

New Inquiry into the Death of UN Secretary-General Dag Hammarskjöld 1961

*Press statement by the Enabling Committee on the launch of the inquiry
19 July 2012*

An Enabling Committee chaired by Lord Lea of Crondall, which includes former Commonwealth Secretary-General H. E. Chief Emeka Anyaoku and former Archbishop of Sweden KG Hammar, have announced the setting up of a distinguished Commission of Jurists to inquire into the cause of the death of Dag Hammarskjöld, who served as the second UN Secretary-General from 1953 until his tragic death in 1961. Hammarskjöld is widely regarded as the best Secretary General to have led the United Nations. ‘His unimpeachable integrity and single-minded devotion to duty,’ stated Kofi Annan, ‘have set a standard for all servants of the international community.’

The members of the Commission of Jurists are: The Rt. Hon. Sir Stephen Sedley of the UK (Chair); Ambassador Hans Corell of Sweden; Justice Richard Goldstone of South Africa; and Judge Wilhelmina Thomassen of The Netherlands. See [Annex A](#).

Flying on a UN mission to try to bring peace to the Congo, Dag Hammarskjöld’s Swedish-owned and crewed plane crashed near Ndola airport in the British protectorate of Northern Rhodesia (now Zambia), on the night of 17-18 September 1961. All but one of the passengers and crew were killed. Eight months earlier, Patrice Lumumba had been assassinated in Katanga, on the other side of the Rhodesian border, which had illegally declared its secession from the newly-independent Congo.

Questions were immediately asked about the crash of Hammarskjöld’s plane. Why did the sole survivor say that the plane ‘blew up’ before it crashed? Why did local residents report seeing a smaller second plane attack a larger one that night? Why was the wreckage not found officially for 15 hours, though only 8 miles from the airport?

In the view of the Enabling Committee, these questions have never been satisfactorily resolved, despite several inquiries, including a UN Commission of Inquiry in 1961-62 which reached an open verdict. See [Annex B](#).

Lord Lea explained the reason why the Commission is being set up now and why, in the view of the Enabling Committee, it is timely:

*“There is prima facie evidence from a book published in 2011, *Who Killed Hammarskjöld?* by Susan Williams, and from other sources,*

that there is new information that ought to be evaluated. That is why the Enabling Committee have invited a commission of very senior and distinguished Jurists to investigate whether there is a case for action by the UN under General Assembly resolution 1759 (XVII). See Annex C.

Why are we doing this? Because we believe that the whole of the truth, in significant respects, has yet to be told. There is now, I think, a following wind behind us in setting up the Commission at this time.”

H. E. Chief Emeka Anyaoku, former Commonwealth Secretary-General, commented:

“I think that it would be of very great interest to many in the Commonwealth to clear the air on this question, which has been in the background for such a long time, with such a distinguished Commission of Jurists.”

Dr KG Hammar, former Archbishop of Sweden, stated:

“In December 2011 I spent a week in Zambia. I was introduced to people who witnessed what took place on the night of 17 September 1961 in Ndola, and who told me they believed they had seen Hammarskjöld’s plane being shot at in the sky. Like Dag Hammarskjöld’s nephew, the late Knut Hammarskjöld, I think it is finally time to clear this matter up.”

It is proposed that the Commission of Jurists should review the substantive evidence, including the evidence which has recently emerged, in order to determine whether there is a case for re-opening the UN Inquiry of 1961-62. If the evidence is found to warrant re-opening the UN Inquiry, it will be presented to the United Nations, pursuant to General Assembly resolution 1759 (XVII), which requests the Secretary-General to inform the General Assembly of ‘any new evidence which may come to his attention’ (1962). See Annex C.

The Enabling Committee are very pleased that such a distinguished Commission has now been established, with today’s formal announcement, and it is hoped that the inquiry will reach its conclusions within a year. The Enabling Committee have set up a fund and additional funding is being sought.

The Enabling Committee

Chair: Lord Lea of Crondall OBE*

H. E. Chief Emeka Anyaoku, former Commonwealth Secretary-General

Dr KG Hammar, former Archbishop of Sweden

Dr Henning Melber, Executive Director, Dag Hammarskjöld Foundation, Uppsala; Professor, University of Pretoria

Professor Naison Ngoma, Director, Dag Hammarskjöld Institute for Peace and Conflict Studies, Copperbelt University, Kitwe, Zambia

Hans Kristian Simensen, Gothenburg, Sweden

Dr Susan Williams, Institute of Commonwealth Studies, School of Advanced Study, University of London.

