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With Courage and Coherence

The Human Rights up Front Initiative of the United Nations

By GERRIT KURTZ

The Human Rights up Front initiative has made important strides towards fostering a more activist organizational culture in the UN system. The UN has streamlined its early warning and crisis management system. With greater vigor, UN officials engage with governments on crisis situations such as that in South Sudan. For an activist organizational culture to take hold, it needs stronger, more nuanced engagement by constructive member states. Member states need to understand the origins of the initiative in the war in Sri Lanka, how previous reform attempts shaped its design and the difficulties of its operational implementation. Seven recommendations for how member states can support the initiative's goals further are provided.

Executive Summary

Too often has the United Nations system failed to mobilize all of its tools to protect populations from serious human rights violations. A notable example is the UN's inadequate human rights response in Sri Lanka in 2009, during the conclusion of the country's long-running civil war. In 2013, the UN launched the Human Rights up Front (HRUF) initiative to avoid such failures in the future and to create a more accountable, coherent and prepared system. The initiative has had a promising start, but to prevent another UN failure of the kind witnessed in Sri Lanka, HRUF must overcome agency competition, reconcile differences in institutional cultures and involve constructive member states more closely. In return, member states that want to see a UN system with an activist stance on human rights need to provide calibrated support.

To that end, this report provides an initial assessment of HRUF's progress and challenges since its adoption by Secretary-General Ban Ki-moon in September 2013. The report explains the initiative's strategic design and bureaucratic implementation, and provides a number of policy recommendations for member states.

As presented by the UN, Human Rights up Front has three interlocking goals: (1) to transform the UN's organizational culture, (2) to make operational changes that frame the UN's work on human rights protection as a priority for all UN entities and (3) to empower UN officials as they work with member states on achieving the aforementioned goals. The initiative features an action plan with more than 60 measures that target crucial areas in which the UN failed in Sri Lanka. These areas include the coordination of early warning and crisis response at the Headquarters of the UN (HQ); the exchange of information between UN agencies on threats to civilians; support for UN Country Teams on the ground, in the form of additional personnel and analysis or the appointment of a senior point person at HQ; and the inclusion of human rights–related criteria in the selection, training and appraisal of senior UN staff, in particular the resident coordinator (RC). In regards to political engagement, the initiative supports UN officials who take a more activist stance when raising threats to civilians and other crises with member states.

Thus far, these measures have had varied success. On the positive side, participants of the regional quarterly reviews (RQRs) introduced by the initiative believe that the meetings improve the coherence of the overall UN response. The RQRs bring together development, political, humanitarian and human rights entities in the UN system to review civilian risk and early warning. They have helped to improve relations between the political and development arms of the UN and to empower regional directors to make decisions at a lower level. The newly established senior action group (SAG), chaired by Deputy Secretary-General Jan Eliasson, convenes the heads of relevant agencies and has been similarly instrumental in identifying courses of early action and leveraging the political influence of the UN system in specific situations. Moreover, Ban and Eliasson have set an important example by taking a more activist response to escalating crises, and UN officials have heeded their leaders' call for member states to commit troops, pass sanctions and monitor elections. For instance, the UN Department of Political

Affairs (DPA) increasingly broaches situations of concern in informal briefings to the Security Council, even if they are not on the council's agenda. In this way, HRUF is indeed fostering a new organizational culture and a new approach to crises.

Nevertheless, the UN has faced four major obstacles throughout the implementation of HRUF. First, there exists considerable rivalry between agencies – an unsurprising result of the silo structure of UN entities and their many overlapping mandates. Cooperation at the working level is not a given. There are diverging organizational cultures throughout the UN system: for example, the view of human rights officers on advocacy can differ significantly from that of political or humanitarian officers, who may have greater trust in negotiations and quiet diplomacy. Second, UN entities need to view human rights protection as a system-wide objective whose achievement requires specific operational skills. The mandatory training to be introduced by HRUF is not seen as sufficient in this regard, as it focuses too much on human rights norms and does not provide the advanced training in leadership and negotiation that would be useful for senior staff. Third, HRUF has tested the capacity of the Office of the High Commissioner for Human Rights (OHCHR), which has very limited field presence and cannot easily deploy short-term personnel. Lastly, despite the enthusiasm of HQ officials involved in HRUF, it will take effort beyond the term of the current UN leadership in order for a new organizational culture to take root. The UN system needs the support of member states when confronting the difficult political questions that arise with a more activist secretariat. Member states cannot leave the UN alone to raise awareness of serious violations; they need to cooperate more closely with UN actors at the local level on human rights protection.

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Introduction

During its final offensive, in 2009, the Sri Lankan army closed in on the Liberation Tigers of Tamil Eelam (LTTE), as well as 300,000 civilians trapped between the fronts. The UN system's response to the crisis was incoherent, ineffective and overly cautious. The rare instances in which the UN brought up the conflict's serious threats to civilians were due to the courage of a few individual officials, some of whom were punished for speaking out. The Human Rights up Front initiative, launched in December 2013, was designed to prevent the UN from repeating its failures in Sri Lanka. In the words of Deputy Secretary-General Eliasson, the initiative continues the learning process that began in the wake of the Rwanda and Srebrenica genocides in 1994 and 1995, respectively, which had shocked the organization to its core.[1]

Thus far, HRUF has focused almost exclusively on the UN system – that is, it has rarely involved member states and civil society organizations. While this cautious approach may have been initially necessary to avoid pushback from skeptical member states, making human rights protection fundamental to the UN's work will require political support from constructive member states.

Accordingly, this report calls for stronger, more nuanced engagement of member states with HRUF. The initiative is a bureaucratic action plan with deadlines, responsibilities and regular reviews, as well as more than 60 individual measures for improving system-wide coherence and capacities. HRUF is also a catalyst for a more activist UN system that treats the protection of populations from serious human rights violations as a central objective of the entire organization, down to every staff member. If member states want to support these objectives, they need to be aware of HRUF's political and strategic contexts, including the thought process of UN officials behind the initiative.

This thought process was greatly influenced by the events in Sri Lanka in 2008 and 2009, as well as by internal and member state–related challenges repeatedly faced by UN crisis response. With the aim of contextualizing HRUF, this report describes the initiative's origins in the Sri Lanka case, the current stage of its implementation in the UN bureaucracy and the potential difference it can make in the UN's response to escalating crises.

A fair assessment of the UN's engagement with political crises and serious rights violations must consider both the challenges faced by the UN and the levers it may be able to use. A previous draft of the HRUF action plan acknowledged the inherent limits of UN action "when a government abuses its own people, shuts out the UN, or when gridlock among States paralyses action."[2] There is often no political agreement between warring parties or within the Security Council on how to resolve the conflict. Nevertheless, UN agencies are working on the ground to deliver humanitarian aid, build state capacities and monitor human rights violations. As such, the UN system plays an important role in the protection of populations from serious violations, potential or actual, of international humanitarian and human rights law.

The UN system is in an advantageous position. It possesses unique insight into the political, economic and humanitarian situations in countries at risk of mass atrocities. It has leverage with these countries' governments due to its substantial local deployment, assistance programs and ability to raise publicity. It can influence international policymaking through early warning, briefings to member states, and independent collection of data on rights violations. As an organization with universal membership, the UN enjoys unique legitimacy that lends considerable weight to statements made by its leaders. But to be even more effective, UN efforts must tie in closely with those of member states, which usually have far greater leverage due to their economic, development or military engagements with a country.

This report is based on in-person and phone interviews with many of the UN officials at the heart of HRUF's implementation, as well as with other UN officials, diplomats and civil society representatives. The paper seeks to provide a strategic perspective on the design and implementation of the initiative. To do so, this report first describes how HRUF emerged in response to the UN's failures in Sri Lanka in 2008 and 2009. Next, the paper analyzes the strategic thinking of the initiative's designers and the politics of organizational change within the UN. In an overview of the institutional measures set forth by HRUF, the paper considers the bureaucratic politics associated with each and their impact on the UN's engagement with member states. The paper examines the initiative's implementation thus far and remaining areas of concern, providing examples of the UN's application of HRUF measures in a number of quickly escalating situations, such as in the Central African Republic, South Sudan and Nigeria. The report concludes with policy recommendations for how member states can lend greater support to the HRUF agenda.

