

International conference

Unknown Legacies of the Nuremberg Trial: Regional Approaches and Perspectives in East Central Europe

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Preface

The year 2025 marks the 80th anniversary of the beginning of the work of the International Military Tribunal (IMT) at Nuremberg - a landmark series of trials in the development of international criminal law and a key juncture in confronting the crimes committed during the Second World War, as well as in reconstructing the post-war global order.

The principles of international law adopted in the Statute of the IMT (the Nuremberg Charter) and the IMT verdict of 1 October 1946 were endorsed by the UN General Assembly in its resolution of 11 December 1946. These principles then went on to be referenced repeatedly in the work of the International Law Commission. Even during the IMT and the subsequent Nuremberg trials, these principles significantly guided strategies for prosecuting and punishing Axis crimes - both before the national courts of the Allied states and within the proceedings of the International Military Tribunal for the Far East. The Nuremberg Charter pertained to the prosecution and punishment of the major war criminals of the European Axis and was part of an agreement concluded on 8 August 1945 between the governments of Great Britain, the United States, the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic.

However, there were no representatives of the occupied European countries that had experienced the greatest wartime atrocities - and on whose territories mass crimes had been committed, including Poland - either among the authors of the agreement or among the judges and prosecutors of the Nuremberg Tribunal.

Nevertheless, representatives of these countries contributed significantly to Allied efforts to prosecute and punish perpetrators of international crimes, including through their involvement in the United Nations War Crimes Commission in 1943. Their achievements also held significant sway in the development of international law after 1945 - beginning with their cooperation in the Nuremberg trials and continuing with the creation of the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity.

While crucial to the development of international law, this body of work remains little known and is often overlooked - largely due to the post-war transformation of these nations into Soviet satellite states. Today, we are only beginning to discover their impact by linking it to the legacy of the Nuremberg trials and the adjudication of international crimes in the 20th century. These influences directly shaped the concepts that paved the way for the creation of the International Criminal Court in 2002.

Another still under-researched factor shaping the course of post-war justice after 1945 is the context of the Cold War and the deep polarization between Eastern and Western Bloc countries during the Nuremberg trials. This led, among other consequences, to the suspension of extraditions of war criminals prosecuted in Central and Eastern Europe. From both local and international perspectives, knowledge about the regional dimensions of trials of war criminals and suspected collaborators remains limited. The extent to which prevailing political narratives hindered cooperation between states in the prosecution of perpetrators also remains to be fully assessed.

The purpose of this conference is to present the latest research and to encourage international scholars to reflect on the legacy of the Nuremberg Trials, the specific features of war crimes trials in Central and Eastern Europe, and the current state of research on the prosecution of those suspected of international crimes. What is needed today is a critical analysis of the initiatives undertaken during and after the war, taking into account regional narratives and the actual influence of states on the development of international criminal law.

Day 1: Wednesday, December 3

13.00–14.00 Registration

14.00–14.15 Conference opening

14.15–16.00 Panel 1: (Re-)discovering the History of the Nuremberg Trial: International Networks and Domestic Efforts Preceding the London Conference

- Dominika Uczkiewicz, *Polish Contribution to the Works of the UNWCC and IMT*
- Elias Forneris, *French and Belgian Lawyers in London: Planning Post-War Justice (1941–1944)*
- Ivo Cerman, *Czechoslovak Approach to Crimes against Peace*
- Kinga Czechowska, *Two Lawyers in the Polish Ministry of Foreign Affairs*

Chair: Piotr Długotęcki

16.00–16.15 Coffee break

16.15–17.45 Panel 2: Victor's Justice or Fair Trial? Establishing the Nuremberg Principles on the Brink of the Cold War

- Pavel Šturma, *The Nuremberg Principles: Continuity and Changes*
- Bartłomiej Krzan, *The Role of Criminal Organizations in Addressing Mass Criminality: Then and Now*
- Miguel Manero de Lemos, *Four 21st Century Myths Concerning the Crime of Aggression*
- Mateusz Piątkowski, *The Grim Side of Nuremberg – The Case*

of Air Bombardments of Central European Towns and Cities

Chair: Ivana Hrdličková

17.45–18.00 Coffee break

18.00–19.30 Round Table Discussion: Conferences in London and Potsdam and the Origins of the Nuremberg Trial

Participants:
Annette Weinke
Jacek Tebinka
Pablo Gavira Díaz
Alexander Korb

Chair: Dominika Uczkiewicz

Day 2: Thursday, December 4

9.30–11.00 Panel 3: Judging Major War Criminals after Nuremberg

- Tamás Hoffmann, *History's First Domestic Criminal Trial against a Former Head of State for the Crime of Aggression – The Bárdossy Case at the Hungarian People's Tribunals*
- Boris Popivanov, *Wartime Justice, Postwar Power: The Sixth Chamber of Bulgaria's People's Court in 1945*
- Oktawian Kuc, *A Polish Nuremberg. The Supreme National Tribunal and Its Judicial Dialogue with the IMT*
- Julia Klaus, *Axis Rule in Occupied Asia? The Tokyo Tribunal, Its Uncomfortable Relationship with Nuremberg, and Rafat Lemkin*

Chair: Karolina Wierczyńska

11.00–11.15 Coffee break

11.15–13.00 Panel 4: Domestic Approaches and Prosecutions I

- Gabriele Chlevickeite, *The Lithuanian Contribution to Post-War Justice: War Crimes Trials, Legal Practitioners, and the Cold War Context*
- Irina Rebrova, *Cold War Trials of Nazi Crimes: The Yeysk Case Between Soviet, East German, and West German Courts of the 1960s–1970s*
- Andrea Rudorff, *Polish Postwar Trials Against Members of the Auschwitz Camp Personnel*
- Kamil Frączkiewicz, *West German Investigations into the Crimes Committed against Prisoners of the KL Gross Rossen Subcamps in Fünfteichen and Dyhernfurth*

- Ewelina Czarnowska, *Selbstschutz as the Case Study in Postwar Justice: The Central Office in Ludwigsburg and Crimes in the Lublin District*

Chair: John Cornell

13.00–14.00 Lunch break

14.00–15.30 Panel 5: Domestic approaches and prosecutions II

- Elisa Novic, *War Crimes and Collaboration on Trial in France after 1945*
- Jarosław Suchoples, *War Crimes and Collaboration on Trial in France after 1945*
- Alina Ivanenko, *Judging under Occupation: Ukrainian Judges under German Rule and Postwar Soviet Trials*

