such as war crimes and crimes against humanity, all this confirms our vision that Nuremberg is a city of peace, of human rights. Your being here, and what you all are here to undertake, is testimony to Nuremberg’s resolve not merely to confront its own dark past, but to deal with it by remembering, by warning and by looking to the future.

Dr. Ulrich Maly  
Lord Mayor of the City of Nuremberg



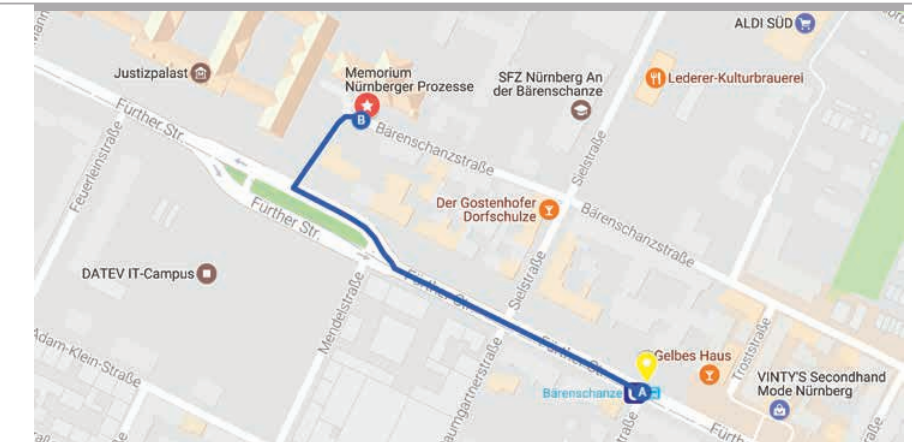


## Program of the Nuremberg Moot Court 2019

<b>Wednesday, 24 July</b>	<b>Opening Remarks</b>
17:00–18:30	<b>Registration</b>
18:30–19:30	<b>Opening Remarks</b> Waltraud Bayerlein, Vice President, Higher Regional Court of Nuremberg Dr. Ulrich Blaschke, Representative, City of Nuremberg Klaus Rackwitz, Director, International Nuremberg Principles Academy Professor Christoph Safferling, ICLU, Friedrich-Alexander University Erlangen-Nuremberg Location: Courtroom 600, Palace of Justice, entrance via Memorium Nuremberg Trials, Bärenschanzstraße 72, Nuremberg
20:00	<b>Welcome Dinner</b> at the restaurant “Barfüßer Hausbrauerei”, Hallplatz 2, Nuremberg
<b>Thursday, 25 July</b>	<b>Preliminary Round I</b>
	Location: Eckstein, Burgstraße 1–3, Nuremberg
09:00–10:30	Preliminary Round I
10:45–12:15	Preliminary Round I
12:15–13:30	Break
13:30–15:00	Preliminary Round I
15:15–16:45	Preliminary Round I
17:00–18:30	Preliminary Round I
<b>Friday, 26 July</b>	<b>Preliminary Round II</b>
	Location: Palace of Justice, entrance via Bärenschanzstraße 72, Nuremberg
09:00–10:30	Preliminary Round II
10:45–12:15	Preliminary Round II
12:15–13:30	Break
13:30–15:00	Preliminary Round II
15:15–16:45	Preliminary Round II
17:00–18:30	Preliminary Round II
20:00	Announcement of the results of the Preliminary Rounds Location: Courtroom 600, Palace of Justice, entrance via Memorium Nuremberg Trials, Bärenschanzstraße 72, Nuremberg
<b>Saturday, 27 July</b>	<b>Last 16, Quarterfinals, Semifinals and Finals</b>
	Location: Palace of Justice, entrance via Bärenschanzstraße 72, Nuremberg
09:00–10:30	Last 16
10:45–12:15	Last 16
12:15–13:00	Break
13:00–14:30	Quarterfinals
14:45–16:15	Semifinals
17:00–18:30	Finals
18:30	Awards Ceremony
20:00	Optional Get-together (cost not incl.) “Schanzenbräu”, Adam-Klein-Straße 27, Nuremberg