"Systemic Failure" in Sri Lanka: The Roots of Human Rights up Front

In the fall of 2008, when the Sri Lankan civil war entered its final phase, the UN did not adequately raise the issue of direct threats to civilians with the Sri Lankan government and with UN member states. In several instances, the UN failed to disclose full information about threats to and attacks on population centers and medical facilities. It even tried to silence staff members who did so.

In September 2008, when the UN was forced to withdraw from Kilinochchi, the de facto capital of the rebel-held territory in the Northern Province of Sri Lanka, it did not make public that the government had repeatedly bombed the vicinity of the UN base, and that shelling by the Sri Lankan army posed a serious threat to UN staff. The withdrawal of UN workers led to the absence of international witnesses to the war[3] and substantially complicated the delivery of humanitarian aid. The UN began sending weekly humanitarian convoys to the rebel-held territory under increasingly dire security conditions.

When a UN staff member attempted to comment on the gravity of the situation, he was essentially silenced. In December 2008, John Campbell, a World Food Programme (WFP) employee accompanying one of the convoys, told the BBC Sinhala service that conditions were "much less than ideal" and compared them to what he had seen in war-torn Somalia. Campbell's comments provoked heavy criticism from the Sri Lankan government. In response, WFP Country Director Adnan Khan failed to back up his subordinate and called Campbell's statement a "personal opinion."[4] Subsequently, the Sri Lankan government banned Campbell from working in the North, and the UN did not renew his contract.[5]

The UN continued sending mixed messages to the Sri Lankan government. In January 2009, the 11th aid convoy was trapped in LTTE-controlled territory for two weeks, and two of its workers witnessed the Sri Lankan army shelling medical facilities. The army continued shelling the facilities despite having been repeatedly informed of their GPS coordinates. Consequently, the UN Country Team began an initiative to systematically collect data about civilian casualties. Every casualty had to be verified by three independent sources, including one national UN staff member. The UN later presented the data to the diplomatic community in Sri Lanka, but did not reveal that the army, as shown by the data, was responsible for the vast majority of casualties. When then UN High Commissioner for Human Rights Navi Pillay published the confidential figures on her own, Resident Coordinator Neil Buhne, on instructions

from headquarters, apologized to the Sri Lankan government and emphasized that the figures were not reliable.[6]

Overall, the UN was cautious about publicly criticizing the government, for fear that such comments could be counterproductive and further restrict the already little humanitarian access retained by the UN and international aid agencies. But after the forced withdrawal of staff from Kilinochchi and the shelling of the 11th convoy, the strategy of staying quiet to retain access could no longer be called effective.

Meanwhile, the Sri Lankan army continued to fire artillery shells and drop bombs at sites with high population densities. The LTTE held civilians hostage and forced them to join the rebels in retreating to a small strip of land in the country's northeast. Each UN agency focused on its specific mandate – providing food, shelter, health services or protection for internally displaced persons (IDPs) – but "nobody really had priority for the human rights and humanitarian law aspects of the situation, which was by far the most urgent,"[7] a UN official recalled. The Office of the High Commissioner for Human Rights had on the ground only one human rights adviser to the humanitarian coordinator (HC), who did not have the mandate to investigate allegations; the Sri Lankan government had blocked previous attempts to bring in more advisers.

The only UN senior official allowed to brief the Security Council on Sri Lanka was Emergency Relief Coordinator John Holmes, who saw humanitarian concerns – in particular, the safe removal of civilians from the conflict zone – as his first priority. When Holmes pressed the government on its use of heavy weapons in the vicinity of densely populated areas, he found only that "the gap between their fine words and the realities yawned ever wider."[8] In April 2009, he publicly warned of a "bloodbath on the beaches of northern Sri Lanka" and called on the government to "stick to its promise not to use heavy weapons while the fighting lasts."[9] Meanwhile, last-minute negotiations with the LTTE produced no results.[10]

What difference would a more coherent UN system have made? According to a UN official involved in the internal review of the UN's actions in Sri Lanka, "having political pressure was the key."[11] That pressure – mostly on the government, as the LTTE was so close to defeat and cared little about outside opinion – would have had to come from member states. "In order to get that pressure," the official observed, "the UN needs to present member states with a true scenario of what's happening," which would require UN agencies and departments to work together more closely.[12]

Some member states in the Security Council were aware of the events on the ground but felt outmaneuvered by the Sri Lankans.[13] Concerned states were effectively trapped by their own policy of labeling the LTTE a terrorist organization and encouraging its defeat by supporting the Sri Lankan government with arms deliveries (European states),[14] military training (United States)[15] and intelligence support (India and the US).[16] Consequently, the Sri Lankan government felt that it could stand its ground against the UN and international non-governmental organizations: it frequently denied or delayed visas, and stopped humanitarian access temporarily when it encountered public criticism from these organizations. Sri Lankan President Mahinda Rajapaksa later complained about US criticisms of the way his government fought the war, when in fact he had been encouraged by then US President George W. Bush to defeat the LTTE.[17]

Just three days after President Rajapaksa announced the end of hostilities, Secretary-General Ban visited Sri Lanka. After difficult negotiations, the pair released

a joint statement that featured a pledge by the Sri Lankan government to address violations of international humanitarian and human rights law.[18] The UN subsequently used this pledge as a mandate for preliminary investigations into the violations. Internal evaluations by UN agencies and NGOs like the Norwegian Refugee Council were deeply critical and alleged, for instance, that "the many small concessions made by humanitarians in the name of 'pragmatism' . . . *created* the extraordinary expectation of the Sri Lankan government that it could detain 300,000 people indefinitely inside internationally funded IDP camps."[19]

With the publication of more and more evidence of extensive violations of international humanitarian and human rights law, the UN response to these violations came under greater scrutiny. In August 2009, the British TV station Channel 4 aired footage that members of the Sri Lankan army appeared to have taken themselves, depicting their executions of naked Tamil prisoners and other atrocities.[20] In October 2009, the US State Department published for congressional review the first of a series of reports on likely international human rights violations.[21] In June 2010, Ban appointed a panel of experts to advise him on addressing the pledge for accountability that Rajapaksa had reluctantly made in their joint statement. In March 2011, Gordon Weiss, the UN Country Team's former spokesperson, published *The Cage*, in which he expressed his frustration with the UN's silence on Sri Lanka's violations of international humanitarian law.[22]

In response to public pressure and the results of its preliminary investigations, the secretary-general's panel of experts recommended that the UN conduct "a comprehensive review of actions by the United Nations system during the war in Sri Lanka and the aftermath, regarding the implementation of its humanitarian and protection mandates."[23] Ban subsequently appointed the Internal Review Panel (IRP) on UN actions in Sri Lanka, led by Charles Petrie, who had been the resident coordinator in Myanmar until 2007. Petrie possessed firsthand experience of raising difficult issues with host governments: Myanmar authorities expelled him because his office issued a critical statement during pro-democracy protests.[24]

The IRP released its report in November 2012. Rather than assigning individual blame, the IRP called the UN's missteps in Sri Lanka the result of "systemic failure": the UN system was unprepared for situations in which governments are deeply implicated in human rights and humanitarian law abuses, and the UN system "lacked an adequate and shared sense of responsibility for human rights violations."[25] The overall failure could be broken down into a number of factors: a "model for UN action in the field that was designed for a development rather than a conflict response," an incoherent crisis management structure, ineffective coordination between HQ in New York and the UN Country Team on human rights protection, and the appointment of a resident coordinator who was too junior and too inexperienced to deal with humanitarian and human rights crises.[26]

