

The post-Holocaust Development of Legal Remedies as a Learning Process

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Experience Report

on the International Summer School of the “Post-Holocaust Remedies” Project

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The aim of this experience report is to take an in-depth look at the events, results, and interpersonal interaction during the international Summer School as part of the “Post- Holocaust Remedies” Project.



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A. Introduction

Aim of the Experience Report

By taking a detailed look at the experiences of the participants, the aim is to provide a deeper insight into the dynamics and exchange during this unique educational experience. In addition, the results achieved by the Summer School will be highlighted to illustrate the practical impact and benefits for the participants and society as a whole. The focus will be on intercultural interaction, shared learning experiences and the insights and innovations that emerged from the intensive exploration of the topic of “Holocaust Remedies” and the legal aspects.

B. Preparations for the Students Exchange

I. Preparation Phase and Selection Process

As part of the comprehensive preparation phase for the international Summer School in the context of the project, numerous steps were taken to ensure an effective student exchange.

1. Contacting Lecturers and Experts

A central task was the specific selection of professors and experts who were able to contribute their expertise on the topic of the Holocaust from a legal perspective on the following questions: What lessons can be drawn from compensation measures taken so far after the Holocaust? Which instruments are suitable for legal remedies? Particular attention was paid to attracting highly qualified speakers from both Israel and Germany. These experts provided valuable insights into the topic and deepened the understanding of the participants through their different perspectives on the so-called “Holocaust Remedies”. The speakers themselves worked in a wide variety of subject areas so that “remedies” were examined from a wide range of perspectives. For example, they discussed how problematic the word “remedies” itself is.

2. Planning and Organization

The careful planning and organization covered not only the substantive aspects but also the practical parts of the Summer School. Accommodation, catering, and excursions were considered in advance to ensure the smooth running and the best possible learning conditions for the participants. In addition, an online platform was set up on Stud.IP, which allowed the exchange of data and participation in online lectures. That ensured an intensive exchange of knowledge could also take place in virtual spaces.

3. Students Selection Process

The students were selected on the basis of specific criteria to ensure their suitability and qualifications. German, Israeli, and Colombian students were selected on the basis of their interests, their studies, and their historical backgrounds. For example, some students had relatives who were victims of the Holocaust. Other students of law, history or psychology voluntarily studied the Holocaust intensively during their studies. One student even wrote her doctoral thesis on a subject related to the Holocaust. This selective process helped to



bring a diverse and qualified group of participants together, who were particularly qualified to explore the complex issues of the project and discuss them with the lecturers and practitioners during the excursions.

II. Expectations and Hopes

The expectations and hopes in the run-up to the international Summer School as part of the “Post-Holocaust Remedies” project were manifold and reflected the deep sympathy and the desire for an enriching experience.

1. Expectations Regarding the Lecturers and Experts

The selection of renowned speakers and experts raised high expectations. The hope was to gain deep insights into the subject of the project from different perspectives and to encourage the participants to think in a research-based way and put their acquired knowledge into practice. The participants expected an inspiring and interdisciplinary perspective that would deepen their knowledge.

2. Expectations Regarding the Students

The selection process for applicants created expectations of a committed and diverse group of students. The hope was that this diversity would lead to enriching discussions and a fruitful exchange of experiences.

3. Expectations Regarding the Intercultural Exchange

The involvement of German, Israeli, and Colombian students multiplied the expectations of an intensive intercultural exchange. The expectations regarding the exchange were not only limited to expanding one's own understanding of other cultures but also consisted of creating academic networks that would last as long as possible.

All in all, these expectations and hopes reflect the anticipation and eagerness of gaining a deep and meaningful learning experience through the Summer School as well as forging lasting relationships.

C. Arrival and Encounter

I. Arrival in Israel

As German participants and also members of the project team, we (Julia Rosenfeld and Finn Reis) can specifically describe our arrival in Israel. The arrival in Israel marked the beginning of an exciting phase of the international Summer School. Despite intensive security checks before the flight to Israel, the entry process went smoothly.

