

A 50th Anniversary Roundtable Debate

'To Save Us From Hell...'

An Introduction¹

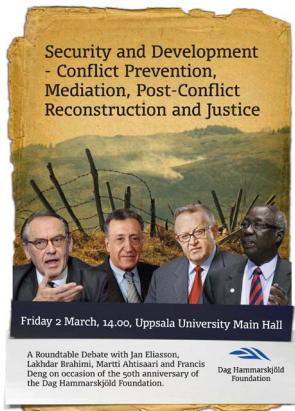
Henning Melber

Dag Hammarskjöld, the second Secretary-General of the United Nations, gave up his life in pursuit of a peaceful solution to the civil strife in the former Belgian colony of the Congo. He was on his way to meet Moïse Tshombe, the leader of the Katangese secessionist movement. His death, on the night from 17-18 September 1961, shocked the world and left Sweden in mourning. Fifteen others were aboard the plane, which crashed while approaching the airport of the Northern Rhodesian mining town of Ndola. No-one survived.

Dag Hammarskjöld was finally put to rest on 29 September 1961 a few hundred metres from where we are gathered today. Within weeks of the tragedy, ordinary people throughout Sweden, from school children to pensioners, workers to aristocrats, donated money to establish a foundation in Hammarskjöld's name. On this day 50 years ago, on 2 March 1962, the King in Council laid down the statutes of the Dag Hammarskjöld Foundation. This was a genuine result of an initiative by the Swedish people. The Foundation should therefore be thought of as a public good, especially since we are now funded by taxpayers' money through the Swedish Ministry for Foreign Affairs. In our work, we consequently remain ultimately accountable to the people of Sweden as well as all those others who care about the legacy of Dag Hammarskjöld. After all, part of our mandate is to bear witness to the values and ethics he lived by and died for through efforts to translate these into current policy-making and to strengthen global governance.

¹ This introduction was presented in a shorter version as opening speech ahead of the Roundtable.

It is my honour and privilege as the current Executive Director of the Dag Hammarskjöld Foundation to welcome all of you gathered here on this occasion. I will try to introduce and subsequently moderate the round table, for which we have selected a theme that is topical, but which was also among the challenges facing Dag Hammarskjöld. Allow me also to recognise the presence of Sven Hamrell and Olle Nordberg, my predecessors in this position, as well as of Göran Bexell, the current chair of our board of trustees.



Poster for the event.

Four seasoned diplomats, all of whom have more than once been faced with tough decisions in their efforts to mediate peace or at least end the killings, meet here today on this, the 50th anniversary of our Foundation – not to celebrate, but to contemplate. Three similarly committed women join them and add their reflections. Walking in the footsteps of, and inspired by the second Secretary-General of the United Nations, they will share their experiences of and insights into conflict mediation, post-conflict reconstruction and transitional justice. All of them have in common a longstanding commitment to enhancing global justice. Our four main speakers also share the distinction that they are among the 14 persons who have delivered the annual Dag Hammarskjöld Lecture since it was instituted in 1998 in a collaboration between the Foundation and Uppsala University.²

Former Finnish President Martti Ahtisaari delivered the annual Dag Hammarskjöld Lecture on 18 September 2008 – some two weeks before the announcement that he was to be awarded the Nobel Peace Prize for the same year. He dealt with the fundamental question of whether the international community would be able to meet the challenges it confronted. He then stated, ‘the United Nations is still globally the most present ‘peacemaking’ body – there is no real alternative. It can combine ‘influence’ and ‘persuasion and pressure’ from a large number of member states. It also has the ability to support and further legitimize the engagement of regional actors and organisations.’³ In line with this view, the focus of the following is on the essential role the world body – established after the scourge of two world wars – should and can play in enhancing peace, justice and development.

2 Unfortunately, Mary Robinson and Noeleen Heyzer, who were also invited to join this round table as former presenters of the Dag Hammarskjöld Lecture, had prior commitments that prevented them from joining us.

3 Martti Ahtisaari, *Can the International Community Meet the Challenges Ahead of Us?* The 2009 Dag Hammarskjöld Lecture. Uppsala: Dag Hammarskjöld Foundation 2009, pp. 12f.