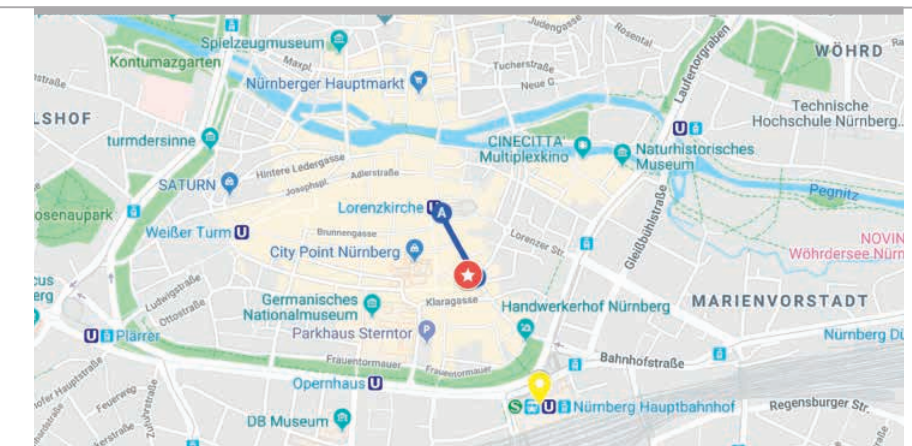
### Memorium Nuremberg Trials/ Palace of Justice

