



Ambassador Hans Corell, former UN Under-Secretary-General for Legal Affairs, has continued to be engaged in world affairs since his retirement in 2004, and was recently nominated Swedish UN Friend of the Year 2013 by the Swedish UN Association.

Last September, when, as an Icelandic UN official, I was introduced to Mr Corell, he replied by reciting verses from medieval Icelandic literature, learnt by heart as a young man. I met him at the grave of Dag Hammarskjöld in Uppsala, where he had joined Crown Princess Victoria, UN Deputy-Secretary General Jan Eliasson and former Secretary-General Kofi Annan in a wreath laying ceremony. Half an hour later, as a commentator in a debate between Annan and Eliasson at Uppsala University, he urged students to bombard the permanent members of the Security Council on social media and challenge them to assume their responsibility regarding the situation in Syria.

In an interview, I ask Sweden's UN Friend of the Year why he was so critical of the Security Council. *What, in your opinion, should be done?*

"The situation in Syria is a sad reminder of the Council's failure to act in unity when it is needed the most – this time to protect a population that is the victim of grave international crimes. I am not for a moment suggesting that the Council should have resorted to the use of force when the events unfolded. But an immediate, determined and unified reaction on the part of the Council would have made a tremendous difference, and maybe the present situation could have been avoided. The permanent members of the Security Council simply must engage in a principled discussion on how to cooperate in the future. In particular, the permanent members need to draw a line to signal that, if in a conflict this line is passed, the Council simply must intervene, if necessary by force. Not to send this signal is to just sit back and wait for the next 'Syria' anywhere in the world where democracy and the rule of law are absent. I discussed this matter in an [address](#) last December."

*Western Sahara is one of the issues you have been quite vocal about. What do you think about the current situation?*

"Here, I must first refer to the [letter](#) from me in my capacity as Under-Secretary-General for Legal Affairs and the Legal Counsel of the UN, to the President of the Security Council dated 29 January 2002. The Council had requested my opinion on the legality in the context of international law of actions allegedly taken by the Moroccan authorities consisting in the offering and signing of contracts with foreign companies for the exploration of mineral resources in Western Sahara. My conclusion was that if further exploration and exploitation activities were to proceed in disregard to the interests and wishes of the people of Western Sahara, they would be in violation of the principles of international law applicable to mineral resource activities in Non-Self-Governing Territories."

I have later in my private capacity developed my thoughts relating to natural resources in the territory. (See [here](#) , [here](#) and [here](#) .)

Of particular concern to me is the manner in which the EU has acted with respect to fisheries in the waters off the coast. The fact that the Protocol to the [EU-Morocco Fisheries Partnership Agreement](#) (FPA) of 2013 does not

even mention Western Sahara, much less the parties' legal obligations in this situation, speaks for itself. Wholly unacceptable from a legal point of view! And typically, only a few days before the European Parliament approved the protocol on 10 December 2013, the representative of Morocco referred to Western Sahara as "Moroccan Sahara" in the UN General Assembly (See [here](#) on page 14). My recommendation is that all Members of Parliament study a brief publication, "[Rule of Law – a guide for politicians](#)" ."

*As USG for legal affairs you were involved with the creation of war crime tribunals. The court of ex-Yugoslavia is winding down. Have these tribunals served their purpose?*



"Indeed they have! It is very important to demonstrate that impunity is being effectively addressed. As a war crimes rapporteur in the former Yugoslavia in 1992-93, I became fully convinced that it was absolutely necessary to establish an international war crimes tribunal to deal with the situation in the Balkans. After I joined a UN in 1994, I was involved in the establishment of the International Tribunal for Rwanda and later the Special Court for Sierra Leone and the Extraordinary Chambers in the national courts of Cambodia. And in 1998, I was the Secretary-General's representative at the Rome Conference that adopted the Rome Statute of the International Criminal Court. Soon this permanent court will be the only international court left to deal with the serious crimes that fall under its jurisdiction. Let us hope that the ICC will be able to fulfil its important role in the future. However, here am somewhat worried, not least in view of the manner in which the ICC has dealt with the situation in Kenya which I have been following on a daily basis for six years as legal adviser to Kofi Annan and the other members of the Panel of Eminent African Personalities appointed by the African Union to assist Kenya in the aftermath of the 2007 post-election violence."

*You worked closely with two Secretaries-General and are well acquainted with the work of others. Who, in your opinion, has been the most remarkable SG?*

“I hesitate to respond to questions of this nature, in particular since I have not worked with all of them. I never met Dag Hammarskjöld. But I was a student in his hometown Uppsala and was a steward in the cathedral at his funeral in 1961. Afterwards, I got to know him through his posthumous book *Markings* and also through his famous address on the role of the international civil servant that he delivered in Oxford in 1961. I believe he was a remarkable man. Of course, I greatly enjoyed working for Boutros Boutros-Ghali for three years and for Kofi Annan for seven years, followed by the interaction with him in relation to Kenya 2008-13. It goes without saying that such a long working relationship makes a deep impression. My assessment is that Hammarskjöld and Annan will be singled out among the Secretaries-General in future history books. As a member of the Hammarskjöld Commission it is of course my hope that the General Assembly will follow the advice in our report of September 2013 to reopen the investigation into his death at Ndola in Northern Rhodesia, now Zambia, in 1961. There is new evidence that should be examined.”

*by Arni Snaevarr*

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*Hans Corell*

*After a distinguished career in the Swedish Ministry of Justice and Ministry of Foreign Affairs, Ambassador Hans Corell served as Under-Secretary-General for Legal Affairs and the Legal Counsel of the United Nations from March 1994 to March 2004.*

*□ Since his retirement from public service in 2004 he has been engaged in many different activities in the legal field. Among others, he is involved in the work of the International Bar Association, the International Centre for Ethics, Justice and Public Life at Brandeis University and the Hague Institute for the Internationalisation of Law. He was Chairman of the Board of Trustees of the Raoul Wallenberg Institute of Human Rights and Humanitarian Law at Lund University, Sweden, from 2006-2012.*