OCT
2019

POLICY OR ASPIRATION: SHEDDING LIGHT ON THE CURRENT STATUS OF THE UN'S HUMAN RIGHTS UP FRONT INITIATIVE

Danica Damplo, Rodrigo Saad

UNIVERSAL RIGHTS GROUP
NEW YORK

PREFACE

This report on Human Rights Up Front (HRuF) reflects primary and secondary research, as well as interviews with UN officials and other experts.

Universal Rights Group would first like to thank the Jacob Blaustein Institute (JBI) for their support, in particular JBI Deputy Director Christen Broecker.

The authors would like to thank the many UN staff members who took the time to be interviewed, to answer questions, and to provide access to internal documents and reports. This report exists because of their interest in transparency and dedication to their work.

The authors of the report would also like to extend deep appreciation to the experts familiar with the Human Rights Up Front initiative who took the time to provide comments and insights.

In addition to contributor Jennifer Norris, who provided essential input, the authors would also like to thank URG Director Marc Limon, present URG NYC intern Grace Kennedy, and former URG NYC intern Jane Murray, for their assistance.

Authors

Danica Damplo, Universal Rights Group NYC
Rodrigo Saad, former Universal Rights Group NYC

Contributor

Jennifer Norris, a lawyer who has worked for the UN, including in field missions in the Democratic Republic of Congo and in Afghanistan.

UNIVERSAL RIGHTS GROUP
NEW YORK

JBI The Jacob Blaustein Institute for the Advancement of Human Rights

TABLE OF CONTENTS

PREFACE 2

EXECUTIVE SUMMARY 3

INTRODUCTION 5

PART I: HUMAN RIGHTS UP FRONT: THE ORIGINAL 7

Leadup 7

Initiative 9

Cultural objectives 10

Operational objectives 10

Political objectives 11

Successes 12

HRuF mechanisms 12

Examples from the field 13

Challenges 14

External and internal 14

Myanmar 15

ISBN: 978-2-940626-47-2

PART II: HUMAN RIGHTS UP FRONT TODAY 16
Leadup 16
Myanmar 16
Echoes of the Petrie Report 16
Lessons learned? 17
Accountability? 18
Transition and turnover 19

The modified HRuF initiative 20
Cultural objectives 21
Operational objectives 21
Regional Monthly Reviews 21
Executive Committee and Deputies Committee 22
Light Teams 22
Political objectives 23

Opportunities and challenges 24
The Secretary-General's prevention priority 24
The contribution of the Human Rights Council and the international human rights machinery 25
The UN reforms 25
Reforms to peace and security pillar 26
Reforms to development pillar 26
Key features neglected by the UN reforms 27
Geopolitics and the current human rights landscape 27

CONCLUSION 29

RECOMMENDATIONS 31

ENDNOTES 33

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.[1]

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.[2] 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 lead, 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.

3. A team of MONUSCO female peacekeepers partners with a local women organization to provide hygiene, medical and nutritional care to orphaned, vulnerable and abandoned children, Munigi, North Kivu, DR Congo.

4. Peacekeepers' patrolling team ensuring the security of the local population when returning from the fields, Surrounding areas of Nyiamiliam, North Kivu, DR Congo.

5. DPRK soldiers standing guard at the Joint Security Area, Military Demarcation Line (MDL), North Korea.

INTRODUCTION

The United Nations (UN) is an Organisation grounded in a single Charter, yet in practice that mandate is executed by a diverse collection of agencies with interlocking mandates. For this reason, it has often fallen prey to silos, wherein UN actors view situations through a narrow lens, privilege their individual programmes, and refuse to pool resources – including in dire circumstances where human rights violations are present or imminent. In 2013 former Secretary-General Ban Ki-moon launched Human Rights up Front (HRuF) as a direct response to the Internal Review of UN Action in Sri Lanka, which found that the Organisation had failed to live up to its Charter, particularly its responsibility to protect civilians and to come to the aid of populations caught up in violent conflict.[3]

HRuF called for the recognition of a collective responsibility across all UN departments and agencies to fully represent the three pillars of the UN – human rights, peace and security, and development – in order to prevent serious human rights violations and conflicts.[4] 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 generated significant expectations among human rights activists, in particular.[5] To many, it signalled a promising shift in how the UN operated, deepening its commitment to the UN Charter and more specifically human rights, finally addressing long-held concerns that the UN secretariat was too unwieldy, too political, and too bureaucratic to take principled stands in the face of serious violations.

However, changeover in UN leadership, and persistent resistance from Russia, China, and much of the Group of 77 (G77), culminated in the dismantling of the key position overseeing the initiative within the Executive Office of the Secretary-General (EOSG), and the dispersion of HRuF responsibilities among EOSG staff.[6] Following an internal stocktaking in 2017,[7] EOSG personnel initiated several workstreams, including consultations with UN staff, and have retained but modified key HRuF mechanisms.[8] Nonetheless, the lack of information on these developments, coupled with an apparent neglect of the human rights pillar in the concurrent UN reform process, has led many to believe that the HRuF project had been abandoned, or that what presently bears the name of HRuF has been weakened or reconfigured beyond recognition.[9] Many inside and outside the UN argue that this apparent 'abandonment' of HRuF concedes symbolic and tangible space to those who want human rights removed from multilateral conversations, and signals a failure of the UN system to internalise and learn from its previous errors, despite the horrific loss of life associated with them.[10]

UN officials continue to insist that HRuF is not dead but offer only vague assurances of its continued presence to select audiences. This does little to dampen the sense of growing distrust and disillusionment. Yet the contemporary importance of HRuF could not be more real or urgent. With the recent release of the report of the Independent Inquiry into UN action in Myanmar echoing many of the serious allegations of UN failings unearthed by the Internal Review on Sri Lanka, a better understanding of the new reconfigured HRuF initiative, and its potential to strengthen prevention mechanisms in the UN, is more important than ever.

This policy report first details the original HRuF initiative, its antecedents and catalysts, followed by a review of its successes and shortcomings. It then shifts the focus onto the current iteration of HRuF, starting with an overview of the transition period, as well as the lessons and warnings following UN failure in Myanmar. This report then details the present HRuF project and provides an assessment of key opportunities and challenges. The modified version of HRuF has been initiated within a UN system reformed under the Secretary-General's vision of enhancing the UN's prevention capabilities, but also amidst what many have called a global retreat from universal human rights values and principles.

PART 01

HUMAN RIGHTS UP FRONT: THE ORIGINAL

6. Introduction. Secretary-General Visits Manik Farm IDP Camp.

LEADUP

Mainstreaming human rights across the UN's work has been a notable feature of UN reform efforts since 1997, when Secretary-General Kofi Annan called on all UN entities to integrate human rights into their respective programmes.[11] Despite years of reform efforts, however, UN Country Teams (UNCTs) have remained under-resourced, and UN Resident Coordinators (RCs) have, generally speaking, continued to interpret and dispatch their mandates in a way that emphasises development cooperation with host States far more than dialogue with the relevant government on issues relating to human rights or security. These reforms have not succeeded, in other words, in addressing the most important underlying issue that led to the UN's critical failures in Sri Lanka and Myanmar, namely the fragmented delivery of its mandate (as set down in the UN Charter) at country level.[12]

The need to better integrate human rights into UN priorities was brought into particularly stark relief after the UN's failings in Sri Lanka. In the spring of 2009, during the final phase of Sri Lanka's decades-long civil war, an estimated 40,000 civilian deaths were reported.[13] In June 2010, then Secretary-General Ban Ki-moon appointed a Panel of Experts to advise on 'the issue of accountability with regard to any alleged violations of international human rights and humanitarian law during the final stages of the conflict in Sri Lanka.'[14] The Panel of Experts found that the UN 'did not adequately invoke principles of human rights that are the foundation of the UN but appeared instead to do what was necessary to avoid confrontation with the Government,'[15] and recommended that the Secretary-General establish an Internal Review Panel on UN actions in Sri Lanka.[16] The report of the Internal Review Panel, led by Charles Petrie (henceforth referred to as the 'Petrie report'), concluded that a 'systemic failure' by the UN system had taken place, which laid bare, in painful detail, a 'reluctance among UNCT institutions to stand up for the rights of the people they were mandated to assist.'[17] In addition to noting a reluctance to act, the report found, in some cases, an active suppression of reports of civilian deaths at the hands of Government forces. The report highlighted a 'widespread perception that the international human rights and humanitarian law aspects of protection were not a part of UNCT priorities.'[18] UN headquarters failed to provide unified and strategic guidance to the RC and UNCT, including on communication and core protection issues, while headquarters' engagement with member States was slow and inadequate.[19]

The Petrie report offered a number of recommendations, principally that:

- The Secretary-General renew the vision of the UN, as encapsulated in the UN Charter, a vision in which all staff, in particular its senior staff, have fundamental responsibilities regarding human rights and humanitarian law;
- Embed' a UN human rights perspective in strategies to strengthen UN headquarters' capacity for analysis and planning;
- Strengthen a 'whole of UN' response to crises;
- Promote accountability; and
- Improve UN-member State engagement.[20]

In January 2013, Secretary-General Ban Ki-moon assigned Deputy Secretary-General Jan Eliasson to oversee the implementation of the report's recommendations. Subsequently, an interagency working group was established. In 2013 it submitted a follow-up plan of action that recommended the creation of the 'Rights up Front' initiative, which was officially launched in December 2013.[21]

INITIATIVE

7. HRuF Initiative. Mr Ben Majekodunmi, Senior Officer, Executive Office of the Secretary-General, UN, speaks on opening panel – 'What is 'prevention' and are the Council and the wider UN system ready to meet the challenge?'.