The institutional problems identified by the IRP had implications beyond the Sri Lanka case. In Petrie's own words, whether a more coherent UN would have changed the behavior of the Sri Lankan government:

> "was not the issue. The point is that the system did not use to the fullest extent its moral force. Even the most aggressive governments have been seen to change their behaviour when confronted by evidence of violations of international

humanitarian law. And even if a stronger stance on Sri Lanka would not have altered the outcome, it would have demonstrated the UN's willingness to stand up for its principles, rather than allow them to be eroded, to the detriment of its future leverage in other situations."[27]

After the publication of the IRP report, Ban asked Eliasson to lead a follow-up process. An interagency working group was tasked to determine actionable commitments based on the IRP's recommendations. The working group consisted of all UN entities relevant to protection: the Department of Political Affairs (DPA), the Department of Public Information (DPI), the Department of Peacekeeping Operations (DPKO), the Office for the Coordination of Humanitarian Affairs (OCHA), the Office of the High Commissioner for Human Rights (OHCHR), the UN Development Programme (UNDP), the UN High Commissioner for Refugees (UNHCR), the UN Children's Fund (UNICEF), the World Food Programme (WFP), the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide, the Office of the Special Representative on Sexual Violence in Conflict and the Office of the Special Representative for Children and Armed Conflict.

Participants of the working group agreed on the priority of creating a UN that is better prepared for protection challenges, according to an official involved in the follow-up process. "There was no major pushback on this, which is remarkable," she said. "I didn't expect this."[28] In July 2013, the group officially recommended the creation of a "rights up front" action plan to Ban. Two months later, he approved the idea. In December, Eliasson briefed member states about the action plan and informed the press.[29]

"Generating Political Momentum": Designing Human Rights up Front

From the start, the designers of Human Rights up Front intended for it to go beyond operational tweaks. The initiative's purpose was threefold: change the organization's culture, institute operational reforms and develop deeper political engagement with member states.[30] These goals were the result of clear strategic thinking. As one of the individuals driving the initiative's design said, "Real change is about culture. Change is not in what people do, but in the way they work. They work together, they work more strategically, they work by keeping people's needs in mind and not political interest."[31]

The working group tasked with the follow-up to the Internal Review Panel report (the follow-up would become the first draft of the HRUF initiative) strove to avoid what its members perceived as the mistakes of previous reform attempts. These lessons established guiding principles for the design of the "rights up front" initiative.

First, the team decided that HRUF should not be just another piece of paper. Rather, it should practically reinforce the UN's ongoing commitment to become a more accountable and better prepared organization, one that can respond quickly to escalating crises. Relatedly, the team recognized its limitations: it was clear, for example, that the initiative's implementation would need to be budget-neutral in times of austerity. Consequently, the objective was "to generate political momentum," said a UN official involved in the process. "There was a conscious effort to build on what exists."[32] The team concluded that the mere creation of a new committee or some other organizational unit would not help, since this was too often where organizational enthusiasm ended. "What is needed is not new ideas," the official said. "It's implementing old ideas."[33]

Second, the team determined that member states could not be relied upon to consistently push for a stronger approach to human rights. "Even member states that care about human rights only care up to the point where their alliances aren't threatened," a UN official said. "The problem is not only that there is no coherence among member states, but there is not even coherence within each member state . . . One can only use them to create a coalition of the willing."[34] Meanwhile, less willing member states remain deeply suspicious of an activist secretariat that would work more coherently on human rights protection. For example, there was disagreement within the UN Development Programme executive board in 2007 regarding the mainstreaming of human rights activities in the organization's programming. Some countries threatened to withhold their contributions to UNDP's budget if the strategic plan did not include strong support for a human rights approach, but China and the

G-77 rejected this stance, saying that UNDP had "neither any normative, operational or monitoring role, nor any competence with regard to human rights."[35] The executive board affirmed this view in its decision on the strategic plan.[36]

Consequently, the working group concluded that change should take place first within the UN system, below the level at which member state approval is required. Changing the UN's organizational culture in order to make human rights protection a cross-cutting issue requires "leadership from the top to drive it, then it needs discipline within the organization to implement what the leadership has decided, and then it needs system, because the more complex, the more planning it will take for cultural change to penetrate," said a UN official.[37] At the same time, any large organization implements change through myriad bureaucratic adjustments. Leadership at the senior-most level is important, but it needs to translate into the rules and structures guiding the UN's development, humanitarian and security work so as to sustain change long after enthusiasm among the leadership has faded.[38]

These thoughts on leadership, bureaucratic change, organizational culture and the role of member states affected the design and implementation of HRUF in four main ways. First, Deputy Secretary-General Eliasson remained in charge of the initiative's implementation, with a small unit in the Executive Office of the Secretary-General (EOSG) working as the secretariat at the operational level. Secretary-General Ban formally embraced the IRP's "systemic failure" characterization and expressed, in a message to all UN staff, his intention to "solemnly renew the commitment" of the UN to uphold its obligations "whenever there is a threat of serious and large-scale violations of international human rights and humanitarian law."[39]

Second, the action plan is continuously updated to reflect an ongoing learning process. Every agency involved in the initiative has a "focal point" individual who coordinates the plan's implementation. These focal points meet each other regularly for discussions on the plan. Third, HRUF was purposefully framed as an action-based change in attitude, and not just another rhetorical label with which countries can be identified. The initiative's objective was to raise awareness of human rights among all UN employees, to coordinate more effectively and to practice greater candor with member states. Individual staff members, particularly in management positions, would need to lead by example. As UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein put it, "Everything we see in agreements across the spectrum comes from the space between where your instructions end and you as a thinking negotiator invest your own thought."[40] While the UN's values and human rights obligations are well known, they had not been specifically integrated into the bureaucratic requirements of the organization's work. This shortcoming was partly the result of job descriptions (which HRUF has now changed) as well as risks and rewards for individual officers and country offices. Some UN staff saw the prioritization of human rights protection as a broader challenge. One UN official said, "We don't have an internal culture yet where we are celebrating the normative elements of the UN mandate as comparative advantage."[41]

Finally, since HRUF was meant to be an initiative internal to the UN, member states and civil society were not involved in its design. In fact, the UN was initially hesitant to publicize the initiative beyond a rather general description. Out of concern for external criticism of its implementation and of a potentially more intrusive UN system, the UN published only a vague, six-point summary of the initiative in conjunction with Eliasson's press conference in December 2013.[42]

Creating a More Responsive System: Human Rights up Front's Areas of Reform

Human Rights up Front presents four areas of internal reform: early warning and crisis management, information management, country support, and the selection, training and appraisal of resident coordinators and UN staff.

Early Warning and Crisis Management

In reaction to the unclear leadership of UN headquarters during the Sri Lanka case in 2009, Human Rights up Front created an early warning and crisis management system that streamlines previous mechanisms.

There is now a three-tiered system in place. First, the UN Country Team or the integrated mission in a particular country is asked to keep human rights concerns in mind when designing strategic documents with its host country. In any situation "at risk or subject to serious violations of international human rights and humanitarian law," according to the action plan, the RC will lead the UN Country Team in developing a strategy to address those risks.

Second, at the HQ level, HRUF established regional quarterly review meetings, which are co-chaired by the relevant regional directors of the Department of Political Affairs and by the regional team chairs of the UN Development Group (UNDG). The RQRs provide horizon-scanning mechanisms for current and potential at-risk situations. These meetings take place in six regional formats,[43] in principle covering all countries of a region, but in actuality focusing on those with current or potential crises. The RQRs bring together representatives from the Office of the High Commissioner for Human Rights, the Office for the Coordination of Humanitarian Affairs, the UN High Commissioner for Refugees, the Office of the Special Adviser on the Prevention of Genocide, often the World Food Programme, the Department of Peacekeeping Operations (in particular for the Africa and the Middle East RQRs) and other agencies.

