

# EXECUTIVE SUMMARY

In 2013, then United Nations (UN) Secretary-General Ban Ki-moon launched the Human Rights up Front (HRuF) initiative. The creation of HRuF followed the publication of an Internal Review Panel report by Charles Petrie, which documented the catastrophic failure of UN actors in Sri Lanka to protect and come to the aid of populations caught up in violent conflict.<sup>1</sup>

Grounded in the UN Charter, HRuF proposed a three-pronged approach to preventing serious human rights violations. First, it called for changes in the UN's working culture to facilitate a more unified approach by UN staff across all three pillars of the UN (development, peace and security, and human rights). Second, it urged the UN to strengthen its capacity to identify risks of oncoming crises, and to adjust its strategy and decision-making accordingly. Third, it encouraged more proactive engagement by the UN with member States at the multilateral level, as well as by UN actors in the field with national authorities, so as to lay the groundwork for prevention. These three objectives sought to ensure a cross-pillar approach by UN staff in the field, regardless of agency or mandate, in order to prevent serious human rights violations and conflicts.<sup>2</sup> It envisioned identifying risks at an early stage and leveraging the full range of UN mandates and capacities, ensuring that country-level action is adequately supported by UN headquarters.

HRuF was received warmly by human rights activists, many of whom hoped the initiative would allow the UN to uphold its responsibilities under the UN Charter, even in the most difficult operational contexts. Their hope was that HRuF would provide new resolve to the UN's 'never again' pledge. Indeed, as demonstrated in this report, there is evidence that the initiative has had a positive impact. It has led, for example, to a heightened focus on human rights among UN staff in a number of country contexts.

In the face of considerable internal and external challenges, however, the HRuF initiative did not fully take root in the UN system. This was revealed particularly starkly in Myanmar, where the UN, confronted with a years-long crisis that culminated in a violent campaign by armed forces against Rohingya communities in 2017, engaged in the same mistakes that the Petrie report had documented in Sri Lanka only a few years earlier. Additionally, since 2017, the elimination of the UN Director-level post dedicated to the initiative's implementation, coupled with a lack of public information on HRuF, have led many to believe that the initiative has been weakened or reconfigured beyond recognition, or has been completely eclipsed in priority and focus by current Secretary-General António Guterres' reform agenda. While the

reality is more complex, the findings of recent reports on Myanmar confirm that scepticism about the effectiveness, if not the continued existence, of the present HRuF initiative is warranted.

This report seeks to understand the origins, evolution, impact and - ultimately - the fate of HRuF. It is based on primary research including interviews with UN officials, diplomats, civil society representatives, and academics, as well as on new analyses of relevant UN documentation. It concludes that HRuF 'lives on' inside the Executive Office of the Secretary-General (EOSG), but in altered form and facing significant constraints to its effective operation. Key among these constraints is the decision to de-prioritise improving UN engagement with member States at the multilateral level and with national authorities in the field.

This report places an analysis of the contemporary status of HRuF in its full historical context, beginning with the original initiative - its successes and its failures (especially in the case of Myanmar) since 2013. The report then analyses the new (modified) version of HRuF and considers opportunities and challenges for its effective implementation. Finally, the report proposes ideas and recommendations to strengthen HRuF in order to ensure that it fully takes root in the UN system and leads to improved UN performance in the future.

## THE ORIGINAL HRUF VS THE NEW HRUF

In 2017, amidst the escalation of violence in Myanmar, António Guterres replaced Ban Ki-moon as UN Secretary-General, and brought with him a new set of priorities for the UN. A year later, the single Director-level post dedicated to the implementation of HRuF was eliminated. This event and other factors, including a perceivable global retreat from human rights norms, resulted in modifications to the HRuF initiative.

There are significant similarities between the original HRuF initiative and the present, modified, version. Both aim to bring changes to the UN's working culture and to strengthen the UN's operational capacity to identify, prevent, and respond to potential crises.

On the first point, the initiatives share the belief that individual UN actors can make a significant difference during an evolving crisis, and should receive guidance and training to allow them to effectively uphold the UN Charter. On the second point, the new HRuF retains modified versions of the original tools created to facilitate information





1. Displaced people queue for water in an IDP Camp, Vavuniya, Sri Lanka.



2. Rohingya women in refugee camps share stories of loss and hopes of recovery, Cox's Bazar, Bangladesh.



sharing and risk analysis across the UN system, as well as forums for unified decision-making by the UN's senior leadership.

