

“The Century of Benjamin Ferencz: In Pursuit of International Criminal Justice”

Benjamin Ferencz

Supranational Criminal Law Lectures Series
in cooperation with the
International Humanitarian and Criminal Law Platform
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T.M.C. Asser Instituut, The Hague

On 15 May 2017, Benjamin Ferencz, the only surviving Nuremberg war crimes prosecutor and one of the biggest names in the field of international criminal law, gave a lecture in a packed conference room at the Asser Institute in The Hague. The lecture took place in the context of the [Supranational Criminal Law Lecture Series](#) and was co-organised by the [International Humanitarian and Criminal Law Platform](#). Ferencz was in The Hague to attend a ceremony [to name of path close to the Peace Palace after him](#). After words of welcome from the side of Prof. Ernst Hirsch Ballin (President of the Asser Institute) and Dr. Christophe Paulussen (Senior Researcher at the same institute), Benjamin Ferencz shared his [incredible life story](#) with the rest of the audience, among whom many students.

Benjamin Ferencz was born in the Carpathian Mountains of Transylvania in 1920. When he was still a baby, his family left for the United States, where they lived in a small cellar in a Manhattan district referred to as "Hell's Kitchen". After he graduated from Harvard Law School in 1943, he joined an artillery battalion preparing for the invasion of France. He fought in every campaign in Europe. "I learnt that I can survive everything. And I think that has been a guide for me in everything I do. I can never live as poor as I have been, I can never be subjected to more attempts to kill me than I have been, and that gives me an enormous strength – I fear nothing! And I am so busy, I have no time to get old!"

Little by little, a humorous description of his early decision to pursue a career as a lawyer and in the army was replaced by a moving recount of the brutality he witnessed. As Nazi atrocities were uncovered, he was transferred from the artillery to a newly created War Crimes Branch of the army to collect evidence of the crimes that were being committed and apprehend the suspects of such crimes. He was the first man assigned by the American army to deal with war crimes. The first offences that came to the attention of the War Crimes Program were so called "flyer cases". These were cases dealing with crimes committed against downed Allied aviators almost invariably beaten to death by the German mob. However, that was only the beginning. As the American army proceeded into Germany, it began to discover concentration camps. With an extremely moving, compassionate and intimate recollection of the hope that some prisoners kept regardless of the cruelty and horrors they were subjected to, Ferencz described his role in the gathering and preservation of the evidence found.

At the end of the war, Ferencz was honourably discharged and returned to the United States until, shortly thereafter, he was recruited again for the Nuremberg war crimes trials. The United States had decided to prosecute a great number of Nazi criminals once the main trial at the International Military Tribunal was over. General Telford Taylor was assigned as Chief Counsel for a number of subsequent trials. Ferencz became Chief Prosecutor for the United States in the Einsatzgruppen case, where 22 defendants were convicted of the mass murder of over a million people. It was the biggest murder trial in history. Ferencz was 27 years old and it was his first case. Inspired by his work in Nuremberg, he dedicated the rest of his life to the development of international criminal justice. He became a strong supporter of the International Criminal Court, where he was

asked by the then Prosecutor, Mr. Moreno-Ocampo, to give a closing statement in the Court's very first case, against Thomas Lubanga Dyilo. Ferencz was 91 years old and it was his second case.

Ferencz concluded his account by stressing the need to stop war making as it makes murderers out of civilised people. It is war itself that must be prevented, and the only way to do that is to change the hearts and minds of the people. For centuries, war has been glorified. Today, the victims of war are all innocent civilians. He appealed to the young people, to pick up the torch against war making and carry it forward. "It is your world, not mine anymore", he concluded. "You need to have the courage to compromise, and you need the courage not to be discouraged. Never give up!"

[Watch the video](#) of the lecture of Ben Ferencz.