Two years after HRuF was launched, then Deputy Secretary-General Jan Eliasson explained, at an informal briefing with member States, that HRuF was not a new human rights tool, but rather an apparatus for prevention, seeking to enhance cross-pillar integration across the UN's work.[22] The core of HRuF came from the UN Charter, expressly Chapters 1 and 6, and articles 33 and 34, which reference the UN's prevention mandate.[23] The initiative was an internal exercise that refrained from expanding existing mandates or creating new reporting lines. It was implemented by a small cell within the EOSG

and entirely funded through extra-budgetary means, primarily donated by Norway, Denmark and the United Kingdom (UK).[24]

At an inaugural briefing before the General Assembly (GA), former Deputy Secretary-General Eliasson framed the initiative as an instrument for the protection of civilians and their human rights. Citing a 'lack of broad and timely political support' as a key obstacle to preventing human rights crises, the initiative was intended to strengthen collective political will and make the UN system 'more alert, flexible and coordinated,' both at headquarters and, more importantly, in the field. [25] HRuF was intended to provide early warning mechanisms and a forum for leadership on crises, as well as a more robust line of communication with member States.[26] The initiative sought to make prevention and human rights central to the culture and 'lifeblood' of the UN by reinvigorating links between staff in all departments and at all levels, and by reminding them of their core responsibilities for human rights and humanitarian law.[27]

While limited in its scope by internal negotiation and external politics, it introduced three types of system-wide change: cultural, operational, and political.[28]

CULTURAL

All UN staff to uphold the UN Charter and human rights as a core responsibility.

UN headquarters will support field staff in upholding core responsibilities.

Staff to act with 'moral courage' and take principled positions.

Greater accountability.

OPERATIONAL

Bring the three pillars of the UN closer together.

Create space for decision-making at senior levels for setting strategy and messaging.

Develop better early warning and risk analysis in the UN system, for use in the field and at headquarters.

POLITICAL

More proactive, constructive engagement with national authorities on concerns, including on sensitive human rights issues.

More proactive engagement with member States at multilateral level to generate political support for early and preventive action.

Better (and more candid) information-sharing with member States.

CULTURAL OBJECTIVES

The first objective of HRuF was to promote cultural change within the UN system.[29] The initiative aimed to 'ensure that all staff are aware of their duty under the UN Charter, and view human rights and protection of civilians as central to the entire purpose of their work, in all countries and in both development and humanitarian contexts.'[30] This included considerable outreach on HRuF, additional training exercises, and the inclusion of human rights principles in job descriptions for staff.[31] UN headquarters pledged to support officers in the field who upheld core human rights and protection responsibilities, including in difficult circumstances.

OPERATIONAL OBJECTIVES

The second objective of HRuF was to adopt operational changes to the way the UN system responds to human rights violations. It focused on breaking institutional silos for a more coherent and concerted effort by the UN system to address potential threats to human rights. This entailed greater cooperation and coordination between UN entities both at headquarters and on the ground.

At country level, HRuF sought to ensure that UN field presences were adequately staffed and supported in crisis contexts, including through the deployment of temporary staff with human rights expertise to bolster UNCTs.[32] In non-mission settings, absent a political or peacekeeping mission, but where an RC and UNCT are present due to UN operations for development in the country, RCs and UNCTs were encouraged to advocate for a 'human rights-based

approach' in the context of UN development activities.[33] The RC job description was revised to include human rights responsibilities, supported by relevant risk assessment training.[34] When risks or violations became evident, RCs were tasked with developing and leading the implementation of a coherent UN-wide strategy centred on human rights protection.[35] In coordination with the Department of Political Affairs (DPA), OHCHR developed the concept of 'light teams' – small, multidisciplinary groups containing UN human rights officers who would travel to the concerned country and support UNCTs by providing expertise that might be lacking. This was an innovative instrument designed to bolster capacity on the ground in response to emerging crises.[36]

At headquarters, the HRuF initiative led to the establishment of the Regional Quarterly Review (RQR) - an internal coordination mechanism comprised of periodic inter-agency meetings at Director-level and with input from the field. RQRs involved a regional scan for early warning signs using cross-pillar analysis. For more serious, pressing or complex situations requiring the attention of senior UN leadership, the Deputy Secretary-General would convene the Senior Action Group (SAG), comprised of the principals of relevant UN entities, with ad hoc participation from relevant Special Representatives of the Secretary-General (SRSGs) and RCs. The SAG would then 'reposition the UN - analytically, politically and operationally to address a situation.' [37]

POLITICAL OBJECTIVES

The Panel of Experts on accountability in Sri Lanka found that the UN 'did not engage with national authorities and member States in a way that built political support necessary for prevention.'[38] As such, HRuF envisioned a more proactive, strategic, and creative engagement with member States in order to 'generate political support for early and preventive action.'[39] On the global level, this included effectively managing action on politically sensitive issues, and improving 'information delivery to member States in order to respond to human rights violations in a timely and adequate manner.'[40] Different UN bodies would utilise the wide spectrum of UN expertise and engagement to build political support among member States, present options, and ensure that serious violations stayed on the agenda, including that of the Secretary Council.[41] At ground-level, HRuF called for the UN to strengthen 'engagement and consultation with national actors and to support them in addressing these concerns.'[42]

At an informal briefing on HRuF in 2016, several member States expressed interest in receiving more frequent updates on the initiative.[43] At the meeting, a representative from New Zealand, which at the time was serving as a non-permanent member of the Security Council, suggested creating more robust and systematic channels of communication with the Council on matters pertinent to prevention and HRuF. Consequently, New Zealand, in partnership with Deputy Secretary-General Eliasson, established Situational Awareness Briefings, during which States could be briefed by the secretariat on matters of concern, followed by an interactive dialogue between the two.[44]

HRuF envisioned unifying the UN's collective approach to prevention at a cultural, operational and political level, in order 'to act as 'One UN' ***before*** a crisis emerges.'[45] This lofty goal remains aspirational due to persistent internal and external challenges to the initiative. The result of the uneven application of HRuF is that references to and traces of the initiative can be found across both the 'successes' and 'failures' columns of the UN's ledger.

SUCCESSES

8. Successes. 'UNMISS Peacekeeper in Pibor, Jonglei State.'

Notwithstanding the challenge of measuring impact when it comes to prevention, there is some evidence that HRuF did have a positive impact in its early days. The policy was communicated to UN leaders and was seen as a watershed moment that would change the way the UN operates by deepening the Organisation's commitment to human rights.

HRUF MECHANISMS

Several mechanisms created under the HRuF initiative have helped ensure better coordination and information-sharing across the three pillars of the UN, as well as more informed analysis on emerging crises. At headquarters, the RQRs served as a critical early warning and strategy coordination tool that could generate a 'comprehensive picture of a given situation' from all angles and provide a space for a

discussion on sensitive but crucial details not otherwise included in formal reports.[46] Similarly, the SAG contributed to greater collaboration of the Principals of UN entities.[47] While the SAG and RQRs have morphed into new bodies with the present HRuF, their successors retain critical details from the earlier models.

Following the Sri Lanka crisis, the Petrie report highlighted how UNCT 'leadership in Colombo had insufficient political expertise […] in human rights and humanitarian law.'[48] Furthermore, there was, according to the report, operational confusion over the RC's responsibilities for human rights and prevention, despite the RC being required, in principle, to represent all three pillars of the UN. Consequently, the HRuF initiative revised RCs' job description and training to include core human rights responsibilities and to reflect prevention priorities.[49]

In non-mission settings, HRuF also contributed to better mainstreaming of human rights considerations, including in the context of UN Development Assistance Frameworks (UNDAFs).[50] This helped UNCTs better recognise the potential future human rights consequences of development problems, and to adopt more effective risk-informed strategies. This, in-turn, improved early UN engagement with national authorities, and UN support for country-led solutions.[51]

EXAMPLES FROM THE FIELD

There is evidence that HRuF did have a positive impact on the way in which many UN principals and field operatives examined, understood, and responded to potential crises. A number of case studies help illustrate this impact.

