As part of the Carnegie Council Centennial Thought Leaders Forum, Carnegie Council's Devin Stewart spoke with Argentine lawyer Luis Moreno-Ocampo, who was the first prosecutor of the International Criminal Court (ICC).

DEVIN STEWART: How do you see today's age being distinct from other ages in the past, or is it distinct at all?

LUIS MORENO-OCAMPO: Yes, there's a difference. Distance in time and distance in space reduce your moral ability. Therefore, now, with instant communication, we suddenly are connected with what is happening in Syria today and we are seeing the killings in Syria today, and then people believe that should not happen. At the same time, there are no institutions to deal with the problem, so that's why there are still killings.

The new world, the 21st century, is about global communication and global citizenship. I see this particularly in the young people. It's a new community, 18, 15. They have a community. They don't care about borders or race or religions. They care about the same people their age.

So in this sense, yes, the world is changing. The problem is a global demand for institutions dealing with the problems, because it is no longer an individual issue, it's a collective action issue. That's why the moral dilemma for the world is collective action.

For instance, being loyal to your country, being loyal to your boss, that's very important normally. But that means that if you are in Syria and you are a captain, maybe you are the one killing people. So it is not just your individual decisions; it is how the organizations that you work for are working. That's why it is much more complex. It is not just about human behavior; it is about organizational behavior.

DEVIN STEWART: This connectedness, does it have a very specific moral implication?

LUIS MORENO-OCAMPO: Yes, because you can react when something wrong happens long distance. There's an old story about a Chinese Mandarin that was repeated for centuries by different writers. Le Père Goriot [Father Goriot] is there. In this story, you receive two magic bells. Each time you ring the bells, you get whatever you want. But at the same time, no one knows, but you know, an old Chinese Mandarin dies in China. So your moral dilemma is: What goods are you prepared to just resign [to the fact that] you will not get them? What will be your constraints to avoid that an old Chinese mandarin that you don't know died in China?

In Le Père Goriot, the French novel, one of the characters is worried because he said, "Today I killed 30 Chinese Mandarins." In the past, who cares about Chinese Mandarins? We don't know; we don't care.
Now we are connected, and this problem has become more relevant.

When the chairman of an automobile company closes a factory in one remote city, yes, it is creating problems, and it is a long distance [away] now, because the business is long distance. So technology connects people to the business and it's difficult to connect our moral ability.

But technology is also showing us pictures that engage us. That is a new challenge for humanity: Can you belong to a community, not just New York or the U.S., that is also humanity? Can you have this moral capacity? That is a new challenge.

The young people, I think some of them can.

DEVIN STEWART: You sound a bit optimistic there. Do you think things are getting better or worse?

LUIS MORENO-OCAMPO: Now there are new challenges. I'd say there is a new global demand for justice, for instance.

I don't know if you know the Invisible Children video. They got 100 million viewers in six days, defeating Lady Gaga, who took 18 days. These are young people from all over the world watching the video and demanding justice for this individual.

But building an institution is complicated. Building an institution to face this global problem is complicated.

The International Criminal Court [ICC], for instance, started its operation in 2003. The first time someone talked about it was in 1973. So it took 30 years to move from the idea to the implementation.

Think of cell phones; they change the model every two months. Or think of Facebook, which started eight years ago.

The institutional development is much slower, and that is for me one of the moral dilemmas we have, how to build new global institutions.

That is again a collective problem, because if you are in the U.S., you don't like very much global institutions because you've got your government and you don't trust other governments. But if you are in Congo or in Argentina in the 1970s, with the Dirty War, you need someone from outside because your government is killing you. So when your government is killing you, you need something else. That's why the moral position is different—not just because of your individual attitude; it's because of where you are.

Costa Rica has no army. So for them it is very important to have global institutions and respect for the law because that's the way they protect their land and their territory. They have no army. So it's completely different from someone from the U.S. or China with huge armies who can protect you.

That's why it is not just about your individual condition; it's how you are integrating your community and the possibility to have something bigger than a national community—for some problems, not for all problems. We have to make a distinction. There are moral issues or challenges for a mayor that are different for a president and different for global institutions.

I was a chief prosecutor of the International Criminal Court. And yes, my duty was to apply the law, and I had to focus on that. But then the ministers of foreign affairs, their main duty is for their own
country. Sometimes they were supporting the cases and moving forward; sometimes not, because they feel: "Okay, at the end of the day I have to pay attention to my voters, to my staff. We don't have to make a big noise in Darfur, for instance." Then we basically ignored Darfur.

My duty is to keep saying, "Guys, it's a genocide in Darfur and we promised 'never again.'"

They say, "Yes, but there are other interests now."