Ten years ago, at the end of 2001, the International Commission on Intervention and State Sovereignty (ICISS) presented a pioneering report. For the first time it coined the concept Responsibility to Protect (RtoP) in a semi-official way.⁴ The report was strongly endorsed by Secretary-General Kofi Annan in light of the traumatic experiences of genocide and other forms of organised mass violence committed in Rwanda, Kosovo, Bosnia and Somalia, and stressed the indivisibility of the concept of human security, including human rights and human dignity, as a fundamental objective of modern international institutions. It also defined sovereignty as responsibility.⁵ As Kofi Annan emphasised at the Stockholm Forum on genocide prevention in January 2004: ‘the issue is not one of a right to intervention, but rather of a responsibility – in the first instance, a responsibility of all States to protect their own populations, but ultimately a responsibility of the whole human race to protect our fellow human beings from extreme abuse wherever and whenever it occurs.’⁶

Long-time observers of and actors inside the UN system described the ICISS report as ‘perhaps the most dramatic innovation of the UN in the last few years.’⁷ The notion of RtoP was finally accepted in principle at the United Nations World Summit in 2005 by the largest gathering of heads of state to date.⁸ The subsequent report of Secretary-General Ban Ki-moon on ‘Implementing the responsibility to protect’ was presented on 21 July 2009 and debated by the United Nations General Assembly on 23, 24 and 28 July. With only a few dissenting voices, the principles adopted in paragraphs 138 and 139 of the 2005 document were endorsed. During the debate, the pioneering role of African states in the norm-setting process was acknowledged, in particular their contribution to the evolution of the idea of ‘sovereignty as responsibility.’ This in turn was in large measure the result of the earlier work of a team inspired by Francis Deng.⁹

4 Originally launched as an initiative by then Canadian External Affairs Minister Lloyd Axworthy, the establishment of the Commission was announced by Canadian Prime Minister Chrétien in his address to the United Nations General Assembly on 7 September 2000, during the Millennium Summit in New York.

5 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, Ottawa: International Development Research Centre 2001, pp. 5, 6 and 8.

6 Kofi Annan, *Address to the Stockholm International Forum*. Stockholm, 26 January 2004 (<http://www.un.org/News/press/docs/2004/sgsm6614.html>)

7 Richard Jolly, Louis Emmerij, Thomas Weiss, *UN Ideas That Changed the World*, Bloomington and Indianapolis: Indiana University Press 2009, p. 174.

8 2005 *World Summit Outcome*. UN document A/60/L.1, 15 September 2005, paragraphs 138-139.

9 Francis M. Deng, ‘The evolution of the idea of ‘sovereignty as responsibility’’, in Adekeye Adebajo (ed.), *From Global Apartheid to Global Village. Africa and the United Nations*. Scottsville: University of KwaZulu-Natal Press 2009, pp.191-213.

The shift from non-interference to non-indifference was considered a crucial contribution to matters of global concern, in that it touched upon fundamental principles of state sovereignty that had been firmly entrenched since the establishment of the Westphalian order. By confirming this shift, the overwhelming majority of member states were responding to the appeal of Secretary-General Ban Ki-moon, who in his speech of 21 July had called upon them to ‘resist those who try to change the subject or turn our common effort to curb the worst atrocities in human history into a struggle over ideology, geography or economics.’¹⁰

Indeed, the advocates of the doctrine would agree that while ‘normative change does not necessarily mean action,’ the notion of RtoP does indeed represent a ‘momentous normative change,’ which accepts that ‘sovereignty does not imply a license to kill.’¹¹ The former Australian foreign minister, Gareth Evans, president of the International Crisis Group and one of the co-chairs of the ICISS, underlines the honest motives inherent in a position that is in principle willing to accept external intervention in extreme cases of human suffering: ‘But at the end of the day,’ he maintains,

the case for R2P rests simply on our common humanity: the impossibility of ignoring the cries of pain and distress of our fellow human beings. For any of us in and around the international community – from individuals to NGOs to national governments to international organizations – to yet again ignore that distress and agony, and to once again make ‘never again’ a cry that rings totally empty, is to diminish that common humanity to the point of despair. We should be united in our determination to not let that happen, and there is no greater or nobler cause on which any of us could be embarked.¹²

This, however, does not resolve the core problem of the most appropriate forms of solidarity. The decision about when and how to express empathy with the suffering, if necessary through intervention free of (counter-) hegemonic interests, remains a difficult one. Unfortunately, all too often doubts remain about the intentions of those arguing for or against specific cases of intervention (and the form it should take), as

¹⁰ Quoted in: Global Centre for the Responsibility to Protect, *Implementing the Responsibility to Protect. The 2009 General Assembly Debate: An Assessment*, New York: Ralph Bunche Institute for International Studies/CUNY Graduate Centre, GCR2P Report, August 2009, p. 3.