SOUTH SUDAN

The UN's risky, yet bold decision to shelter civilians on UN bases in South Sudan in 2013 is seen as a consequence of the early momentum behind HRuF, particularly as it pertained to personal decision-making. In 2013, shortly after HRuF was launched, large-scale violence broke out in South Sudan, which was propelled by a conflict between two factions of the ruling party - those led by President Salva Kiir and former Vice President Riek Machar. Mass killings erupted along ethnic lines. The Head of the UN Mission in South Sudan (UNMISS), Hilde Johnson, decided to open the UN's gates to desperate civilians fleeing murder and sexual violence. The decision was not without controversy. In part due to the tragedy of Srebrenica looming large in the organisation's decision-making, the UN has been reluctant to create safe zones for civilians. Sheltering civilians on UN compounds would have also strained the financial resources of the Mission. In addition, because the civilians were fleeing Government forces, sheltering them could have offended national authorities. Nevertheless, Johnson subsequently revealed that she felt compelled to take decisive action to protect civilians – in large part because of the spirit of HRuF.[52] Her decision was backed by headquarters. More than 75,000 people made it to the UN compounds to seek sanctuary. HRuF provided 'conceptual cover and institutional backing' for such examples of principled leadership.[53]

LESOTHO

The UN dispatched HRuF Light Teams to bolster capacity in cases of political instability, particularly in non-mission settings. Lesotho underwent a period of political instability following a failed coup attempt in 2014. Former Prime Minister Tom Thabane had fled to South Africa but returned shortly after for a crunch election in early 2015. He and other opposition leaders fled again following the elections amid growing political and security uncertainty.[54] A HRuF Light Team was dispatched to Lesotho in late 2015 following a preliminary human rights assessment conducted by OHCHR.[55] The multi-agency Light Team concluded that the deteriorating human rights situation called for urgent and stronger UN involvement, which prompted a subsequent action-oriented Light Team to be deployed in order to 'strengthen UN operational capacity, assist the UNCT in development of relevant national capacity, and engage on options for a [security sector reform] road map.' [56]

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

The Democratic People's Republic of Korea (DPRK) offers yet another example of the impact of HRuF in non-mission settings. A Commission of Inquiry established by the Human Rights Council in 2013 found that the Government of DPRK had committed systematic human rights violations to a degree 'without parallel in the contemporary world.'[57] While DPRK is home to a UNCT, it has repeatedly refused to accept UN human rights officers within its territory. In 2013, the UNCT was delivering humanitarian aid near the locations of human rights violations and never acknowledged this in conversations with the Government. Nor did the UNCT request access to deliver aid to these 'most vulnerable' people. HRuF resulted in DPRK being raised in RQRs, which led to the RC successfully pressing the DPRK Government to include a reference to human rights in the Strategic Framework for cooperation between the UN and DPRK for 2017-2021.' [58] Its inclusion provided

the RC with room to manoeuvre human rights, and specifically UPR recommendations, into discussions with national authorities.

CHALLENGES

EXTERNAL AND INTERNAL

Since its launch in 2013, the UN failed to adequately enforce Human Rights up Front.[59] It emerged in a period of austerity, and amidst internal discord and some external hostility. In 2016, the Deputy Secretary-General explained to member States that HRuF was designed to be as 'light and informal as possible,' with no new reporting requirements.[60] As such, the internal UN HRuF action plan focused exclusively on operational adjustments within the UN, short of requiring member State approval. This would foreshadow the even more binding constraints that would restrain the present HRuF initiative.

As an internal reform exercise, HRuF did not advise member States on how to engage with the UN on prevention, despite it being primarily the responsibility of States. Overtime, engagement with member States on HRuF waned, notwithstanding acknowledging recommendations for better member State engagement in both the Petrie report and HRuF documents.[61] The HRuF project met resistance from Russia and China, as well as a group of developing states, who argued that HRuF can be used as a pretext for the violation of national sovereignty.[62] Despite a few stalwart supporters for the project, and a lack of strong cross-regional hostility, this kind of persistent animosity from States forestalled the effectiveness and implementation of the initiative.[63]

The HRuF team carried out exhaustive outreach on HRuF – including communiques, briefings, and meetings— but this effort did not unify interpretations, particularly in the face of unresolved conceptual ambiguities, and entrenched bureaucratic silos.[64] Resulting confusion about a delineation of responsibilities extended into the field, with unclear instructions to many RCs and UNCTs, and in Geneva, with a lack of clarity about the role of Geneva-based UN human rights mechanisms.[65]

Consequently, HRuF remains 'an aspiration.'[66] The initiative, itself the result of a compromise between the recommendations of the Petrie report and what was politically feasible (and agreeable to UN agencies) began, nonetheless, with far-reaching goals, yet remained limited in its capacity to achieve them. While it had successes, it remained unevenly endorsed, and never outfitted to address the kind of institutional reconstruction, such as reform of the RC system, that would later be adopted through the recent UN reforms. These reforms, however, came out of a process of intense negotiation and consultation bearing their own limitations, especially in the realm of human rights and prevention mechanisms. These confines, coupled with a public focus by the Secretary-General on prevention, make an initiative like HRuF particularly relevant. HRuF called for a wider commitment to change not only what the system looked like, but how its officers acted, what its leaders prioritised, and how all UN agencies upheld the UN Charter and raised obligations with member States. It is this broader commitment that many feel remains more aspirational than operational at present.

MYANMAR

Perhaps the clearest failure of the UN to deliver on the core of the HRuF initiative, to strategically change its behaviour and respond cohesively to serious human rights violations, can be seen in Myanmar. In 2017, armed forces unleashed a violent campaign against Rohingya communities in Myanmar's Rakhine State, which the UN Independent International Fact-Finding Mission for Myanmar labelled a genocidal operation.[67] Following reported attacks on 30 police centres by Rohingya militants, the Myanmar military slaughtered men, women, and children and systematically raped women and girls. They razed countless homes and villages, leaving nearly a million Rohingya stateless.[68]

The Fact-Finding Mission also found that the horrific violence occurred amidst an active international presence and while the UN had been 'rolling out its Human Rights Up Front Action Plan.'[69] The report found that 'while Myanmar was repeatedly identified as a crisis situation requiring a human rights-driven response by the "whole of the United Nations", this approach was rarely, if ever, pursued.'[70] Instead, 'it was largely "business as usual", with development goals and humanitarian access prioritised only.'[71] The Mission received information that a number of UN actors attempted to pursue a HRuF approach, but that 'these individuals were ignored, criticised, side-lined or blocked.'[72] A report published by FieldView Solutions, which was cited by the Fact-Finding Mission, found that the humanitarian system in Myanmar subsidised rather than challenged ethnically based detention centres. The report also noted that 'in keeping too silent in the face of serious human rights crimes, as it did in Sri Lanka, the HRuF doctrine established to prevent exactly this situation from happening again was failing. The deeply ingrained and well-practiced habit of self-censorship remained too powerful, even when the worst of violence struck in 2016 and 2017.'[73]

PART 02

HUMAN RIGHTS UP FRONT TODAY

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

While Secretary-General António Guterres initially expressed a commitment to mainstreaming human rights 'notably through the HRuF initiative,'[74] silence on the subject led many inside and outside the UN to believe HRuF was dead. However, through interviews with UN staff, the authors of this report have learned that the Secretary-General has retained HRuF, with modifications, under his larger vision for prioritising prevention.

The public resurfacing of HRuF coincides with the release of the latest UN report on the atrocities in Myanmar, exposing serious flaws in UN conduct that mirror dangerous errors made in Sri Lanka. This Section will therefore begin with an account of the Myanmar crisis, followed by an overview of key developments that contributed to the positioning of the current HRuF initiative. This Section will also provide a detailed description of the modified HRuF initiative, as well as opportunities and challenges for its implementation.

LEADUP

MYANMAR

ECHOES OF THE PETRIE REPORT

Secretary-General António Guterres commissioned veteran Guatemalan diplomat, Gert Rosenthal, to conduct an independent review of the UN's performance in Myanmar from 2010 to 2018 (henceforth referred to as 'Rosenthal report'). While the Rosenthal report is considerably more limited and muted, it has been compared to the ground-breaking Petrie report on UN conduct in Sri Lanka and indicates that the conditions that led to the creation of HRuF still had not been addressed in the UN system.

