

**THE UNITED NATIONS AND THE PREVENTION  
AND PEACEFUL SETTLEMENT OF DISPUTES**

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**The Anna Lindh Lecture 2013**

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Vice-Chancellor Eriksson,  
Chairman Svensäter,  
Director Tuma,  
Excellencies,  
Ladies and gentlemen,  
Dear friends and students,

I am glad to be introduced by Lena Hjelm-Wallén, a close friend since many years in national and international affairs.

Thank you for this warm welcome to Lund and to Lund University with its great history.

Let me start by expressing my gratitude to the Raoul Wallenberg Institute of Human Rights and Humanitarian Law for inviting me to deliver the Anna Lindh Lecture.

It is a privilege for me to be here to honour the memory of my dear colleague and friend, Anna Lindh, who died, far too young and far too early, 10 years ago – a great loss to Sweden and the world.

The Wallenberg Institute's mission – “to promote universal respect for human rights and humanitarian law” – was reflected in Anna's life and career. Her commitment to the United Nations, her attention to conflict prevention and her defence of human rights continues to serve as inspiration to all of us.

Today, I would also like to pay tribute to Raoul Wallenberg, one of the world's great humanitarians and champions of human rights. Last week, on August 27, we celebrated the first annual Raoul Wallenberg Day in Sweden. It is a tragedy that Raoul never got to see the creation of the United Nations and follow how the Organization came to represent the values he stood for. His name - like Anna Lindh's - we will never forget.

I dare say that both Anna and Raoul are with us in spirit today, as examples of the difference that an individual can make for humanity. They should serve as role models for young people and, not least, for today's national and international civil servants.

[I am also proud to join the list of distinguished speakers who have delivered these lectures in Lund, including friends and colleagues like Kofi Annan, Rosalyn Higgins, Chris Patten and Hans Blix.]

My remarks today will focus on conflict prevention and peaceful settlement of disputes, one of the basic pillars of the United Nations. These were issues at the heart of Anna Lindh's public life, and to which I also have dedicated most of my professional life.

I will make the case that the potential of Chapter VI of the UN Charter – entitled “Pacific Settlement of Disputes” -- is tremendous but remains under-utilized. In today's troubled world it is needed more than ever.

Let me start with a bit of perspective. The world and its conflicts have changed considerably since the founding of the United Nations - and so has the Organization.

In its early years, the UN went through periods of difficult conflicts between nations. Later, in the 1990s, there was a rapid proliferation of conflicts inside nations, often civil wars, which required markedly different responses.

Furthermore, since the end of the Cold War, the number of violent conflicts has declined significantly. This development can partly be attributed to the progress of the United Nations in peacemaking and peacekeeping.

Yet, we still face huge challenges. The number of UN peacekeepers has never been higher - and they face ever more dangerous situations. Our peacebuilding successes remain fragile – as we have seen in Guinea Bissau and the Central African Republic, where coup d'états have obstructed political transitions. And terrorists, drug traffickers and organized crime syndicates are increasingly adept at taking advantage of fragility, greed and globalisation.

From Syria we receive daily reminders of the tragic consequences of the international community's failure to prevent, manage or end conflict, in particular the UN Security Council. Recent reports on the use of chemical weapons may add a new, frightful, element to a crisis which has already led to over 100,000 dead and about 2 million refugees – half of them children, and all them hosted mainly by already vulnerable neighbouring countries.

In this new landscape, the United Nations must adapt and reform. During much of the second half of the 20th century, we viewed collective security through mainly reactive lenses, through the ex-post action. A number of conflict mitigation and conflict resolution instruments emerged during this period, not least peacekeeping.

These tools remain necessary. But today's challenges demand an expanded toolbox, in which conflict prevention should have a prominent role.

Have you thought about how seldom we hear about successful prevention? How often do we see headlines in the press saying a disaster did not occur? Unfortunately, there is a tendency on the part of the media and politicians alike to focus only on fires or on extinguishing fires. The imperative must be for us to be there when smoke first appears or the arsonist reaches for the match.

Ladies and Gentlemen, dear friends,

Conflict prevention lies at the heart of the UN Charter.

Its very first article states that the Organization is to "take effective collective measures for the prevention and removal of threats to the peace".