That's a danger.

DEVIN STEWART: Part of our project is to look at this idea of a global ethic. Does that mean anything to you; and, if so, what does it mean to you?

LUIS MORENO-OCAMPO: Yes, there is a global ethic. But it's not just about principles; it's about implementation. Individually, I think the biggest challenge we have is to be consistent, because if we talk about the moral principles, and then our kids watch us crossing a red light or cheating to get something, then our kids will learn it is not about our principles, it's about how we implement our principles. That is a challenge for us, how to implement our different moral requirements.

When the companies bribe, they are doing that to get the business. That's what they say, "We have to make money, we have to make a business here, and bribing is part of the business." But at the same time you say, "You should not bribe." "Yes, but I have to make money also, because if not I cannot pay my employees." That is our moral dilemma.

The same way people say, "In order to control terrorism, maybe I have to torture people." So can you do that? That's the moral dilemma we have. It is not about one principle; it's about how to integrate different principles in a complicated world.

DEVIN STEWART: Do you think there is enough consensus on the principles in order to implement them?

LUIS MORENO-OCAMPO: Global consensus is highly difficult.

Look at the International Criminal Court. Let me cite just one example. The principle is no genocide, no crimes against humanity, no war crimes. Someone can challenge these principles. It is difficult. Everyone agreed on that. However, what's difficult is to sign, and in fact today even just 121 states signed this. So it is difficult.

I remember a discussion with Pascal Lamy, who was the head of the World Trade Organization, when we were together on a panel. I was talking about how difficult it is to reach global agreements. I said, "Look, it took so many years to reach an agreement against genocide." He said, "You are right. But the second, in my area, in the trade area, was similar. It took many years to reach agreement, to sign agreements on trade. But the most difficult thing is, after that, implementing the agreement. Everyone is in favor of free trade but 'not in my city.' 'Yes,' they say, 'but not in my industry' or 'not today.'"

Everyone is against genocide, but don't complicate our lives today with Sudan. Everyone is against crimes against humanity, but be careful when the situation gets complicated.

So that is what was happening.

I'm not sure I'm answering your questions.
DEVIN STEWART: They're fantastic answers. Thank you. Very, very good.

It sounds like you've already answered this, but what do you see as the greatest challenge facing us, ethically speaking?

LUIS MORENO-OCAMPO: All the time there are moral issues to take relating to kids, how much time we spend with them individually in our family, but individually with our community, individually with our city, with our state, with our region, with our world. There are different dimensions.

In this sense, living in the 21st century is a different challenge because you have to take positions and think on issues that before you just ignored. In this sense it's a more difficult time.

And again, remember this distance in time, distance in space, reduce your moral ability. That's it.

DEVIN STEWART: Reduce?

LUIS MORENO-OCAMPO: Distance in time, distance in space, reduce your moral ability. If my neighbor is killed, it is a big thing. If someone in my city was killed, it's bad. If someone in Guatemala was killed . . . I have a friend who said to me—he was a newspaper journalist—and years ago in June there was an earthquake in Honduras, 500 people died. Three months later another earthquake in Guatemala, 500 people died. The editors say, "It is old news." "Come on, it's a new earthquake, it's a different county." "Okay, but this Central American earthquake is old news."

So we don't care when distance and space reduce our moral ability. That's a problem. Space is nothing for business, for many activities, but, however, for us it is difficult to connect with that.

DEVIN STEWART: What are the implications of that problem?

LUIS MORENO-OCAMPO: The implication is that for use we will respect the right of a neighbor but maybe we don't need to respect the right of an Egyptian guy or a Russian guy or a Chinese guy because it's remote from us, and then maybe we believe, "Oh, in fact he's the enemy, he's an Iraqi guy and he's the enemy. So he's remote, he's enemy, and that's it, you can kill him."

As soon as you believe a different group is attacking your group, you can decide, "They have no right; you can just destroy them to protect, because you are doing that to protect your family."

Look, I was involved with massive atrocities from the last 27 years. It's always the same. Those massive killers are not bad guys, are basically telling you that they are doing that to protect their own community.

In my country, I told a general, "General, you cannot tell me that you were torturing and killing people to protect freedom and democracy."

The general told me, "These are our values. They are the enemy."

As soon as you say a group—communists, Tutsis, Jews, Arabs, whoever—you define the group in any way you want, as soon as this group is the enemy, you will have many people supporting you eliminating them or attacking them—"We don't care about the rights of these people."

That's why in this interlinked world the idea of the law is so relevant, because the law transforms the enemy into a criminal. Yes, you can control the criminal, you can put him in jail, but you cannot kill him, you cannot torture him. That's a new concept we have, this law. This is going to be good for us.
because if not, what happens is if I attack my enemies, some leader in the enemy group will do the same against me and my family.