Both reports concluded that there was a 'systemic failure' by the UN in responding to the crises.[75] According to Rosenthal, various UN agencies operating in Myanmar focused on their narrow mandates and failed to adopt a common approach in confronting the Government about its persecution of the Rohingya minority. While some agencies raised alarm about the treatment of the Rohingya, other agencies downplayed these assessments as exaggerations, and reportedly even demonstrated 'wilful manipulation of the reality on the ground to bolster the position of the respective reporting agency.'[76]

In addition, the UN Mission in Myanmar believed that due to the sensitivities surrounding Myanmar's recent transition to democracy, the UN's best course of action was to focus on development. This, Rosenthal suggests, constrained the UN's 'willingness to pursue more aggressively the promotion of human rights.'[77] In the case of Sri Lanka, Petrie had noted the 'widespread perception' that human rights and human protection 'were not a part of UNCT priorities.'[78]

The 'dynamics of division' (as Rosenthal terms it) among UN agencies operating in Myanmar were also exploited by Myanmar authorities.[79] Government officials, Rosenthal argues, picked up on the tension between the UN agencies and played them against one another. In his report Petrie noted a similar strategy of manipulation by the Sri Lankan Government. Rosenthal also identified a lack of leadership from headquarters.[80] In both Sri Lanka and Myanmar, Petrie and Rosenthal point to the lack of support provided to UNCTs and RCs on the ground by UN headquarters in New York.[81] In addition, amidst in-fighting between UN agencies, Rosenthal notes that former Secretary-General Ban Ki-moon 'was either unwilling or unable to arbitrate a common stance between these two competing perspectives' and set a unified strategy among his high-level officers.[82]

Rosenthal also points to tension between those who favoured what he terms 'quiet diplomacy' versus those who pushed for 'robust public advocacy' on the plight of the Rohingya. Those who pushed for 'quiet diplomacy' worried about humanitarian access and argued that the UN should only engage the Government privately.[83] In his report, Petrie pointed to a similar line drawn between prioritising access or advocacy in Sri Lanka that crippled the UNCT's ability to act coherently. In Myanmar, in-fighting between these two camps reportedly led to paralysis and indecision. Rosenthal argues that, despite conventional wisdom pitting these two approaches against each other, they are in fact mutually supportive, and while 'in some situations, quiet diplomacy can complement outspoken advocacy,' often times 'the quiet part is not nearly as effective as public and transparent calling out of abuses, and it is difficult to surmise how principled the engagement between the United Nations and the Government really is when the conversations are held privately within four walls.'[84]

Rosenthal also notes that the UN Security Council bears some responsibility for the UN's failings in Myanmar. Due to divisions between member States serving on the UN Security Council, the UN secretariat did not receive sufficient backing to appropriately respond to the crisis.

LESSONS LEARNED?

The UN Spokespersons' Office, reacting to the Rosenthal report, said that UN Secretary-General Guterres had accepted the recommendations, stating that 'the Secretary-General notes the report's assessments are in line with the Secretary-General's own efforts to put a greater emphasis on prevention, and also to improve the performance and accountability of the UN at country level.'[85] It could be viewed as convenient to neatly file the results of the report

under the existing work on prevention and UN reforms, particularly when the Rosenthal report, like the Petrie report before it, includes numerous recommendations not included in the Secretary-General's prevention vision and reform legislation.

The UN Fact-Finding Mission's report noted that even though the UN identified Myanmar as a crisis necessitating a unified, human rights approach, no such strategy emerged and 'even now, the approach taken displays few signs of any lessons learned, with human rights missing from agreements recently signed with the Government.'[86] While one can see traces of HRuF tools, such as in risk analysis and in creating forums of senior decision-making, the Rosenthal report lays bare that those assessment tools lacked teeth, and leadership decision-making forums lacked genuine leadership. In addition, the Fieldview Solutions report observed several forms of paralysing self-censorship by UN actors, including that some used 'external voices to justify their own silence.'[87] UN actors also held a 'convenient misconception that an approach based purely on quiet diplomacy without any element of public exposure or pressure can be effective when dealing with a state that has no political will to protect a minority whose rights are at stake.'[88] In addition, while international actors justified their lack of action based on a dearth of political space in which to manoeuvre, political space is in fact 'very often self-constrained: the Myanmar Government has learned that it can depend on UN and humanitarian self-censorship. However limited it may appear, that space has to be constantly contested, protected and expanded.'[89]

While Rosenthal did not provide any specific recommendations on Human Rights Up Front, he found that the UN struggled to take the Government to task for its serious violations of international law and human rights, while simultaneously engaging the host Government on development and humanitarian assistance. He concludes that the balancing act is not easy but asserts that the UN possesses capabilities to pursue both goals simultaneously.

ACCOUNTABILITY?

While Rosenthal did not make recommendations for individual responsibility, the horrific nature of the atrocities in Myanmar (and in Sri Lanka) add additional weight to the allegations not only of 'systematic failures' but gross negligence on the part of UN staff that contributed to the deaths of countless civilians. This included the active prioritisation of power struggles over principles, and in some cases, even active intimidation of differing staff and suppression of figures and details of human rights violations from official briefings and reports.

The UN has a questionable record of holding staff accountable for egregious cases of dereliction of duties in the field, regardless of the scale or consequences, and yet reports like those compiled by Rosenthal and Petrie trigger expectations from survivors and activists that their countries are more than case studies in cycles of UN institutional self-evaluation.[90]

Many believe that, especially given the scale of the suffering, and direct or indirect abetting of human rights violations, that the findings might signal stronger UN action on accountability for domestic actors (as the UN has established accountability mechanisms in the field in some cases), and on accountability for UN personnel. Instead, many individuals alleged to have made serious errors in judgment have been promoted or retained identical positions.

TRANSITION AND TURNOVER

As the scale of the UN failure in Myanmar became increasingly evident, HRuF faced two internal developments that led to its review and quiet reshuffling: a shift in leadership at the Secretary-General level, and the elimination of a dedicated high-level staff post for the coordination of HRuF. This coincided with an increase in some Governments' active hostility toward, and other Governments' retreat from, efforts to promote human rights at the UN.

Amidst this visible pushback on human rights, the Myanmar crisis continued to reveal that the impartial rollout of the initiative had not led to sufficient change at the country level, and considerable gaps in human rights protection remained unaddressed.[91] On 1 January 2017, António Guterres replaced Ban Ki-moon as UN Secretary-General, and established a new set of priorities: reforming the UN by repositioning the UN development system, reorganising the peace and security pillar, and updating the UN's management paradigm, in order for more coherent prevention and effective implementation of the 2030 Agenda for Sustainable Development.

In October 2017, the Secretary-General asked the Fifth Committee of the UN General Assembly for regular funding for HRuF staff, including a D-1 post within the EOSG, rather than continue to use extrabudgetary funds for the post. Russia and Cuba, who had expressed concerns about the initiative in the past, pointed out that the initiative had yet to be approved by the General Assembly and vetoed the request.[92] The Secretary-General then decided to eliminate the D-1 post and transfer its responsibilities to the portfolio of his former Assistant Secretary-General for Strategic Coordination. As a result, responsibilities for overseeing HRuF were diffused among a handful of EOSG staff.[93]

The discontinuation of the last remaining senior position dedicated to HRuF sparked concerns about the termination of the initiative. In a letter written to the Secretary-General in April 2018, a group of civil society organisations expressed their disappointment, stating that eliminating the post would signal a retreat from support for HRuF and reflect poorly on the UN's approach to human rights, particularly as the initiative retained broad support among most member States.[94]

THE MODIFIED HRUF INITIATIVE

This Section will provide a description of the modified HRuF initiative, predominantly based on internal documentation and a series of conversations with UN officials presently working on, or familiar with, the contemporary HRuF initiative.[95] HRuF now sits within the larger umbrella of the Secretary-General's prevention agenda. In contrast to the original initiative, which focused on the prevention of human rights violations, the current iteration of HRuF seeks to prevent and mitigate the effects of a broad array of crises, including violent conflict, environmental disasters, and economic crises.

In 2017, the Secretary-General and the UN Executive Committee endorsed a stocktaking of HRuF,[96] resulting in an updated action plan for 2018-2021. The action plan, which was disseminated to UN staff, though not circulated publicly, is essentially an internal working document meant to be malleable and dynamic. While the project remains funded by extra-budgetary means, there is still no one senior

10. Modified HRuF Initiative. A Quiet Moment Between Meetings: Secretary-General António Guterres looks out the window over New York City at traffic

post dedicated to HRuF; the project operates out of the EOSG as part of the overall portfolio of several EOSG staff, and under the auspices of the Assistant Secretary-General (ASG) for Strategic Coordination in the EOSG. In July 2019, Volker Türk assumed the post.[97]

Like the original initiative, the new HRuF action plan divides its work into three areas with cultural, operational, and political objectives.

