As UN Secretary-General, Dag Hammarskjöld shaped many of the fundamental principles and practices of international organisations, such as preventive diplomacy, the ethics of international civil service, impartiality and neutrality. He was also at the heart of the constitutional foundations and principles of the UN.

This tribute and critical review of Hammarskjöld’s values and legacy examines his approach towards international civil service, agency and value-based leadership, investigates his vision of internationalism and explores his achievements and failures as Secretary-General. It draws on specific conflict situations and strategies such as Suez and the Congo for lessons that can benefit contemporary conflict resolution and modern concepts such as human security and R2P. It also reflects on ways in which actors such as international courts, tribunals and the EU can benefit from Hammarskjöld’s principles and experiences in the fields of peace and security and international justice.

CARSTEN STAHN is Chair of International Criminal Law and Global Justice at Leiden University, the Netherlands, and Programme Director of the Grotius Centre for International Studies, The Hague.

HENNING MELBER is Senior Advisor and Director Emeritus of the Dag Hammarskjöld Foundation, Uppsala, Sweden. He is also Extraordinary Professor at both the University of Pretoria and at the Centre for Africa Studies, University of the Free State, Bloemfontein, South Africa.
PEACE DIPLOMACY, GLOBAL JUSTICE AND INTERNATIONAL AGENCY

Rethinking Human Security and Ethics in the Spirit of Dag Hammarskjöld

Edited by

CARSTEN STAHN
and
HENNING MELBER
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Fifty years ago the second Secretary-General of the United Nations, Dag Hammarskjöld, and 15 of his collaborators died in a plane crash in the night from 17 to 18 September 1961 when approaching Ndola Airport in then Northern Rhodesia. Hammarskjöld was on his way to negotiations with Moïse Tshombe, the secessionist leader of the Katanga Province, in the former Belgian Congo.

This volume acknowledges the lasting legacy of Hammarskjöld and places the values he personified in a broader context. It focuses on the leadership and vision of internationalism that he represented. It emphasises the unique role he played during the 1950s, characterised by the Cold War policies and the decolonisation of many nations, in particular on the African continent. Through a combination of different aspects and the multi-faceted approaches personified by Hammarskjöld, this volume revisits the legacy of an outstanding global leader and the relevance of his ideas for the United Nations and the practices of global cooperation.

In his last Annual Report to the General Assembly, Dag Hammarskjöld argued that lasting peace would only be achieved on the basis of four fundamental principles, namely:

(1) equal political rights, both sovereign and individual;
(2) equal economic opportunities, through higher standards and also conditions conducive to economic and social advancement;
(3) a firm framework of the rule of law, which should underpin all activities of the international community; and
(4) the prohibition of the use of force except ‘in the common interest’.

This volume raises intriguing questions regarding to what extent contemporary approaches are consistent with Dag Hammarskjöld’s vision of the United Nations. The book examines whether and how Dag Hammarskjöld’s legacy can still be used as a framework for reviewing...
recent initiatives of the international community. Such a lens is justified due to his achievements as Secretary-General as well as his ethical and philosophical approach to international service.

Hammarskjöld died a day after my twenty-first birthday, while I was serving as a cadet of the Swedish Navy during an exercise in the north of the Baltic Sea. It gave this day of entering maturity a special meaning. Since then, I have been a dedicated student of Hammarskjöld’s personal and professional life. I had the privilege to deliver the annual Dag Hammarskjöld Lecture in the main hall of Uppsala University on the very day fifty years after his untimely death. Another coincidence occurred, when, during a roundtable discussion on 2 March 2012, on the occasion of the fiftieth anniversary of the Dag Hammarskjöld Foundation, Secretary-General Ban Ki-moon’s appointment of me as Deputy Secretary-General was announced in New York. Dag remains a role model around the world. I hope this volume, with voices from multiple disciplines and with fresh insights on the ethics, achievements and visions of Hammarskjöld, will contribute to a better understanding of his legacy as global leader.
ACKNOWLEDGEMENTS

This book is devoted to a unique civil servant, peacemaker and intellectual: Dag Hammarskjöld, the second Secretary-General of the United Nations. His ideas remain relevant to different audiences and constituencies: the world of diplomacy, global ethics and international law. His intellectual heritage crosses disciplines. We try to capture this unique spirit in this volume.