Bärenschanzstraße 72, Nuremberg  
Subway Station: Bärenschanze, U1



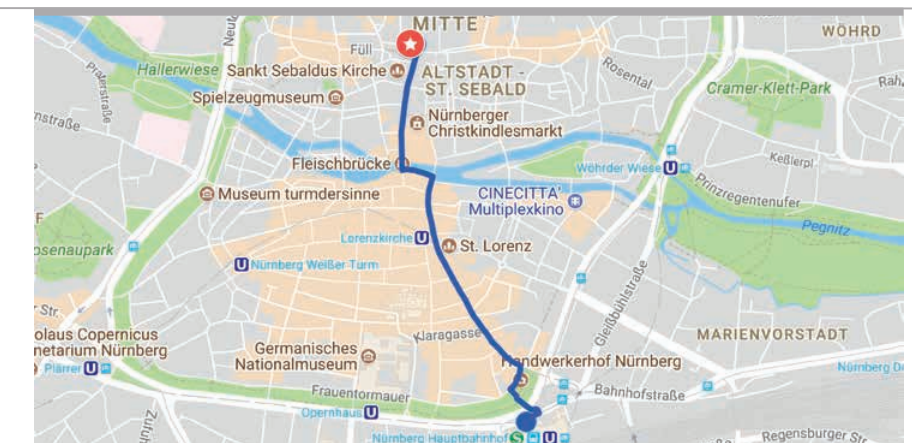
### Barfüßer Hausbrauerei Nuremberg

Hallplatz 2, Nuremberg  
Subway Station: Lorenzkirche, U1



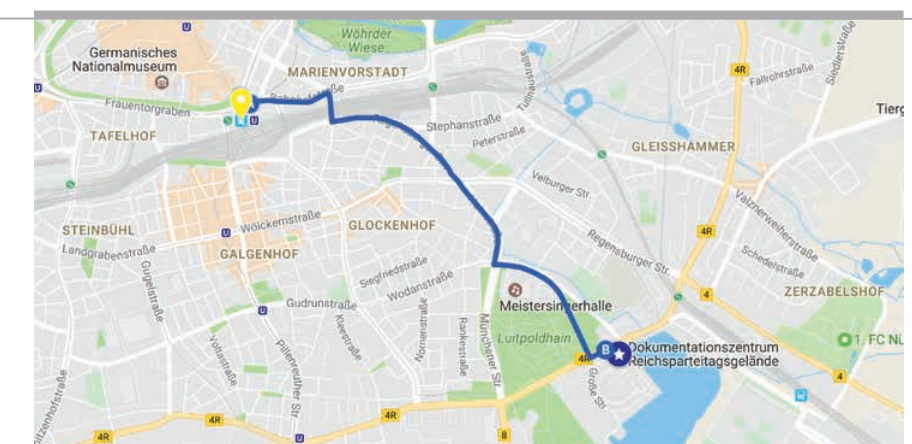
### Eckstein Nuremberg

Burgstraße 1–3, Nuremberg  
Subway Station: Hauptbahnhof (Main station) or Lorenzkirche, U1



### Documentation Center Nazi Party Rally Grounds

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





## Courtroom 600



Courtroom 600 after refurbishment in 1945



Courtroom 600 today

With the beginning of the so-called “Trial of the Main War Criminals” on November 20, 1945, Court Room 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 Court Room 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.

The Courtroom is still used today.

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

## The Judges



**Dr. Tatiana Bachvarova**  
Legal Officer, Special Tribunal for Lebanon; former Presiding Judge of a Chamber, Sofia District Court



**Sarah Bafadhel**  
Co-Counsel, Special Tribunal for Lebanon; Legal Consultant, International Residual Mechanism for Criminal Tribunals



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



**Mechthild C. Benkert**  
Attorney-Advisor and Chief of Host Nation Law, Grafenwoehr Legal Office; Judge Advocate, 7th U.S.-Army Training Command



**Dr. Paul Blaise Bess**  
Attorney at Law, Law Firm NZP Nagy Legal; former U.S. Army Judge Advocate, U.S. Army



**Dr. Gleb Bogush**  
Associate Professor, Faculty of Law, National Research University Higher School of Economics in Moscow



**Nicolai Bülte**  
PhD Candidate, University of Marburg



**Professor Dr. David Chilstein**  
Professor, Pantheon-Sorbonne University

**Participants of the Nuremberg Moot Court can visit the Memorium Nuremberg Trials and Documentation Center for free.**

**Opening hours of the Memorium Nuremberg Trials:**

Wednesday to Friday: 9.00 a.m.–6.00 p.m.

Saturday, Sunday: 10.00 a.m.–6.00 p.m.

Last admission 5.00 p.m.

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

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

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

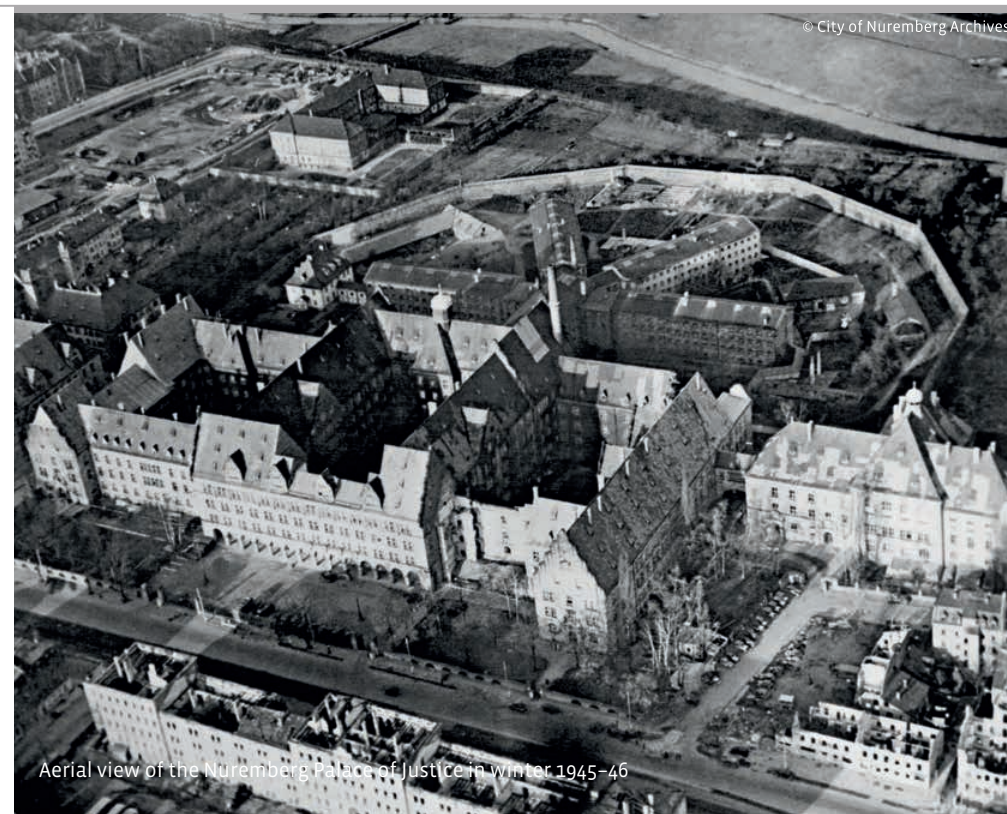
Monday to Friday: 9.00 a.m.–6.00 p.m.