- Filip Gańczak, *Józef Skorzyński (1878–1959). Poland's forgotten Nazi Hunter*

Chair: Krystian Wiciarz

15.30–15.45 Coffee break

15.45–17.15 Round Table Discussion: Comprehensive or Selective Justice? Great Powers, 'Small States', their Visions and Receptions of the Nuremberg Trial

Participants:
Ivana Hrdličková
Tamás Hoffmann
Bartłomiej Krzan
Steve Crawshaw

Chair: Karolina Wierczyńska

Day 1: Wednesday, December 3**Panel 1: (Re-)discovering the History of the Nuremberg Trial: International Networks and Domestic Efforts Preceding the London Conference**

Dominika Uczkiewicz

Polish Contribution to the Works of the UNWCC and IMT

The work of the United Nations War Crimes Commission, established 20th October 1943 by the representatives of 17 Allied nations, paved the way for the signing of the London Charter on 8 August 1945 and subsequently for the trial of the International Military Tribunal in Nuremberg, as well as for the prosecution of international crimes committed during the Second World War more generally. The Commission operated from 1943-1948 and was the only post-war international mechanism that addressed the prosecutions of international crimes on a national level. Its main task was to investigate allegations of war crimes, record related material, compile lists of war criminals, provide member states with legal assistance, and advance the legal and operational framework for post-war justice. During its lifetime it created over 8,178 files representing 36,810 individuals.

The formula of inter-allied cooperation in documenting crimes developed by the UNWCC was continued after the war, but the Commission's inclusive approach in the field of law-making (and enforcing) was not reflected in the provisions of the London Charter. The Statute of the International Military Tribunal permitted exclusively the representatives of the United Kingdom, the United States, the Soviet Union, and France to participate in the IMT Trial as judges or prosecutors. None of the governments of occupied countries, which had systematically documented Nazi crimes from the first months of war and were the driving force behind the establishment of the UNWCC, were allowed to participate in the proceedings. Nevertheless, less privileged countries such as Czechoslovakia, Poland or Yugoslavia left their mark on the tribunal's work. This paper will discuss the Polish case by presenting an overview of the Polish UNWCC charge files from the years 1944-1945 and their relevance for drafting the "Polish indictment" submitted to the IMT in December 1945, along with the aspirations and achievements of the Polish delegation to the Nuremberg Trial.

Elias Forneris

French and Belgian Lawyers in London: Planning Post-War Justice (1941–1944)

The European communities exiled in London during the Second World War prepared the question of post-war justice as early as 1941. The French and Belgian communities played a significant role in this regard. Among these European exiles, two figures stood out: René Cassin (1887–1976) and Marcel de Baer (1890–1983). This paper describes the participation of these two intellectuals in transnational commissions and study groups between 1941 and 1944, in wartime London, and their efforts to anticipate post-war justice.

The French jurist René Cassin is chiefly known for his part in drafting the Universal Declaration of Human Rights of 1948, as well as for his Nobel Peace Prize. During his wartime exile in London, he was General de Gaulle's Commissary for Justice and Public Instruction. In that role he participated in the Cambridge Commission, London International Assembly (L.I.A.), and he oversaw Free French study groups. Similarly, the Belgian judge Marcel de Baer worked on matters of justice for the Belgian government-in-exile. He was likewise part of the Cambridge Commission with Cassin and held a leading role in the L.I.A. De Baer wanted to prosecute "war crimes, [by which] we mean only the crimes which are sufficiently heinous and important to make them the concern of humanity." He played a leading part in the UN War Crimes Commission (UNWCC) in the transition to the post-war.

This paper argues that Cassin and de Baer's efforts to define "war crimes," and to envision their punishment from an early stage in the war, helped legitimise post-war justice for France, Belgium, and indeed for other European states. Moreover, Cassin and de Baer's wartime ideas shaped their own subsequent work towards human rights and the UNWCC respectively.

Kinga Czechowska

Wacław Kulski and Michał Potulicki – Two Lawyers in the Polish Ministry of Foreign Affairs

This paper offers a biographical approach to studies on the efforts towards a postwar justice and confronting the crimes committed during the Second World War. It focuses on two persons that were deeply involved in the legal works of the Polish government-in-exile: Wacław Kulski and Michał Potulicki. Both were responsible – next to Ambassador Edward Raczyński – for the signing of the Declaration of St. James's Palace in January 1942. Later they both became members of the Inter-Allied Commission on the Punishment of War Crimes, a predecessor of the United Nations War Crimes Commission. This paper

discusses the background, education and careers of Kulski and Potulicki, born respectively in 1903 and 1897. Even though they had different upbringings – Potulicki came from an aristocratic family – they both had law degrees and worked for the Ministry of Foreign Affairs since 1920. Their expertise both as lawyers and diplomats were of great importance given how the issues of punishing war crimes and securing a postwar justice were a priority for the Polish government in exile. In the Hoover Institute Library and Archive one can find collections of both Kulski and Potulicki, which – especially in the case of Kulski – shed a new light on how their interwar achievements contributed to their legal, diplomatic, and administrative work during the Second World War.

Ivo Cerman

Bohuslav Ečer and Antonín Hobza. Czechoslovak Approach to Crimes against Peace

This paper discusses the representation of Czechoslovakia at the Nuremberg Trial and explores the contributions of Bohuslav Ečer and Antonín Hobza to the definition of war crimes. Ečer is credited with contributing to the concept of crimes against peace. Both had close ties to the Communist party, but Ečer used to be an active member of the party before the war, whereas Hobza, who was a church lawyer by training, supported the Communists after the war. It has been recently argued by the American historian Francine Hirsch that the concept of crimes against peace was coined by Soviet lawyers, especially by Aron Trainin. However, her research also highlights the contribution of Ečer as a disciple of the Soviets who was spreading their doctrines in Western decision-making bodies and combating “Western conservative approaches.” Considering the Soviet participation in the war against Poland in 1939, their rhetoric on peace should be perceived with caution and critically assessed. The aim of this paper is to assess Bohuslav Ečer’s real contribution and put him next to A. Hobza, investigating their relation to the Communist party. It is plausible that Ečer was working on the theory of international crimes independently and drawing on international law in force, but later feigned respect for Soviet doctrines for political reasons. His own efforts were dedicated also to low-ranking Nazi individuals and related to more issues than crimes against peace. Hobza had also developed his interest in the interwar period, so he may have conceived crimes against peace also on his own terms. He was, however, seeking to base his theories on Soviet declarations even before the war.