This book is a truly collective effort. It is the result of cooperation between the Grotius Centre for International Legal Studies, The Hague Academic Coalition (HAC) and the Dag Hammarskjöld Foundation, Uppsala.

Some of the contributions grew out of discussions held at the eighth Annual Conference of HAC at the Peace Palace on 9–10 November 2011, jointly organised by the Swedish Embassy, the Dag Hammarskjöld Foundation and HAC’s member institutes. The interdisciplinary nature of dialogue and the quality of contributions led to the pursuit of this collective project.

We would like to thank all contributors to this volume for their care, dedication and efforts to provide fresh thinking on Dag Hammarskjöld’s legacy and contemporary relevance. We owe special thanks to individual HAC members (Prof. Jouke de Vries, Dr Sam Muller, Ed Maan and Sofia Gerards) and Dr Monica Bouman who initiated this project and supported its successful implementation.

We would also like to express our gratitude to other individuals who contributed to the creation of this volume, including Joseph Powderly who was instrumental in framing the theme, and Anda Scarlat, Daniel Huck, Nivedita S and Teodora Jugrin who provided invaluable assistance in the finalisation of the book.

At Cambridge University Press we would like to thank Finola O’Sullivan, Nienke van Schaverbeke, Elizabeth Spicer and Richard Woodham for supporting this project and ensuring publication of this volume.
ACKNOWLEDGEMENTS

This book is dedicated to the late Judge Pieter Kooijmans and Knut Olaf Hjalmar Akesson Hammarskjöld who joined us for the event in November 2011, but did not witness the publication of this work.