Satisfaction with the accommodation was unanimous, which contributed to a positive start of the Summer School. On the very first evening, the German and Colombian participants enjoyed a meal together. This created an informal and warm atmosphere that encouraged intercultural exchange and laid the foundations for successful collaboration. The initial conversations reflected the openness and curiosity of the participants, who were looking forward to learning from each other and working together on the challenges of the project.



II. Meeting with the Israeli Participants

The first meeting with the Israeli participants took place in the lecture halls of Reichmann University, marking the beginning of an inspiring intercultural encounter. At the beginning, the atmosphere was still reserved and familiar groups remained in place.

However, this initial hesitancy quickly disappeared into an open-minded atmosphere as the participants began to communicate with each other. The intercultural exchange became lively, and the first promising friendships developed between the German and Israeli participants. These spontaneous contacts helped to overcome barriers and create an open community.

Following this initial meeting phase, the first lectures by the lecturers began. The atmosphere in the lecture halls was characterized by a lively exchange of thoughts and ideas between the participants, which laid the foundation for fruitful collaboration and a deeper understanding of the common topics. The meeting with the Israeli participants thus not only marked the beginning of an intensive learning phase but also the building of bridges between different cultures and horizons of experience.

III. First Impressions of the Country and Culture

The first impressions of the country and culture during the international Summer School left a deep and varied impression.

The welcome in Israel was extremely warm, and despite the historical sensitivity between Germany and Israel, the atmosphere was extremely positive. As a German participant, there was hardly any hostility, and the openness of the participants helped to ensure that the encounters were characterized by mutual respect. The vibrant atmosphere in Tel Aviv proved to be overwhelming. The vibrant city on the Mediterranean not only offered a rich cultural diversity, but also modern and cosmopolitan life. The participants were able to feel the dynamic city life, be inspired by the culinary delights and experience the unique modernity.

The cultural life in Jerusalem offered an extremely interesting contrast to this. The historical significance of this city as a religious center was reflected in the narrow streets, ancient buildings and religious sites. The impressions ranged from the lively market atmosphere to quiet, spiritual moments at holy sites. These two facets: the lively Tel Aviv and the cultural Jerusalem, provided a deep insight into the diversity of the country and its history.

D. Project Activities and Experiences

I. Description of the Project Activities and Lectures

At the beginning of the Summer School at Reichmann University in Herzliya, we found ourselves in an open lecture theatre, which also facilitated a lively exchange between the participants and the lecturers after the lecture units. As a result, there were always interesting questions and side discussions between the students and lecturers during the various lectures.

This was particularly pronounced during the multimedia and group-based work and the visits by Steffen Seibert, the German Ambassador to Israel, as well as the exchange with Aharon Barak, the former President of the Supreme Court in Israel.



Special features of the lectures included the thematic blocks on Colombian peace efforts and, later, the series of lectures on stolen art and collective memory. The lecture by Prof. Dr. Stefan Peters¹ entitled “The Colombian Peace Process: A New Paradigm of Transitional Justice” was extremely exciting and insightful. He highlighted the key aspects of the Colombian conflict and emphasized the complex nature of this issue. We were given an overview of the efforts towards peace and the ongoing peace process in Colombia, emphasizing the challenges the country is facing. In the discussion that followed, Prof. Peters also addressed the complex issues of equality and inequality in Colombia. Dr. Indira Murillo's² lecture, which focused on the “paramilitares” and the FARC in Colombia, attracted particular interest. Dr. Murillo's lively interaction with the numerous questions from the students gave us a deeper insight into the latest peace efforts in connection with the groups discussed, the associated challenges and further steps in dealing with such an extensive conflict. Later, these insights were deepened by the lecturers, particularly with regard to the enforcement of compensation regulations.

The teaching unit on stolen works of art and their historical implications included two lectures by Prof. Dr. Benjamin Lahusen³, who spoke in his first lecture about works of art that were stolen between 1933 and 1945. He emphasized how significant the cultural losses of this period were. In his second lecture, he also focused on the Washington Conference, a historically significant event that dealt with the issue of restitution and repatriation of artworks, in particular artworks from Germany and other nations.

