I am delighted and honoured to join you for the opening of the 22nd Annual Conference of International Association of Korean Lawyers. Thank you very much for giving me the opportunity to address this growing network of Korean lawyers at your first meeting in New York City. This meeting comes just a few days after the city played its annual part in global diplomacy, hosting world leaders for the 69th session of the UN General Assembly. In speeches and meetings, they tackled the most pressing issues that the international community faces today, and strove to find solutions. Climate change, Ebola and ISIL in Iraq and Syria were at the top of the agenda, but there were many other issues to discuss.

Indeed, our world is faced with an unprecedented number of countries and regions in crisis, and climate change is an existential threat to all humanity. The emergence of ISIL accompanied by horrific human rights abuses in Iraq and Syria and the Ebola outbreak in West Africa has added to the sense of doom. I will have more to say later on some of the largest challenges. But for now, let me just say that it is invigorating to take a step back from all the hustle and bustle along the east river, and to come to this gathering of young lawyers, bound together by your deep affection for Korea and Koreans, and your aspiration to use your lawyerly skills to contribute to the country’s growing profile and role in the world.

I of course share the affection, and I certainly welcome your endeavours to strengthen the outreach, as indicated in the theme for your conference this year, “A Growing Global Tapestry – Weaving an International Legal Network”. Beyond this theme, I was given little guidance on what I should say today. So, let me just share with you some thoughts about the world today from where I stand, in the hope that the growth of the network is matched by growing engagement with the myriad issues facing our world. And where is our world today? The answer would be different in different places, for different people, reflecting different experiences and lines of work. Just here in this room, I suspect the answers would be quite diverse. Here is my answer.

To start with, as you know, I work for the United Nations, not the part that member states and their diplomats own and control, but the part that is filled by international civil servants, working for different causes and mandates, broadly falling into the fields of peace and security, development, human rights and humanitarian assistance. The unique challenge and reward of working for the UN is that you deal with the whole world, not
just a few places or countries where your national or professional interests lie. Indeed, it is a privilege to be able to travel to the remote corners of the world wearing the UN hat, not as a tourist, but to help people. And each of us does this from the standpoint of his or her specialized field.

My specialized field has been human rights and humanitarian assistance, and I have been very lucky to work on what I consider to be two of the most vital areas for the United Nations and the people of the world, especially those who are most vulnerable and suffering. The combination of human rights and humanitarian work is rather rare, and there isn’t much cross-breeding between the two communities. Indeed, there is a bit of mutual scepticism as well as mutual respect between the two communities. I’ve heard many human rights activists say that humanitarians are feckless because they don’t speak the truth to power. Meanwhile, some humanitarians say that human rights advocates are a bunch of ideologues with nothing to offer but lofty words. Indeed, the two communities have evolved different professional jargon and working methods, which sometimes get in the way of closer cooperation. But we share the fundamental commitment to human beings, to human dignity, and to assisting those in need, the survivors who may have lost their dignity so that they may recover it. And from the victims’ or the survivors’ point of view, both human rights advocates and humanitarians are necessary, making it imperative for the two groups to work in complementarity and unity of purpose.

Let me share some broad observations I gained in each field. Human rights is a particularly revealing prism through which to observe a country, its rulers and its people. My six years as Deputy High Commissioner for Human Rights was immensely illuminating of the nature of governance and the political will of governments around the world. Human rights lie at the heart of the relationship between the state and the people under its jurisdiction. At its very core, human rights is about the obligations of the state “to undertake to ensure”, as stated in various UN human rights treaties, that the human rights of the people are protected, promoted and fulfilled. It is about how those entrusted with state power treat their citizens and honour their will. It is about sovereignty as responsibility toward the people, rather than about the power to reign over them.

Over the decades since the 1948 Universal Declaration of Human Rights, based on the fundamental premise that “everyone is born equal and free, in dignity and rights”, the UN has been the stage for the elaboration, adoption and interpretation of an extensive body of international human rights law, whereas the States have the primary responsibility for their implementation. There are now ten core treaties, each with an independent expert committee tasked to monitor how the treaty is being implemented, or not, by the States that have signed up to it.

A recent high water mark for human rights was reached in 2005, when the General Assembly adopted the doctrine of the “responsibility to protect”, sometimes known as R2P, underscoring the responsibility of governments to protect their citizens from mass atrocities, such as genocide, crimes against humanity and war crimes. If a government is manifestly failing in that responsibility, the international community, through the Security Council, has a responsibility to intervene. This was a huge breakthrough as it explicitly acknowledged that state sovereignty can be overridden by the international community, when certain conditions are met, in order to protect people from mass atrocities.