Panel 2: Victor’s Justice or Fair Trial? Establishing the Nuremberg Principles on the Brink of the Cold War

Pavel Šturma

The Nuremberg Principles: Continuity and Changes

The 80th anniversary of the Nuremberg Trials is an opportunity to reflect on the development of international criminal law (ICL) and the enduring significance of the Nuremberg Principles. It is possible to argue that without the Nuremberg Trials, the ICL would have looked different. Although its preparation and course were made possible by the unconditional surrender of Germany and international criminal justice fell only on the highest representatives of the German Reich, the content of most of the principles contained in the statute and judgment of the International Military Tribunal goes beyond the contemporary context of this extraordinary military court. Their generalization and enduring significance were due to the UN International Law Commission, which prepared the text and submitted it to the General Assembly in 1950. The contribution will thus show, using several examples, both the continuity of the Nuremberg Principles and their modifications in the further development of international law, including the Rome Statute of the ICC.

Bartłomiej Krzan

The Role of Criminal Organizations in Addressing Mass Criminality: Then and Now

The International Military Tribunal famously ruled that: “Crimes against international law are committed by men, not by abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced.” Still, while concentrating on the responsibility of individuals, the London Charter also permitted the indictment of groups and organizations (Art. IX-X). The proposed paper aims at analysing the distinction between individual and collective responsibility for international crimes, its development and reception by scholars from Central and Eastern Europe, most notably Emil Stanisław Rapaport and Aron N. Trainin. Particular attention is paid to the concept of ‘criminal organization’ and its (abandoned) potential for paving the long way to corporate liability in international criminal law. The paper sheds additional light on subsequent judicial pronouncements thereon by international and domestic courts, going beyond the strictly individual approach, allowing to accommodate responsibility for corporate actors involved in international criminality.

Miguel Manero de Lemos

Four 21st Century Myths Concerning the Crime of Aggression

This paper argues that there are four 21st century myths concerning the crime of aggression and that each of those myths is unaligned with the IMT Judgment and with long-standing state practice and *opinio iuris* of East-Central European countries.

The first myth concerns the idea that the 'crime of aggression was invented' by the Allies in the aftermath of the Second World War. The second relates to the notion that the crime of aggression is a 'leadership crime.' The third corresponds to the view that the crime of aggression can only be prosecuted in the courts of the 'aggressor state or an international court.' And the fourth is that aggressor heads of state, heads of government and foreign ministers are entitled to a 'full or absolute immunity' from foreign jurisdiction.

A careful, and unbiased, reading of the IMT Judgment reveals that the IMT clearly distanced itself from all notions upon which those myths are premised. This paper demonstrates that the IMT's rejection of all such notions reflected not only – in general – the state practice and *opinio iuris* of the majority of countries of the international community of the time, but also – in particular – state practice and *opinio iuris* of East-Central European countries dating back to 1919. This paper also unveils how such myths have become so widespread in the 21st century. It assigns the primary blame for the current state of affairs to the ICJ, the International Law Commission, and 21st century scholars who have failed to learn from the valuable teachings that one can find in the IMT Judgment.

Mateusz Piątkowski

The Grim Side of Nuremberg – The Case of Air Bombardments of Central European Towns and Cities

Rightfully, every scholar in the field of the international humanitarian law and the international criminal law is labelling the legacy of the IMT and the subsequent trials as a breakthrough in the history of international law. However, the heritage of the Nuremberg Trials is also covered by shadows, which have grave consequences for the future. One of these pitfalls is the question of the legality of the air bombardment that occurred during the Second World War. Despite the fact that in Central Europe Luftwaffe activities between 1939-1941 were crystal-clear example of indiscriminate bombardment, none of the Luftwaffe commanders directing the bombing operations were indicted with charges related to the war crimes committed in course of air operations.

The IMT and the subsequent Nuremberg trials avoided the review of the aerial bombardment as a "double-sword" argument which may have damaged the court's reputation and even legitimacy (as happened during the *Einsatzgruppe* trial). Despite the UNWCC having received a request from the Polish government to add the crimes related to air bombardment in the future indictments in the international tribunal, the Commission and the IMT prosecutors tacitly avoided raising the question of the bombardment of Warsaw, Belgrade, and other towns and cities in Central Europe.

While one of the reason behind the IMT's silence was a blurred image of international law related to air bombardments, another was the obvious "awkwardness" of the issue in the light of Allied activities between 1942-1945. For the "greater good" the Luftwaffe activities during the first stage of war went unpunished or even unchecked under international law. This caused multiple issues for future interpretation of international law. The aim of the presentation is to cross-analyse above mentioned points.

Round Table Discussion: Conferences in London and Potsdam and the Origins of the Nuremberg Trial

This expert round table explores the legal and diplomatic origins of the normative framework underpinning the Trial before the International Military Tribunal in Nuremberg. The discussion will trace the evolution of Allied policy toward Axis war criminals, beginning with the foundational International Conferences in Moscow (1943), Yalta, and Potsdam, and culminating in the London Conference of 1945. By commenting on the legal innovation established by the IMT Charter, the participants will examine the diplomatic and political dimensions of the London Conference and the role of war crimes trials within the Allies' broader peace programme.

The round table will address the complex interplay of international law, Great Power diplomacy, and emerging geopolitical tensions between East and West. It will further emphasise the limitations of the IMT Trial resulting from political compromises made by the Allies in 1945, and explore the implications of the Yalta Conference, which effectively demarcated post-war spheres of influence, for the scope of the IMT Trial, and the subsequent administration of justice.

Panel 3: Judging Major War Criminals after Nuremberg

Tamás Hoffmann

History's First Domestic Criminal Trial against a Former Head of State for the Crime of Aggression – The Bárdossy Case at the Hungarian People's Tribunals

In January 1945, the Hungarian Government established the People's Tribunals, a two-tiered extraordinary court system of more than 50 People's Tribunals that operated parallel to the ordinary court system. The Tribunals had material jurisdiction to prosecute war crimes, including the crime of aggressive war, and crimes against the people committed by Hungarian nationals.

