

# THE GENOCIDE CONVENTION: INTERNATIONAL CONFERENCE COMMEMORATING ITS 60<sup>TH</sup> ANNIVERSARY

4<sup>th</sup> – 6<sup>th</sup> December 2008

Philipps-University Marburg, Germany  
International Research and Documentation Center for War Crimes Trials

**O**n 8<sup>th</sup> December 1948 the General Assembly of the UN adopted a Convention establishing the crime of "Genocide". It has taken fifty years until this crime was prosecuted before an international criminal tribunal in the Akayesu Case at the ICTR. Even if the crime of genocide is perceived of as the worst of all international crimes, its application is anything but clear. In addition there is a certain conflict between genocide as a criminal offence and the prohibition of genocide as an obligation under public international law.

**T**he 60<sup>th</sup> Anniversary of the Genocide Convention is a very fitting occasion to reflect on the origins of the Convention, its present difficulties and its future. The International Research and Documentation Center for War Crimes Trials (ICWC) at the University of Marburg has thus organized an international conference from 4<sup>th</sup> to 6<sup>th</sup> December 2008 in Marburg and Frankfurt (Germany) to discuss the relevant issues concerning the Genocide Convention.

**O**n the first day of the Conference the focus will be on the history of the Genocide Convention. A panel chaired by Michael Kelly will discuss the development of the term „genocide“ before 1948 (William Schabas), the drafting history (Jost Dülfer) and the importance of the holocaust (Herbert Reginbogin) as well as the Nuremberg Trial (John Barrett) for the developing of the crime of genocide. As special guests we will welcome Gabriel Bach, former Prosecutor in the Eichmann trial in Jerusalem, and Whitney Harris, former US prosecutor at the Nürnberg Trail.

**A** further panel, chaired by Eckart Conze will address the importance of the Genocide Convention after 1948. The speakers will be Theo Schiller, Lawrence Douglas, Moshe Zimmermann and Annette Weinke. Finally, a third panel, moderated by Morten Bergsmo, will examine the challenges faced at international genocide trials, with particular reference to the British genocide trials (Wolfgang Form), the Rwandan situation (Judge Inés Weinberg de Roca, ICTR), the situation in the former Yugoslavia (Matthias Schuster, ICTY) and the Cambodian genocide (Jürgen Assmann, ECCC) .

**T**he second day will begin with a discussion of the legal difficulties encountered in the

application of the Genocide Convention. Chaired by Florian Jessberger, participants Antonio Cassese, Stefan Kirsch, Henning Radtke and Christoph Safferling will analyse individual aspects of the crime of genocide. A further panel, moderated by Claus Kress, will address the discrepancies between criminal law and public international law. Panel participants Paola Gaeta, Leila Sadat and Andreas Zimmermann will discuss the ICJ Decision on Genocide and the General Responsibility to Protect under International Law. The final session of the day will address the future of the Genocide Convention from various angles. Chaired by the Legal Adviser, Director-General for Legal Affairs of the German Federal Foreign Office, Georg Witschel, the sociological (Ulrich Wagner) and psychological (Harald Welzer) aspects of the prohibition of genocide will be addressed. The role of the ICC and the future of international prosecution of the crime of genocide will be presented by Judge Hans-Peter Kaul, ICC, and Serge Brammertz, ICTY.

**T**he venue of the final conference day will be Frankfurt/Main, at the place where the notorious Auschwitz-Trial was heard in 1963 at the Regional Court. The significance of this trial to the German people is comparable to that of the Eichmann-Trial in Jerusalem for Israel and the USA, as it brought the horrors of the holocaust to attention of the German general public. The day will thus start with a lecture on the importance of this trial for the prohibition of genocide by Heinz Düx, who acted as pre-trial judge in this case. The main lecture will be held by Judge Bruno Simma, ICJ: Sanctioning Genocide – International Law under the influence of the Genocide Convention. Closing remarks will be given by Günter Nooke, Federal Government Commissioner for Human Rights Policy and Humanitarian Aid at the Federal Foreign Office.

Further information: [www.genocide-convention2008.de](http://www.genocide-convention2008.de)

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