According to a participant of these meetings, the agencies provide complementary perspectives. The UN Development Programme, given its close contact with the UN development presence on the ground, contributes a field-based perspective. Of all the entities, DPA and the secretary-general's office are the most aware of political dynamics among member states. OHCHR contributes its human rights perspective, and OCHA provides assessments of humanitarian situations. According to the participant, the

combination of these perspectives is a "real value added," as it allows joint deliberation on crises and the formulation of a coherent UN response.[44]

In addition to identifying relevant risk factors, the meetings also assess the UN response to a situation thus far, including the work of the UN Country Team, of specific monitoring structures at HQ and of other units in the UN system. The RQRs encourage staff to take action at a level lower than usual. As a designer of HRUF explained, the meetings seek to "empower colleagues at the D1/D2/ASG-level to make big decisions where previously everything was being passed up or wasn't being handled at all."[45] Based on their discussions, the groups make concrete recommendations that may include the procurement of additional information, the deployment of political and human rights advisers or the appointment of a senior response coordinator (SRC) as the senior crisis coordinator from HQ at the level of an assistant secretary-general.

The SRC helpfully serves as the central bridge between HQ and the country level, for the messages from the different agencies and departments can amount to "cacophony," a UN official said.[46] In addition, the individual amplifies the voice of the resident coordinator/humanitarian coordinator (RC/HC) or the special representative of the secretary-general from the country in question during meetings at HQ. However, not many SRCs have been appointed so far.

The third tier of the early warning and crisis management system is the senior action group, which serves as the senior-most crisis response committee. If RQR members feel that the UN response needs its top leadership, the deputy secretary-general may convene a SAG. Deputy Secretary-General Eliasson and UNDP Administrator Helen Clark co-chair the group, which brings together the heads of relevant UN departments and agencies, as well as the special adviser on the prevention of genocide. The participation of principals ensures the mobilization of the greatest possible political attention inside of the organization (thereby leading to, for example, more resources and personnel) and the streamlining of decisions within participating entities.

These meetings rely on confidentiality. Countries may react poorly to being discussed in the reviews and to being singled out for human rights concerns. UN officials attending these meetings are sensitive to this problem. For this reason, interviewees stressed that the RQR mechanism principally looks at all countries of a particular region, even if the discussion naturally ends up focusing on the most important crises.

The RQRs began in mid-2014. By April 2015, every regional format had at least two meetings; a few have met three times. From the UN management's point of view, the two co-chairs, from DPA and UNDG, should find their own way of handling these meetings – ownership is central. Naturally, the degree of the RQRs' positive impact on UN coordination between the regional formats varies, a UN official said. The two African meetings, according to the same official, are generally considered the most effective. For the Asia-Pacific region, there exists no other such forum inside of the UN. Meanwhile, the many ongoing escalating crises in the Middle East may be making it difficult for this region's participants to focus their attention on a particular issue. The question facing Europe as well as Latin America and the Caribbean is, in the words of a UN official, "how far upstream you are going in terms of conflict prevention."[47] At the end of the day, these meetings are not only about the actual decisions made, but also about the process itself, and about better interagency cooperation through joint analysis and decision-making.

Information Management

Human Rights up Front stipulates the creation of a "common UN information management system on violations of human rights and international humanitarian law" that gathers, analyzes and disseminates information on protection challenges within the UN system. In any given crisis, developments move fast, access is scarce, and the conflict's parties try to conceal their losses and violations while they stress those of their opponents. Reliable reports with facts from the ground are therefore crucial to policymaking, for both the UN administration and member states, if only to be able to frame decisions based on the best information available.

The HRUF interagency task force on information management, chaired by OHCHR, began its work by mapping the various sources of information about protection concerns within the UN system. It quickly noted that different parts of the UN system differed in their methodological approaches to collecting, vetting and analyzing information. The definitions of protection vary considerably: for DPA and DPKO, "protection of civilians" refers to a task of UN peacekeeping operations, whereas humanitarian and human rights agencies include under the term all efforts that contribute to the realization of individual rights according to international humanitarian, human rights and refugee law.[48]

Many UN entities collect information on violations of human rights and international humanitarian law, but they often do so within the limitations of their mandates and with different evidence standards, capacities and objectives. For example, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict collects information about both state and non-state armed groups' violations of children rights (e.g. sexual violence, recruitment, abductions). This information is published in thematic and country reports, and may be used to justify targeted sanctions by the Security Council or member states. Humanitarian agencies, particularly OCHA in its role as the coordinating office, collect information about the lack of humanitarian access due to blockades, the effects of specific weapons and the killing of civilians. OCHA publishes systematic conclusions as part of the emergency relief coordinator's regular briefings and reports on the protection of civilians to the Security Council. OCHA and humanitarian agencies also use this information in negotiations over access for humanitarian aid and over humanitarian protection, especially for vulnerable groups like refugees and internally displaced persons. Meanwhile, the UN Children's Fund works on child protection, and UNESCO collects information on the protection of journalists and cultural heritage.

This is not simply a bureaucratic problem of duplication and mandate overlap. An individual – for example, a rape victim – might be interviewed several times by different UN agencies and thereby forced to repeatedly share his or her traumatic experience.[49] The collection of reliable information on human rights violations requires experience, coordination and targeted training to protect victims of violations from further harm.

Not surprisingly, agreeing upon common standards and approaches to information management has been a significant challenge for the UN agencies involved. The working group on information management concluded that harmonizing the different databases would be too difficult. Instead, the system should facilitate information sharing between agencies, but OHCHR has not achieved the full agreement of other agencies for its proposal.[50] Some interviewees based at other agencies described

the draft information management system developed by OHCHR as onerous and "not working well."[51] One UN official said, "Rather than suggesting something that would harmonize and align and streamline [information on protection], they basically just added everything together – and then added something on top of that."[52]

According to interviewees, agency competition has been fierce and has alienated non-governmental organizations from collaborating with the UN on the common information management system.[53] The sharing of information on human rights concerns between NGOs and the UN has been a challenge more generally, as some NGOs are concerned that the UN does not employ the agreed-upon standards and protocols used by civil society for protecting sources and victims. Human rights actors like OHCHR are also concerned that other agencies – for example, humanitarian agencies – would not apply the same rigid verification process for evidentiary standards that is used by human rights groups.[54] While the varying mandates of UN agencies offer the benefit of diverse viewpoints, there remains a need for at least coordination, if not closer cooperation, on information sharing about serious human rights concerns.

Country Support

When it comes to UN field presence and crisis management, countries should be differentiated by the type of UN actors deployed. Situations with UN peacekeeping operations or special political missions often have human rights and civil affairs officers around the country. Civil affairs officers are often deployed to remote locations and tasked with community liaison, facilitation of local conflict management and restoration of state authority. Also present are the development and humanitarian agencies working under the UN Country Team.

By contrast, in settings with no DPKO- or DPA-led mission, there is only the UN Country Team, usually with very limited political and human rights capacities. Because a humanitarian emergency might not break out before a crisis, humanitarian agencies might also be absent. The UN Country Team is led by the RC, who is formally a part of UNDP but is "owned" by the whole system. If a humanitarian emergency breaks out in a country, the existing RC is usually appointed the humanitarian coordinator.

Having emerged from the experience in Sri Lanka, Human Rights up Front was designed mainly for non-mission settings. The human rights mainstreaming agenda for the UN's development work had already resulted in the requirement that all country strategies reflect human rights concerns. This also included the deployment of human rights advisers to UN Country Teams. Similarly, under the Interagency Framework for Coordination on Preventive Action, DPA has been helping UN Country Teams by developing integrated conflict-prevention strategies and by deploying peace and development advisers since 1995. HRUF listed these support mechanisms for UN Country Teams and RCs, and stressed the need for short-term staff from OHCHR and DPA. According to the HRUF action plan, such light deployments should be used more frequently by the UN in the early stages of a crisis.

