**Transcript**

Topic: The Legacy of the Nuremberg Trials and International Law Today

Interviewer: Mary Joens

Respondent: Professor William Schabas

Date: April 26, 2014, via Email.

Background: Professor Schabas is a professor of international law and human rights at

Middlesex University as well as the president of the International Association of Genocide Scholars. He has authored or co-authored 21 books about international law and human rights, and written over 300 academic articles on the same subject.

*AUTHOR: How do you feel the legacy of the Nuremberg Trials is represented in international law today? How have their original goals and ideas evolved?*

PROFESSOR SCHABAS: Today there is a very elaborate system of international justice, including a permanent International Criminal Court. This is a result of the legacy of Nuremberg, which was really the first international criminal trial.

 *AUTHOR: You have made it very clear that you believe the term “genocide” has become widely overused to describe mass killings. Could you elaborate on how you believe these killings should be categorized? Should there be differences in prosecution of these crimes?*

PROFESSOR SCHABAS: The term genocide is often used incorrectly with respect to acts that are more appropriately labelled crimes against humanity. Genocide requires evidence of the intentional destruction of an ethnic or racial group. Crimes against humanity includes genocide, but it also covers a much broader range of atrocity-type crimes and serious violations of human rights.

 *AUTHOR: Do you feel that international justice is beginning to focus more on crimes against humanity and less on what the London Charter called “crimes against peace” and “war crimes”? If so, why?*

PROFESSOR SCHABAS: In modern-day prosecutions, the emphasis has been on crimes against humanity. These correspond to serious violations of human rights. War crimes committed against civilians (rather than combatants) are often also crimes against humanity. Sometimes accused persons are tried for both categories. There have not been prosecutions for crimes against peace since the 1940s, but that may change because the International Criminal Court will be able to prosecute the crime of aggression, probably beginning in 2017.

 *AUTHOR: To what extent are the current charter, structure, and state of the International Criminal Court a result of the Nuremberg Trials?*

PROFESSOR SCHABAS: Obviously there have been many small changes to the nature of international prosecution, but the Nuremberg trial was a very good and reliable model. One of the biggest changes has been in the enlargement of the categories of crimes that can be punished. Another important change is the removal of the death penalty.