We hope that this book will contribute to broader discourse on human security and ethics in the spirit of Dag Hammarskjöld across scholarly disciplines. It is our hope that it will provide a modest contribution to keep Hammarskjöld’s principles and legacy alive in their relevance for today.
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<thead>
<tr>
<th>Abbreviation</th>
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<tbody>
<tr>
<td>9/11</td>
<td>Events in New York occurring on 11 September 2001</td>
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<tr>
<td>ABAKO</td>
<td>Alliance des Bakongo (Diplomatic Republic of the Congo)</td>
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<tr>
<td>ADFL</td>
<td>Alliance of Democratic Forces for the Liberation of Congo</td>
</tr>
<tr>
<td>AJIL</td>
<td><em>American Journal of International Law</em></td>
</tr>
<tr>
<td>ANC</td>
<td>Armée Nationale Congolaise</td>
</tr>
<tr>
<td>API</td>
<td>Additional Protocol I to the Geneva Conventions of 12 August 1949</td>
</tr>
<tr>
<td>ASIL</td>
<td>American Society of International Law</td>
</tr>
<tr>
<td>BYIL</td>
<td><em>British Yearbook of International Law</em></td>
</tr>
<tr>
<td>CAT</td>
<td>Committee Against Torture</td>
</tr>
<tr>
<td>CGA</td>
<td>Common Country Assessments</td>
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<tr>
<td>CEPS</td>
<td>Centre for European Policy Studies</td>
</tr>
<tr>
<td>CFSP</td>
<td>Common Foreign and Security Policy (European Union)</td>
</tr>
<tr>
<td>CIA</td>
<td>Central Intelligence Agency (United States)</td>
</tr>
<tr>
<td>CLEER</td>
<td>Centre for the Law of EU External Relations</td>
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<tr>
<td>CMPD</td>
<td>Crisis Management and Planning Directorate (European Union)</td>
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<tr>
<td>CNN</td>
<td>Cable News Network</td>
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<tr>
<td>CO₂</td>
<td>Carbon dioxide</td>
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<tr>
<td>CPCC</td>
<td>Civilian Planning and Conduct Capability (European Union)</td>
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<tr>
<td>CSDP</td>
<td>Common Security and Defence Policy</td>
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<tr>
<td>DG</td>
<td>Directorate-General (European Union)</td>
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<tr>
<td>DG-E</td>
<td>Directorate-General for Enlargement (European Union)</td>
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<tr>
<td>DG Relex</td>
<td>Directorate-General for External Relations (European Union)</td>
</tr>
<tr>
<td>DH</td>
<td>Dag Hammarskjöld</td>
</tr>
<tr>
<td>DPA</td>
<td>Department of Political Affairs (United Nations)</td>
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<tr>
<td>DPKO</td>
<td>Department of Peacekeeping Operations (United Nations)</td>
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<tr>
<td>DRC</td>
<td>Democratic Republic of the Congo</td>
</tr>
<tr>
<td>E3+3</td>
<td>A grouping of states, namely: the three most influential European Union states (France, Germany, United Kingdom) and three other influential states (China, Russia, United States)</td>
</tr>
<tr>
<td>EBRD</td>
<td>European Bank for Reconstruction and Development</td>
</tr>
<tr>
<td>EC</td>
<td>European Community</td>
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<tr>
<td>ECOSOC</td>
<td>United Nations Economic and Social Council</td>
</tr>
<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>EEAS</td>
<td>European External Action Service</td>
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<tr>
<td>EIB</td>
<td>European Investment Bank</td>
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<td>EJIL</td>
<td>European Journal of International Law</td>
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<tr>
<td>ENP</td>
<td>European Neighbourhood Policy</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>EULEX Kosovo</td>
<td>European Union Rule of Law Mission in Kosovo</td>
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<td>EUMS</td>
<td>European Union Military Staff</td>
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<tr>
<td>EUSRs</td>
<td>European Union Special Representatives</td>
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<tr>
<td>FAC</td>
<td>Foreign Affairs Council</td>
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<tr>
<td>FARDC</td>
<td>Armed Forces of the Democratic Republic of Congo</td>
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<tr>
<td>FEA</td>
<td>Foreign Economic Administration (United States)</td>
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<tr>
<td>GAC</td>
<td>General Affairs Council (European Union)</td>
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<td>GAERC</td>
<td>General Affairs and External Relations Council (European Union)</td>
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<tr>
<td>GFC</td>
<td>Gulf Cooperation Council</td>
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<tr>
<td>HIDCs</td>
<td>Heavily Indebted Countries</td>
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<tr>
<td>HIPC</td>
<td>Heavily Indebted Poor Country</td>
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<tr>
<td>HQ</td>
<td>Headquarters</td>
</tr>
<tr>
<td>HR</td>
<td>High Representative of the Union for Foreign Affairs and Security Policy (European Union)</td>
</tr>
<tr>
<td>HR/VP</td>
<td>High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission (European Union)</td>
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<tr>
<td>IBM</td>
<td>Integrated border management (between Kosovo and Serbia)</td>
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<tr>
<td>ICC</td>
<td>International Criminal Court</td>
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<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
</tr>
<tr>
<td>ICISS</td>
<td>International Commission on Intervention and State Sovereignty</td>
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<tr>
<td>ICJ</td>
<td>International Court of Justice</td>
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<tr>
<td>ICLQ</td>
<td>International Criminal Law Quarterly</td>
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<tr>
<td>ICM</td>
<td>International Civilian Mission (in Kosovo)</td>
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<td>ICTR</td>
<td>International Criminal Tribunal for Rwanda</td>
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<td>ICTY</td>
<td>International Criminal Tribunal for the former Yugoslavia</td>
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<td>IER</td>
<td>International executive rule</td>
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<td>IFIs</td>
<td>International Financial Institutions</td>
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<td>IHL</td>
<td>International Humanitarian Law</td>
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<td>IHRL</td>
<td>International Human Rights Law</td>
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<td>ILC</td>
<td>International Law Commission</td>
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<td>ILM</td>
<td>International Legal Materials</td>
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<tr>
<td>ILO</td>
<td>International Labour Organization</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>ISAF</td>
<td>International Security Assistance Force</td>
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LIST OF ABBREVIATIONS

