

# Nuremberg and Transitional Justice: Civilising Influence or Institutionalised Vengeance?

## A One Day Seminar

Commemorating the 60th Anniversary of the commencement of the Nuremberg War Crimes Trial  
And assessing the subsequent development of international criminal law

## Presented by

Australian Red Cross (ACT)

The Asia Pacific Centre for Military Law (The University of Melbourne)  
Centre for International and Public Law (The Australian National University)

**Saturday 19 November 2005**

Law School, The Australian National University, Canberra

## Supported by

Martinus Nijhoff Publishers, Leiden  
Asia-Pacific College of Diplomacy, ANU



Centre for International  
and Public Law



## **DRAFT PROGRAM (at 11 October)**

9.00-9.30am	Registration with tea/coffee
9.30am	Welcome Prof. Tim McCormack, Director APCML Ron Clapham, Chairman, Australian Red Cross (ACT)
9.40am	Opening <b>The Legacies of the Nuremberg Tribunal</b> The Rt Hon Sir Ninian Stephen KG AK GCMG GCVO KBE
10.00-11.15am	1st Plenary: <b>The Impact of the Nuremberg Tribunal</b>  <b>on German Society and Post-conflict Reconstruction</b> Prof. Susanne Karstedt, Department of Criminology, Keele University UK  <b>on the Subsequent Development of International Criminal Law</b> Prof. Tim McCormack, APCML
11.15-11.45am	Morning tea
11.50-1.15	2nd Plenary: <b>Alternative Approaches to Justice</b>  <b>The Importance of a Retributive Approach</b> Graham Blewitt, former Deputy Prosecutor ICTY  <b>Reconciliation in East Timor</b> Lia Kent, University of Melbourne  <b>Restorative Approaches to Justice</b> Prof. John Braithwaite, ANU
1.15-2.15pm	Lunch
2.15-3.30pm	1st Workshop Session (see registration form for details)
3.30-3.45pm	Afternoon tea
3.45-5.00pm	2nd Workshop Session (see registration form for details)
5.00-5.30pm	Concluding panel
7 for 7.30pm	Dinner National Museum of Australia Acton Peninsula, Acton Speaker: Prof. William Maley, Director, Asia-Pacific College of Diplomacy, ANU

## **THE SEMINAR**

The Nuremberg Trial looms large on the landscape of international criminal law as the first ever international war crimes trial. This privileged place in history, coupled with the seniority of the accused and the drama of the trial process, have helped to ensure an indelible aura surrounding the trial. However, so much of the promise of Nuremberg - to rein in impunity for gross atrocity and to hold individuals accountable for their alleged international crimes - has remained largely unfulfilled.

This Seminar has been timed to coincide with the 60th anniversary of the commencement of the trial as the catalyst for reflection upon the legacies of the trial and assessment of the extent to which lessons from the trial have been learnt and applied, or overlooked and ignored by the international community since 1945. In particular, the Seminar focuses upon the challenges of accountability for atrocity by societies struggling to emerge from conflict - a contemporary experience apparently all too common around the world as well as in our own geographic region.

## **ASIA PACIFIC CENTRE FOR MILITARY LAW**

The Asia Pacific Centre for Military Law (APCML) is a collaborative initiative of the Australian Defence Force Legal Service and the Melbourne University Law School. The Centre aims to promote greater understanding of and increased respect for the Rule of Law in all aspects of military affairs both within the Australian Defence Force and amongst militaries in the Asia Pacific Region. The APCML operates from a military and a university node, in the cities of Sydney and Melbourne respectively.

## **AUSTRALIAN RED CROSS (ACT)**

The Australian Red Cross is a member of the International Red Cross and Red Crescent Movement, the world's largest humanitarian network. The founding body of the Movement, the ICRC, has been named guardian and promoter of international humanitarian law (the law of armed conflict). Both ICRC and National Societies, such as Australian Red Cross, have a mandate to disseminate international humanitarian law to the wider community. This commitment is part of the organisation's broader mission to protect life, health and human dignity, by mobilising the power of humanity.

## **CENTRE FOR INTERNATIONAL AND PUBLIC LAW**

The Centre for International and Public Law (CIPL) is part of the Law Faculty at The Australian National University. It was established in 1990 with an objective to focus and develop its areas of expertise on the relationship between governments, and between governments and their citizens, from both a domestic and international perspective. CIPL's activities include convening two major annual conferences as well as other specialised conferences and workshops and an annual lecture in honour of Geoffrey Sawer, and organising intensive teaching programs for both government and non-government organisations.

## **CONFERENCE DINNER**

Please note that the dinner fee of \$80 is additional to the registration fee. All participants are encouraged to come to the dinner as it will provide an opportunity to bring the themes of the day's seminar together. The speaker is Prof. William Maley, Director of the Asia-Pacific College of Diplomacy at the ANU, who will speak on the atmospherics of the Nuremberg trial. He will be introduced by HE Mr Martin Lutz, Ambassador, Federal Republic of Germany.

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**REGISTRATION FORM/TAX INVOICE**

**ABN 84 002 705 22**

Name \_\_\_\_\_ Title \_\_\_\_\_

Organisation \_\_\_\_\_

Mailing address \_\_\_\_\_

tel \_\_\_\_\_ email \_\_\_\_\_

**WORKSHOPS**

*For further information on workshop presenters please see <http://www.apcml.org/conferences.php>*

Each workshop will be run twice, once from 2.15-3.30pm and again from 3.45-5.00pm, so that each participant may attend two different workshops.

Please indicate your 3 preferred workshops by numbering 1-3 (maximum 15 participants in each workshop)

- A: Australian prosecution of Japanese war criminals (Michael Carrel)
- B: The crime of aggression (Carrie McDougall & Paul Muggleton)
- C: Investigating war crimes (John Ralston)
- D: Appropriate tribunal models (Madelaine Chiam)
- E: Termination strategies for tribunals (Peter Morrissey TBC)
- F: Australian ICC legislation (TBC)
- G: War crimes and the AAT (Alison Duxbury)
- H: The future of the ICC (Tim McCormack & Geoff Skillen)
- I: Justice betrayed post 1945 (Mark Aarons)
- J: Peacebuilding and transitional justice (TBC)
- K: The social and psychological impact of transitional justice (Jennifer Balint)

**REGISTRATION FEE AND PAYMENT**

- standard \$120
  - student/concession \$60 student ID \_\_\_\_\_
  - dinner \$80
- TOTAL \$ \_\_\_\_\_

Please advise any dietary requirements \_\_\_\_\_

Cheque (*made payable to The University of Melbourne Law School*) enclosed for \$ \_\_\_\_\_

OR

Mastercard  Bankcard  Visa (please tick)

Card number: \_\_\_\_\_

Name on card: \_\_\_\_\_

Expiry date: \_\_\_\_\_

Signature: \_\_\_\_\_

Please forward this form with the registration fee by **Friday 11 November** to:

Cathy Hutton, APCML, Melbourne Law School, The University of Melbourne, VIC 3010

Tel: (03) 8344 4775

Fax: (03) 8344 0054

Email: [law-apcml@unimelb.edu.au](mailto:law-apcml@unimelb.edu.au)