The methods for upholding this collective responsibility are elaborated in Article 33 Chapter VI of the Charter, which stipulates that "The parties to any dispute ... shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means." This is poetry for a diplomat or a lawyer when it comes to peaceful settlements of disputes.

Slowly but surely, we have learned to use these instruments in new ways, adapting to new circumstances, sometimes by trial and error. The popular notion and image of the Secretary-General as the "world's top diplomat" rests not only on his impartiality but on his creative use of these methods given by the Charter.

Preventive diplomacy is being conducted by more actors using more tools than ever before. There is growing global support for prevention, coupled with increased new preventive capacities in international organizations and Member States.

This growing engagement means that we are more involved in multiple peace processes, and at different stages of them: from crisis management and mediation to post-conflict dialogue and reconciliation. Let me give you some examples:

The first one involves Southern Africa and dates back to 1991-92, when the region suffered one of the worst droughts in its history. Eleven countries were threatened by starvation. We knew we had only a month or less to avert a huge humanitarian crisis. At the time, I was UN Under Secretary-General for Humanitarian Affairs, and co-operated closely with the sub-regional organization in southern Africa, SADCC.

In spite of the apartheid sanctions at the time, we used major ports in South Africa to send water drilling equipment and critical humanitarian assistance to the region. We used railroads through South Africa and set up a World Food Programme office in Johannesburg. The operation was successful and very few lives were lost. Not many people know about this operation and the innovative diplomacy and logistics solutions that made it possible.

Yemen offers another revealing case history. Yemen is the only country to emerge from the recent upheaval in the Arab world with a consensus blueprint for a negotiated transition. The Special Adviser of the Secretary-General facilitated face-to-face negotiations, leading to the signature in 2011 of a two-year roadmap. A national dialogue is now taking place. The Yemeni constituencies remain inside the political process. This underlines the usefulness of multilateral diplomacy in combination with national efforts.

The Iraq-Kuwait relationship shows the value of quiet diplomacy and negotiations. In recent years, the UN mission in Iraq has used its good offices to facilitate the normalization of Iraq-Kuwait relations. This is a remarkable turn-around from the 1990-1991 conflict period. Credit is due first and foremost to the Kuwaitis and Iraqis. But this is also an area in which UN diplomacy made a notable difference.

In Somalia, we have reached a potential turning point. A year ago, a new Somali Parliament elected a President [Hassan Sheikh Mohamud]. The transitional period ended peacefully following an inclusive, transparent Somali-led process. The UN spared no effort in supporting these efforts, including by facilitating logistics, helping keep “spoilers” in check and establish institutions.

But the situation remains fragile. As recently as yesterday there were reports of another attack on the President. Our staff in Somalia are also working under difficult security conditions, as the June terrorist attack on our premises made evident. Despite this, Somalia today has the best chance in a generation to finally bring a measure of peace and normal life to its people.

One final example: the dispute between Cameroon and Nigeria over the Bakassi Peninsula. A tense situation that could have spiralled into violent conflict. But it turned around when the two countries took the wise decision to settle their differences peacefully. I have a particular passion for the rule of law as an agent of peace. And so I find it especially encouraging that this case was resolved through the International Court of Justice.

When I speak about successful preventive tools, I want to say a few words about the growing role of regional organizations.

The drafters of the United Nations Charter showed great foresight when, in Chapter VIII, they gave a crucial role to regional arrangements for peace and security. But I think even they would be astonished to see today’s broad landscape and role of regional and sub-regional organizations. The African Union’s role in Africa and the European Union’s efforts in the Balkans are clear illustrations of this.

Regional actors are often better positioned to pinpoint crises early. They have significant knowledge of and influence in their regions. But working with regional partners is not without problems. Capacities and resources vary. And sometimes, regional organizations are dominated by countries which have national interests in a conflict, affecting their role as honest brokers. Different negotiation strategies can at times pull in different directions. And we often lack a shared and accepted mechanism to decide how to work together when a crisis erupts.

As in practically any situation, the key answer and solution is to deepen our dialogue. The Secretary-General has made cooperation between UN and regional organizations a priority. He regularly convenes heads of regional organizations for consultations. Our staff are working more and more closely with regional partners. As with prevention, we are only beginning to realize the full potential of what regional organizations can do. I would say that Chapter VI and Chapter VIII are the chapters of the Charter with the greatest potential for the UN preparing for the future.

