

# ICC receives 2017 Stockholm Human Rights Award and discusses investigation into Afghanistan in Q&A

Tuesday 21 November 2017



The 2017 **Stockholm Human Rights Award** has been presented to the **International Criminal Court** ('ICC' or 'the Court') – the only permanent international criminal court of last resort – in recognition of its advancement of international justice and strengthening of human rights. **His Majesty King Carl XVI Gustaf** made the presentation at a ceremony held in the Berwaldhallen concert hall in Stockholm, Sweden on 20 November 2017.



Conferred annually, the Stockholm Human Rights Award is given by the **Swedish Bar Association**, the **IBA** and **the International Legal Assistance Consortium** to an organisation, or person, in recognition of outstanding service in the support and furtherance of human rights and the rule of law.

The three Principals of the ICC, President, **Judge Silvia Fernández de Gurmendi**, Prosecutor, **Dr Fatou Bensouda** and Registrar, **Mr Herman von Hebel** jointly accepted the Award on behalf of all at the Court, in the presence of **Queen Silvia of Sweden**, to extended applause from an audience of 1,000 comprised of representatives from the diplomatic corps, the judiciary, the legal profession, academia and human rights organisations.

In the acceptance remarks, Judge Fernández de Gurmendi said: *'I am honoured – and humbled – to speak on behalf of all those who contribute every day to the enormous task of investigating and prosecuting atrocities that shock the conscience of humanity, and threaten the peace and well-being of the world. This*

*task is indeed a collective endeavour that needs the daily efforts of many, and the cooperation and support of many more.'*

She described the Award as reflecting *'the notion that international criminal justice contributes to fostering human rights and the rule of law in the world'*, before summarising some of the Court's achievements over a 15-year period. Judge Fernández de Gurmendi said: *'[i]nvestigations have been opened in ten countries and twenty-five cases have been brought before the judges. Convictions have been issued for crimes such as the use of child soldiers, sexual violence in conflict, attacks on civilian population, and the destruction of cultural heritage'* and that: *'More than 14,000 victims have participated in our proceedings; first reparations orders have been issued, and the Trust Fund for Victims has provided assistance to hundreds of thousands of victims.'*

The international audience was also told that, *'Impunity is no longer an option for the perpetrators of atrocious acts. Accountability for the gravest crimes has become a real possibility and, most importantly, a global expectation.'*

A wide-ranging interview of the three ICC Principals with IBA Executive Director **Dr Mark S Ellis** followed the acceptance speech. Among the topics discussed were: bringing the Court into existence, the condemnation of the ICC by African nations, justice for victims heretofore without access to justice, the importance of the support of the international community and the fair trial process.



Excerpts of the discussion appear below.

- Judge Fernández de Gurmendi: *'we had to convert a treaty – a piece of paper – into reality, to create a real court, and we did it. We had to learn lessons, but we are going in the right direction.'*
- Dr Bensouda: *'There was a strong international resolve to create this court – states got together and voluntarily created it. This should be one of humanity's proudest moments. When atrocities happen, this court is ready to complement domestic judicial arrangements... bringing those responsible for such crimes to justice.'*
- Dr Bensouda: *'the criticism from the African Union is not backed by the facts on the ground. Most of the African cases we have were referred to the Court by African governments. We get very strong cooperation from African States.'*

- Mr von Hebel: *'one of the most important elements is that victims can speak to the Court. Over 14,000 victims have participated in court proceedings so far – this is an incredibly important message – it brings justice.'*
- Judge Fernández de Gurmendi: *'this court was created by an alliance of small and midsize countries, because these are the ones that need this justice. We want to add ratifications from some major countries – it is what most countries of the world want.'*
- Dr Bensouda: *'the international community – states – have an obligation to arrest people who are wanted by the Court – I continue to call for that support... our responsibility is to investigate properly and to prosecute properly, but we need state parties to live up to their responsibility.'*
- Judge Fernández de Gurmendi: *'the Court is [only] as strong as the international community wants it to be.'*
- Mr von Hebel: *'it is incredibly important that the Court provides good defence for those accused, and provides good counsel for victims, to ensure that there really is a fair trial.'*

A short time before the interview with Dr Ellis, the **ICC announced** that it will formally investigate what has happened in Afghanistan.

- Dr Bensouda: *'Afghanistan is a state party to the Rome statute. It is ten years since a preliminary examination was opened. I have come to the view that there is reasonable ground to believe that crimes which fall under our jurisdiction have been committed there. So I have requested from the chamber to grant me authorisation to look at crimes committed by all actors in Afghanistan... including the United States.'*
- Judge Fernández de Gurmendi: *'international criminal justice is probably the biggest achievement in the rule of law in the past 30 years.'*
- Dr Bensouda: *'the work of scrutinising those who commit atrocities is a challenge, but in the countries where this happens and where the ICC is not there, no one else is there pursuing justice.'*

Showing support for the Court, Anne Ramberg, the Secretary General of the Swedish Bar Association, said in her welcome remarks: *'...it is deplorable that major states such as China, Russia and the United States have not supported the International Criminal Court and have used their places on the Security Council to block the process of justice... Sweden has an opportunity in chairing the Security Council to raise these issues.'*

The ICC is the ninth Stockholm Human Rights Award laureate.

**ENDS**

#### **Notes to the Editor**

- 1. Video footage of the ceremony and interview can be viewed at the following link [www.ibanet.org/Stockholm-Human-Rights-Award-2017.aspx](http://www.ibanet.org/Stockholm-Human-Rights-Award-2017.aspx).
- 2. The Stockholm Human Rights Award was established in 2009. Past recipients of the Award are:
  - 2016 **Mary Robinson**
  - 2015 **Prince Zeid Ra'ad Zeid al-Hussein**
  - 2014 **B'Tselem**
  - 2013 **Professor Cherif Bassiouni**

- 2012 **Thomas Hammarberg and European Roma Rights Centre**
  - 2011 **George Soros and Aryeh Neier**
  - 2010 **Navi Pillay**
  - 2009 **Richard Goldstone**
- 3. **The International Bar Association** (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. Through its global membership of individual lawyers, law firms, bar associations and law societies it influences the development of international law reform and shapes the future of the legal profession throughout the world. The IBA's administrative office is in London. Regional offices are located in: São Paulo, Brazil; Seoul, South Korea; and Washington DC, US, while the International Bar Association's **International Criminal Court and International Criminal Law Programme** (ICC & ICL) is managed from an office in The Hague, the Netherlands. The International Bar Association's **Human Rights Institute** (IBAHRI) works to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.
  - 4. Find IBA updates on Twitter @IBAnews.

**For further information please contact:**

**Romana St. Matthew - Daniel**  
**Press Office**  
**International Bar Association**  
 4th Floor, 10 St Bride Street,  
 London EC4A 4AD

Mobile: +44 (0)7940 731 915  
 Direct Line: +44 (0)20 7842 0094  
 Main Office: +44 (0)20 7842 0090  
 Fax: +44 (0)20 7842 0091

Email: [romana.daniel@int-bar.org](mailto:romana.daniel@int-bar.org)  
 Website: [www.ibanet.org](http://www.ibanet.org)