The extant Military Criminal Code had already codified certain violations of the laws and customs of war such as plunder, denial of quarter or perfidy but the newly emerging norms of the crime of aggression and crimes against humanity were completely unknown in the Hungarian legal system. Nevertheless, the People's Tribunals ultimately tried more than 50,000 defendants, and the Budapest People's Tribunal tried the former Foreign and Prime Minister, László Bárdossy, in history's first domestic criminal trial against a former head of state for the crime of aggression on 2 November 1945.

Under Bárdossy's Premiership, Hungary had joined the German war efforts against Yugoslavia and later declared war on the Soviet Union, Great Britain and the United States. His trial was largely based on the emerging norms of crimes against peace although the Nuremberg Trials were still ongoing. Not only did the Budapest People's Tribunal rely on Justice Jackson's indictment, but even the defendant resorted to international law arguments to prove that Yugoslavia had already been dissolved at the time of the Hungarian military action, the Soviet Union had waged war on Hungary before the Hungarian declaration of war, and ultimately that the notion of aggressive war was unfounded in international law as the Kellogg-Briand Pact had not created individual criminal responsibility. This paper will analyse the relevance of this case.

Boris Popivanov

Wartime Justice, Postwar Power: The Sixth Chamber of Bulgaria's People's Court in 1945

In the turbulent months following Bulgaria's sudden shift of alliances in September 1944, the new authorities sought to establish their legitimacy through the rhetoric and practice of anti-fascism. Even before the opening of the Nuremberg Trials, Bulgaria staged a series of large-scale proceedings known as the People's Court. Among these, the Sixth Chamber tried 106 intellectuals—writers, journalists, artists, radio commentators, and publicists—accused of conducting pro-German propaganda during Bulgaria's membership in the Axis alliance (1941–1944).

While the political background and sentences of the People's Court have received scholarly attention, the specific strategies employed by the prosecution and defence remain underexplored. This paper examines the rhetorical and legal mechanisms through which the new regime sought to delegitimize not only fascism in a narrow sense but also a broader spectrum of nationalist, conservative, and even liberal currents that had shaped public discourse prior to 9 September 1944.

The Sixth Chamber proceedings illustrate a hybrid form of wartime and postwar justice, held while the Second World War was still ongoing. By analysing these trials, the paper situates Bulgaria within the broader regional dynamics of Central and Eastern Europe, where the struggle for ideological hegemony in the immediate postwar period affected not only ideas but also the lives of individuals. The case of the Sixth Chamber reveals how anti-fascism was mobilized as a tool of political exclusion and how early practices of transitional justice shaped the emerging Soviet-aligned order across the region.

Oktawian Kuc

A Polish Nuremberg. The Supreme National Tribunal and Its Judicial Dialogue with the IMT

The Supreme National Tribunal (Najwyższy Trybunał Narodowy, SNT), established in post-war Poland, was conceived as a "Polish Nuremberg": a domestic forum tasked with prosecuting senior German officials responsible for atrocities committed in occupied Poland. Its jurisdiction, defined in the SNT Decree, covered cases of war criminals transferred to Poland on the basis of the Moscow Declaration. In this sense, the SNT was not simply a national experiment but part of a broader international effort to secure justice, operating alongside and in dialogue with the International Military Tribunal (IMT).

This interconnectedness was reflected both institutionally and personally. Figures such as Tadeusz Cyprian - simultaneously a member of

the Polish delegation at Nuremberg and a prosecutor before the SNT – symbolized Poland's dual role in shaping international justice. Witnesses also bridged the two tribunals: Rudolf Hoess, commandant of Auschwitz, provided testimony before the IMT and later faced prosecution before the SNT, linking evidentiary narratives across courts.

The jurisprudence of the SNT reveals its most significant contribution to the post-war justice project. By extending Nuremberg's reasoning and articulating the role of international judgments in national legal orders, the SNT created an early model for judicial reception of international criminal law at the domestic level. This doctrinal engagement demonstrates that the Tribunal was not a passive recipient of international norms, but an active interlocutor, shaping a discourse on the relationship between international and national adjudication of atrocity crimes.

This paper argues that the SNT's proceedings exemplify a unique model of interjudicial dialogue. As part of the wider post-war international justice project, the SNT reinforced the universality of accountability for crimes against humanity while also contributing an original jurisprudential perspective on the legacy of Nuremberg.

Julia Klaus

Axis Rule in Occupied Asia? The Tokyo Tribunal, Its Uncomfortable Relationship with Nuremberg, and Rafał Lemkin

The long 80th anniversary of the Nuremberg International Military Tribunal (IMT) that is being commemorated in 2025/2026 will partly overlap with the still longer 80th anniversary of the Tokyo International Military Tribunal for the Far East (IMTFE, Tokyo Tribunal) in 2026-2028. While the IMT is widely celebrated as a cornerstone of international criminal law today, the IMTFE has received less attention and praise. Much of this neglect is rooted in the partial overlap of the two major war crimes trials – an overlap that forced the younger sibling at Tokyo into the difficult double role of having to build a solid second cornerstone in a different context and reflecting what materialised earlier and faster at Nuremberg. An unexpected actor who personifies this complicated correlation of Tokyo and Nuremberg is an émigré lawyer from East Central Europe who was rather disappointed by the IMT: Rafał Lemkin. The ways in which Lemkin sought to influence the proceedings at Nuremberg – in various ways and with varying degrees of success – are fairly well known. What is much less known is how he sought to transfer both his successes and his disappointments from Nuremberg to Tokyo. This paper unravels three widely ignored aspects of Lemkin's involvement with the Tokyo Tribunal: his lobbying to have Karl Haushofer prosecuted in Japan, his efforts to translate his group-centred thinking from genocide to crimes against peace,

and his attempts to effectively draft an Axis Rule in Occupied Asia. By reconstructing how Lemkin contributed to and utilised the IMTFE for approaches that had and had not worked at the IMT, this paper paints the picture of an uncomfortable relationship that the Tokyo Tribunal maintained with its elder sibling and the ambiguous short-term legacies of Nuremberg.

