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Introductory Remarks Symposia: 1990: I - Crime and Punishment: Accountability for State-Sponsored Mass Murder (Dedicated to the Memory of Owen M. Kupferschmid): Introductory Remarks

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CRIME AND PUNISHMENT: ACCOUNTABILITY FOR STATE SPONSORED MASS MURDER

INTRODUCTORY REMARKS

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I would like to give a brief introduction concerning the themes of this conference that brings together some of the prosecutors of the Nuremberg trials with current Latin American human rights activists from countries such as Uruguay, Chile and Argentina. We have witnessed enormous political changes during the past several years. The Berlin Wall has come down and former political officials have been arrested in East Germany. Former dissident leaders in Eastern Europe have become government officials and political prisoners such as Nelson Mandela have been released from prison in South Africa. In Latin America, democratically elected governments have replaced military regimes in a number of countries.

The transition from military regimes to democratically elected governments has been one of the main tasks of the new democracies. As this transition has occurred (particularly in Latin America, but also in the countries of Eastern Europe), there has been a call for accountability for the massive human rights abuses committed by officials of previous governments. An important task of the new democracies has been resolving this issue of accountability for the crimes of prior regimes. In the Latin American context, the call for accountability has resulted in amnesties, pardons and an inability to use the legal system for obtaining justice in trying former government officials.

We have gathered together a group of prosecutors, human rights activists and scholars to reflect on the issue of accountability for state mass murder and to look at legal responses from a comparative and historical perspective. The two panels we have assembled are well qualified to offer this perspective. The members of the first panel are Benjamin Ferencz, a prosecutor at the Nuremberg trials; Walter Griebel, a prosecutor working on German trials today; David Matas, a Canadian human rights activist who has been involved in human rights cases in that country and is also a professor at the University of Winnipeg Law School;

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Elizabeth Holtzman, who will discuss the American responses to war criminals; and Luis Moreno Ocampo, the district attorney from Buenos Aires who prosecuted the trials of the military commanders in Argentina. The second panel includes advocates and prosecutors discussing failures to achieve accountability, the legal system's response and alternate solutions.

I think you will see that accountability takes many forms and that one of these forms, of which this conference is part, is public exposure and debate. Participating in the consideration of these questions is one way of fulfilling the need for accountability for these heinous crimes and human rights violations.