CULTURAL	OPERATIONAL	POLITICAL
Support for staff, including between Headquarters and the field. Staff training. Development of assessment tools and incentives for staff to represent all three pillars of the UN regardless of mandate .	Strengthen connections between headquarters and the field. Ensure senior staff provided with support. Strengthen risk analysis mechanisms at HQ to strengthen capacity on the ground. Support capacity of light teams. .	Develop political strategies informed by cross-pillar analysis and prevention objectives. Strengthen existing tools for prevention, including senior decision-making and providing information to the Security Council.

CULTURAL OBJECTIVES

As part of HRuF, EOSG staff launched a series of dialogues with UN personnel across all UN agencies, at headquarters and in the field, led by former Special Representative of the Secretary-General Nicholas Haysom. These cultural consultations happened at all levels, and included an online survey, and three consultation workshops, including two in the field. The HRuF team queried UN staff on whether they perceive human rights to be one of their responsibilities (to which the majority answered positively) and how headquarters can better support field offices in upholding the UN Charter. The results of these consultations will inform a new strategy on cultural change.

OPERATIONAL OBJECTIVES

The primary operational objective is to ensure that the system has more efficient mechanisms to address early warning and action, and to facilitate integrated cross-pillar response in line with the HRuF vision.

REGIONAL MONTHLY REVIEWS

Regional Quarterly Reviews (RQRs) have been replaced by Regional Monthly Reviews (RMRs) (though due to intense preparation for each meeting, these do not necessarily happen on a monthly basis).

RMRs are:

- Systematised (no longer ad hoc);
- Director-Level;
- Chaired by the Department of Political and Peacebuilding Affairs (DPPA) and the UN Development Programme (UNDP);
- OHCHR participates in every meeting;
- Focus on decision-making, not information-sharing;
- Every RMR concludes with an outcome document containing action points for participants;
- Follow up review meetings take place to assess implementation of action points.

In seeking to improve the RMRs, present work has involved looking into how to better integrate risk analysis and leverage reports of the Universal Periodic Review (UPR) and Special Procedures mandate

holders, as well as developing new tools to aid in prevention. These include a menu of tools or actions that can be used by UN staff within the system, and an evolving framework for risk analysis.[98]

EXECUTIVE COMMITTEE AND DEPUTIES COMMITTEE

The original HRuF initiative envisioned the creation of spaces for decision-making at the highest levels, for formulation of strategy, and consistent messaging and coordination of that strategy. The ad hoc Senior Action Groups of the original initiative, have been replaced by committees that meet regularly. At the start of 2017, Secretary-General Guterres established an Executive Committee (EC) and Deputies Committees (DC) in the secretariat.[99] The EC takes place at the principal-level, meets weekly and is intended to assist the Secretary-General in taking strategic decisions across all three pillars.

The Deputies Committee, at the Deputy level, could be seen as suspended between the RMR meetings, which are Director-level, and the Executive Committee. It meets weekly, integrates RMR outcomes into preparation for monthly prevention meetings, and can pass on urgent issues up to the EC. The DC also implements outputs coming down from the EC.

The ASG for Strategic Coordination, heading the HRuF initiative in the EOSG, links to all three levels of decision-making. He sits in on RMR meetings and serves as Secretary of the Executive Committee. He is also Chair of the Deputies Committee. RMRs primarily conclude with decisions made horizontally across departments and pillars, and while all outcomes of the RMRs are intended to feed into the DCs and ECs, vertical, rapid escalation of concerns is rare.

The creation of these committees aimed to streamline the 'decision-making landscape' and give senior leadership, in particular the Secretary-General, the opportunity to resolve arguments among senior staff from different agencies and departments and set system-wide messaging. In fact, 'all members will be expected to maintain solidarity behind and implement decisions taken as a result of discussions in the EC or DC.'[100] This can be helpful in solving the issue of inconsistent messaging across the UN system, which has been manipulated and exploited by host governments in past crises.

LIGHT TEAMS

As part of supporting field offices, the present HRuF plans to continue to develop the use of Light Teams, the fast deployment of UN officers with expertise in response to challenges on the ground when requested by headquarters or RCs.[101] The use of Light Teams, while a flexible and useful option to reinforce capacities that may otherwise be lacking in UNCTs, has continued to face challenges, particularly in terms of misinformation about their usage (they can in fact be tailored to the needs of an RC) and bureaucratic issues with deploying advisors from different agencies and departments.

POLITICAL OBJECTIVES

Arguably one of the clearest differences between the original HRuF and its present iteration is its 'political objectives.' The original HRuF encouraged proactive engagement with member States to generate political support for early and preventive action. In contrast, the new articulation of HRuF has lost the explicit commitment to UN engagement with concerned countries—both host government authorities, as well as member States at the multilateral level—to lay the groundwork for effective prevention. A present absence or de-prioritisation of this objective does not preclude its addition at a later time. It is important to note, however, that this aspect of the initiative is critical and will likely not lend itself to a checked box approach.

The political engagement envisioned (at present) by the current iteration of HRuF seeks to ensure that the overall political strategy set through the new 'streamlined decision-making landscape' is in line with objectives of having an interpillar prevention plan. While this will, ideally, have an effect on UN-member State relationships, at present, there is no reference to specific engagement, or the importance of early, productive engagement, with member States on critical issues.

The original initiative articulated engagement at the country level with national authorities, and at the multilateral level with member States in advance of a serious crisis. The only reference to multilateral engagement at present in the new HRuF action plan focuses on improving the quality of Situational Awareness Briefings to the Security Council. This kind of member State engagement would occur, generally, only at the Security Council and in circumstances where the situation has escalated to a visible crisis. This would neglect member State engagement on sensitive human rights issues at earlier stages of prevention. In addition, it would only involve member States sitting on the Council at that time.

The previous iteration envisioned member State engagement as critical to a genuine shift in UN and multilateral approach to prevention. At the multilateral level, this can involve sensitising both parties through consistent and constructive discussions, to engagement on potentially controversial issues before conditions spiral into crises. At the international level, this can also involve urging member States to build coalitions of support that can be mobilised to aid international efforts for prevention. While an incredibly difficult objective, changing the narrative on human rights, and patterns

of how human rights conversations with member States transpire in practice, is critical, considering that States are the key players in conflicts, and vital backers of UN action.

Most importantly, the first HRuF initiative urged the UN to strengthen early engagement and dialogue at the domestic level with national authorities, with an emphasis on a cross-pillar approach. Reports of UN failure in the field have identified the dangers of mixed messages, and of the reluctance to discuss difficult topics until the situation worsens. Left unaddressed, such topics can become radioactive and even more difficult to engage on with national authorities. Human rights abuses are often drivers of conflict and precursors to mass atrocity. Sustained engagement with national authorities can be critical to mitigating the effects, and preventing the potential escalation, of human rights violations.

Interestingly, neither plan of action, old or new, appeared to explicitly call for civil society engagement, or how to, for example, better integrate civil society data into analysis, or civil society analysis to support under-resourced aspects of the initiative's work. This is unfortunate given civil society's strong support for the initiative since its inception, and its role providing research, analysis, and advocacy in furtherance of the initiative. HRuF is an internal initiative, but with the intention of having an external effect, and can benefit from engagement with those groups often close to the consequences of its success or failure.

OPPORTUNITIES AND CHALLENGES

THE SECRETARY-GENERAL'S PREVENTION PRIORITY

The present iteration of Human Rights Up Front comes at a time at which the Secretary-General has identified prevention as a priority for the entire UN system. His prevention vision is split into four sections.[102]

1. First, the agenda aims to support national disaster risk plans generated in response to climate change, environmental degradation, urbanisation, and population growth.
2. Second, capacities for dialogue to take place will be supported, along with the collection of information across the international system, in order to prevent conflict from occurring.
3. Third, a policy framework that identifies basic elements needed to prevent human rights violations will be advanced, as well as improvements on the Right to Protect agenda.
4. Fourth, building resilience will be prioritised in order for countries to identify their own vulnerabilities.

While often referred to as an agenda, the terms vision or aspiration are more appropriate for the Secretary-General's approach to prevention, given that its objectives are notably broad and nebulous. UN personnel have said that the goal is to 'bake' prevention into every UN activity.[103] However, this framing risks falling into the 'if everything is prevention, nothing is prevention' blunder, and the tendency, given a perceivable pushback on human rights, to try to bypass candid discussions of human rights violations in favour of easier but less critical areas that ultimately fail to resolve underlying and persistent problems.