There are, however, important differences between the original and reformed HRuF initiatives. The original HRuF envisioned stronger, proactive engagement by UN staff with member States, at both the national level (e.g. Resident Coordinator engagement with host governments) and at the international level (e.g. at UN headquarters in New York), in order to build channels of communication on difficult or sensitive issues, and thereby help prevent further human rights violations and a worsening of the crisis. The new edition does not seek to encourage UN staff to engage with States either in New York or in the field. Indeed, its operation appears to be restricted to the four walls of the EOSG.

In addition, as this report makes clear, despite the claim by some in the UN's leadership that HRuF 'lives on', many remain doubtful about the 'new' HRuF initiative and the Secretary-General's level of commitment to it. Clear endorsement for this policy and its objectives by UN leadership is necessary for both top-down cultural shifts among UN staff to take place, and for risk analysis tools and decision-making forums to activate tangible changes in the UN system in times of crisis.

In fact, the experience of Myanmar suggests that further modifications and greater attention to HRuF are necessary to deliver on its ambitious goals of changing the UN's working culture and its operational delivery. At the very least, the present dilution or weakening of HRuF would need to be reversed.

Regarding working culture, recent reports on UN failings in Myanmar revealed that staff who attempted to follow a HRuF approach or raise human rights issues were criticised or side-lined by colleagues and superiors. This demonstrates that for HRuF to work, it cannot be reliant on the fortitude of a few men and women, but must be founded upon a system-wide change in working culture, including at the highest levels of the Organisation.

Regarding operational change, while the UN's risk analysis tools effectively identified Myanmar as a crisis necessitating a human rights-oriented approach, in the end, this accurate analysis and prognosis did not inform or seemingly influence UN strategy. In fact, despite the availability and active use of forums for decision-making at the highest levels of the UN, senior UN leadership failed to resolve bureaucratic infighting, set a common strategy, or establish consistent messaging. This contributed to confusion and paralysis in the face of a rapidly deteriorating human rights and humanitarian situation.

## OPPORTUNITIES FOR HRUF TODAY

The current iteration of HRuF exists against a backdrop of major changes to the UN system brought about by the Secretary-General's reform agenda, as well as a geopolitical landscape characterised by what many have described as a global retreat from the promotion of universal human rights principles.

The Secretary-General's proposed changes to the UN's security pillar, its development system, and its management structures seek to improve the on-the-ground delivery of UN system mandates. While the reforms share some of the objectives of the HRuF initiative, particularly with regards to overcoming institutional silos and promoting a 'One UN' approach to preventing and responding to crises, it has been widely remarked that human rights concerns are largely absent from the reforms. Furthermore, the reforms do not provide sufficient and specific tools to effectively address emerging crises. Given that prevention remains a priority of the Secretary-General, and considering the strengths and weaknesses of the reforms, harnessing the full potential of HRuF as a viable, complementary tool is an opportunity to further strengthen cross-pillar, holistic prevention in the newly reformed system.

The current iteration of HRuF is not set in stone; and there is valuable space for strengthening, systematizing, and emboldening it. This policy report concludes by presenting recommendations to all stakeholders, but especially to the Secretary-General and his Executive Office, to revitalise the HRuF initiative, increase transparency around it, and to re-emphasise the importance of proactive engagement with member States, both at headquarters and in the field. It also includes recommendations for member States, whose support is crucial for the effective implementation of HRuF, and to members of civil society who can provide important technical and moral support.

Recent reports on Myanmar demonstrate that, although the UN system correctly identified the risk of mass atrocity crimes, its analysis was not translated into an effective rights-based strategy to prevent or mitigate the gross and systematic human rights violations that were to follow. Central to this failure were structural and systemic obstacles that HRuF, if properly implemented, could have overcome. This demonstrates the continued relevance and value of HRuF, which if diluted and neglected will remain a missed opportunity and a broken promise to the victims in Sri Lanka and Myanmar. If the UN is serious in its conviction that Rwanda, Sri Lanka and – now – Myanmar, must 'never happen again' then the initiative must be revived, and its principles, objectives and key approaches supported by UN leadership and integrated into the reformed UN system, especially in the context of prevention.