Budget restrictions have constrained the deployment of new human rights advisers and the creation of other human rights field presences. While OHCHR has been able to create a human rights office in Burundi and to deploy a large-scale human rights mission to Ukraine,[55] it had to cut its budget by 20 percent from 2014 to 2015 –

and this was in spite of an all-time high of voluntary contributions.[56] At the end of 2013, 16 countries requested an additional human rights presence, but none of the requests were met, mostly due to budget constraints.[57]

Given the lack of sufficient experts with specialized skill sets and the reluctance of managers to authorize the deployment of their subordinates, OHCHR has often struggled to rapidly deploy human rights advisers, while other parts of the UN Secretariat like OCHA and UNHCR have been much more successful, according to a review by the UN Joint Inspection Unit.[58] Hence, the Joint Inspection Unit recommended that OHCHR and other UN departments exchange best practices in this regard.

Selection, Training and Appraisal of RCs and UN Staff

While institutional support is crucial, the efficacy of a set of rules ultimately depends on the way they are implemented by individuals. These individuals need to be selected, trained, empowered and held accountable for their actions. Experience and diplomatic skills are necessary to manage relations and raise human rights concerns with a repressive government. As a result, Human Rights up Front establishes compulsory staff training in human rights and calls for a human rights approach in the selection of resident and humanitarian coordinators, changes to job descriptions and the appraisal of all staff, including RCs.

All UN staff members – "from the cleaning lady to the RC," in the words of an official tasked with organizing training courses – will have to undergo a mandatory online induction into human rights.[59] This induction is supposed to tie in with existing UN initiatives, i.e., the human rights mainstreaming mechanisms in the UN's development work. Established in 2009 as a support mechanism for RCs and UN Country Teams, the UNDG Human Rights Mainstreaming Mechanism, which encourages a stronger system-wide approach to human rights, has already encountered significant challenges. In a 2011 survey, RCs and UN Country Teams reported that the integration of human rights into their programming had been relatively successful, but they also stated that many national counterparts did not understand the UN's human rights approach to development, and that even UN staff members did not realize how to turn their human rights commitment into practice.[60]

The new online human rights induction course for all UN staff has been piloted by OHCHR and is scheduled to be available in the second half of 2015. Making it relevant for HQ and field-based staff, at the junor and senior level, has been a major challenge. The course includes seven modules, including ones about the nature and institutions of international human rights; about the human rights responsibilities of the UN; about how to identify human rights violations as early warning risk factors; and how to respond when witnessing a human rights violation. In addition, there have already been a few specialized training sessions for RCs.[61]

In accordance with HRUF, the selection of RCs and HCs is based on, among other criteria, an individual's "ability to uphold the UN's human rights responsibilities."[62] All job descriptions, work plans and performance appraisals across the UN should reflect the "new core value around respecting and promoting human rights," in particular at the most senior levels.[63] This is notably the case for RCs. In 2009, during the war in Sri Lanka, the generic job description for RCs stated, "The RC does not undertake

human rights monitoring, investigation or casework." He or she was tasked with the promotion of human rights in government consultations only in general terms.[64] But as a consequence of the HRUF action plan, the RC's job description has changed: it now asks RCs to lead the development of UN strategy in regards to "risks or actual serious violations of human rights and humanitarian law."[65] The guidelines for the appraisal of RCs were subsequently revised to include OHCHR and DPA assessments of the human rights and political aspects of the RC's job performance.[66]

Engaging With Member States

The aforementioned areas of reform concern the UN's internal capacities for a more coherent and effective human rights approach in crisis prevention and management. Ultimately, these efforts need to tie in with greater engagement with member states that wield authority over the UN's budget, political mandates and strategic frameworks. Interagency cooperation and joint strategizing in the context of the regional quarterly review and senior action group mechanisms are supposed to create a common approach and line-of-communication that UN agencies can then use to approach member states. Country support, training and appraisal of senior UN officials, including resident coordinators and humanitarian coordinators, are meant to signal to the staff, especially at the senior level, that they will be supported (at least internally) when speaking out on violations of human rights by member states and be held accountable for holding back.

The Human Rights up Front action plan also refers to the oft-cited lesson that emerged from the 2000 reform of UN peace operations: the UN needs to tell the Security Council "what it needs to know, not what it wants to hear."[67] In this regard, one draft of the HRUF action plan went so far as to call for an "article 99 attitude"[68] among senior UN staff, referring to the article in the UN Charter that allows the secretary-general to bring issues before the council on his own accord – a tool that officeholders have rarely used.[69]

While the HRUF action plan is less specific about engagement with member states, some officials feel that this has actually been an area of "revolutionary" change, contributing to a more robust organizational culture. Given the reforms of the past few years and the additional capacities established under HRUF, the UN system has considerable opportunities to raise protection issues with member states, while the other opportunities depend on member state initiative. For example, the Department of Political Affairs used to conduct for the Security Council a monthly horizon-scanning review of potential crises. But ever since the US, during its presidency of the council in April 2012, discontinued the practice, efforts to reintroduce it have failed because member states feel uncomfortable having little control over the countries covered in the briefings.[70]

Due to opposition from some member states to the UN Secretariat having a strong role in conflict prevention, as well as to early warning that may affect the Security Council's control over its agenda, UN officials have found other ways to brief the council. They increased briefings to the council under the "any other business" category and informal briefings about situations absent from the council's agenda (e.g. Bangladesh, the Maldives, the human rights situation in North Korea).[71] When a permanent representative objected to his country being mentioned in the RQR, Secretary-General Ban and Deputy Secretary-General Eliasson explained that this was how they worked now. "The willingness to take the heat is phenomenal," a UN official said. "We are feeling more empowered now."[72]

Given the pushback against horizon-scanning mechanisms and other early warning and conflict prevention activities of the UN system, the UN leadership

pursued a careful, low-key outreach strategy with HRUF to avoid alienating member states. The UN officially published only a broad two-page summary of the HRUF action plan.[73] Further information about the action plan's content emerged gradually: internal versions offering greater detail can be found online,[74] Ban and Eliasson referred to HRUF in public on several occasions,[75] and Andrew Gilmour from the Executive Office of the Secretary-General wrote about the plan in *Ethics and International Affairs*.[76] UN officials originally called the initiative "rights up front," but prefaced the phrase with "human" in the fall of 2014 to stress the human rights dimension.[77]

UN officials made clear that HRUF was about the UN's internal workings, and while the initiative shared the same values and broad objective of the Responsibility to Protect concept (R2P), officials were adamant about distinguishing between the two. While in agreement with R2P's declared objective, certain countries – particularly non-Western ones – viewed R2P as "an idealistic-sounding cloak for naked realpolitik,"[78] in the words of Gilmour, who oversees the implementation of HRUF in the EOSG. As another official put it bluntly, "R2P had not been successful [in Sri Lanka]; we didn't want to fall into the same trap."[79]

In contrast, the mechanisms under HRUF were designed "not to bring attention to themselves," a UN official said.[80] The RQR mechanism principally covers all countries, avoiding the perception that specific states are singled out. RCs are closely consulted to provide their assessments of the sensitivity on the ground and are sometimes called to New York for closed-door discussions that are unsuitable over the phone.

It seems that the high-level, sustained personal attention of the deputy secretary-general proved helpful when it came to explaining the initiative to member states: Eliasson was able to employ his decades of diplomatic experience and his long-term association with the UN. These skills were also helpful internally. Steering HRUF's implementation from the secretary-general's office made some agencies and non-governmental organizations in Geneva uneasy – there was a sense of "New York taking over."[81] Eliasson helped to ease tensions by officially presenting HRUF in Geneva. One UN official working on HRUF's implementation credited these efforts for the lack of overall pushback from member states against the initiative and for HRUF's absence from the official agenda of the General Assembly.[82]

Member states that generally endorse the initiative are those in support of a UN organization that is responsive to human rights concerns. During the informal annual dialogue on R2P in 2014, Argentina, Australia, Belgium, Botswana, Côte d'Ivoire, Finland, Italy, the Netherlands, Slovenia, Spain and Switzerland welcomed the initiative.[83] Russia, however, expressed considerable reservations, saying that it did not support the creation of a potentially more intrusive UN system.[84] This affirms the hypothesis of UN officials that too large a public debate could harm the initiative's implementation.

