

IAP Medal of Honour Mr. Benjamin B. Ferencz – 2018 Johannesburg, South Africa

Dear Minister of Justice of the Republic of South Africa, dear Deputy Minister of Justice, dear Acting National DPP of South Africa, your excellencies, dear honoured guests, dear colleagues and friends, dear ladies and gentlemen,

The highest decoration that may be awarded to a prosecutor by the International Association of Prosecutors, is the IAP Medal of Honour. Since the establishment of the IAP in 1995 the Medal has been awarded 8 times, the last time 5 years ago, back in 2013. Earlier this year the IAP Senate nominated to the IAP Executive Committee to award the next Medal of Honour to Mr. Benjamin B. Ferencz.

The IAP Medal of Honour may be awarded to prosecutors who have proved to have, in a domestic or international context, the key qualities of a good prosecutor and, more specifically, those of integrity, fairness and dedication to professional ethics, as set out in the IAP Standards. The Medal of Honour may also be awarded to a person that has made a significant contribution to the promoting of the rule of law in a domestic or international context. The recipient's qualities and achievements must clearly be seen to be in accordance with the Objects of the Association, including the Object of international cooperation between IAP members, and must be widely recognised, nationally and internationally.

Ladies and gentlemen, this implies that this Medal of Honour may only be given for outstanding achievements. The IAP finds in Mr. Ferencz a person who fulfils those requirements.

The outstanding and unique career of Mr. Benjamin B. Ferencz started as a prosecutor with his involvement in the Nuremberg Trial – the „biggest murder trial in history“, as it was called, at the age of just 27, and his impressive career has continued throughout his life to now, at the age of 98. Mr. Ferencz has become a fundamental voice of international law, of human rights and of peace.

Benjamin Ferencz was born in the Carpathian Mountains of Transylvania in Central Europe in 1920, but before he turned one year, his family moved to the United States. After he graduated from Harvard Law School in 1943, he joined an anti-aircraft artillery battalion in the Second World War and was present at the Normandy landings. As Nazi atrocities were uncovered, he was transferred to a newly created War Crimes Branch of the Army, to gather evidence of Nazi brutality and apprehend the criminals. In the Nuremberg Trial – as the Chief Prosecutor of the so called 'Einsatzgruppen' case - he prosecuted 22 former members of the German SS, whose cases he conscientiously researched and pursued with the highest standards provided by the law. All 22 defendants were convicted of the murder of over a million people.

About this trial Ferencz said: *„Nuremberg taught me that creating a world of tolerance and compassion would be a long and arduous task. And I also learned that if we did not devote ourselves to developing effective world law, the same cruel mentality, that made the holocaust possible, might one day destroy the entire human race.“*

After Nuremberg, Benjamin Ferencz spent several years working to compensate individuals and organisations who had been wronged during the war, gaining a reputation as, and I quote *“a lawyer who takes hopeless but morally well-founded cases on a contingency basis.”*

With his experience in the Nuremberg cases he became a fundamental voice of international law. He devoted much of his career arguing for the creation of the International Criminal Court.

In 1970, during the Vietnam war, after careful deliberation, Ferencz decided that he would withdraw from the private practice of law and would dedicate himself to studying and writing about world peace through law.

In 1975 he published the book: *Defining International Aggression – The Search for World Peace*. It seemed to him that there was little sense in denouncing aggression, terrorism and other crimes against humanity, unless these offences became part of an accepted international criminal code, enforced by an international court.

Intended to be a tool that nations could use to build a structure for peace, he wrote a two-volume documentary history: *An International Criminal Court - A Step toward World Peace* and *Enforcing International Law - A Way to World Peace*.

Mr. Ferencz was active at Preparatory Commission sessions for the ICC, monitoring and making available his expertise on current efforts to define the crime of aggression.

Since the International Criminal Court's formation, Ferencz continues to advocate for international law and world peace, underlining that, and I quote again: "... *the most powerful nations of the world are not yet ready to surrender what they perceive as a sovereign right to use, whatever means they perceive to be necessary in order to protect their own interests as they see them.*"

Although retired, Benjamin Ferencz is still taking part in popular debates to convince ordinary citizens that all criminals should be brought to trial where they may be tested by the law, instead of being confronted with aggression and he has spoken out against the torture of criminals. He hopes to provide ordinary citizens with a guide to influencing UN reform and the enforcement of international law, which is laid down in a book called: *A Common-Sense Guide to World Peace and Planet Hood*. Mr. Ferencz sees international economic and political collaboration as the key to implementing international law.

Let's watch a short video, which is in fact a trailer for a movie about Mr. Ferencz.

Many institutions have recognised Ferencz' lifelong support for international law and he was awarded with the Medal of Freedom from Harvard; the French Legion d'Honneur; the Commander's Cross of the Order of Merit of the Federal Republic of Germany; The Netherlands' Erasmus Prize and several other high awards. In 2017 the City of The Hague, City of Peace and Justice, where IAP's Secretariat is based, honoured Benjamin Ferencz with naming of a public garden and bench, together with a footpath next to the Peace Palace after him. Calling him "one of the figureheads of international justice" and "a role model for people all over the world."

Mr. Ferencz wants new scholars and legal practitioners to continue strengthening the emerging fields of humanitarian and human rights law. In this way, his ultimate goal of law-over-war can be fully realised. He remains optimistic that the level of international cooperation needed to "*eliminate the causes of discontent which drive people to kill*" is within reach. His life motto is: „*Law, not war*”.

I quote again: „*That's why I'm still fighting, to prevent that from happening again. This fight includes convincing the world that countries are stronger and safer together than they are apart, at a time when national interests are increasingly being emphasised over international laws*”.

Ladies and gentlemen, Benjamin Ferencz is a remarkable man. Someone the IAP would like to award with its highest decoration, today here on stage.

However, being 98 years of age, Mr. Ferencz is not able to travel the long way from the United States, where he lives, alternating in New York and Florida. But we had a plan, a plan made with the support of his family: awarding Mr. Ferencz back home with the help of one of our members, Executive Committee Member Chris Toth. So, when we learned that Mr. Ferencz was supposed to travel last week once more from Florida to New York, we scheduled a special ceremony at the Office of the New York Attorney General. It was supposed to be recorded and we intended to show the footage here today to you.

Unfortunately, Mr. Ferencz got ill, a severe infection at his leg, dangerous for anyone, but especially when you are 98. With right, his doctor banned the travel.

So, here we are, with the Medal of Honour (and I will show it to you, it's a copy, the original Medal is already in New York), here we are, unfortunately without Mr. Ferencz, but with the promise that we will do our utmost to have it received by Mr. Ferencz as soon as possible.

Let me close this ceremony by presenting this Medal of Honour to IAP's President and by asking you for a standing ovation as a tribute to this remarkable man, Mr. Benjamin B. Ferencz.