HRuF is situated within this broader framework that spans the entire prevention spectrum, intended to 'prevent, mitigate, or respond to actual or emerging crisis at all stages of the peace-conflict continuum, from 'upstream' prevention and sustaining peace to mediation and peace-making to peacebuilding and transitions.'[104] This does provide

11. Opportunities and Challenges. United Nations Nominates Next Secretary-General.

a welcome opportunity for HRuF to 'upstream' prevention in the UN system, with a focus on root causes and rights violations, as opposed to starting prevention by counting bodies.

Given the Secretary-General's vision, this should be an auspicious environment for HRuF to thrive, and the Secretary-General should fully utilise HRuF as an initiative with a holistic focus on prevention, to provide focus, strategy, tangible mechanisms, interlinkages, and forums for decision-making, helping to give shape and form to a precariously broad vision of prevention.

THE CONTRIBUTION OF THE HUMAN RIGHTS COUNCIL AND THE INTERNATIONAL HUMAN RIGHTS MACHINERY

The re-emergence of the HRuF initiative corresponds with new discussions of the Human Rights Council's mandate to respond to human rights violations, including gross and systematic violations.[105] In his remarks to the Human Rights Council in 2017, Secretary-General Guterres commented that his 'office is ready to help the Council strengthen its prevention role.'[106] On 6 July 2018, the Human Rights Council adopted resolution 38/18 which called for the appointment of three experts to consult with States and other stakeholders 'on the contribution that the Human Rights Council can make to the prevention of human rights violations' and how the Council can work effectively with all three pillars on prevention.[107]

While not exclusively a human rights tool, HRuF is in a natural position to strengthen cross-pillar integration and ties between New York and Geneva, and to consider contributing to, or drawing from, this larger discussion of how to make full use of all UN tools and resources available for prevention. This can involve utilising human rights reports, including, but not limited to, reports feeding into the UPR process and reports by Special Procedures. These resources can be used to support RMR regional scans and the 'menu of actions' available to UN actors, as well as to ensure the integration of relevant human rights elements into development frameworks, and potentially to inform strategies of engagement with member States.

THE UN REFORMS

In 2017, the Secretary-General António Guterres unveiled plans to reform the UN in the areas of development,[108] management,[109] and peace and security,[110] all of which share the objective of fostering a UN system that is better mobilised for, and more responsive to, prevention. A new management paradigm,[111] for example, seeks to improve the delivery of UN mandates by modernising the UN and its highly centralised internal structures, and decentralising decision-making in the field.

Although there is debate, inside and outside the UN, about the degree to which the Secretary-General's reforms have been informed by or have even taken account of HRuF, and while (as this report shows) there are a number of critical aspects of HRuF that have clearly not been incorporated into the Secretary-General's reforms, it is nonetheless important to recognise that these reforms share a fundamental objective with the basic goals of HRuF, namely that UN

RCs and UNCTs, as the face of the UN at national level, should adopt a 'whole of UN' approach to dealings with host governments, and to give equal weight and emphasis to all three pillars of the UN.

Reforms to peace and security pillar

The restructuring of the peace and security pillar[112] seeks to prioritise prevention and more closely align it with the development and human rights pillars. The two new departments — Department of Peacebuilding and Political Affairs (DPPA) and the Department of Peace Operations (DPO) — are bridged by a regional structure, representing all regions and connected to both departments, to ensure consistency on all work along the peace-conflict continuum. Analysis produced by these structures is intended to be 'reinforced by analysis from the development and human rights pillars.' [113] However, the resolutions creating these new structures lack explicit linkages to the human rights pillar. HRuF offers a unique vantage point to support cross-pillar analysis and information-sharing, in particular with the regional structure abridging DPPA and DPO.

Reforms to development pillar

The Secretary-General, in detailing his proposed development reforms,[114] stated that sustainable development is both a goal in itself as well as the Organisation's 'best tool for preventing conflict and building a future of peace.'[115]

At the structural level, these reforms effectively de-linked the Resident Coordinator (RC) system from UNDP, addressing criticisms that RCs, previously operating under the auspices of UNDP, placed an undue emphasis on development to the neglect of other priorities, such as human rights. Indeed, the HRuF stocktaking exercise revealed that, despite the initiative's attempt to mainstream human rights considerations in the field, many RCs preferred to 'avoid even discussing human rights issues out of concern for political sensitivities.'[116] The restructuring thus provides RCs with a degree of empowerment, impartiality, and independence that the original HRuF initiative envisioned but was never able to attain.

No longer required to perform UNDP tasks and responsibilities, RCs will have more time to coordinate UN activities, potentially reducing interagency fragmentation in the field.[117] This shift, as well as the RCs more direct reporting line to the Secretary-General, would address concerns expressed by the Petrie report, which concluded that the RC in Sri Lanka 'struggled to juggle the many challenges' and could not 'sufficiently leverage their roles as leading development and humanitarian actors to secure key action by the Government regarding the conduct of the conflict.'[118] Furthermore, this reform envisions that RC Offices are staffed and resourced with an eye to ensuring that their expertise and capacity are better equipped to support national authorities, a welcome development given that the Petrie report found, for example, that the UN's failure in Sri Lanka was partly a result of a 'severely under-staffed' RC office.

In addition, key development documents, including the UN Sustainable Development Cooperation Framework and the updated Common Country Analysis will now be made more reflective of realities on the ground through more frequent assessments, placing emphasis on partnerships including with civil society, and making ample references to the Human Rights-Based Approach to development and the need for integrated analysis and cross-pillar collaboration.[119] This is a significant step in the right direction, considering that, as the Petrie report found, the development frameworks for Sri Lanka 'did not reflect and address the extent to which rule of law abuses and impunity were a fundamental obstacle to human development for large segments of the Sri Lanka population.'[120]

While past and present HRuF initiatives focus on increasing accountability for staff through job descriptions and performance assessment tools, the development system reform created the Management and Accountability Framework (MAF), establishing clear and concise reporting lines from UNCT entities to host governments and RCs, who report to the Development Coordination Office (DCO) within the EOSG. This opens the possibility, though no guarantee, of greater accountability, given the present lack of standards for evaluation and assessment based on human rights and protection.

KEY FEATURES NEGLECTED BY THE UN REFORMS

Collectively, the three reform streams have the potential to improve the delivery of UN mandates and strengthen integrated analysis and programming in the field. However, several areas remain of concern regarding the capacity of the UN reforms to strengthen its prevention work. Human rights, for example, is a blind spot in the reforms, and HRuF, as a cross-pillar initiative, is well-placed to make some of these linkages, contributing to two stated aims of the reforms: to bring the pillars closer together and to have the UN act cohesively for prevention.

There is also a valid concern among practitioners that, by making the coordination of cross-pillar integration at country level the sole responsibility of RCs, the UN is placing 'all of its eggs in one basket.'[121] Indeed, while the restructuring of the RC system and grounding its work on the implementation of integrated agendas, frameworks, and guidance notes may empower RCs to promote integrating development programming, choosing to do so ultimately rests

with individual RCs and host governments. In addition, greater accountability lies, in part, with easier pathways for communication and information-sharing between RCs and the Secretary-General. But for RCs to engage on sensitive issues such as human rights violations and incipient crises, they would need to be sure of support from the Secretary-General and other high-level UN officials, which cannot be ensured through reporting lines alone.

Leadership training—an essential component of RC success—is being rolled out under the current UN development system reforms.[122] It could be strengthened in collaboration with HRuF by incorporating lessons learned on prevention, skills on engagement with national authorities on sensitive issues, and consideration of how to leverage RMRs and other forums for greater system-wide preventive action.

Secondly, the reforms do not provide sufficient tools to respond to emerging crises. While the Secretary-General initially envisioned the RC and UNCTs playing a 'crucial' role in 'integrating human rights in its work,' the latest resolution makes no reference to it. These new UNCT offices do not designate a Human Rights Advisor in every team, doubtless in part for political reasons. HRuF could serve as the connective tissue between pillars, both in connecting DPPA and DPO, and their abridging regional pillar, with RMRs, the development pillar, and UNCTs. In addition, Light Teams, in coordination with HRuF, can be dispatched to compensate for human rights capacity gaps in the UNCTs where requested.

Ultimately, due consideration should be given as to the role of RCs in RMR implementation. As often the most senior UN representatives at country level, the original HRuF initiative envisioned a RC-led response to emerging crises, supported by headquarters, to prioritise human protection above all other mandates and to candidly share information and concerns with national authorities and member States for timely and effective preventive action.

GEOPOLITICS AND THE CURRENT HUMAN RIGHTS LANDSCAPE

Since Secretary-General Guterres took office in 2017, xenophobia and nationalism have been on the rise in many parts of the world. This trend has resulted in a steady attack on multilateralism and growing opposition to UN human rights mechanisms by member States. Russia and China, leading other members of the G77, have tried to roadblock funding for human rights positions in the Fifth Committee and have staunchly opposed HRuF. In 2018 the United States pulled out of the Human Rights Council. It is amidst this backdrop that HRuF suddenly became less visible at the UN, and the Secretary-General seems to have taken a cautious approach in choosing not to prioritise the initiative alongside his own reforms.