*LORD (David) LEA was Assistant General Secretary of the UK Trades Union Congress 1979-99. He has been a member of the House of Lords since 1999 and Co-founder and Vice-Chairman of the All Party Parliamentary Group on Africa since 2002. He served as an election monitor in the Democratic Republic of the Congo in 2007.

ANNEX A

The Commission of Jurists

Chair: THE RT. HON. SIR STEPHEN SEDLEY became a Lord Justice of Appeal in 1999, and has sat on the Judicial Committee of the Privy Council and as a judge ad hoc of the European Court of Human Rights. He retired from the bench in March 2011.

AMBASSADOR HANS CORELL was Under-Secretary-General for Legal Affairs and the Legal Counsel of the United Nations from March 1994 to March 2004. He was Ambassador and Under-Secretary for Legal and Consular Affairs in the Ministry for Foreign Affairs in Sweden from 1984 to 1994. From 1962 to 1984 he served in the Ministry of Justice and in the Swedish Judiciary, where he was appointed Judge of Appeal in 1980.

JUSTICE RICHARD GOLDSTONE served as a judge of the Constitutional Court of South Africa from July 1994 to October 2003. From 1991 to 1994 he served as the chairperson of the Commission of Inquiry Regarding Public Violence and Intimidation (the Goldstone Commission). He was the first

Chief Prosecutor of the United Nations International Criminal Tribunals for the former Yugoslavia and Rwanda.

JUDGE WILHELMINA THOMASSEN served as a judge of the European Court of Human Rights in Strasbourg (1998-2004) and as a judge of the Supreme Court of The Netherlands in the Court's criminal section (2004-2012). Before that she practised at the Bar and has been a professor of international human rights law and a judge of The Hague Regional Court and The Hague Court of Appeal.

ANNEX B

Previous inquiries into the death of UN Secretary-General Dag Hammarskjöld

The *first* was conducted by the Board of Investigation, which was set up immediately after the crash by the Rhodesian Department of Civil Aviation. It concluded in its report in January 1962 that: 'the evidence available does not enable them to determine a specific or definite cause.' It regarded pilot error as one of several probable causes, but also considered other possibilities, including the 'wilful act of some person or persons unknown which might have forced the aircraft to descend or collide with the trees'. It considered this unlikely but was unable to rule it out completely, 'taking into consideration the extent of the destruction of the aircraft and the lack of survivor's evidence.' Seventy-five to 80 per cent of the fuselage had been burnt.

The *second* was the Rhodesian Commission of Inquiry, which included public hearings, and reported in February 1962. The Rhodesian Commission of Inquiry drew on the work of the Board of Investigation, but reached a conclusion which it claimed was 'more precise': it identified pilot error as the cause of the crash, on the basis of an elimination of the other suggested causes.

The *third* inquiry was set up by the UN and reported in March 1962. This reached an open verdict and did not rule out sabotage or attack. The UN Commission noted that: 'the Rhodesian inquiry, by eliminating to its satisfaction other possible causes, had reached the conclusion that the probable cause of the crash was pilot error. The [UN] Commission, while it cannot exclude this possibility, has found no indication that this was the probable cause of the crash.' The UN report led to General Assembly

resolution 1759 (XVII) of 26 October 1962, which requests the Secretary General to inform the General Assembly of ‘any new evidence which may come to his attention’. See Annex C.

Years later a **small scale inquiry** was conducted by Ambassador Bengt Rösiö for the Swedish Ministry for Foreign Affairs. Rösiö’s report in 1993 argued that the pilot made an error in judgement regarding altitude.

ANNEX C

General Assembly Resolution 1759 (XVII) of 26 October 1962

1759 (XVII). Report of the Commission of investigation into the conditions and circumstances resulting in the tragic death of Mr. Dag Hammarskjöld and of members of the party accompanying him

The General Assembly,

Recalling its resolution 1628 (XVI) of 26 October 1961 in which it decided to appoint a Commission of five eminent persons to carry out an investigation into the circumstances surrounding the tragic death of Mr. Dag Hammarskjöld and of those who with him lost their lives on a mission in the service of the United Nations near the Ndola airport on 18 September 1961,

Having considered the report of the Commission established under the above-mentioned resolution[1];

1. *Takes note* of the report of the Commission of investigation into the conditions and circumstances resulting in the tragic death of Mr. Dag Hammarskjöld and of members of the party accompanying him;
2. *Expresses* its gratitude to the members of the Commission for the work they have done;
3. *Requests* the Secretary-General to inform the General Assembly of any new evidence which may come to his attention.

*1159th plenary meeting,
26 October 1962.*

[1] *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 22, documents A/5069 and Add.1.