So it is safer to protect the rights of my enemies. It's much safer than just attacking the enemies. The enemies will retaliate. That is the idea. It's a very basic idea. So old an idea that we are ignoring it.

Law is about retaliation. It's about retaliation because if you have no police—imagine if you had no police and no judges and your neighbor steals your bike. What you can do? You can go and ask him to return the bike. He says, "No, I will not." What can you do? You can fight.

So institutions are helping us not to retaliate. That's why in this so communicated world we need institutions to avoid retaliation between groups, between countries, between communities. That's it.

DEVIN STEWART: How would you advise other organizations to respond, for example businesses or other governments?

LUIS MORENO-OCAMPO: It depends. Costa Rica is promoting the idea of using the law. The U.S. is not. But I understand the different views and I have to respect both. So a life would not be the same for Costa Rica than for the U.S.

Also you have different traditions. In China they have different traditions than in the U.S. So I don't think we can use one advice.

The main idea, yes, how we can live together, that is the point, how we can live together and support each other into a different century when we are 7 billion people with different ideas.

That's my bad answer to your question.

DEVIN STEWART: That's a good one.

This is our Centennial coming up in 2014. Part of this is looking back to the past 100 years, but we also want to look forward to the next 100 years. What would you like to see happen in the next 100 years?

LUIS MORENO-OCAMPO: I think we ought to do something in the next 10 years to ensure a good 100 years ahead. I think this is about education. I think we have to educate our kids about violence, about peace, about justice. They have to understand what happened. They have to understand that the Holocaust was not a mistake, it was something produced by one of the most sophisticated countries in the world. So we have to understand why they did that. We have to understand the Rwandan genocide. We have to teach about that. We have to teach the role of national and global institutions. We have to teach kids to manage violence, not just in the big conflicts, but to manage bullying in the schools.

The world is more and more democratic. Each individual is more and more influencing. Leaders are taking decisions when they read the surveys and they are just following what people want. So we need to start to educate people.

That's what I'm trying to do. Now that I am no more the prosecutor, I am trying to focus on how we can transform rulings in court into massive education programs.

I really believe one of the big efforts should be put on education of our children. We don't know, and it is difficult for us to manage how the world will be in 100 years. But we know and we can manage
what kids we will give to the world. We don't know what will be the world for our kids. We know what kids will be for the world. So we have to focus on that, what I can do with my kids, what I can do for the kids in the world today. That for me—without that, in the world today, the leaders are not followed, the leaders follow the people. So we have the world and the people.

DEVIN STEWART: That's a great answer. This is Andrew Carnegie, by the way [pointing to portrait on the wall]. Some people find it distracting. Is it okay?

LUIS MORENO-OCAMPO: I love him.

DEVIN STEWART: You're okay with that? All right.

LUIS MORENO-OCAMPO: That's something I found in my work. Working as a prosecutor, I found people like Carnegie 100 years ago focused on peace in the world. You find people in Nuremberg, you had big teams requesting justice. You have people around the world working for the same goal. It is very rewarding. You feel you are just one piece in a long line of people doing something good. So this is happening. We can just keep this too and enlarge it if you can.

DEVIN STEWART: That's what we're trying to do, exactly what this project is, is create a network, a cohort, a community of people who are asking and answering some of these questions. Just a few more questions here.

As you know, Andrew Carnegie thought that world peace was around the corner. He thought that war was obsolete and he likened it to dueling. He thought dueling went away so war should also go away. Do you think world peace is possible?

LUIS MORENO-OCAMPO: I think it is possible. Until the 18th century, peace was just the time between war and war. So war was the only way to solve conflicts. The idea of a permanent peace was born in the 19th century. It's true at the beginning of the 20th century, after the First World War, we were thinking, "We have achieved that. It is more difficult than we were thinking, but it is a need, it's not superfluous. We need peace." And peace is not like air; we have to invent peace.

That is why it is different when you see the U.S. was the leading country in the universal values and having peace in the world—and it was not just Carnegie; it was Woodrow Wilson, Roosevelt, many people. The Cold War affected that.

The creation of the International Criminal Court in fact is a legacy of Carnegie and his generation. But the funny thing is, because of the Cold War and other views, you have not joined us. So U.S. values became more universal, but even sometimes the government cannot be in agreement.

So yes, I think Carnegie won. Changing the world is not easy, but it is changing. At least today, for instance, many things that in the past were considered normal would be clearly crimes against humanity. So you can mention different things that in the past we accepted, including slavery, including what happened with the natives in all the Americas, not just in the north, in the south. All these issues were not considered crimes. In this sense it's a moral evolution.