¹¹ Richard Jolly et. al., op. cit., pp. 176 and 177.

¹² Gareth Evans, *The Responsibility to Protect: An Idea Whose Time Has Come...and Gone?* Lecture to David Davies Memorial Institute, University of Aberystwyth, 23 April 2008 <http://www.crisisgroup.org/en/publication-type/speeches/2008/the-responsibility-to-protect-an-idea-whose-time-has-come-and-gone.aspx>

several recent examples clearly and sadly illustrate. Not surprisingly, the commonest concern expressed by member states during the General Assembly debate in late July 2009 was the danger of double standards and selectivity. As some states pointed out, however, ‘it would be wrong to conclude that because the international community might not act everywhere, it should therefore act nowhere.’¹³

What makes the hard choices even harder is the crisis of legitimacy relating to criteria for or against specific forms of interference. Double standards reign supreme. We should, however, be careful not to explicitly equate the RtoP doctrine with military intervention. This would ignore the fact that interventions can take many different forms, such as sanctions and selective boycotts, naming and shaming or even creating incentives for better behaviour. RtoP, as we should not forget, also means the obligation to protect responsibly. Francis Deng pioneered the whole RtoP debate through ideas he has been articulating since the mid-1990s on ‘sovereignty as responsibility.’ Others have meanwhile offered as a variation the notion of ‘responsibility while protecting.’ This has been suggested so as to make interveners more accountable to those who endorsed the mandate for intervention.

Moral condemnations of violations of the fundamental principles of the protection of people, which we hear on a daily basis, sound hollow and hypocritical in light of the geostrategic and other politically opportunistic deliberations that all too often guide both the rhetoric and the decisions. Was there a sufficient response to the violence against

The panel debate was preceded by a seminar at the Foundation.



13 Global Centre for the Responsibility to Protect, op. cit., p. 2.

the civilian population by regimes in Bahrain or Yemen? Or when tens of thousands of civilians were butchered in Sri Lanka at the end of its civil war in 2009? Did the world respond adequately to the atrocities committed by the junta in Burma? Are we speaking out as much as we should about the continued plight of the Palestinian people? Are we doing everything possible to minimise human suffering in these and similar instances without creating yet more victims?

There are other serious moral and political considerations when balancing the various possible reactions and consequences as part of RtoP. Security Council Resolution 1973, resulting in massive, large-scale military intervention in Libya and triggering regime change, was a controversial instance of what the protection of civilian population might mean. The evidence of continued violence in the shadow of the efforts to establish legitimate new structures of government in post-Gaddafi Libya is of little comfort.

The case of Libya exposes a fundamental moral dilemma: in the absence of a standard measure not purely based on speculation to contrast the ‘what if’ with the ‘what if not’ scenarios, we are unable to reach a factually based conclusion about whether an intervention reduced bloodshed or increased the number of victims. If saving lives is the ultimate motive for how we respond, then the result can be either initiatives for concerted – even military – action, or the opposite, a high degree of restraint and negotiation. This approach could even translate into all kinds of deals that are a far cry from justice. Justice at all costs, by contrast, might be too high a price in particular circumstances. Is it really the case that the achievement of justice invariably saves more lives than are lost in pursuing it? Luis Moreno Ocampo, the first prosecutor of the International Criminal Court (ICC), stated at a conference in The Hague in November 2011 that his mandate is not to seek political compromises but to pursue justice. Others have another task, which might even include agreements at the expense of justice, if only to avoid further bloodshed.