Implementation on the Ground

The "human rights up front" attitude of UN staff towards member states and the drive to create a new organizational culture have been visible in a number of country situations. Many of the bureaucratic mechanisms were still being established and refined in 2013, when the escalation of the crises in the Central African Republic and South Sudan served as the first test cases of the Human Rights up Front agenda. At that time, the UN already had political and peacekeeping missions on the ground. With the Security Council thereby seized of the matter, UN advocacy on member state actions was made easier. Meanwhile, HRUF seems to have taken hold, as underscored by the insistence of the UN mission in the Democratic Republic of the Congo on its human rights due diligence policy and by the secretary-general's condemnation of the expulsion of the mission's human rights chief in 2014. In non-mission settings like Nigeria, the UN has faced greater difficulty raising its concerns with member states, but UN officials nevertheless believe that HRUF is an important reinforcement of their engagement in these places. Recent scandals in Sudan and the Central African Republic regarding the conduct of human rights sections and peacekeepers in the field reveal gaps that still need to be filled by HRUF.

The crisis in the Central African Republic had been brewing at least since March 2013, when the Séléka coalition of rebel groups instigated a coup d'état. As state structures collapsed, fighting between the Séléka and the anti-balaka self-defense forces escalated. In September 2013, a fact-finding mission dispatched by the Office of the High Commissioner for Human Rights concluded that both parties had been involved in serious human rights violations that "may amount to war crimes."[85] In response, Eliasson activated the senior action group for the first time to discuss the situation in the Central African Republic. In November 2013, Ban called on the Security Council, using "language that rarely appears in such reports,"[86] to "authorize immediate and collective action to protect the civilian population from further violence and attacks."[87] In response, the council established a UN peacekeeping mission, mandated a peace operation of the European Union and tasked a commission of inquiry to investigate atrocities over the coming months.[88]

In contrast to previous occasions, the UN leadership made a serious effort to quickly dispatch an international presence to the country. "I myself was on the phone with 10 ministers from Europe and with 10 ministers from Africa," Eliasson recalled a year later. "The SG [secretary-general] was calling heads of state all over to make sure we got the force there."[89] During the gradual deployment of the peace operation, large-scale internal migration and ethnic cleansing in the Central African Republic resulted in the de facto religious separation of the country between Muslims and Christians, as well as thousands of casualties. As the commission of inquiry later determined, full-scale genocide of the Muslim population, however, was prevented.[90]

Two days before Eliasson made his official presentation on HRUF to UN member states and the press, large-scale violence broke out again in South Sudan. Conflict within the ruling party – between President Salva Kiir Mayardit and former Vice President

Riek Machar – escalated into a civil war. The violence quickly spread beyond Juba and took on an ethnic dimension, as the followers of the two leaders are associated with the Dinka and the Nuer communities, respectively. It took months to deploy additional troops to the UN Mission in South Sudan (UNMISS), which the Security Council had mandated just nine days after the crisis escalated. But tens of thousands of civilians fled to UN compounds throughout the country, seeking shelter and protection. The situation posed a dilemma for the UN: to create a safe zone for the civilians would strain UN resources, already dangerously thin, and make the UN directly responsible for the persons under its protection.

History had once shown the dangers of such a decision. In 1995, the UN contingent in Srebrenica – under-equipped and mandated too lightly by the UN – had watched helplessly as Bosnian-Serbian troops took the UN-protected safe zone and murdered 8,000 Bosnian boys and men over the next few days. Nevertheless, Hilde Johnson, the Norwegian head of UNMISS, decided to allow the South Sudanese civilians inside the UN compounds – first in Juba, then in other places as well. In accordance with its HRUF agenda, the UN leadership got behind Johnson's decision. The SAG supported the designation of existing human rights officers in UNMISS as "critical," which meant that they would not be withdrawn when the UN evacuated nonessential staff from the country.[91] Amid the unfolding civil war, which killed thousands of civilians in the first few weeks alone, the UN still shelters over 160,000 displaced persons in its camps.

Meanwhile, the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) insisted on conducting its human rights work, though this strained the mission's relations with the Congolese government. In October 2014, when the UN human rights section published a report that heavily criticized the conduct of Congolese security forces, the government expelled Scott Campbell, the head of the section.[92] Ban loudly protested the expulsion,[93] marking the first time he condemned the expulsion of a staff member at the level of a section chief. The following year, the Congolese army, in its operations against the rebel group Democratic Forces for the Liberation of Rwanda (FDLR), assigned the command to two generals whose human rights records were found by the UN mission to be deeply problematic. As a result, the mission ceased its support of the Congolese army in its operations against FDLR.[94] Despite repeated protests by the Congolese government, MONUSCO insisted on its human rights due diligence policy.

In the cases of the Central African Republic, South Sudan and the Congo, HRUF did not directly "cause" better protection of populations at risk. But, in Gilmour's words, it "provided conceptual cover and institutional backing"[95] for activism driven not only by senior UN officials, but also by civil society and member states. Indeed, positively reinforcing normative trends and backing up activist staff members are precisely how an initiative like HRUF can effect change within an international organization.

In non-mission settings, the UN has been more hard-pressed to implement the HRUF agenda. Most of the UN's work in this context remains confidential, but Eliasson, during a public panel in September 2014, shed some light on the importance of personal diplomacy and the value of some of the new HRUF structures. Eliasson recalled his visit to Nigeria in March 2014, prompted by the UN's concern about the increase in Boko Haram attacks and the security situation in the country. When Eliasson met with government and security forces, he saw that "it was not very welcome to bring in the 'rights up front' thinking there."[96]

But the subsequent appointment of Said Djinnit as the high-level representative of the secretary-general to Nigeria seemed to have helped in this regard. Djinnit has been the secretary-general's special representative for West Africa since 2008 and is a seasoned Algerian diplomat who served in the African Union. According to Eliasson, the Nigerian government welcomed Djinnit's work, though he soon moved on to become the special envoy to the Great Lakes region in July 2014. The UN internally appointed Parfait Onanga-Anyanga, the former special representative of the secretary-general on Burundi, as the de facto senior response coordinator for Nigeria, which made the UN's work more effective, in the view of one UN official.[97] During the Nigerian elections in April 2015, the UN engaged in a relatively more consistent and transparent way – and not only through agencies like the Department of Political Affairs and OHCHR. "To let it be known to policymakers and opinion leaders in the country that the world was watching at the highest level – you cannot understate, in my opinion, the impact of that," a UN official said.[98] These efforts underscore the value of HRUF in the field, a central objective of the team in the Executive Office of the Secretary-General working on the initiative.[99]

To achieve a successful rollout in the field, the UN needs to assess its own human rights conduct and its response to alleged violations by government forces and UN-mandated troops. For example, the joint UN–African Union Mission in Darfur (UNAMID) was repeatedly accused of hiding reports about massive human rights violations by Sudanese government militias.[100] In November 2014, UNAMID investigated allegations of mass rape conducted by government security forces of around 200 girls and women in the village of Tabit. After conducting interviews with the victims, during which Sudanese security officials were present, the mission concluded that the allegations were false.[101] After the compromised investigation, UNAMID failed to gain access to the village.[102] The Sudanese government pressured the human rights section of UNAMID to shut down and asked the entire mission to prepare an exit strategy.[103]

OHCHR has similarly faced public criticism for its human rights conduct. In April 2015, OHCHR briefly suspended Anders Kompass, director of field operations, for leaking a confidential report that implicated French peacekeepers in the sexual abuse of children in the Central African Republic. Kompass claimed that he had forwarded the report to French authorities after the UN failed to act quickly to stop the abuse.[104] The French authorities' investigation into the actions of the French soldiers continue, as do the UN Office for Internal Oversight Services' investigation into the leak.