Saturday, Sunday: 10.00 a.m.–6.00 p.m.

Last admission 5.00 p.m.

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

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



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





**Rocío Comas**  
PhD Candidate, Friedrich-Alexander University Erlangen-Nuremberg



**Dr. Manfred Dauster**  
Presiding Judge, Higher Regional Court of Appeals of Munich; former Judge, State Court of Bosnia and Herzegovina; former Public Prosecutor, Prosecutor's Office Munich I



**Dr. Kanstantsin Dzehtsiarou**  
Senior Lecturer and Director of the International Law and Human Rights Unit, School of Law and Social Justice, University of Liverpool



**Judge Ivana Hrdličková**  
President, Special Tribunal for Lebanon



**Bradley J. Huestis**  
Chief of Client Services for US forces in Bavaria; former Chief of Military Justice for Multinational Corps – Iraq; former Professor, US Army JAG school; former Military Prosecutor during NATO operations in former Yugoslavia



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



**Professor Gennady Esakov**  
Professor, Department of Criminal Law and Criminalistics, Law School, National Research University Higher School of Economics in Moscow; Chairman, Organising Board of the Russian National ICC Moot Competition



**PD Dr. Hilde Farthofer**  
Associate Professor, Ludwig-Maximilian University of Munich; former Head, International Criminal Law Research Unit, Friedrich-Alexander University Erlangen-Nuremberg



**Christopher Gosnell**  
Defense Lawyer, International Criminal Court, International Criminal Tribunal for the former Yugoslavia, International Criminal Tribunal for Rwanda, International Residual Mechanism for Criminal Tribunals, and Special Court for Sierra Leone



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



**Goldah Nekesa Matete**  
Former Legal Officer, International Criminal Court



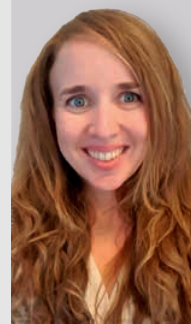
**Marie O'Leary**  
Counsel for the Office of Public Counsel for the Defence, International Criminal Court; former Head, Office for the Association of Defence Counsel at the ICTY; Lecturer, United Nations Interregional Crime and Justice Research Institute



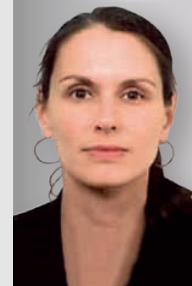
**Dr. Johanna Grzywotz**  
Trainee Lawyer, Higher Regional Court of Frankfurt am Main



**Yael Vias Gvirsman**  
Lawyer, Director, International Criminal and Humanitarian Law Clinic, Interdisciplinary Center (IDC) of the Harry Radzyner Law School in Israel



**J.D. Grace Harbour**  
Trial Attorney, International Residual Mechanism for Criminal Tribunals; former Trial Attorney, International Criminal Tribunal for the former Yugoslavia