A final topical highlight that inspired everyone in the room to reflect was the focus on the instrument of collective memory. During the first lecture, Prof. Awi Blumenfeld⁴ highlighted the unique connection between various legal practices in Israel and Nazi laws. He engaged the audience in a discussion about compensation for survivors and explored the reasons given for providing reparations. Prof. Blumenfeld also discussed the development of hardship funds and their role in compensating survivors who had difficulties in obtaining adequate restitution. The lecture ended with a Q&A session, giving the audience the opportunity to delve deeper into the topics discussed. The following lecture by Prof. Dr. Stefan Peters, entitled “Memory, Forgetting and Silencing the Past”, once again emphasized the importance of collective memory as a means of preserving history. He explained how different descriptions of events can have different consequences and then presented various theories on collective memory and commemoration.

As a result, all contributions offered enriching excursions into different areas, with a common line running through the thematic program on different days, providing a structured insight into the complex research areas of the respective lecturers, which could be brought together to form a coherent overall picture at the end of the project.

II. Personal Experiences and Lessons Learnt during the Exchange

As part of the project team, we had a different perspective on the topic. The main attraction of the project for us laid in the fact that information on many legal issues, especially with regard to compensation law, is rarely

¹ Professor Dr. Peters is Academic Director of the German-Colombian Peace Institute – CAPAZ and holds a Chair for Peace Research at Justus Liebig University Giessen.

² Dr. Murillo is Project Director at CAPAZ and works primarily on human rights issues, transitional justice, nationality and statelessness, international migration, gender-based violence and the promotion of gender equality.

³ Professor Dr. Lahusen heads the office of the Advisory Commission in connection with the restitution of cultural property seized as a result of Nazi persecution, in particular Jewish property. Since the winter semester 2021/22, he has been teaching as Professor of Civil Law and Modern Legal History at the European University Viadrina in Frankfurt/Oder.

⁴ Professor Avi Blumenfeld is a renowned historian and Holocaust researcher who is a specialist in the study of Jewish history and the Holocaust. His work focuses on analysing historical events and preserving the collective memory of the Holocaust.



available in such a concise form in legal education. Despite the great relevance of the topic for Germany, this special field of law is still not a compulsory part of legal education. Even a voluntary exploration of the topic, for example as part of an in-depth study course, is extremely difficult due to the limited or non-existent range of courses available.

The opportunity to learn to what extent different historical perspectives played a role in the restitution efforts and the associated aspects of failure gave us new perspectives on the legal peculiarities within the different circumstances described, such as the relevance of art history as a field of research. The confrontation with individual fates and the systematic implementation of acts of violence by the Nazi regime during the National Socialist dictatorship certainly gave all participants food for thought.

III. Interactions with German, Israeli and Colombian Students

On the day of departure to Israel, the German and Colombian participants were already able to establish initial contacts with each other during the journey. The atmosphere was characterized by confidence and anticipation for the Summer School. The best conditions were in place for successful cooperation and flourishing friendships. With our arrival in Tel Aviv and our first meal together, it was already possible to get to know each other better. The meeting with the Israeli students on the first day of the program was eagerly awaited, and a brief round of introductions in the plenary session revealed some commonalities among the students, such as the reasons for their participation in the project. Over the course of the Summer School, the contacts deepened. The participants shared suggestions for discovering the sights and culinary delights in Tel Aviv, Giessen and Berlin, allowing everyone to grow together as a group by the end of the program.