The significant geopolitical hostility toward efforts to promote human rights can sap the confidence of even well-meaning UN actors. It is important to consider how HRuF can be empowered, but also where it will likely face resistance. It is also true that member States bear considerable responsibility here. Despite being a generally well-received initiative back when it was launched, there are only a handful of member States openly supporting the program at present.

This may also explain why the third element of the original HRuF initiative, engagement with member States, is absent from the latest iteration. Yet, the Rosenthal report on Myanmar highlighted the need for more principled UN engagement with host countries on human rights. He notes that it is possible to engage a government on development and humanitarian initiatives while also discussing violations of international law, through public and private diplomacy. Charles Petrie has remarked that what is needed is 'a coherent strategy with access and advocacy components. You need leadership in New York to calibrate different strands, to make sure none are allowed to be mutually exclusive.'[123]

What the Petrie and Rosenthal reports pointed out was that early warning was not the problem, it was early action where the UN faltered. The Petrie report highlighted the need for changing the culture within the UN to be less risk-averse and to ensure that UN staff take principled stands for human rights. Rosenthal also strongly articulates the perils of only pursuing diplomacy behind closed doors. Yet the human rights focus of the present modified initiative appears less clear than in the original[124] and the Secretary-General himself has chosen to stay largely silent on human rights issues. Without leadership from the top on HRuF, one can hardly expect RCs and other UN leaders to take up the cause, particularly publicly. 'Moral courage' among individuals cannot be legislated. It can be inspired by leadership, or shored up by 'institutional courage,' but both of these require significant public conviction from the top down.

CONCLUSION

Human Rights up Front was originally created as a response to the UN's failures to fulfil one of the fundamental mandates of the UN Charter. While it initially held much promise, the initiative faced internal resistance from the more traditional agencies and therefore ended up relying more on rhetoric than practical methods of implementation. As a result, the initiative was never given a chance to take root in the UN system. When leadership was transferred to António Guterres, amidst geopolitical pushback on multilateralism and backsliding on human rights, focus shifted on his reforms and HRuF was not treated as a political priority. To civil society and the larger public, it seemed as if HRuF had been abandoned.

While recent UN reforms have made significant strides in streamlining the Organisation and empowering its representatives on the ground, human rights are a major blind spot. A strengthened focus on HRuF can help fill gaps in the reforms and offer the Secretary-General's prevention vision a means to ensure the UN system takes early action on emerging crises. HRuF can also help bridge the link between headquarters and the field, making UNHQ not only more responsive, but more relevant, to the events on the ground.

This report finds the new HRuF initiative to be subdued and constrained compared to the original. The current reiteration of HRuF is constrained exclusively to activities in the remit of the EOSG, such as cultural consultations with staff, and risk analysis.

There is significant and positive overlap in the objectives of the workstreams of the two initiatives. However, some of the most important aspects of HRuF have been gutted, especially on the difficult but necessary task of improving UN engagement with host governments on human rights. While there is important work being done by staff in the EOSG on this project, it is also difficult to believe that the UN will be able to sincerely and effectively pursue an initiative called Human Rights Up Front, while keeping it in the dark, without prioritising human rights, and without consistent public endorsement from UN officials.

It is the view of this report that restoring the component of HRuF that deals with member State engagement is critical; building groundwork for prevention, both in engagement with national authorities at the ground-level, and with member States at the international level. It is essential to muster support on both levels. If the only time that UN officials engage with States on human rights is during a crisis, rather than during the stages of prevention that precede it, it will turn the accusation that all human rights conversations are purely punitive or intrusive into a self-fulfilling prophecy.

While the UN can better inform member States about the HRuF initiative, member States (from all regions, persuasions, and levels of power) also have the responsibility to express public support. If more states vocally supported HRuF, this would add much needed political capital to human rights priorities at the UN at a time when multilateralism and promotion of human rights are under attack.

Furthermore, differing strategies between public and private diplomacy, and privileging priority or access, are misleading dichotomies that risk being entrenched. Numerous experts, including both Rosenthal and Petrie, indicate the capacity of UN leadership to balance approaches under a common strategy, while prioritising human rights and human protection.

There is much talk of bolstering the fortitude of staff to uphold human rights priorities, regardless of UN entity. While this is important, imbuing staff with the 'spirit' of HRuF will be short-lived without examples of conviction from leadership. It will also be important to ensure that the smoothest path for staff is toward upholding all elements of the UN Charter. Institutional backing is critically important. Strategies adopted at the highest levels must echo the same convictions proscribed for staff in order for those commitments to be internalised by staff furthest from headquarters, under the most trying of circumstances. According to Petrie, 'what is lacking in the UN is structural courage, and the tragedy of the UN is that without this the UN, in this day and age, is condemned to irrelevance.'[125]

In Myanmar, the UN recognised a serious crisis necessitating a prioritisation of human rights and protection, and not only failed to deliver, it may have contributed to the immense suffering that continues today. Even with flawless risk analysis, without built-in linkages and leadership to connect those revelations and subsequent decision-making, such analysis will simply be providing future Internal Review Panels with more resources to use in investigating UN failures to stem atrocities. The Rosenthal recommendations can be found in the original HRuF. The package of change proposed by HRuF to drive a cross-pillar response by the UN is no less valid today and could in fact be made more potent and coherent in the newly reformed UN system. Absent a strong and consistent commitment to its implementation, however, it is unlikely that this initiative will be able to assist the UN in upholding a strong and consistent commitment to the values on which it was founded.

12. Non-Violence.

RECOMMENDATIONS

TO THE SECRETARY-GENERAL

- Reaffirm the United Nations' commitment to the UN Charter through the support for Human Rights up Front, including by creating a comprehensive plan for its implementation, in the field and at headquarters.

- Prevent HRuF from becoming a box-ticking exercise; actively and meaningfully integrate these tools into the UN's work, and support efforts to link risk analysis with decision-making and implementation.

- Assign a senior official within the UN (ideally at an Under Secretary-General or Assistant Secretary-General level) the responsibility for communicating the objectives of HRuF, internally and externally.

- Restore the original HRuF initiative's objectives of building support at the multilateral level for preventive action (and HRuF) and raising human rights concerns with member States at early stages of prevention.

- Restore the original HRuF initiative's objective of laying the groundwork for prevention at the ground level, improving constructive engagement with national authorities on tackling sensitive issues.

- Produce an internal strategy document about establishing a balance between access and advocacy, and public and private diplomacy, based on real-world examples and in consultation with staff with considerable field experience, including former and current Resident Coordinators.

- Review the report by the Prevention Experts established by Human Rights Council Resolution 38/18 on the prevention potential of the Human Rights Council and consider its relevance to HRuF.

Outreach

- Develop a plan for ongoing outreach and engagement on HRuF with UN actors, member States, and civil society; consider using avenues of engagement created during consultations on the UN reforms.

- Dedicate a webpage to the HRuF initiative, including quotes from UN leadership; it could also be linked to the Secretary-General's webpage on prevention, and 'United to Reform' webpages.

Accountability

- Train UN staff on HRuF, including through training that involves real-world scenarios and on engagement with host authorities on sensitive issues, as well as training on risk assessment and subsequent action.

- Develop standards for professional evaluation and include incentives for principled action, and disincentives for contradicting human rights obligations, that include demotion or termination.

TO MEMBER STATES

- Urge the Secretary-General to reaffirm the UN's commitment to Human Rights up Front and to advocate for greater inclusion of human rights priorities in the UN's prevention efforts.

- Consider extending public support, verbal, symbolic or financial, for the Human Rights up Front project in the EOSG. Cross-regional input can best come from cross-regional engagement.

TO CIVIL SOCIETY

- Match increased transparency about HRuF programming with more strategic advocacy, with both member States and UN agencies.

NOTES

1 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka. ReliefWeb.int, 14 November 2012, available from https://reliefweb.int/sites/reliefweb.int/files/resources/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf

2 Eliasson, Jan. 'Deputy Secretary-General's remarks at interactive dialogue with the General Assembly on Human Rights Up Front.' UN.org. United Nations, 27 January 2016. Web, available from https://www.un.org/sg/en/content/dsg/statement/2016-01-27/deputy-secretary-generals-remarks-interactive-dialogue-general

3 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka. ReliefWeb.int, 14 November 2012, available from https://reliefweb.int/sites/reliefweb.int/files/resources/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf

4 Eliasson, Jan. 'Deputy Secretary-General's remarks at interactive dialogue with the General Assembly on Human Rights Up Front.' UN.org. United Nations, 27 January 2016. Web, available from https://www.un.org/sg/en/content/dsg/statement/2016-01-27/deputy-secretary-generals-remarks-interactive-dialogue-general

5 Gowan, Richard; Woocher Lawrence; Solomon, Daniel. 'Preventing Mass Atrocities: An Essential Agenda for the Next Secretary-General,' United States Holocaust Memorial Museum, September 2016, Web, available from https://www.ushmm.org/m/pdfs/Preventing-mass-atrocities.pdf, p. 6.

