

**INTERVIEW WITH USG PATRICIA O'BRIEN
NÜRNBERGER NACHRICHTEN of 27/28 July 2013**

1. *One of your most important topical issues is international criminal law and in particular the cooperation between the United Nations and the International Criminal Court. This is precisely what the Nuremberg Academy builds on. Its ambition is to educate a new generation of lawyers for international criminal justice – aren't there any such institutions elsewhere?*

Some 20 years ago, international criminal law did not exist as a distinct discipline of international law. You could not study it at Law School. This has changed fundamentally. When we drafted the Statute of the International Criminal Tribunal for the Former Yugoslavia in the early 1990ies my Office, the Office of Legal Affairs of the UN Secretariat, wrote history. Some 10 years later, we had the ICC as the first permanent international criminal court. This is an amazing development in a relatively short period of time by international law standards. But institutions are only as good as the men and women who work for them. Therefore, it is of crucial importance to educate and train a new generation of international criminal lawyers who work as judges, prosecutors, defence counsels to write the next chapter of international criminal justice. This is where I believe that the Nuremberg Academy can play an important role.

2. *Nuremberg's particular attractiveness as the host city of the Academy can be seen in it having been the venue for the Nuremberg Trials. What value do you see in the "Nuremberg Principles" that have originally been formulated by Chief Prosecutor Jackson?*

In its resolution 95(I) of 11 December 1946, the General Assembly affirmed the principles of international law recognized by the Charter of the Nuremberg Tribunal and the judgement of the Tribunal. The Nuremberg Principles have considerably influenced the development of international criminal law. All of the principles – in a slightly different and generally more elaborated manner - are today enshrined in the Statutes of the UN-established or UN-backed international or hybrid criminal tribunals. Most importantly, they are enshrined in the Rome Statute of the International Criminal Court. They are today widely considered to represent customary international law. In addition, these principles have been spelled out over the years.

3. *It is contemplated to have the newly founded "Nuremberg Principles Academy" one day under the umbrella of the United Nations. How realistic is this objective?*

This is a matter for Germany to decide and I do not wish to get into the details. However, as you certainly know, establishing a scientific or educational institute as a "UN entity"

would require authorization from the political organs of the United Nations, ideally the General Assembly.

4. *Would you consider supporting Nuremberg's objective to become an internationally recognized training facility for international criminal lawyers?*

Absolutely. As you will appreciate we have to treat all scientific educational and training facilities equally. While we rarely have formal ties with educational institutions, we work with universities, law faculties, research centres, "think tanks" etc. all of the time – be it by tapping into their expertise, be it by using them as a platform to announce our policies or to share our experience. Against this background, I wish the Nuremberg Academy the best of success in realizing its ambition of becoming an internationally recognized training facility for international criminal lawyers. I am sure that we will try to contribute our share to this, for example by supporting conferences such as the one for which I came to Nuremberg. The conference is about building a summer programme in international criminal law. This could be the first step of the Nuremberg Academy towards becoming a centre of excellence in this field.

5. *Courtroom 600 - the courtroom in which the historic Nuremberg trials took place - applied for the status of UNESCO world heritage site. What are the reasons why UNESCO should give this award to Nuremberg?*

The procedure for nomination of World Heritage Sites proposed for the World Heritage List is set forth in the Operational Guidelines for the Implementation of the World Heritage Convention. The World Heritage Convention provides for the establishment of an Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Value, called "the World Heritage Committee". In order to be included in the list, the World Heritage Committee would have to conclude that Courtroom 600 should be considered as having "outstanding universal value" in terms of certain criteria specified in the Operational Guidelines for the Implementation of the World Heritage Convention. It is for the States party to the Convention (i.e. Germany in this case) to present to the World Heritage Committee arguments in support of its nomination of a site to the World Heritage List. The Secretariat of UNESCO or I as Legal Counsel of the United Nations could not provide arguments in support of why Courtroom 600 in Nuremberg does or does not have "outstanding universal value" that would warrant its inclusion on the list. This would be a matter for Germany to take up with the "World Heritage Committee".

6. *This is your first visit to Nuremberg. Other than participating in the conference, what is on your sightseeing agenda?*

I am told that Nuremberg has a range of attractions starting with, of course, the Nuremberg Memorium Trials. The Albrecht Dürer House and the Germanic National

Museum are also on my list, if my time allows it. Visiting the Old Town and the Castle will hopefully provide an opportunity to have a beer and some of the famous Nuremberg sausages. Fortunately, one of my closest collaborators who is accompanying me on this trip is a native “Franconian” who grew up in the region. I will heavily rely on his advice.