When asked to defend his actions, High Commissioner Zeid (also the former adviser to the secretary-general on sexual exploitation and abuse) pointed to a permissive environment, where commanders or other authorities should have known about the abuses without needing to undertake an investigation. He also said that the wide circulation of the confidential report among journalists and NGOs presented a risk for the child victims named in the document.[105] Meanwhile, Kompass's subordinate Miranda Brown, who was familiar with the allegations, said that she was forced out of her job just before she was scheduled to talk with investigators from the Office of Internal Oversight Services.[106] The whole incident could possibly have grave consequences for the UN's work and for the HRUF agenda, as aptly described by *The Guardian*:

"Ian Richards, head of the staff union at the UN, said the treatment of Kompass could have lasting impact on the investigation of serious allegations of human rights abuses. He said: "Some colleagues are worried now of passing on any information to the authorities in case the UN suspends them too."[107]

Upon the emergence of more and more reports about the incident, Secretary-General Ban announced on June 3 his intention to set up an independent inquiry into the UN response to the allegations against the French peacekeepers in the Central African Republic.[108]

Conclusion

As to be expected, the Human Rights up Front initiative has encountered a number of significant challenges, both within the UN administration and in the organization's cooperation with NGOs and member states. But nearly everyone interviewed for this report – UN officials in different entities, diplomats and civil society representatives – welcomed HRUF as a step in the right direction. Given HRUF's potential to tie in with parallel reform attempts in peacekeeping and humanitarian action, it can contribute to a more coherent and effective UN response to protection challenges.

There are reasons to be optimistic about the current implementation of the initiative. Participants of the regional quarterly review introduced by the initiative said they believe that the meetings improve the coherence of the overall UN response. They have helped to improve relations between the political and development arms of the UN and to empower regional directors to make decisions at a lower level. The senior action group, established by the initiative, has also been instrumental in identifying courses of early action and leveraging the political influence of the whole UN system in specific situations – for example, in the Central African Republic and South Sudan in late 2013.

Much depends on the frequency of the RQRs, the quality of the analyses and recommendations, and accountability for implementing agreed-upon decisions. Moreover, Secretary-General Ban and Deputy Secretary-General Eliasson have set an important example by taking a more activist response to escalating crises, and UN officials have heeded their leaders' call for member states to commit troops, pass sanctions and monitor elections. For example, the Department of Political Affairs increasingly broaches situations of concern in informal briefings to the Security Council, even if they are not on the council's agenda. High-level UN protests against the expulsion of human rights staff in Sudan or the Congo are also encouraging signs that the leadership is willing to back up its officials. In this way, HRUF is indeed fostering a new attitude to crises and a new organizational culture.

To achieve the goals of HRUF, the UN must tackle a number of ongoing imbalances and deficiencies. First, agency rivalry has harmed the initiative's implementation. Agency competition is inherent to the silo structure of UN entities and their overlapping mandates, and cooperation at the working level is not a given. According to interviewees, this was a particular problem during the establishment of a common information management system on protection challenges: there were "theological" debates about the definition of protection, as well as competition between agencies over who would lead the effort.[109] These clashes stem from the different cultures found throughout the UN system. The view of human rights officers on advocacy can differ considerably from that of political or humanitarian officers, who may have greater trust in negotiations and quiet diplomacy.

Tensions between the UN's development, humanitarian and political mandates still remain. In its development work, the UN is supposed to support the state's self-identified objectives, including capacity building of state services. In humanitarian action, the UN must work with all actors on the ground, including armed opposition

groups, to ensure humanitarian access and aid delivery to remote areas. Broaching the issue of rights violations by state authorities can be a very delicate matter for the UN and can endanger the state's willingness to cooperate with staff members on specific programs and projects, or even with entire agencies. At the same time, if the UN is to facilitate negotiations between warring parties or to act as official mediator, it should be neutral and impartial – a stance that conflicts with its strong association with the government it is supposed to support and advise.

The practice of double or triple "hatting"[110] makes the resident coordinator potentially the most suitable bridge between the development, humanitarian and peacekeeping branches of the UN's work.[111] While the RC system is "owned" by the entire system, it nevertheless remains managed by the UN Development Programme, the central development actor of the UN. Job descriptions and performance appraisals can be adjusted to prominently feature the expectation that staff pay attention to serious violations of international humanitarian and human rights law. But this requires senior management, which might not be experienced with human rights work, to actually implement these changes in their interactions with subordinates.[112] Having the Office of the High Commissioner for Human Rights and DPA involved in the performance appraisal of RCs, as prescribed by HRUF, should help in this regard.

Second, all UN entities need to understand human rights protection as a system-wide objective of the organization, one that requires specialized operational skills. Liam Mahony, an expert on civilian protection of populations and on humanitarian action, describes the widespread perception in the following way:

> "The outdated, stereotyped perception remains that delivering assistance or deploying peacekeepers is *operational,* but human rights advocacy is not. But carrying out human rights work on the ground is a massive operational challenge: it requires substantial staff deployment, vehicles, helicopters, radios, interpreters, security experts and a network of sub-offices with adequate logistics. Human rights staff are not just sitting at desks: they have to be ready to travel at any moment to a village to inquire into an emergency, and put on a suit the next day to raise concerns about it at the highest levels of government – or to their own bosses. They need constant training in political analysis and flexible diplomacy."[113]

Unfortunately, the additional training measures prescribed by HRUF are viewed as insufficient by UN officials involved in their implementation. The mandatory human rights course for the entire UN staff was criticized as superfluous and not tailored to the needs of different hierarchical levels – for example, what would actually be important for senior staff (not just RCs) is leadership training.[114]

Third, HRUF has overstretched OHCHR's current capacities. Many of the deliverable objectives stipulated by the HRUF action plan actually concern OHCHR: information management, the human rights induction, and country support with human rights advisers. All of these have been fraught with challenges. The high commissioner's office has a very limited field presence, which is why it must frequently prove its credibility within a system that includes humanitarian and peacekeeping branches of the UN with far more personnel on the ground. In that context, the comprehensive reforms announced by OHCHR at the Human Rights Council session

in March 2015 should help to address those shortcomings. The reforms call for moving more staff to the field and to OHCHR's New York office, where many of the crisis-relevant meetings, RQRs and SAGs take place.[115]

Lastly, while there is great enthusiasm from officials involved in HRUF at headquarters, it will take effort beyond the term of the current UN leadership for a new organizational culture to take root. If experienced staff members have been socialized to operate in certain ways and to focus on maintaining good relations with member states, training will hardly change their attitudes and practices. Those who are committed to interagency cooperation and protection continue their work with increased support from HRUF, but those who are not committed to cooperation or protection would not change their behavior because of the initiative.[116] Leadership from the secretary-general and the deputy secretary-general has been crucial to underscoring the seriousness of the initiative, but it is not enough. To sustain the current enthusiasm, the objectives of HRUF need to be institutionalized and backed up politically by a broad coalition of member states and civil society.

Neither NGOs nor member states have been involved in the development and design of the HRUF action plan, and some of them feel alienated as a result. Indeed, the initiative very much remains "an initiative by the UN of civil servants," as one interviewee said.[117] Many NGOs have longstanding experience collecting information about human rights and violations of humanitarian law, interpreting the data and using them for advocacy that stands up to public scrutiny – and from their perspective, the information management efforts under HRUF do not go far enough. The UN has been very cautious in its outreach to member states and civil society organizations, actors who could have improved the political standing of, and technical standards for, some HRUF measures.