Francis Deng, in his sensible treatment of the implications of his mandate as the Special Advisor for the Prevention of Genocide, urged the audience attending his Dag Hammarskjöld Lecture on 10 September 2010 to accept efforts seeking a ‘delicate balance between asserting the need for international protection for the vulnerable and the need for constructive engagement on the part of governments.’ He acknowledged

that this is not the approach favoured by those who believe that on these matters we should cry out loud, stand on the mountain-top and preach what is right and condemn what is wrong. However,

when we do that, we might satisfy our conscience, but how much can we help the people who need to be helped in a practical way?¹⁴

Justice needs a rule of law that is more than the law of the rulers. When Lakhdar Brahimi presented the Dag Hammarskjöld Lecture in 2002, he placed the rule of law at the core of his reflections. As he emphasised, that law must also have human beings as its focus:

The Rule of Law was originally a narrow, legalistic concept, meaning that no man is punishable except for a distinct breach of the law, established in the ordinary courts of the land. Over the decades, this concept acquired a much wider meaning, requiring the existence of just laws and the respect of human rights.¹⁵

Emerging during the era of the Enlightenment, such concept of law ultimately embraced all societies in a global order:

Today, Human Rights Law and Humanitarian Law are important branches of international law, based on the view that the human dimension had to be considered, that people mattered, that they had rights as human beings, and that they needed legal protection. They represent an acknowledgment that laws should be just and that the Rule of Law should have a strong human rights component.¹⁶

Almost prophetically with regard to what is often referred to as the ‘Arab Spring,’ he then continued: ‘The question of human rights has also mobilised people around the world to be vigilant and vociferous about their own rights, and show concern for the rights of people in other countries.’¹⁷

The shaping and implementation of normative frameworks since the Rome treaties during the late 1990s have added a new watchdog function to global governance institutions, specifically the United Nations. Dag Hammarskjöld would most likely have been much in favour of these recent tendencies, and of the paradigm shift they have helped achieve since the turn of the century whereby those holding power can no longer invariably get away with literal murder behind the holy cows of national sovereignty and non-interference in internal affairs of

¹⁴ Francis Deng, *Idealism and Realism. Negotiating sovereignty in divided nations*. The 2010 Dag Hammarskjöld Lecture. Uppsala: Dag Hammarskjöld Foundation 2010, pp. 19 and 20 (also reprinted in *Development Dialogue*, no. 55, March 2011).

¹⁵ Lakhdar Brahimi, *The Rule of Law at Home and Abroad*. The 2002 Dag Hammarskjöld Lecture. Uppsala: Dag Hammarskjöld Foundation 2002, p. 10.

¹⁶ *Ibid.*, p. 14.

¹⁷ *Ibid.*

states. But as Francis Deng reflected at the end of his term as Special Representative just a few weeks ago, state sovereignty remains a cardinal principle in international relations. It is:

a formidable tool which states, whose record of gross mistreatment of their own populations makes them vulnerable to outside scrutiny, assert in pre-emptive self-defence. As recent experiences have shown, unless a state has collapsed, is too weak to resist external intervention, or the national interests of the interveners make the risks of intervention worth taking, this is an adventure that is very costly in both material and human terms. The general response is to avoid it and strive to negotiate with national sovereignty on cooperative bases.¹⁸

Our collective responsibility has shifted and strengthened the notion of the United Nations being guided by solidarity, a key concept Dag Hammarskjöld so often emphasised. As a trained economist, he was also at all times aware that human rights, peace and social stability required fair economic relations and structures. He stressed the need to empower new states and their governments in the global South, in particular Africa, where during his lifetime the ‘winds of change’ were blowing, by recognising their legitimate economic interests. He displayed insights into often neglected or deliberately ignored but substantial dimensions of lasting peace and stability. Not always spelt out as clearly, even 50 years later, is the material side of security and development. Put differently, without security there is hardly any chance of sustainable development. Security, on the other hand, requires lasting development. Security and development are mutually inclusive. In a presentation at an internal seminar at the Foundation preceding his Dag Hammarskjöld Lecture, President Ahtisaari emphasized this essential link:

Social and economic aspects often tend to get too little attention in peacemaking as security and the rule of law are seen as first priorities – and often rightly so. However, everyday economic survival and a just society are the most effective guarantees of lasting peace.¹⁹

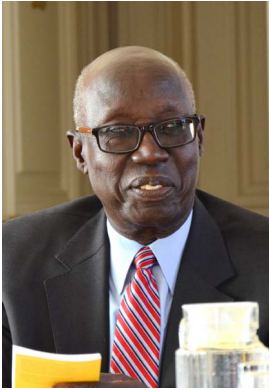
While President Ahtisaari did not consider peace negotiations as a tool for socioeconomic development, he stressed that agreeing on practical and concrete economic conditions during any peace negotiation is crucial. Peace talks need to create the framework where these issues can

18 Francis M. Deng, *Making an Impossible Mandate Possible: The Challenge of Preventing Genocide and Mass Atrocities: End of Assignment Note*. Undated (February 2012), p. 2.

