

Laudatio Annetje Fels Kupferschmidt – Award 2010 to the Hon. Louise Arbour, C.C., G.O.Q.

Auteur Ronald Leopold

Excellencies, honoured guests, ladies and gentlemen,

Block #11 is situated in the farthest corner of Auschwitz I, commonly known as the Stammlager. It is a rectangular, brick building quite similar to the other barracks, with a central corridor and, halfway down the corridor, there are concrete steps leading down to a basement. The basement houses the prisoner cells, as Block #11 was destined for prisoners. Right behind the main entrance of the barrack, on the left-hand side, is a spacious room, that served as a court of law. A couple of large windows offer a view of a courtyard and of Block #10, in which medical experiments were performed on prisoners. That was the view of the prisoner who stood trial. The prosecutors and the judges (if any) sat with their back towards the windows, at a long table. The clerk of the court was seated at the head of this table, painstakingly documenting and registering the session.

It will come as no surprise to anyone that in 90% of the cases the death penalty was imposed. The sentence was carried out right away by a firing squad against the so-called Wall of Death at the end of the courtyard. 'Schnellgericht' was the proper word for it. Later on, the executions took place in the adjacent rooms, to save the trouble of dragging the convicts outside.

Standing in Block #11, as I did 3 months ago, and staring into the room of this court of law, one is not only bewildered by its gruesomeness, but also struck by some puzzling facts. For example, what rationale was there for those 10%, who were not

sentenced to the death penalty? What meticulousness was aimed at here? Why administer justice in the very heart of this death factory, in this hell on earth? What kind of legality ruled here? Not being sentenced to death meant suffering to death or being industrially processed to death. As so often, the words of Primo Levi cross my mind: in order to die, you only needed to observe the camp rules and to eat the issued rations of food. There was nothing else to it.

In the infinite amount of books, films and other kinds of documentation about the Shoah, you often stumble across the word 'civilization'. Usually, it is linked to the endlessly repeated, but still very relevant question: how could it all have happened? Within the context of this question, civilization is often considered as the opposite of barbarism, of the crimes committed by the Nazis. We like to assume that civilization and barbarism are diametrically opposed, that one excludes the other. But probably we have to face the inaccuracy of that assumption. In any case, it will not bring us closer to an answer of how the Shoah could have happened. The Third Reich, with all its cruelty and inhumanity, was firmly rooted in what we usually consider as signs of civilization. Many high-ranking Nazis loved the arts, listened to the beautiful music of Schubert and Beethoven, frequented the theatre and the opera and read the classic German literature. Or take a look at the role of science in the Third Reich. Of course, there was an element of unbridled hate in their anti-Semitism, but it was first of all a scientific concept that gave justification to the Shoah, to eliminating the 'Untermensch'. And if we speak about civilization, what should we think about the central theme of today's gathering -- the realm of law? The Third Reich was a constitutional state, a legal system, scrupulously administering justice. Not just killing at random, but through procedures in accordance with the laws at the time, leading

up to 90% death penalties, but also to 10% milder sentences, and even a rare acquittal.

Block #11 shows us where it all ends, when the law has become detached from its moral foundations, from universal human values. It shows us where it all ends when civilization is confined to 'my civilization'. Despite its gruesomeness, Block #11 does not tell us the story of blind hate or savage sadism, nor does it tell us the story of complete lawlessness. Block #11 tells us the story of how civilization, with its fine arts, its science and its law, is capable of excluding and dehumanizing, at the end of the day also in the literal sense of the word. It is a fundamental story for anyone, who is in search of the mechanisms of evil.

More than twenty years after the end of the Second World War, a young woman from Montreal, Canada, finishes her classical education at a Roman-Catholic boarding school and decides to apply for the study of law. In one of her many interviews, Louise Arbour confesses that it was not a very deliberate choice. She claims, that she didn't have a clear view of what the study actually involved. Frankly, that is somehow hard to believe, considering the determination and purposive behaviour she shows in her professional life. She was an excellent student, who rapidly rose to the highest levels of her profession. A successful, glowing career, one that parents love to proudly talk about when it comes to their children.

But of course, that is not the kind of success I am referring to today. To many of you, it might seem strange that I am using the word successful on this occasion, with its central theme of 'Auschwitz, never again'. After all, we all know the horrors and genocides history has brought since the atrocities of the Shoah. We have been witness to new slaughters and new massacres. We have been witness to the

shortcomings of the international community to prevent them from happening. We have been frustrated by the fact that most of the perpetrators have never been called to account. So, in light of these failures it is hard not to become pessimistic and cynical.

But there is another side to this. For the first time in history, the international community, rising out of the ashes of the Second World War, adopted the concept of individual human rights as a leading principle and embodied it in international law. It expressed the political will to recognize the claim of each individual to dignity. More recently, we saw the rise of international criminal law, bringing individuals to justice for genocide-related crimes when states fail to do so themselves. Of course, this set of instruments is far from perfect, its application even less so. But no one can deny the progress that has been made during the last decades. Those devoted to making this world a better, more dignified place, know moments of frustration and powerlessness, but they are inspired by what has been achieved and focus on further progress.

The distinguished career of our laureate today provides us with the opportunity to follow the efforts of the international community in its aspiration of 'Auschwitz, never again'. In 1996, Louise Arbour was appointed Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and for Rwanda. These first international tribunals since Nuremberg and Tokyo were a milestone in the history of international criminal law. In 1999, Louise Arbour indicted Slobodan Milosevic and had him arrested. As you all know, he died in prison during the trial. But his arrest and his indictment were a clear statement to other war criminals.

In 2004, Louise Arbour was appointed to the office of UN High Commissioner of Human Rights. After her career in law, she had to change her 'modus operandi': from judgement, verdict and punishment to the handwork of international politics, to lobbying and the power of persuasion. But what remained was her determination to contribute to a better, safer and more peaceful world. She operated with distinctive characteristics, stressing the importance of action rather than words, focusing on implementation, and preferring field-visits to her comfortable office in Geneva with its beautiful view of the lake and the surrounding mountains.

And now, since July 2009, she is president and CEO of the International Crisis Group, an independent, non-governmental organization, committed to preventing and resolving international conflicts. It's a logical next step for a woman who has dedicated her life to the efforts of the international community to make this world a better place. Human rights, international law and politics converge in her professional arena. She played a pivotal role in the achievements within all these realms during the last decades. So when, a moment ago, I called her career successful, it was meant to qualify her contribution to the progress that has been made, to giving so many individuals a safer and more dignified life.

Louise Arbour inspires us with her optimism, her thirst for action, her drive in the struggle for human rights. She offers us hope when we stand in horror inside Block #11. She offers us hope for 'Auschwitz, never again'.