Member states have been largely supportive of the initiative, but there remain fundamental differences between member states in their opinions on the role of the UN in early warning, on conflict prevention and on raising protection concerns with UN intergovernmental bodies. As long as UN efforts stay focused on the organization's internal coordination and on violations by armed groups, pushback may be limited. But it will be more difficult for the UN to raise concerns with counterinsurgency and counterterrorism operations supported by a large number of states. For example, the longstanding branding of the LTTE as a terrorist movement in many countries around the world, as well as support for the Sri Lankan government's military offensive in the form of weapons supplies and military training, facilitated the government's disregard for civilian casualties.[118]

HRUF does not resolve all the challenges of creating a system-wide human rights approach to UN crisis management, but it is a promising, strategic attempt to change the UN's organizational culture. Such a change will always be gradual and will not take effect overnight. It cannot be legislated through bureaucratic action plans alone. A "human rights up front" attitude needs to emerge out of the implementation of new and existing measures, and respond to a positive perception of UN performance in current crises.

In general, the area where HRUF could bring about the greatest change is UN coordination and coherence. This does not mean that the initiative will entirely eradicate agency rivalry and incoherence, but it already seems to have impacted the working-level relationship between DPA and UNDP. An interviewee recounted how

Under-Secretary-General for Political Affairs Jeffrey Feltman recently expressed his delight at not needing "to have those difficult conversations with [UNDP Administrator] Helen Clark anymore."[119] Too frequently, individual country offices or agencies have been on their own when raising concerns with host governments, armed groups and member states. Leveraging the different resources, levels of engagement and capacities already possessed by the UN system could substantially improve the UN's negotiation position. Whether it is about the diversion of humanitarian aid in Syria, about human rights violations by government forces in the Congo and Darfur, or about airstrikes in Yemen, engaging with member states will always be easier when the message is unified and with high-level support from the UN leadership. In addition, switching into "crisis mode" may help interagency cooperation, at least for a limited time.

The UN also needs to reward the sustained focus of senior-level staff on protection issues. Not everything can be regulated through job descriptions, in particular when it comes to dealing with host governments. If senior staff members are expelled from a country for no reason other than doing their jobs, their careers must not suffer as a result. Colleagues will notice if staff members are promoted for their courage to speak out. This should also apply when senior officials raise objections to the UN's own actions, such as slow reaction to violations by state authorities,[120] or failure to respond adequately to abuses by UN staff or peacekeepers.

The HRUF agenda may have a larger effect still. It ties in with a renewed focus on protection in the humanitarian and peacekeeping communities. As a follow-up to equally critical evaluations of individual aid organizations' work in Sri Lanka and to the UN's HRUF agenda, the interagency standing committee decided to focus on protection in humanitarian action as a strategic priority from 2014 to 2016 and adopted a statement on the centrality of protection in humanitarian action in late 2013. The committee also commissioned an independent, whole-of-system review of protection in the humanitarian system. Moreover, in the independent, high-level review of UN peace operations set up by Ban in 2014, protection of civilians is a central issue. The deliberations between representatives of troop-contributing countries and Security Council members on mandates are further amplified by a report from the Office of Internal Oversight Services that heavily criticized UN peacekeeping for "not intervening with force when civilians are under attack."[121]

The protection of people at risk of serious violations of international humanitarian or human rights violations has received increasing attention across regions and issue areas. The evolution of the concepts of a responsibility to protect among member states,[122] of the protection of civilians in peacekeeping and of human rights protection in humanitarian and development work indicates a fragile but recognizable normative trend towards the stronger institutionalization of protection issues. Secretary-General Ban called HRUF a "once-in-a-generation opportunity to help assure that the UN meets the aspirations of the Charter."[123] It should not be missed.

Policy Recommendations for Member States

To further the implementation of the Human Rights up Front action plan and the associated agenda of a UN system that is more responsive to major protection challenges, there are a few options that policymakers should consider.

UN Development Agencies Need to Strengthen Mandates for Human Rights Protection

The UN development system, as a whole, needs to recognize the centrality of human rights protection to its capacity building and to government accountability. The UN Development Group could initiate a review process on the role of protection in development cooperation, similar to that of the humanitarian system. UN development agencies (e.g., the UN Development Programme, the Food and Agriculture Organization, the UN Industrial Development Organization, UN-Habitat, the UN Population Fund) need to recognize their role in supporting human rights protection in their strategic work plans. For example, the UNDP executive board should welcome the "core strategic value" of human rights for its work and thus support changing the generic job descriptions and performance appraisals of resident coordinators with this in mind. Member states need to drive these strategies and earmark voluntary contributions to improving the human rights protection capacities of UN development agencies.

Encourage and Support Senior Management of Funds and Programs to Implement Human Rights up Front in Donor Consultations

Member states could mention HRUF in confidential donor consultations on core contributions for funds and programs. By doing so, they could encourage senior management to implement the spirit and letter of the action plan, short of an official endorsement of the initiative itself by the governing body, which may lead to public backlash. Such discussions could also provide the opportunity to exchange ideas on how member states could specifically support ongoing organizational or country-specific measures put forward by the funds and programs in question.

Support Whistleblowers and Activist Senior UN Officials

A new organizational culture that puts "human rights up front" takes time to sink in. For now, the initiative rests largely on the courage of individual officials prioritizing the prevention of serious human rights violations – not only in their work on the ground, but also in performance appraisals and in their subordinates' work plans. Although senior UN officials are mandated to do so, compiling human rights violations, collecting casualty data and discussing them with conflict parties can sometimes involve these officials in confrontations with host governments and even lead to their expulsion. Should this be the case, member states need to ensure that these officials are not penalized by the UN and are offered adequate tasks elsewhere – if not in the UN, then, for example, within their own administrations.

Take Local Coordination Meetings on Human Rights Protection Seriously and Make Sure That Victims Are Adequately Protected

In crisis situations, UN agencies, concerned member states and civil society groups have complementary roles to play. Member state diplomats and ambassadors may be better placed than the UN to raise protection concerns with state actors, as they can possess more resources for leverage in negotiations. Concerned member states' embassies need to send high-level representatives to local coordination meetings on human rights protection in crisis situations. Ambassadors should frequently consult the RC and the chief of human rights sections on this matter. Increased cooperation with the UN on specific threats to civilians also requires member states to insist on effective procedures for protecting witnesses and victims at the UN, including mechanisms ensuring that the same person is not repeatedly interviewed by competing agencies.

Establish a Mechanism for Quick Fact-Finding Upon Determination by the Secretary-General

When crises escalate, there is often scarcely credible and trustworthy information about the situation on the ground. Given its field presence, its long experience in working in a specific country and its unique legitimacy as a universal organization, the UN system can provide independent information about facts on the ground and make recommendations to the organization's intergovernmental bodies. To that end, member states should support a mechanism for fact-finding missions that can be deployed upon determination by the secretary-general or the senior action group and that draws on a standing roster of experts. Although it will not eliminate disputes about facts entirely, the establishment of such a generic mandate would reduce the politicization of deployment decisions, making fact-finding missions a standard tool of UN response.

Expand the Financial Resources of OHCHR

The Office of the High Commissioner for Human Rights bears a large share of the responsibility for implementing the HRUF action plan, yet its financial resources are extremely small. High Commissioner Zeid has embraced HRUF with enthusiasm. If his office is to report more widely on human rights violations and weigh in on crisis situations, it needs stronger field presences and should be able to deploy human rights advisers to crisis situations with greater flexibility. The original aim of making HRUF budget-neutral is not realistic in the face of OHCHR's extensive list of tasks. While HRUF aims to mainstream human rights throughout the UN's work, this process cannot supplement years of experience and the trained perspectives of human rights officers. UN member states need to increase the regular budget of OHCHR to improve long-term planning – or, in the event that an ambitious agreement fails, member states should increase their individual voluntary contributions.

Reintroduce a Horizon-Scanning Mechanism in the Security Council

The HRUF action plan tasks the Department of Political Affairs to regularly brief Security Council members "on situations of political, human rights and humanitarian concern." Currently, this mostly happens under the "any other business" category when the matter relates to countries absent from the council's agenda. Such early warning briefings need more institutional support from the rotating presidencies of the council. Since the US was the first to drop the early warning tool of a formal horizon-scanning mechanism, perhaps it could reintroduce the regular briefings. The next US presidency will be in December 2015.

Endnotes

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