19 Martti Ahtisaari, “What makes for successful conflict resolution?” In: *Development Dialogue*, no. 53, November 2009, p. 48.

effectively be addressed after the peace accord. Maybe one could even say that finding a mutual understanding on money can really be seen as a manifestation of joint political will for peace.²⁰

The case of the two Sudans and the continued conflict over who benefits and how from the natural resources and their exploitation seems to be a case in point.



Francis Deng during the seminar.

The official Swedish policy paper on security and development in development cooperation published last year shows a similar awareness of the link between the different aspects and to acknowledge the causalities. It stresses the need to promote peace, security and development by ‘contributing to managing an acute conflict as well as to tackling and eliminating its structural causes, while keeping poverty reduction at the foreground.’ This might lay the foundation for possible long-term sustainable development. It concludes: ‘If real progress is to be made in peace-building, state-building and poverty reduction, there is a need to balance between measures aimed at tackling the conflict and the underlying causes of poverty, and initiatives intended to lead to fast and concrete peace dividends.’²¹

Jan Eliasson was the president of the United Nations 60th General Assembly when the World Summit Outcome in 2005 was adopted. As a former foreign minister, he delivered the annual lecture in honour of the second Secretary-General on 18 September last year, exactly 50 years after Hammarskjöld’s untimely death in the wreckage of the plane, which crashed under still not fully clarified circumstances. Jan Eliasson then declared as his main message:

lasting solutions require that the pursuit of peace, development and human rights must take place in parallel. There is no peace without development; there is no development without peace; and there is no sustainable peace and development without respect for human rights. If one of these three pillars is weak in a nation or a region, the whole structure is weak. Therefore, walls and barriers between these areas must be taken down.²²

²⁰ Ibid.

²¹ Department for Development Policy/Ministry for Foreign Affairs, *Peace and Security for Development. Policy for Security and Development in Swedish Development Cooperation 2010-2014*. Stockholm: Government Offices of Sweden 2011, pp. 17 and 32.

²² Jan Eliasson, *Peace, Development and Human Rights. The Indispensable Connection*. The Dag Hammarskjöld Lecture 2011. Uppsala: Dag Hammarskjöld Foundation 2011, p. 12.

To underline that this is not an insight without precedent, he quoted from Dag Hammarskjöld's speech to the American-Jewish Committee in New York on 10 April 1957: 'We know that the question of peace and the question of human rights are closely related. Without recognition of human rights we shall never have peace and it is only within the framework of peace that human rights can be fully developed.'²³

In his own efforts at what has since been called preventive diplomacy, Hammarskjöld emphasised the need to keep an open mind. In his exchanges with the Jewish-German philosopher Martin Buber, he spoke of the need for dialogue in an age of mistrust. On 5 June 1958, the then UN Secretary-General was awarded an honorary doctorate by Cambridge University. His address, with reference to the work of Buber, bore the title 'The Walls of Distrust.' Allow me a quote from this speech, which seems very much to characterise our own world half a century later:

We meet in a time of peace which is no peace, in a time of technical achievement which threatens its own masters with destruction. We meet in a time when the idea evoked in our minds by the term 'humanity' has switched to a turbulent political reality from the hopeful dreams of our predecessors ... The widening of our political horizons to embrace in a new sense the whole of the world, should have meant an approach to the ideal sung in Schiller's 'Ode to Joy,' but it has, paradoxically, led to new conflicts and to new difficulties to establish even simple human contact and communication.²⁴

Jan Eliasson, in concluding his speech last year, reiterates the necessary human dimensions guiding our actions if we are searching for solutions. Inspired by the example of his role model Dag Hammarskjöld, he ends with this insight:

that the holistic approach to solving problems in a world of interdependence has an equivalent in how we as human beings approach these problems. Integrating different aspects, breaking down walls and recognising the mind-expanding and dynamic effects of crossing borders in all respects are relevant both on a policy and a personal level.²⁵

²³ Quoted from Kaj Falkman(ed.), *To Speak for the World. Speeches and Statements by Dag Hammarskjöld*. Stockholm: Atlantis 2005, p. 154.