Panel 4: Domestic Approaches and Prosecutions I

Gabriele Chlevickeite

The Lithuanian Contribution to Post-War Justice: War Crimes Trials, Legal Practitioners, and the Cold War Context

This paper examines Lithuania's paradoxical role in the legal construction of post-war justice: as a source of evidence for the Nuremberg Trials and as a site of Soviet-controlled prosecutions of Nazi crimes. Drawing on the exhibits submitted during Nuremberg trials, it traces how evidence collected in Lithuania—on atrocities in Ponar and Kaunas—was used at Nuremberg to establish key elements of crimes against humanity and war crimes. Yet, while Lithuanian evidence informed international criminal law's formative jurisprudence, the same material was reinterpreted or ignored in Soviet Lithuania's domestic trials.

The paper contrasts Nuremberg's legal reasoning—its articulation of individual responsibility and the evidentiary thresholds for international crimes—with the Soviet legal framework, where politicised criminal codes and collective attributions of guilt dominated. Through this juxtaposition, the paper argues that Lithuania's experience exposes the dissonance between evidentiary contribution and normative reception, illuminating how international criminal law was both advanced and constrained by the ideological boundaries of the early Cold War.

Irina Rebrova

Cold War Trials of Nazi Crimes: The Yeysk Case Between Soviet, East German, and West German Courts of the 1960s–1970s

This paper examines how the mass murder of 214 children with disabilities from the orphanage in Yeysk (southern Russia, October 1942) was addressed in postwar trials across the USSR, East Germany (GDR), and West Germany (FRG) during the 1960s and 1970s. The case offers a rare opportunity to compare legal strategies, evidentiary standards, sentencing practices, and Cold War era judicial cooperation across political blocs. It also reflects the divergent legacy of the Nuremberg

principles in East and West. The Soviet Union held at least two public trials related to the Yeysk perpetrators among Soviet citizens in 1961 (Stavropol) and 1963 (Krasnodar), resulting in the death sentences of Luka Behm and Andrey Sukhov, both former collaborators of Sonderkommando 10a (Einsatzgruppe D). These prosecutions emphasized "betrayal of the Motherland," with the crime itself used as proof of disloyalty.

In contrast, the FRG treated the Yeysk case with caution. Although the crime was known by the late 1960s, prosecutors hesitated to centre charges on it due to the reliance on Soviet testimony and challenges in establishing individual guilt. SS-Obersturmbannführer Kurt Christmann was convicted in 1980 in Munich for other crimes committed in the occupied USSR and sentenced to ten years in prison. In the GDR, the Yeysk case was central to the 1976 trial of Johannes Ernst Kinder in Karl-Marx-Stadt (now Chemnitz), who was sentenced to death. This paper examines these legal responses within the wider context of Cold War geopolitics, evidentiary challenges, and the evolving role of survivor testimony and cross-border judicial collaboration. The Yeysk case serves as a powerful lens through which to assess regional interpretations of justice and the long-term impact of Nuremberg on prosecuting crimes against humanity.

Andrea Rudorff

Polish Postwar Trials Against Members of the Auschwitz Camp Personnel

Around 5,500 Germans were convicted of Nazi crimes in Polish courts after the war – including about 700 SS men and 20 women who had served in Auschwitz-Birkenau. This makes Poland the country that tried the most Auschwitz perpetrators worldwide. But how were the perpetrators tracked down in postwar Europe? I am examining the hitherto little-noticed work of the Polish Military Missions for the Investigation of War Crimes, which were set up in the Allied occupation zones from spring 1946 on to find war criminals and organize their extradition to Poland, where they were sentenced. Based on the original files of investigations and proceedings, I will show, how the Polish postwar justice system handled legal obstacles, such as the *Befehlsnotstand*, the prohibition of retroactive punishment, and the difficulty of bringing individual evidence of crimes – problems that in West Germany often resulted in Nazi perpetrators receiving light sentences.

What influence did international Nazi jurisdiction have on Polish judicial practice? Was there international cooperation, for example in the search for witnesses? At what point is the influence of the Cold War visible and how should we assess the rule of law of the Polish Auschwitz trials – differentiating between the high-profile trials before the

Supreme National Tribunal and the more than 600 smaller trials before the Polish district courts of Krakow and Wadowice, which received little public attention. These questions will be discussed in the context of the postwar situation and the destruction that Poland suffered because of the German aggression and occupation. I will present some of the findings of a multi-year research project on Polish prosecution of Auschwitz perpetrators, which has been conducted at the Fritz Bauer Institute since 2020.

Kamil Frączkiewicz

West German Investigations into the Crimes Committed against Prisoners of the KL Gross Rossen Subcamps in Fünfteichen and Dyhernfurth

The subcamps of KL Gross Rosen in Dyhernfurth (Brzeg Dolny) and Fünfteichen (Międzybóże) were established as a labour reserve for industrial plants built in Lower Silesia by IG Farben and Krupp. The crimes committed against prisoners in these subcamps became the subject of interest of the German judiciary in the 1950s, and proceedings were conducted until the 1990s. The proceedings covered various groups of perpetrators: from commandants, through camp doctors and guards, to kapos. It was symptomatic that the investigations often focused on perpetrators who were already dead, such as Jakob Morhardt, whose health was said to preclude the possibility of bringing them to justice, such as Karl Brauer, or who were not German citizens at the time of the crimes. Another significant fact was that investigators overlooked the fact that prisoners worked at Krupp (Fünfteichen) and IG Farben (Dyhernfurth) factories, focusing only on camp personnel. The issue of the corporations' responsibility for crimes committed against the people whose labour they exploited was also beyond the subject of interest of West-German investigations and trials.

Ewelina Czarnowska

Selbstschutz as the Case Study in Postwar Justice: The Central Office in Ludwigsburg and Crimes in the Lublin District

This paper examines how the Central Office in Ludwigsburg (Zentrale Stelle der Landesjustizverwaltungen zur Aufklärung nationalsozialistischer Verbrechen) investigated crimes of the Selbstschutz in the Lublin District in occupied Poland. While atrocities committed by ethnic German paramilitaries in western Poland are relatively well known, the Lublin cases reveal the limits of postwar justice when dealing with regions more to the east. Drawing on archival inventories and case files, the study analyzes investigative practices, the difficulties in gathering evidence, and the frequent discontinuation of proceedings.