E. Visits and Excursions

I. Visits to Memorials and Historical Sites

Numerous excursions accompanied the lectures. On the first official day of the Summer School, an excursion to Jerusalem was organized in the afternoon. The entire group was able to take part in a city tour through various neighborhoods and visit places of great religious significance. Experiencing the cultural life of the city and the subsequent dinner provided an opportunity to digest the first impressions of the country together. The second excursion to Jerusalem followed on Thursday of the same week. This included a visit to the Supreme Court with a guided tour and visits to the Ministry of Foreign Affairs and Yad Vashem, which provided us with further information about legal and political life in Israel, also in the light of the Holocaust. During the visit to the Supreme Court, there was much discussion about the Israeli legal system. Comparisons were often drawn with the German legal system and its functions. The visit to the Ministry of Foreign Affairs focused primarily on the current German-Israeli relationship and how this can be further strengthened. Towards the end of our stay in Israel, the group visited the city of Acre. There was another guided tour through the city. The visit to the Crusader catacombs was particularly interesting.

Back in Germany, our excursions continued the following week in Berlin. Our three-day excursion started on Friday, 8th, 2023, at 9 a.m. in Giessen by bus. On the evening of our arrival, the group was able to get a

rough overview of various sights. The weekend proved interesting with a guided tour of the Holocaust Memorial and a visit to the Jewish Museum. The discussion with Frank Müller-Rosentritt in the Paul Löbe House and the subsequent visit to the Federal Ministry of Finance on Monday gave the participants an insight into political life in Germany.



Excursion to Yad Vashem, 24/08/2023, © Sabrina Ohm

Excursion to Jerusalem, 20/08/2023, © Sabrina Ohm

II. Significance of the Visits for Understanding the Holocaust

In many ways, the excursions served to develop a deeper understanding of the key topics relevant to the Summer School. Above all, the visits to Jerusalem and the guided tour gave us an insight into the historical circumstances.

Especially the diversity of Jerusalem and the interaction between different religious traditions left a lasting impression. The guided tours of the Supreme Court and the Ministry of Foreign Affairs focused on the history of the development of the State of Israel. Furthermore, the limits of legal reappraisal were pointed out, a topic that Prof. Dr. Cornelius Nestler⁵ also addressed in his own lecture the following week on the trial of Ivan/John Demjanjuk; the trial against Ivan/John Demjanjuk was a protracted legal dispute that lasted several decades. Demjanjuk, a Ukrainian-American man, was accused of having worked as a guard at the Sobibor extermination camp during the Holocaust. The trial began in the 1970s and led to various court cases in the USA, Israel and Germany. In 1988, he was sentenced to death in Israel, but the sentence was later reversed when it turned out that "Ivan the Terrible" was a case of mistaken identity. Demjanjuk was later convicted in Germany of accessory to murder in thousands of cases, but he died before the judgment became final. The trial was of international significance and led to discussions about the prosecution of Nazi criminals and the limits of legal accountability.⁶

The visit to Yad Vashem, a memorial built as a campus for all victims of the Holocaust, proved to be particularly impressive. There, we were guided through the main museum, which, among other things, presented the course of history and individual fates in a historically sound manner with possessions and photos of survivors and victims. The exhibition of personal objects, photos and individual fates not only illustrated the historical dimension of the Holocaust but also brought the suffering and tragedy of the victims

⁵ Since 1997, Professor Dr. Nestler had held a professorship for criminal law and criminal procedural law at the University of Cologne at the Institute for Criminal Law and Criminal Procedural Law, where he retired at the end of July 2021. He has repeatedly represented joint plaintiffs in criminal proceedings against former SS members and concentration camp guards.

⁶ Cf. <https://www.lexikon-der-politischen-strafprozesse.de/glossar/demjanjuk-john/> (accessed 10/05/2024).

to life. Leaving the museum, especially after visiting the Hall of Names, one felt deeply touched and reminded



Excursion to Acre, 30/08/2023, © Sabrina Ohm

of the countless lives that were lost during this dark period of history.

A similar experience followed at the House of the Ghetto Fighters, another Holocaust Museum near the city of Akko, where we visited an art exhibition on the experience of fleeing and loss of identity, as well as the glass cabin where Adolf Eichmann was interrogated during his trial in 1961.

