



International
Civil Service



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Restoring the Values and Spirit of the International Civil Service

Mona Ali Khalil

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The founding fathers of the United Nations were not naïve idealists but wide-eyed realists and war-hardened superpowers. They drafted a UN Charter which balances the principles of power with the power of principles. They created a UN of six principal organs, each with distinct but complementary roles and responsibilities to, first and foremost, save us from the scourge of war and the mass slaughter of innocent civilians. They designed an international legal and political order whose success depends on each principal organ assuming its intended role and fulfilling its assigned responsibilities.

The UN Charter therefore speaks of the Security Council's primary responsibility for the maintenance of international peace and security – an affirmative responsibility, not a discretionary power or exclusive prerogative. In Article 24(2), the UN Charter confirms that the Security Council is not above the law but rather that it must act in accordance with UN purposes and principles in discharging its duties.

The founders foresaw situations where the Security Council may be unable or unwilling to live up to its Charter responsibility, so they reserved residual authority in the General Assembly. They also envisioned situations where the Security Council may wish to evade its responsibility and thereby endowed the Secretary-General, in Article 99, with the self-determining authority to bring to the Security Council's attention matters involving its primary responsibility and requiring its prompt and effective action.

The founding fathers also foresaw the challenges of maintaining a strong and independent UN Secretariat. In Article 100 of the UN Charter, they sought to preserve and protect the exclusively international character of the UN Secretariat. They did so by explicitly including provisions prohibiting Secretariat officials from seeking or receiving instructions from any government or other authority external to the organisation in the performance of their functions. They also prohibited Member States from seeking to influence those same officials in the discharge of their functions.

The power of principles

Unfortunately, the UN Secretariat has contributed to the erosion of its standing and influence by seemingly forgetting that it is a separate and independent principal organ as explicitly envisioned in the UN Charter. It has allowed itself to be bullied from maintaining a principled stand on violations of international humanitarian and human rights law. Despite seemingly genuine commitment, it has failed to ensure meaningful accountability for the scandals that betray its purpose and mission – worst of all the crimes and other abuses committed by those it deploys to protect civilians around the world.

The peoples of the world look to the UN Secretariat for the moral courage to speak truth to power and to save them from the worst excesses of war and other violent conflicts. The UN Secretariat must live up to the UN Charter's vision of a strong, principled, impartial and independent Secretariat – one that practices the UN values it preaches and stands up for itself and for “we the peoples” in whose name the UN Charter was adopted. It must uphold the rule of law within the organisation as well as throughout the world – answerable to not only a few, but to all Member States.

As the UN must search for the truth about the circumstances leading to the death of UN Secretary-General Dag Hammarskjöld and the members of the party accompanying him on that fateful night in September 1961, so too the UN must live up to the legacy of its most courageous Secretary-General. It must restore the values and the spirit of the international civil service he so clearly articulated and so passionately defended.

A true celebration of the 100th anniversary of the international civil service, since the establishment of the first such service by the League of Nations, starts with the realisation that the power of principles is ultimately a greater guide of UN action than the principles of power. A return to principled action is necessary not only for the sake of the UN's political relevance and moral authority but more urgently for the sake of the peoples of the world the UN is meant to protect from the vagaries of unprincipled power. Restoring the relevance and credibility of the UN Secretariat therefore requires that UN leaders and staff have conviction in the efficacy of adhering to UN principles and values, as well as the courage to act on that conviction.

” *If the international civil servant knows himself to be free from such personal influences in his actions and guided solely by the common aims and rules laid down for, and by the Organisation he serves and by recognised legal principles, then he has done his duty, and then he can face the criticism which, even so, will be unavoidable. As I said, at the final last, this is a question of integrity, and if Integrity in the sense of respect for law and respect truth were to drive him into positions of conflict with this or that interest, then that conflict is a sign of his neutrality and not of his failure to observe neutrality – then it is in line, not in conflict with, his duties as an international civil servant.*

*Dag Hammarskjöld in his
1961 Address at Oxford University*

Redefining impartiality, upholding integrity and protecting independence

At a minimum, the UN Secretariat must undertake three crucial actions going forward:

- 1.** Return to a classical definition of impartiality. Impartiality has come to mean finding the mid-point between the parties to a conflict. As such, the UN has been reduced to pro forma statements condemning the violence and assigning equal responsibility on the parties to end the violence. Such statements impose a false balance that often belies the scale and multiplicity of the violations of one party over another. The UN should not and must not be impartial to the UN Charter or to the rule of law; it must condemn violations of international human rights and humanitarian law objectively – regardless of the political or economic power of the perpetrator. It must condemn aggression, genocide, war crimes and crimes against humanity as consistently and as unequivocally as it deplors acts of terrorism. It must name and shame State actors as loudly as it does non-State actors.
- 2.** Uphold integrity as a higher calling. Integrity must be understood as something more than submitting financial disclosure forms and avoiding conflicts of interest. The UN Secretariat must not suffice with meeting minimum competencies but should rather aspire to the highest standards of competence. It must reimagine the international civil servant not as a matter of earning salaries and emoluments but rather as a calling to serve the objects and purposes of the United Nations. No one should have any illusions about the difficulty of

speaking truth to power, but there should be greater difficulty in counting the dead and injured when the UN Secretariat fails to do so out of political expediency. The UN Secretariat must therefore be the first to demand criminal accountability for those who harm civilians – especially those it has itself deployed when they become the perpetrators of harm against those they are deployed to protect.

- 3.** Protect the independence of the UN Secretariat. The voices of those who speak truth to power or stand up to oppression – especially those entrusted with human rights or other rule of law mandates – should be protected by the organisation and its Secretary-General – every day and in every way. Too often, the record shows that such voices are muted or even mooted – by both external pressures and internal forces. They are branded as idealistic or worse yet as unrealistic – as if surrendering the Secretariat’s only power, its moral authority, is somehow more practical or pragmatic. The UN Secretary-General must also speak out loudly and stand up strongly; while he (and someday she) cannot force the Security Council to act, he can and should fully exercise his authority, under Article 99 of the UN Charter, to remind the Security Council of its duty to take prompt and effective action to resolve conflicts – not just to manage them. He must put forth clear and concrete recommendations to end impunity for violations of international humanitarian and human rights law.

In conclusion, the UN Secretariat must be more willing to get on the proverbial high horse especially when the grass is getting trampled by elephants¹. It should neither invite nor shy away from controversy. It must remain focused on the fulfilment of its mandates and driven by ‘respect for the law and respect for the truth’.

It should do so knowing in full confidence that if such values and attitudes were to drive any international civil servant ‘into positions of conflict with this or that interest’, as Dag Hammarskjöld wisely forewarned, then ‘that conflict is a sign of his neutrality and not of his failure to observe neutrality – then it is in line, not in conflict with, his duties as an international civil servant’².

Endnotes

² “When elephants fight, it is the grass that gets trampled” is a Swahili proverb used to describe leaders whose disputes and divisions end up hurting innocent people.

³ Excerpt from the Dag Hammarskjöld 1961 speech at Oxford University.

About this publication

This publication is part of a series issued by the Dag Hammarskjöld Foundation commemorating 100 years of international civil service, which originated in 1919 with the birth of the League of Nations.

The series features inspirational and reflective think pieces on the concept of the international civil service by former and present United Nations' officials, as well as representatives from civil society and academia.

It relates to the Foundation's work on leadership, which strives to kindle a constructive dialogue on how to foster and secure visionary and principled leadership in the UN.

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