The Lublin District thus serves as a case study for understanding how Nuremberg principles translated — or failed to translate — into regional judicial practice. The paper argues that legal and political constraints, combined with gaps in documentation, prevented a meaningful reckoning with Selbstschutz crimes. In doing so, it highlights the uneven legacies of Nuremberg across Central and Eastern Europe.

Panel 5: Domestic Approaches and Prosecutions II

Elisa Novic

War Crimes and Collaboration on Trial in France after 1945

France was both an occupied nation during the Second World War—which entailed numerous instances of collaboration with the occupying power—and a victorious power at its conclusion. This dual position meant that there was no single prosecutorial strategy but rather several, which evolved over time in response to a rapidly shifting political and historical landscape. Any taxonomy of the French post-World War II trials must therefore remain tentative.

Against this backdrop, the research provides an overview of France's approach to international crimes committed during the Second World War and adjudicated by its tribunals. These include trials of French citizens accused of war crimes and crimes against humanity, trials of foreign nationals for crimes committed on French territory, and trials conducted in Germany under Control Council Law No. 10.

The study examines how historical and political contexts may have influenced prosecutorial strategies, shedding light on the blind spots of this judicial undertaking—such as the enduring impunity of corporate actors who collaborated with the occupying power and its local collaborators. At the same time, it addresses legal challenges inherent in prosecuting war criminals in the absence of a well-established body of case law. Particular attention is devoted to how French jurisprudence engaged in dialogue with international and foreign case law, contributing to the consolidation of the emerging field of international criminal law.

Jarosław Suchoples

War-responsibility Trials in Finland, 1945-1946

According to Article Thirteen of the Armistice Agreement signed on 19 September 1944 in Moscow between the USSR and the United Kingdom, on the one hand, and Finland on the other hand, Finland agreed 'to collaborate with the Allied powers in the apprehension of

persons accused of war crimes and in their trial.' To fulfil this obligation the Finnish parliament had to pass a special retroactive law enabling prosecution of those recognized as responsible for Finland's participation in the war (1941-1944). Nevertheless, from the very beginning, Finnish non-communist politicians and, above all, a non-communist segment of the Finnish public, were convinced that a trial was a part of the price which Finland had to pay for the maintenance of its independence from the Soviets. Besides, most Finns rejected the legitimacy of the trial believing that it was Stalin's revenge taken (against rules of the Finnish Constitution) against Finland's war-time political leaders.

Such an attitude led to a strange situation. On the one hand, with the exception of Communists and their supporters, the Finns maintained that politicians accused of responsibility for the participation of Finland in the war against the Soviet Union as a de facto ally of the Third Reich were national heroes. On the other hand, the trial carried out in such an atmosphere could not serve to establish the truth or to settle any real accounts. The sentence issued in February 1946 by a special court, accepted in Moscow, was part of Soviet plans to draw Finland into the Kremlin's sphere of influence. On 19 May 1949, Politicians sentenced to prison, who were still imprisoned (including the war-time President of Finland Risto Ryti) were pardoned by President Juho K. Paasikivi. On this day he wrote in his diary: '[It was] ... the most noble deed, I have participated in, in the last five years.' This illustrates the true attitude of the majority of the Finns towards this whole affair. Finland had to wait still many decades for a true reckoning with its wartime past. Only then did historians (not the justice system) dare to investigate the true involvement of the Finnish military and administration in war crimes committed during the war against the USSR.

Alina Ivanenko

Judging under Occupation: Ukrainian Judges under German Rule and Postwar Soviet Trials

This paper examines the personal and professional trajectories of Ukrainian judges who continued their work—or were newly appointed—under German occupation between 1941 and 1944, and their subsequent fates following the re-establishment of Soviet rule. Drawing on sources from regional state archives in Ukraine and NKVD investigation files preserved in the Security Service of Ukraine (SBU), the study reconstructs the judges' careers, their motivations for remaining in office or accepting positions under occupation, and the specific legal competences granted by the German administration.

While the occupying authorities presented local courts as instruments of order and legitimacy, judges often operated under coercion, limited agency, and profound legal ambiguity. This research emphasizes their

individual choices, professional dilemmas, and the moral and practical constraints they faced, highlighting how personal and institutional histories intertwined under occupation. The paper further situates these biographies within the context of postwar Soviet judicial proceedings, analysing how wartime service was interpreted as collaboration and led to repression.

Focusing on individual judges rather than systemic structures, this research contributes to biographical studies in the history of international law, the legacies of wartime justice in Eastern Europe, and the challenges of transitional justice in post-conflict contexts. It offers new insights into the tensions between legal authority, moral responsibility, and political pressures under conditions of occupation and regime change.

Filip Gańczak

Józef Skorzyński (1878-1959). Poland's forgotten Nazi Hunter

Józef Skorzyński is best known as the first head of the famous Institute of Forensic Research (IES), founded in 1929 in Warsaw and later moved to Krakow. After World War II, he joined the Chief Commission for the Investigation of German Crimes in Poland. It was Skorzyński who interrogated some of the high-ranking Nazi officials extradited to Poland to be tried for war crimes, including Albert Forster, Jürgen Stroop and Erich Koch. The evidence he collected is still of great value – and yet relatively unknown – to historians dealing with the legacy of Nuremberg.

Round Table Discussion: Comprehensive or Selective Justice? Great Powers, 'Small States', their Visions and Receptions of the Nuremberg Trial

This panel offers a critical reflection on the foundations and effectiveness of international justice. The main point of reference is the Nuremberg Trial - its significance, but also its fundamental flaws: the lack of inclusivity, selectivity, and politicization imposed by the Great Powers. The participants will analyze how later ad hoc tribunals (such as for the Former Yugoslavia and Rwanda) and drafters of the Rome Statute attempted to transcend this paradigm and challenge the accepted norms established in the international community as the Nuremberg Principles. The crucial question facing the international community after decades of effort is: Are today's international courts truly capable of the task of adjudicating mass atrocities? The panel will confront the (often idealistic) visions of justice with the hard reality of their limited

resources, political constraints, and the re-emerging force of selectivity in the face of insurmountable volumes of crimes.

Crucially, the panel will also consider the role of 'small states' and experts from various legal fields, examining how they can influence the shape of a justice system that is demonstrably unable to prosecute all massive crimes.