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The R2P doctrine was invoked in the Security Council’s response to the crisis in Libya in 2011, when the regime of Colonel Qaddafi was judged to be on the verge of massacring its own people in the aftermath of a popular uprising against him.

Many have argued that R2P should also be invoked by the Security Council to take action to protect the people in Syria, where the gov’t is not only manifestly failing to protect the people, but its agents have allegedly perpetrated crimes against humanity, and also war crimes, against them. But this time, the Security Council could not take action due to the veto of two of its permanent members. This, I believe, was a turning point, both for the crisis in Syria which spiralled towards fully-fledged civil war, and for the Security Council in that it was a painful confirmation of its inability to deliver on its mandate under the UN Charter to bear the primary responsibility for maintaining international peace and security.

The Security Council is the highest body of the United Nations with the power to make binding decisions on all member states, and any one of its 5 veto-wielding permanent members can block the will of the rest of world. The gap between the value of equality that the organization preaches and the inherent inequality in decision-making underscores a fundamental democratic deficit that lie at the core of the UN. Thus the need for the reform of the Security Council has been high on the UN agenda for over two decades, but with little progress. Few expect things to change any time soon.

But there are things that can be improved with political will, and that takes me to my next point. To have human rights norms is one thing, to get them fully implemented is another. Even with the best intentions, the gap between the human rights norms that States have committed to abiding by, and their implementation on the ground is found everywhere to varying degrees. This gap between the norms and their implementation means that the practical work of human rights is as much about talking to the people who own the rights, especially the people whose rights have been violated, as it is about talking to the state authorities to point out the gaps and to press them to fulfil their obligations. This often means speaking the truth in tough conversations to gov’t officials, who are usually unreceptive to criticism from the United Nations. Indeed, it is a rare gov’t that will readily accept criticism and do something about it.

Meanwhile, the demands and expectations of ordinary people about their rights have penetrated deep into the psyche of the global public. The UDHR is by far the most translated document in modern history, now available in 439 languages around the world, speaking to its enduring power to inspire and embolden people. This increasing gap, between what people demand and what their governments are willing or able to deliver, has fueled frustration and discontent, and triggered social unrest.

In early 2011, the unrest came in a massive wave through the Middle East and North Africa in what became the Arab Spring. The human rights community around the world was elated at the sight of peaceful demonstrators on the streets of Arab cities demanding their rights. But with the exception of Tunisia, the spring of hope has turned into deep despair, as in country after country, the aspirations of the people for greater freedom and rights were crushed by rulers who responded with brutality and repression. And now, the region is caught up in several violent conflicts with seemingly no end in sight. The
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Indeed, this year has seen a surge in humanitarian crises around the world. Humanitarians this year are targeting 76 million people in 31 countries to assist, compared to 52 million in 2013. 102 million people are estimated to be in need of humanitarian assistance compared to 81 million at the end of 2013. The global financial requirements to cover the needs rose from $12.9 billion in 2013 to $17.3 billion by the end of August this year. This is a 4-fold increase from 2004. And more and more crises are having a regional impact with spill-over effects on countries that are already fragile. In 2011, every single day, some 14,000 people worldwide were forced from their homes by violence of war. In 2012, the figure was 23,000 a day. In 2013, it was 32,000. At the end of 2013, 51 million people were displaced due to conflict and persecution – 33.3 million in their own countries and 17.7 million as refugees in others. This is a historic high, and the numbers keep growing.

The biggest crises of the day are in Syria, Iraq, South Sudan, and Central African Republic, the so-called L3 crises, the highest level designation that triggers a series of collective actions by humanitarians. And there are many other protracted crises, such as in Somalia and the Democratic Republic of the Congo, Mali and Afghanistan, that have fallen off the media radar but where there continue to be massive humanitarian needs.

While the dynamics of each crisis are unique, there are some commonalities. First, modern conflict has become ever more brutal and destructive, in flagrant violation of the minimum standards of warfare as enshrined in international humanitarian law. Over the past years, the world has watched in horror as parties to warfare, armed groups and terrorists have taken violence, particularly against civilians, to new levels. I need only mention the atrocities now being committed by ISIL in Iraq and Syria. But ISIL emerged, not out of the blue, but out of the three years of complete impunity for the violence and crimes committed against civilians, women and girls, men and boys, by the government as well as some opposition forces in Syria.