Of course, again, implementing the principles is a challenge. It is not just defining the principles. The real challenge is to implement the principles in a consistent way. People have to understand it is a constant effort. It is not something you can do and it's done.

Yes, we understand peace is not a luxury. We need peace. So we have to work for it.
DEVIN STEWART: How about moral leadership? What does that mean?

LUIS MORENO-OCAMPO: For me, when you are the president of a country, you should show moral leadership, but also you basically have to harmonize your different groups. That's why being a leader is complicated. You have to harmonize different groups and it is complicated.

For me the best example of moral leadership in the world today is these young kids from San Diego who just decided themselves to rescue people of their same age from Uganda. They were working for the last eight years, like this Invisible Children idea, to promote that. At the beginning they were doing videos. When they came back from Uganda, they found no one had watched their videos, so they went to schools and colleges to show their videos. They built an audience.

They were working on the peace agreement. They were thinking that I, as the prosecutor, was a stumbling block on this peace agreement. They interviewed me, to show me. I told them, "Guys, Kony is cheating. Kony will attack again."

One year later, they said the prosecutor was right, so we need to fight him, to support him. So they started the idea to arrest Joseph Kony. They went to Washington. No one had interest. So they went to the U.S. Congress and they mobilized 2,000 kids of the same age to move the Congress. The Congress approved the law. Then Obama sent troops. Now they are doing this Kony 2012 campaign in order to promote arrests.

It is interesting, because Kony can do nothing against them. They are in San Diego. But they feel they had to do something for the kids from Uganda. That for me is the best example of moral leadership because they're winning nothing.

DEVIN STEWART: Is it altruism why they did it?

LUIS MORENO-OCAMPO: They feel they have a moral obligation to do something for these kids the same age that in the past no one cared about. Now they are trying to mobilize efforts to focus on that. I think that's unique.

In my work in the ICC, for me it is the most impressive example of people doing something for others with no big thing to win, nothing to win. Just they feel that they are doing the right thing.

It's incredible, the imagination they have, the persistence they have. They are fighting. And it's funny because I told them, "I need you in other countries. I need you in Darfur."

They said, "I'm sorry. We cannot. We have to focus first on arresting Kony. That's our commitment."

So if you like to present young guys, do that. Very impressive.

DEVIN STEWART: Final question: All these issues you've talked about today, who is ultimately responsible or accountable?

LUIS MORENO-OCAMPO: Who is responsible for what?

DEVIN STEWART: Who is responsible for them?

LUIS MORENO-OCAMPO: There is no one in charge of the world. Each of us is in charge of the world, so what we are doing will define the world. There are 7 billion in charge.
The funny thing is some people believe you are wasting your time if you focus on these global issues. When I left my office on the International Criminal Court, a person from Rwanda was working with me. She sent me a beautiful note saying, "I hope that you can keep living your purpose-driven life." That's what she said, "I hope you can enjoy the opportunities to keep living your purpose-driven life."

Yes, purpose helps. You are happier, I think. So each of us is in charge. That's the point.

But the issue is that each of us is in charge, but then we cannot be megalomaniacs and think we can do it alone, so we have to learn how to play with others. That probably is a difficult combination we need. We need people who have the commitment but also have the ability to engage with others to do something good.

That's why again I believe Invisible Children is incredible. In my case, the states appointed me to be the prosecutor, they gave me the position, they gave me the rules, they gave me the money, everything. These kids from San Diego, no one appointed them; they just invented their mission. That is unique.

When I went—the first time I met these Invisible Children kids, they filmed me because they were trying to show I was the stumbling block of Joseph Kony. Even though I knew they were against me, I gave the interview.

But a year later they called me to a meeting in Washington. I was busy. I was refusing my commitment to go. It was shocking. There were 2,000 kids from all U.S. there receiving information for one day. The following day they went to the U.S. Congress to lobby the members of the House.

One of the Invisible Children ladies told me, "Look, this kid is wearing a suit. He normally is clothed so badly that we told him you have to clothe better because you will meet the prosecutor." So he cut his hair and wore a suit to meet me and he took a picture with me.

That for me was one of the most rewarding moments, to see yes, I am a prosecutor working for people, but they understand what is a global community, they understand what is the meaning to do something for others.

DEVIN STEWART: It's a great story, Mr. Ocampo. Thank you. A great interview. I really appreciate it. Thank you so much. That was fantastic.

LUIS MORENO-OCAMPO: Great.

Point B Podcast
"The new world, the 21st century is about global communication and global citizenship. I see this particularly in the young people."

Video Clip
"The new world, the 21st century is about global communication and global citizenship. I see this particularly in the young people."