Ivo Cerman is a historian specializing in legal history and human rights. He pursued History and English studies at Charles University in Prague, 1994-2000, and carried out doctoral studies in History at Eberhard Karls Universität, Tübingen, 2003-2006. He is affiliated with the University of South Bohemia, Faculty of Arts (from 2006 to the present), and with ÚSTR (Ústav pro studium totalitních režimů, beginning in 2024). Dr. Cerman has published on the history of ethics and education, law, legal theory (in the journal *Právník*), in German, English, French, and Czech.

Gabriele Chlevickaite is International Criminal Law researcher at the Asser Institute (on loan from the University of Amsterdam), where she coordinates international criminal law-related projects and conducts research into fact-finding in international criminal investigations and prosecutions. Prior to joining the Asser Institute, she was Assistant Professor in Empirical and Normative Studies at the VU Amsterdam (2021-2023), responsible for conducting independent research and teaching at the International Crimes, Conflict and Criminology MSc program. In 2017-2023 she was co-director of the Center for International Criminal Justice, an interdisciplinary research centre at the VU Amsterdam. In 2013-2017, Gabriele was analysis assistant with the Office of the Prosecutor of the International Criminal Court, and in 2020-2021, she worked on the Independent Expert Review of the Rome Statute System as research assistant.

John Cornell, Center for Totalitarian Studies, Pilecki Institute. John Cornell received his Bachelors in Music from the University of California, Berkeley, and continued his studies in Modern European History at the University of Michigan, Ann Arbor. He received his PhD there in 1997, specializing in modern French musical culture. He has been working with the Pilecki Institute since 2016. As an adjunct with the Institute's Center for the Study of Totalitarianisms, his research projects have included relations between the Polish Government-in-Exile and the British Government during the Second World War, and the work of the Polish Government with the United Nations War Crimes Commission. Currently he is studying youth subcultures and popular music during the Polish People's Republic.

Steve Crawshaw is former UK director at Human Rights Watch, former UN advocacy director in New York, and former chief foreign correspondent at the Independent. He has written on human rights and justice

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Ewelina Czarnowska is historian, archivist, and musicologist. She specializes in 19th- and 20th-century history, with a focus on social and cultural aspects. She has researched the German occupation of Poland and currently works at the Polish Institute of International Affairs.

Kinga Czechowska holds a PhD degree in history from Nicolaus Copernicus University in Toruń (2021). She is an assistant professor at the Centre for Totalitarian Studies at the Pilecki Institute. Her research interests include: history of Polish diplomacy, history of Polish-Jewish relations in the 20th century, editing of historical documents. She is author of the books *Polska dyplomacja wobec „kwestii żydowskiej” w latach 1932-1939* [Polish diplomacy and the 'Jewish question' in the years 1932-1939], Gdańsk-Warsaw 2023 and (with K. Kania) *Zainspirować Naród. Przemowy Edwarda Raczyńskiego na obczyźnie 1939-1939* [To Inspire the Nation. Edward Raczyński's Speeches In Exile 1939-1939], Warsaw 2023.

Piotr Długolecki is a historian and publisher of diplomatic archival materials concerning the history of Polish foreign policy in the 20th century. He is a graduate of the Institute of History and the European Centre at the University of Warsaw and of Postgraduate Foreign Policy Studies. He is a member of the Bureau of the International Committee of Editors of Diplomatic Documents (ICEDD). In the years 2004-2020, he was an employee of the Polish Institute of International Affairs (PISM) as the secretary of the Editorial Committee of the Polish Diplomatic Documents publishing series and as the PDD project manager; from 2021 Editor-in-Chief of the Polish Diplomatic Documents series, and in 2013-2016, he was also employed at the Polish Ministry of Foreign Affairs, in the years 2020-2021 as the deputy director of the MFA Archives. Author of several articles published in scientific and popular science magazines, he also published volumes of Polish Diplomatic Documents (PDD 1959, PDD 1976 and PDD 1980-1981). He is the scientific editor of the publication: *Confronting the Holocaust. The Polish Government in Exile towards Jews 1939-1945* (PISM 2022).

Elias Forneris is a historian of French and Belgian background. He recently completed a PhD in Intellectual History at the University of Cambridge, where he researched European exiles in Great Britain during the Second World War. He focused on the French and Belgian communities, and their plans to rebuild the institutions of post-war Europe. Elias now works as an editor for the Royal United Services Institute in London, which is the world's oldest and the UK's leading think tank for defence. He remains involved in the field of intellectual history and serves on the board of the Tocqueville Review.

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Filip Gańczak holds a PhD in political science. He is an employee of the Institute of National Remembrance in Warsaw and editor of the Institute of National Remembrance Review. Major publications: *Filmowcy w matni bezpieki* (Warsaw 2011), *Polski nie oddamy. Władze NRD wobec wydarzeń w PRL 1980–1981* (Warsaw 2017, German edition Paderborn 2020) and *Jan Sehn. Tropiciel nazistów* (Wołowiec 2020, German edition Göttingen 2022, Chinese edition Beijing 2024). Winner of the Witold Pilecki International Book Award (2021).

Pablo Gavira Díaz is a Spanish lawyer, specialising in international humanitarian law and international criminal law. He received his doctorate in International Law from the Walther Schücking Institute for International Law at the University of Kiel, where his doctoral research focused on the international protection of immovable cultural property and the criminal liability for attacks against those objects in international criminal law. His academic background includes a teaching position at the University of Kiel and a consultancy for the European Centre for Minority Issues (ECMI). Dr Gavira Díaz also has provided legal support to the Supreme Headquarters of Allied Powers in Europe (SHAPE) which is responsible for the planning and execution of all NATO military operations. He earned a Licenciatura en Derecho from the University of Seville in Spain and participated in a specialisation course on Human Rights and Democratisation at the same university.

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Ivana Hrdličková is a judge, an experienced legal professional with extensive judicial, managerial, and diplomatic experience at both national and international levels. She began her judicial career in the Czech Republic, presiding over criminal and civil cases, including human rights matters. She holds a JUDr. in civil law and a Ph.D. in International Law from Charles University in Prague. In 2012, she was appointed to the Appeals Chamber of the Special Tribunal for Lebanon. From 2015 to 2023, she served as the Tribunal's President, overseeing the Tribunal's completion. Judge Hrdličková has acted as a Legal Expert on human rights, anti-money laundering, and combating terrorism. She has been a speaker and expert for global institutions, including the United Nations, the International Nuremberg Principles Academy, The Hague Academy of International Law, the European Judicial Training Network (EJTN), the International Association of Women Judges (IAWJ), the International Bar Association (IBA), and the CEELI Institute.