**Dr. Ines Peterson**  
Prosecutor and former Associate Legal Officer, International Criminal Tribunal for Rwanda; former Judge, District Court of Beckum



**Dr. Kevin Pike**  
Lecturer, Friedrich-Alexander University Erlangen-Nuremberg



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



**Dr. Alexander Heinze**  
Assistant Professor, University of Göttingen; former Visiting Professional, Appeals Chamber of the International Criminal Court; Elected Member of the ILA's Committee on Complementarity in International Criminal Law; Co-editor of the German Law Journal



**Francis Henry**  
Lecturer, Friedrich-Alexander University Erlangen-Nuremberg



**Megan Hirst**  
Barrister, Doughty Street Chambers in London; Member of the victims' legal team, International Criminal Court case of *Prosecutor v Ongwen*



**Professor Christoph Safferling**  
Professor, Friedrich-Alexander University Erlangen-Nuremberg; Vice-President, Advisory Board of the International Nuremberg Principles Academy



**Dr. Benedikt Salleck**  
Lawyer



**Professor Wolfgang Schomburg**  
Professor, Durham University; former Judge, German Federal Court of Justice; former Judge, International Criminal Tribunals for the former Yugoslavia and Rwanda





**Olivia Struyven**  
Trial Lawyer, Office of the Prosecutor, International Criminal Court; former Research Assistant, United Nations



**Eduardo Toledo**  
Senior Officer for International Criminal Law, International Nuremberg Principles Academy



**Professor Bakhtiyar Tuzmukhamedov**  
Member, UN Committee against Torture; Professor, Diplomatic Academy in Moscow; former Judge of Appeals, International Criminal Tribunals for the former Yugoslavia and Rwanda



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



**Dr. Vladimir D. Vardanyan**  
Lecturer, European and International Law Department of Yerevan State University; former Head of the Staff of the Constitutional Court of the Republic of Armenia; Member of Parliament of the Republic of Armenia



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



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



**Alice Zago**  
Trial Lawyer, Prosecution Division of the Office of the Prosecutor, International Criminal Court; former Team Leader, Investigation Division of the Office of the Prosecutor, International Criminal Court

## Participating Universities

### Asia

- Ala-Too International University
- Birzeit Universit
- Cagayan State University
- Central University of Kashmir
- Denning Law Academy
- Holy Spirit University of Kaslik
- Indus College of Law, Hyderabad
- Lyceum of the Philippines University
- National Law Institute University, Bhopal
- National University of Malaysia
- National University of Singapore
- Peking University
- Royal University of Law and Economics
- Shahed University
- Singapore Management University
- Symbiosis Law School, Hyderabad
- The Chinese University of Hong Kong

### Africa

- Cavendish University Zambia
- Haramaya University
- Hawassa University
- Helwan University
- Makerere University
- Uganda Christian University
- University of Dar es Salaam
- University of Ibadan
- University of Nairobi

### Europe

- Beder University
- BPP Law School, Holborn
- Belarus State Economic University
- French University Armenia

- Friedrich-Alexander University Erlangen-Nuremberg
- Galatasaray University
- Istanbul University
- Ivane Javakhishvili Tbilisi State University
- Justus-Liebig-Universität Gießen
- Kazan Federal University
- Lund University
- Maastricht University
- National University of "Kyiv-Mohyla Academy"
- Paris 1 Panthéon Sorbonne University
- Pazmany Peter Catholic University
- Philipps-Universität Marburg
- Riga Graduate School of Law
- Sofia University "St. Kliment Ohridski"
- Taras Schenchenko National University of Kyiv
- The Hague University of Applied Sciences
- University in Nis
- University of Craiova
- University of Eastern Piedmont
- University of Oslo
- University of Prishtina
- University of Regensburg
- University of Warsaw
- Yerevan State University

### Australia

- La Trobe University
- Monash University

### North America

- Creighton University School of Law

### South America

- Pontifical Catholic University of Rio de Janeiro





## Organizers

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