²⁴ Dag Hammarskjöld, "The Walls of Distrust". Address at Cambridge University, June 5, 1958. In: Andrew W. Cordier/Wilder Foote (eds), *Public Papers of the Secretaries-General of the United Nations. Volume IV, Dag Hammarskjöld 1958-1960*. New York: Columbia University Press 1974, pp. 90f.

²⁵ Jan Eliasson, op.cit., p. 22.

Dag Hammarskjöld's leadership as Secretary-General represented for Jan Eliasson a model for the future. Hammarskjöld also instituted the function and role of special representatives in his efforts to ensure the United Nations fulfilled its task as envisaged in its Charter, namely contributing to a more peaceful world by seeking solutions to violent conflicts and reducing the risk of other latent conflicts escalating into violent forms. Four of the special representatives active since then are with us today.

The special representatives appointed in the last half a century bear witness to the fact that international policy and diplomacy, like so many other institutionalised forms of bureaucracy and power, is still largely male dominated. However, Dag Hammarskjöld – although he used the generic male form in his speech as was usual in his time – was keenly aware that gender equality was a requirement for meaningful and sustainable development. On 15 October 2007, the late Sture Linnér told us from this stage as co-presenter along with Sverker Åström of that year's Dag Hammarskjöld Lecture, that Dag Hammarskjöld

was a visionary, far ahead of his time. When I started to work under him, there were just two things that he impressed upon me. One was in critical situations never to feel hampered by the UN's bureaucratic practices, but always to act according to my own judgment. The other, and most important, was that wherever I should come to find myself in the future in a UN capacity, I should first of all acquaint myself with the *position of women* in the country. And should I find that the authorities allowed them to freely develop their resources, well then we in the UN should do everything to favour that country for its clarity of vision.²⁶

And Linnér added:

That might sound obvious today, but it certainly was not so 50 years ago. Still today far too few important posts within the UN are filled by women. And not so many years ago, the then Secretary General charged me with the task of chairing a committee with the mission to determine how the organization could best support nursing mothers. Around the table sat 50 men – undoubtedly excellent and well-meaning men – but not one single woman!²⁷

26 Sture Linnér, "Dag Hammarskjöld and the Congo crisis, 1960-61", in Sture Linnér and Sverker Åström, *UN Secretary-General Hammarskjöld. Reflections and personal experiences*. The 2007 Dag Hammarskjöld Lecture. Uppsala: Dag Hammarskjöld Foundation 2008, p. 28 (original emphasis).

27 *Ibid.*, pp. 28f.

Matters do gradually change, and the UN has initiated visible reforms, not least in new assignments and institutions created and resolutions adopted. I am pleased that in the spirit of this long overdue reform we were able to slightly correct this unacceptable gender bias this afternoon by having with us three women whose track records speak clearly of their competence and commitment. Lena Ag, Angela Ndinga-Muvumba and Marie Tuma will engage with our main speakers after their initial round of short presentations and before we open the meeting to questions from the floor.

Paraphrasing Henry Cabot Lodge Jr., Dag Hammarskjöld ended an address to the University of California's Convocation on 13 May 1954 with a much quoted conclusion: 'It has been said that the United Nations was not created in order to bring us to heaven, but in order to save us from hell.' For him, 'that sums up as well as anything I have heard both the essential role of the United Nations and the attitude of mind that we should bring to its support.'²⁸ I do hope that 'the boss,' as the staff at the UN fondly and respectfully called Dag Hammarskjöld, would have approved of the theme selected for this afternoon by the Foundation established in his name less than half a year after his untimely death. I am sure he would have approved of the men and women we have invited to discuss this challenging subject, men and women aware of his legacy and acting in his spirit.

Henning Melber and
Matti Ahtisaari.



²⁸ Andrew W. Cordier/Wilder Foote (eds), *Public Papers of the Secretaries-General of the United Nations. Volume II: Dag Hammarskjöld 1953-1956*. New York and London: Columbia University Press 1972, p. 301.