ITA       International territorial administration
KB DHS    Kungliga Biblioteket Dag Hammarskjöld Samling
KFOR     Kosovo Force (NATO)
LDCs     Least Developed Countries
LON      League of Nations
LTTE     Liberation Tigers of Tamil Eelam
MNC      Congolese National Movement
MONUC    United Nations Organization Mission in the Democratic Republic of the Congo
MONUSCO  United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
MSU      Mediation Support Unit (United Nations)
NATO     North Atlantic Treaty Organization
NGO      Non-governmental organisation
NTC      National Transitional Council (Libya)
OAS      Organization of American States
OECD     Organization for Economic Cooperation and Development
OEEC     Organization for European Economic Cooperation
OHCHR    Office of the High Commissioner for Human Rights (United Nations)
ONUC/UNOC United Nations Operation in the Congo
OSCE     Organization on Security and Cooperation in Europe
OSS      Office of Strategic Services (United States)
P3       United States, United Kingdom and France (in the United Nations Security Council)
PBC      United Nations Peace-building Commission
PKOs     Peacekeeping operations
PMC      Permanent Mandates Commission (League of Nations)
PRSP     United Nations Poverty Reduction Strategy Papers
R&A      Research and Assistance Branch of the Office of Strategic Services (United States)
R2P      Responsibility to Protect
RCD      Rally for Congolese Democracy
ROL      Rule of law
RUF      Revolutionary United Front
SADS     Southern African Development Community
SRS(s)   Special Representative(s) of the Secretary General
SSR      Soviet Socialist Republic
TEU      Treaty on European Union
TFEU     Treaty on the Functioning of the European Union
TWAIL    Third World Approaches to International Law
UK       United Kingdom
<table>
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<tr>
<th>Abbreviation</th>
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<tbody>
<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNAMIR</td>
<td>United Nations Assistance Mission for Rwanda</td>
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<tr>
<td>UNCA</td>
<td>United Nations Constitutional Assistance</td>
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<tr>
<td>UNDAF</td>
<td>United Nations Development Assistance Frameworks</td>
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<tr>
<td>UNDESA</td>
<td>United Nations Department of Social and Economic Affairs</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>UNEF</td>
<td>United Nations Emergency Force</td>
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<td>UNEP</td>
<td>United Nations Environment Programme</td>
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<td>UNGA</td>
<td>United Nations General Assembly</td>
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<td>UNHRC</td>
<td>United Nations Human Rights Council</td>
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<td>UNITAF</td>
<td>United Task Force</td>
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<td>UNMIK</td>
<td>United Nations Mission in Kosovo</td>
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<td>UMIN</td>
<td>United Nations Mission in Nepal</td>
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<tr>
<td>UNOC/ONUC</td>
<td>United Nations Operation in the Congo</td>
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<td>UNOCI</td>
<td>United Nations Operations in Côte d’Ivoire</td>
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<td>UNOSOM II</td>
<td>United Nations Operation in Somalia II</td>
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<tr>
<td>UNPF/UNPROFOR</td>
<td>United Nations Protection Force</td>
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<td>UNIPS</td>
<td>United Nations Parliamentary Support</td>
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<td>UNSC</td>
<td>United Nations Security Council</td>
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<td>UNSG</td>
<td>United Nations Secretary-General</td>
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<td>UNSMIL</td>
<td>United Nations Support Mission in Libya</td>
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<td>UNTAC</td>
<td>United Nations Transitional Authority in Cambodia</td>
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<td>UNTAET</td>
<td>United Nations Transitional Administration in East Timor</td>
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<td>UNTEA</td>
<td>United Nations Temporary Executive Authority</td>
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<tr>
<td>UNTSO</td>
<td>United Nations Truce Supervision Organization</td>
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<tr>
<td>UPR</td>
<td>Universal Periodic Review (in the context of human rights monitoring)</td>
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<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
</tr>
<tr>
<td>USSR</td>
<td>Union of Soviet Socialist Republics</td>
</tr>
<tr>
<td>VP</td>
<td>Vice-President of the European Commission</td>
</tr>
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