Alina Ivanenko is a researcher specializing in legal history and transitional justice in Eastern Europe. Her current project, supported by the Gerda Henkel Foundation (Mannheim University), investigates judicial systems and legal professionals in Ukraine during and after the German occupation in the Second World War. She has extensive experience working with archival sources in Ukrainian state archives and the Security Service of Ukraine (SBU), reconstructing complex biographies of judges navigating occupation regimes and postwar Soviet justice. Her research sheds new light on the intersection of law, politics, and moral judgment in transitional justice contexts.

Julia Klaus is final-year doctoral researcher at the International Criminal Law Research Unit (ICLU) of Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU) with special expertise in the history of international criminal law and legal sociology. Under the supervision of Professor Dr. Christoph Safferling, LL.M. (LSE), she has been pursuing an interdisciplinary doctoral research project on the judges of the International Military Tribunal for the Far East (1946-1948), which has included extensive archival research in 14 countries. In addition to her doctoral project, she inter alia worked on the research project 'Length of Proceedings at the International Criminal Court' – a collaborative study commissioned by the German Parliament, undertaken by ICLU in partnership with the International Nuremberg Principles Academy. Prior to the doctoral studies, she completed the First State Examination in Law at the University of Passau after studies in Wiesbaden, Oxford, and Passau.

Alexander Korb is a historian in the fields of international and criminal law as well as in comparative genocide studies. From 2010-2024 he was Associate Professor in Modern European History at the University of Leicester, where he also directed the Stanley Burton Centre for Holocaust and Genocide Studies. Until 2025 he was director of the Memorial Nuremberg Trials. Currently he works with the Arolsen Archives - International Center on Nazi Persecution, on a public history of capital punishment in Nazi Germany. Also, he is writing and conducting research on the question how the Nazis used the concept of Genocide/Völkermord in their rhetoric.

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Elisa Novic is currently a researcher at the Criminal Law Research Centre of the Université Libre de Bruxelles. She previously held legal positions with several international NGOs specializing in transitional justice, business and human rights, and climate justice. She holds a PhD in international law from the European University Institute in Florence, Italy.

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Irina Rebrova is a historian specializing in the Holocaust and other victim groups of the Nazi regime during the Second World War in the Soviet Union. She earned her PhD at the Center for Research on Antisemitism at the Technical University of Berlin (ZfA TU Berlin), and in 2020 published her monograph *Re-constructing Grassroots Holocaust Memory: The Case of the North Caucasus*. She also holds a Russian PhD (Candidate of Sciences in History) and an MA in Sociology with a focus on Gender Studies. Dr. Rebrova has published widely in Russian, English, and German on topics including oral history, gender history, and the social memory of Second World War. From 2014 to 2022, she served as a Research Associate at the Hadassah-Brandeis Institute at Brandeis University, USA. Since 2022, Dr. Rebrova has been a board member of KONTAKTE-KOHTAKTbI, a German non-profit organization that promotes tolerance, historical education, and financial support for victims of the Nazi regime in Eastern Europe, the Caucasus, and Central Asia.

Andrea Rudorff is a historian specializing in the research of Nazi concentration camps, the Holocaust, and postwar judicial proceedings. She completed his M.A. studies in Modern History and Polish Language and Literature (1994–2002), studying at Humboldt University in Berlin and at the Jagiellonian and Wrocław Universities. In 2012, she earned her Ph.D. at the Zentrum für Antisemitismusforschung at TU Berlin, focusing on the topic of women in the subcamps of KL Gross-Rosen. From 2013 to 2018, she was a key researcher and author of the commentary for Volume 16 of the monumental documentary collection “The Persecution and Extermination of the European Jews by Nazi Germany,” dedicated to KL Auschwitz (1942–1945). Between

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Dominika Uczkiewicz is a lawyer and historian, graduate of the Law Faculty at the University of Wrocław and of the PhD seminar at the Willy Brandt Center for German and European Studies at the same university. Her research interests lie in the field of Transitional Justice, legal history, international criminal law and of the war crimes trials after the Second World War. Currently she is working as an assistant professor at the Centre for Totalitarian Studies at the Pilecki Institute. Her recent publications include a monograph on the war crimes policy of the Polish government in exile in London (*Problem odpowiedzialności karnej za zbrodnie wojenne w pracach rządu polskiego na emigracji 1939-1945*, Warszawa 2022) and a volume co-edited with Patrycja Grzebyk, *The Russian-Ukrainian Conflict and War Crimes. Challenges for Documentation and International Prosecution* (Routledge 2024).

Annette Weinke is Professor at the History Department of Friedrich Schiller University in Jena, Germany. She has written extensively on themes of postwar/post-communist German history and the histories of legal/human rights activism, international criminal law, and transitional justice in the twentieth and twenty-first centuries as well as being a member of the working group Völkerstrafrecht /International Criminal Law. She also sits in the advisory board of the Association for Constitutional History. Among her publications are *Law, History, and Justice. Debating German State Crimes in the Long Twentieth Century* (Oxford/ New York 2018), *Menschenrechte und ihre Kritiker. Ideologien, Argumente, Wirkungen*, co-edited with Dieter Gosewinkel (Göttingen 2019) and recently „Transitional Justice and Historiography. An Uneasy Relationship,” in: Jan Eckel and Daniel Stahl (eds.), *Embattled Visions. Human Rights since 1990* (Göttingen 2022).

Krystian Wiciarz is head of The Center for Totalitarian Studies at the Pilecki Institute. Political scientist, philosopher, specialist in management. He defended his doctoral dissertation at the Jagiellonian University in Krakow at the Institute of Political Sciences and International Relations, at the Faculty of International and Political Studies, where he was a researcher and lecturer. His interests include issues of social and political change and political systems as well as political theory and political thought. He carried out research projects as part of grants obtained from, among others, the Polish National Science Centre and The Foundation for Polish Science. Deputy editor in chief of the “Totalitarian and 20th Century Studies” journal. He managed projects in the field of internal security (Ministry of the Interior and Administration) and in new technologies.

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