Humanitarian workers have not been spared. Sixty three humanitarian workers have been killed in the Syria conflict so far. But in all conflicts, attacks against humanitarian workers have been on the rise. In 2013, 155 humanitarian workers were killed: 171 were wounded and 134 kidnapped. In Syria and South Sudan, the sanctity of hospitals as a refuge for the wounded and the sick has been utterly shattered, and medical workers and even patients have been targeted and killed. Aid workers take up their duties knowing that they are putting their lives on the line.

Second, all of these conflicts are man-made. They did not need to happen. The two hundred thousand people who have perished in Syria didn’t have to die. Millions didn’t have to starve in South Sudan, where many are now on the verge of famine, if their political leaders had made different choices. The roots of these conflicts can be traced to decision or indecisions, actions or inactions, of political leaders who were more interested in power than in the welfare of their people; who, instead of nurturing inclusive governance and protecting their people, exploited divisive sectarian ideas to strengthen their power base. And humanitarian workers are out there trying to help the people who

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are forcibly displaced, dying, hurting, starving as a consequence of the failure of political leadership.

The High Commissioner for Refugees, Antonio Guterres, spoke for all humanitarians when he told the executive committee of his agency in Geneva earlier this week: “I continue to be deeply shocked by the indifference of those who carry the political responsibility for millions of people being uprooted from their homes…as normal collateral damage of the wars they lead.”

Furthermore, this failure of political leadership is not just the fault of national leaders, but extends to regional and international players with influence over them. There is a lack of vision and strategy on the part of those whose decisions and actions shape the course of global affairs.

So, my daily world is rather bleak, and every morning, my colleagues and I have to work up an extra dose of optimism to carry us through the day and preserve the hope that there will be light at the end of the tunnel, that the violence will stop, and peace will come to the suffering, so that they may recover their lives and dignity, and that meanwhile our work is making a difference. We also seek news of good things happening in the world to give us some positive energy.

One pocket of positive energy is South Korea. Despite the loss of direction and soul-searching that still grips the country in the aftermath of the sinking of the Sewol ferry, there is a clear sense in the global community that South Korea is rising and starting to make its mark. Indeed, Korea occupies a unique space in the international community, increasingly called upon to play a bigger role. Having made the transition from military dictatorship to a thriving democracy, from developing to developed, from aid recipient to aid donor in the span of a few generations, and now as the birthplace of a mass culture wave that has spread to many countries and continents, South Korea is a rising player in the global community.

In recent years, Korea has been increasing the volume of its Overseas Development Assistance. Last year, it provided $1.74 bil in ODA, and offered emergency relief assistance of over $26 mil to North Korea, Syria, Somalia and the Philippines. But there is still a long way to go before Korea’s ODA matches its economic prowess. Korea also hosted the G20 summit in Seoul in 2010, and the 4th high-level forum on aid effectiveness in 2011. It is now a member of the UN Security Council, for the second time, and also a member of the Human Rights Council. And, of course, a Korean leader is at the helm of the United Nations.

But what the world expects of Korea is not just a bigger donor profile and more individual leaders on the global stage, but the sharing of the investments needed for a better future for all, in time, resources, and ideas. And that requires the evolution of a mind-set of giving and partaking on a global scale, not just on the part of the public policy makers but also civil society and private sector leaders.

I am sure all of us here are already contributing to this in our own ways. And I hope that my thoughts today have encouraged you to further reaffirm your commitments in this regard.

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To sum up, I would say that the world is in dire need of enlightened, effective national leaders with a genuine commitment to honouring the aspirations of their people for dignity and rights, as well as the ability to elevate their sense of self-interest beyond the national to the regional and global levels. The irony of this globalized world is that the more connected we are and the more information that is available to people about the world out there, the more fragmented and insular our notion of self-interest seems to become. I am amazed, for example, at the preoccupation with food and diet on the one hand, and the fleeting attention paid to crises in other parts of the world on the other, by people who live in this most cosmopolitan of cities.

To take a step back, to preserve the mental space and the heart for our shared humanity, so as to engage and lead on global issues that do not appear to have immediate implications for one’s own life, requires sustained effort and the courage to go against the tide. I hope and trust that IAKL is a gathering where such leaders are nurtured.

Thank you.