The weekend in Berlin offered the participants a further program item focusing on the significance of the Holocaust. They were able to visit the Holocaust Memorial with a guided tour on Saturday and the Jewish Museum on Sunday, where everyone explored the exhibition on their own. On the following Monday, a plenary discussion with Frank Müller-Rosentritt addressed the current importance of combating anti-Semitism in politics, thus closing the circle to the ongoing significance of the Holocaust on the journey back to Giessen.

III. Reflect on Our Own Feelings and Thoughts During the Visits

We were particularly touched by the visit to Yad Vashem. My grandfather himself was persecuted as a Jew in the Holocaust. Therefore, it was a special experience to understand what he, like many others, must have gone through during the deportation. We left the place feeling very thoughtful, especially in memory of all the resistance fighters who stood up to the Nazi regime and its atrocities. I, Julia Rosenfeld, had a similar experience at the Jewish Museum in Berlin, where there was an animated map of Germany with a timeline of anti-Semitic violence during the Nazi era, visualizing how quickly and intensely the crimes escalated.

F. Cooperation and Cohesion

I. Teamwork and Cooperation

With regard to collaboration within the project, the different perspectives complemented each other to form an overall picture that fundamentally underpinned the learning experiences. This was particularly evident in team tasks and group work, such as those carried out in Giessen.

II. Challenges and Solutions During the Exchange

Initially, it was a small challenge to reconcile the different perspectives of all participants in the project. This was a challenge, especially in view of the lack of time and the intensive program. However, thanks to the



cooperative and communicative nature of the students and lecturers, this problem was overcome relatively quickly, resulting in a productive and open-minded working atmosphere. There were lively discussions, significant contributions and, thanks to the participants' own initiative, even additional, relevant materials and information on each of the main topics. One participant, for example, talked about how strongly the Holocaust shaped the lives of her grandmother and parents.

G. Review and Outlook

I. Personal Development and Insights Through the Exchange

As we had never been to Israel ourselves, it was very interesting for us to get to know the cultural life in this way and to see many historical places. It proved to be incredibly enriching to gain an insight into an area that is, unfortunately, lacking both in the history lessons at schools and in legal education. It was also great to see that, despite everything, the interest in dealing with the Holocaust appropriately has not decreased over the years, because especially in the current situation of the Israel-Palestine conflict and the associated increase of anti-Semitic statements in Germany, it is particularly important to remember the past and to keep reviving these memories in people's minds.

II. Effects of the Exchange on One's Own Perspective and Attitude

The project and the associated Summer School will certainly influence our further studies through the expertise gained.

During this time, we were able to learn a lot about the historical circumstances and debates that characterized legal practice then and now. From time to time, we also had a somewhat sobering impression. Prior to the project, we assumed that more was being done for the victims, survivors and surviving members of a family than is actually the case. For example, although there were theoretically certain compensation measures for the victims of the Holocaust and surviving family members, it was extremely difficult for the victims to actually receive them. At the same time, the commitment that many relevant actors are still showing today is optimistic, so that the Summer School also motivated me to continue working and researching in this area ourselves.

III. Outlook for Future Projects and Further Steps

In any case, there is still a lot of potential and need to deal with legal remedies.

Based on the unfortunately limited insights provided by the project work due to the restricted time available, the development of legal remedy instruments is an extremely complex field in which much work still needs to be done.



H. Field Report by a Participant (Johannes Wagner)

As part of our comprehensive project report, it is essential not only to share the intricate details from the project team's perspective but also to highlight the unique experiences of our participants. With this in mind, we are delighted to share an account from Johannes Wagner, one of our Summer School participants. His personal narrative not only provides a vivid account of his journey but also serves as a testimony to the impact our project has had on the people involved:

"During summer break 2023, I participated in the international Summer School 'Post Holocaust Remedies', a program jointly run by the Reichmann University in Israel and the Justus Liebig University Giessen, Germany. What I first noticed about the program was the mixture of international students from Germany, Israel and Colombia as well as the issue of 'Post Holocaust Remedies'. During the four-week program, I had an extraordinary time connecting and learning together with the other participants about holocaust reparations and other means of remedies. With a limited capacity of ten students from Germany, I began preparing my application a month prior to the deadline and was accepted after an additional interview with the project staff. Having never been to Israel, flying to Tel Aviv was an exciting experience in itself. During our stay, we were accommodated together with the other German and Columbian participants in flats, which allowed us to strengthen our network. We began our academic program on the 20th of August. The program mostly consisted of lectures by academics from a broad range of academic divisions. The interdisciplinary approach taken by the Summer Schools' academic curriculum was great for capturing the multiple challenges that arose from the atrocities of the Holocaust. One lecture that particularly impressed me was given by Dr. Philipp Weiß on the subject of ghetto pensions. Reimbursing Jewish and other forced laborers for work undertaken under the Nazi regime through the German pension system appears to me as a good way to provide remedies to Nazi victims. Nevertheless, it was often complicated to apply for these pensions for the victims. Another interesting aspect of the curriculum was the comparison between the process of developing legal remedies and peace-making in the aftermath of the Second World War and the peace-making process in Columbia. The lectures were complemented by a series of excursions with all students to foster networking, learn about Jewish culture and heritage, and learn more about Israel. In Germany, we continued our academic program and took a trip to Berlin to learn more about the German approach to the topic from government officials and German politicians.

To me, the 'Post Holocaust Remedies' Summer School was an outstanding experience where I made friends from Germany, Colombia, and Israel. Together, we learned about an issue that I consider a core responsibility of the German state and how successor governments can deal with similar atrocities by their predecessor. All in all, it was a great time."



I. Conclusion

Participation in the international Summer School as part of the “Post-Holocaust Remedies” project enabled an in-depth examination of the historical and legal aspects of the Holocaust, which also included a transitional justice perspective. The careful preparation and organization contributed to the fact that the participants benefited not only professionally but also emotionally from the experience.

The visits to memorial sites, in particular Yad Vashem, left a lasting impression and encouraged intensive reflection on the individual fates of the victims. The insights gained during Summer School will have a lasting impact on the participants' views and attitudes.

Overall, the experience report shows that the Summer School not only imparted knowledge but also generated a deep emotional resonance that left a lasting impression on the participants. We consider participation in this program to be an important step in our personal development with regard to our understanding of historical responsibility.







Project “The post-Holocaust Development of Legal Remedies as a Learning Process (Post-Holocaust Remedies)”

The research project “The post-Holocaust Development of Legal Remedies as a Learning Process (Post-Holocaust Remedies)” is carried out by the Chair for Public Law and International Law, Justus Liebig University (JLU) Giessen in cooperation with scholars from Reichmann University in Herzliya/Israel and the Instituto Colombo-Alemán para la Paz (CAPAZ) in Bogotá/Colombia. The project, conducted by Prof. Dr. Thilo Marauhn and Dr. Ayşe-Martina Böhringer, began in late summer 2022 and is dedicated to the in-depth analysis of compensation law in connection with the Holocaust and the legal framework that has been developed since 1945 for dealing with the consequences of Nazi crimes.

The project, funded by the Foundation Remembrance, Responsibility and Future (EVZ) and the Federal Ministry of Finance (BMF) from August 2022 until June 2024 as part of the Education Agenda NS-Injustice, focuses on the critical analysis of the development of political and legal instruments in dealing with the consequences of the Nazi atrocities. The following questions, among others, are addressed: After the atrocities of the Holocaust, what lessons can be learned from the compensation law measures taken to date? Which instruments are suitable for legal remedies? An important main feature of this project is the international summer school, which offered students from Israel, Colombia and Germany the opportunity to take an in-depth look at the legal process of addressing Nazi crimes. The program covered two weeks each at Reichmann University in Herzliya, Israel and JLU Giessen and included a variety of courses and excursions to relevant institutions to ensure a practice-oriented perspective. The summer school took place from 18.08.2023 to 14.09.2023. This unique way of teaching the subject of this project should also inspire future generations to engage in research-based learning, practice-oriented knowledge transfer and academic responsibility.

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