Dear Friends,

Preventing instability and armed conflict is closely linked to respect for human rights and the dignity of man. In the words of Dag Hammarskjöld, the second Secretary-General, "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."

At the 2005 UN World Summit, when I was President of the General Assembly, Member States endorsed the interdependence between peace, development and human rights. There is no peace without development, no development without peace and no peace or development without respect for human rights. To this I would add another ingredient: the rule of law.

Everything I have seen in my career, whether in the service of Sweden or the United Nations, tells me that the rule of law is basic for the building of a nation and a peaceful world. It is a central part of conflict prevention. It is often a recipe against the abuse of power. It binds all of us, leaders and citizens alike, to high standards of governance, both nationally and internationally, and gives us the means to challenge injustice. Through strong institutions, the rule of law is also a powerful tool for driving economic growth and social progress.

Raoul Wallenberg knew this well. In issuing identity documents to persecuted Jews, he used the rule of law ingeniously to fight evil. I am glad to see that the Wallenberg Institute has focused on the rule of law, including by publishing an excellent rule of law guide for politicians.

The 2005 World Summit endorsed another concept of importance to our topic today: the Responsibility to Protect. This was a milestone achievement. I remember the excitement in the room among Member States and civil society when R2P was adopted.

Preventing atrocity crimes – genocide, crimes against humanity, war crimes and ethnic cleansing – is a central obligation of the international community.

The Responsibility to Protect is not a new codeword for humanitarian intervention, nor is it an infringement on state sovereignty. Rather, it reframes sovereignty as a positive responsibility by which Governments have a duty to protect their populations from serious crimes.

Preventing armed conflict is distinct from and at the same time related to the Responsibility to Protect. In practice the two concepts are often linked, as so many mass atrocity crimes occur under the cover of war. Protecting vulnerable populations should compel us to take preventive action. But if we reach a point where we face a stark choice between military action and passivity in the face of massive suffering, something has gone wrong. Syria is a prime case in point. We always have to strive for political solutions, supported by the UN Security Council.

In the same vein, prevention itself requires constant engagement and innovation. We need more and better early warning mechanisms. We need institutionalized dialogue between communities and States. And we need education that fosters respect for diversity, which in itself to a great degree can prevent conflicts. I very much welcome the Raoul Wallenberg Institute's research and work in these areas - areas which also strongly engaged Anna Lindh.

In the United Nations, we are examining what more we can do to prevent atrocities. I have led an internal process that examined the problems we faced in our response to the crisis in Sri Lanka at the end of the recent civil war, when many thousands of civilians killed.

Soon, we will present a forward-looking action agenda to improve our capacity to respond to similar tragic events.

Some of the steps we will propose are a sharper focus on human rights violations as early warning signals, and greater flexibility for UN presence on the ground in order to adapt to changing conflict circumstances.

I have painted a largely positive picture of prevention and conflict resolution. But let me, in closing, underscore that preventing conflict is an uphill battle. With so many pieces in motion -- from clashing interests to unpredictable personalities and the full range of human vanity and frailty-- success is elusive or at least uncertain.

Still, we have shown and must continue to show that prevention can work. The UN has the Charter foundation by chapter VI and the tools: mediation capacity, special envoys, partnerships with regional organizations, human rights norms, fact-finding missions, field presence and close contacts with national and local actors, including civil society.

Let me end where I started: taking inspiration from Article I of the UN Charter. In the face of armed conflict or threats to the peace, it is our responsibility to act and, it is our responsibility to work collectively. And it makes the greatest sense to work preventively – before disasters occur. We must maintain the momentum around diplomacy and stay focused on finding unified political solutions to crises, as is so urgently needed to end the horrendous Syrian conflict.

This is what people everywhere, impatiently and rightfully, expect of the United Nations and not least its Member States. And it is what the Secretary-General and I and our colleagues at the UN are committed to doing.

I count on the Raoul Wallenberg Institute and you all in this hall to join with us as partners, united by a commitment to the purposes and principles of the UN and inspired by the examples of Raoul Wallenberg and Anna Lindh.