6 Lynch, Colum. 'At the U.N., China and Russia Score Win in War on Human Rights: The balance of power shifts amid a retreat by Trump and Europe.' ForeignPolicy.com. Foreign Policy, 26 March 2018. Web, available from https://foreignpolicy.com/2018/03/26/at-the-u-n-china-and-russia-score-win-in-war-on-human-rights/

7 Friberg, Erik. 'Human Rights Action in UN Prevention: methods for 'real world solutions through real change on the ground.'' United Nations Sabbatical Leave Programme, November 2017. Available from https://hr.un.org/sites/hr.un.org/files/editors/u439/Human%20Rights%20Action%20in%20UN%20Prevention.pdf, p. 5.

8 Phone interview with UN official, 20 August 2019, New York.

9 Norris, Jennifer. 'Why is Human Rights Absent from the Secretary-General's Prevention Agenda?' TheGlobalObservatory.com. Global Observatory, 9 October 2018. Web, available from https://theglobalobservatory.org/2018/10/why-human-rights-absent-sg-prevention-agenda/

10 Letter addressed to Secretary-General António Guterres on 'Funding for the Human Rights Up Front Initiative.' 9 March 2018, available from https://www.jbi-humanrights.org/NGO%20Letter%20to%20SG%20-%20Human%20Rights%20Upfront%20Inititaive.pdf

11 'The Human Rights Based Approach to Development Cooperation: Towards a Common Understanding Among UN Agencies.' HRBAPortal.org. HRBA Portal. Web, available from https://hrbaportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies. Last accessed on 28 August 2019.

12 Saad, Rodrigo. 'The human rights implications of the new UN Resident Coordinator system.' Universal-Rights.org. Universal Rights Group, 13 March 2019, available from https://www.universal-rights.org/blog/the-human-rights-implications-of-the-new-un-resident-coordinator-system/

13 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, p. 14.

14 United Nations. 'Statement attributable to the Spokesperson for the Secretary-General on Sri Lanka.' UN.org. United Nations, 22 June 2010. Web, available from https://www.un.org/sg/en/content/sg/statement/2010-06-22/statement-attributable-spokesperson-secretary-general-sri-lanka

15 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, p. 4.

16 United Nations. Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka. ReliefWeb.int, 31 March 2011, available from https://reliefweb.int/sites/reliefweb.int/files/resources/POE_Report_Full.pdf

17 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, p. 27-28.

18 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, p. 110.

19 Kurtz, Gerrit. 'With Courage and Coherence: The Human Rights Up Front initiative of the United Nations.' GPPI.net. Global Public Policy Institute, 3 July 2015, available from https://www.gppi.net/media/Kurtz_2015_Courage_and_Coherence_UN_Human_Rights.pdf

20 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, p. 31-35.

21 Kurtz, 'With Courage and Coherence: The Human Rights Up Front initiative of the United Nations.'

22 Eliasson, Jan. General Assembly: Briefing on Human Rights up Front initiative - 70th session, Informal meeting. United Nations, New York. 27 January 2016. Available from http://webtv.un.org/meetings-events/human-

rights-treaty-bodies/chairpersons%E2%80%99-meeting/watch/general-assembly-briefing-on-human-rights-up-front-initiative-70th-session-informal-meeting/4727962118001/?term=&sort=date&page=14

23 Eliasson, Jan. General Assembly: Briefing on Human Rights up Front initiative - 70th session, Informal meeting. United Nations.

24 Lynch, 'At the U.N., China and Russia Score Win in War on Human Rights: The balance of power shifts amid a retreat by Trump and Europe.'

25 Eliasson, 'Deputy Secretary-General's remarks at briefing of the General Assembly on Rights Up Front.'

26 Gilmour, Andrew. 'The future of human rights: a view from the United Nations.' Ethics & International Affairs, 28, no. 2 (2014): 239-250, available from https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/Gilmour-FutureOfHumanRights.pdf

27 United Nations. 'Why is the UN's human rights role so important?' UNDG.org. United Nations Sustainable Development Group. Web, available from https://undg.org/human-rights/undg-guidance-note-on-human-rights/why-is-the-uns-hr-role-so-important/. Last accessed on 27 August 2019.

28 United Nations. 'Human Rights up Front: A summary for staff.' UN.org. Web, available from https://www.un.org/News/dh/pdf/english/2016/Human-Rights-up-Front.pdf. Last accessed on 19 August 2019.

29 United Nations. 'Human Rights up Front: An Overview.' Interagencystandingcommittee.org. Interagency Standing Committee, July 2015. Web, available from https://interagencystandingcommittee.org/system/files/overview_of_human_rights_up_front_july_2015.pdf. Last accessed on 28 August 2019.

30 United Nations Development Group. UNDG Strategy for the Deployment of Human Rights Advisers to Resident Coordinators and UN Country Teams (2012), available from https://undg.org/document/undg-strategy-for-the-deployment-of-human-rights-advisers-to-resident-coordinators-and-un-country-teams/

31 United Nations. 'Rights Up Front' Detailed Action Plan. Interagencystandingcommittee.org. Interagency Standing Committee, March 2014. Web, available from https://interagencystandingcommittee.org/system/files/detailed_hruf_plan_of_action.pdf. Last accessed on 27 August 2019.

32 'New UN 'Rights up Front' strategy seeks to prevent genocide, human rights abuses.' News.UN.org. UN News, 18 December 2013. Web, available from https://news.un.org/en/story/2013/12/458212. Last accessed on 29 August 2019.

33 United Nations. 'Rights Up Front' Detailed Action Plan.

34 United Nations Development Group. UNDG Strategy for the Deployment of Human Rights Advisers to Resident Coordinators and UN Country Teams (2012).

35 United Nations. 'Human Rights up Front: An Overview.'

36 Although dispatching Human Rights Advisors to the field predates HRuF, deploying 'light teams' to respond to risk situations came out of the initiative, with the first teams dispatched in 2015.

37 United Nations. 'Human Rights up Front: An Overview.'

38 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka.

39 United Nations. 'Human Rights up Front: An Overview.'

40 UN Deputy Secretary-General. 17 December 2013. Deputy Secretary-General's remarks at briefing of the General Assembly on Rights Up Front [As prepared for delivery]. Retrieved from https://www.un.org/sg/en/content/dsg/statement/2013-12-17/deputy-secretary-generals-remarks-briefing-general-assembly-rights

41 United Nations. 'Rights Up Front' Detailed Action Plan.

42 United Nations. 'Human Rights up Front: An Overview.'

43 Eliasson, Jan. General Assembly: Briefing on Human Rights up Front initiative - 70th session, Informal meeting. United Nations.

44 Willmot, Haidi. 'Improve U.N. Situational Awareness: Enhancing the U.N.'s Ability to Prevent and Respond to Mass Human Suffering and to Ensure the Safety and Security of Its Personnel.' Stimson.org. The Stimson Centre, August 2017. Web, available from https://www.stimson.org/sites/default/files/file-attachments/UNSituationalAwareness_FINAL_Web.pdf

45 Interview with UN official, 2018.

46 Kurtz, 'Making the United Nations System More Effective on Conflict Prevention.'

47 Eliasson, Jan. 'The United Nations' Human Rights Up Front Initiative.' Academic Council on the United Nations 2015:3-4, 9. Web, available from https://acuns.org/wp-content/uploads/2015/03/ACUNS-60-FEB15-ACUNS_Newsletter_1_WEB-2.pdf

48 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka.

49 United Nations Development Group. Guidance Note on Human Rights for Resident Coordinators and UN Country Teams (2016), available from https://undg.org/wp-content/uploads/2016/10/UNDG-Guidance-Note-on-Human-

Rights-for-RCs-and-UNCTs-final.pdf

50 United Nations University Centre for Policy Research. 'What Works in UN Resident Coordinator-led Conflict Prevention: Lessons from the Field.' UNU.edu, June 2018. Web, available from https://i.unu.edu/media/cpr.unu.edu/attachment/2869/RC-Project-Book-Upd-29JUN18.pdf

51 United Nations. 'Human Rights up Front: A summary for staff.'

52 Johnson, Hilde Frafjord. 'Lessons Learned from South Sudan: The role of the UN peacekeeping mission.' The Norwegian Institute of International Affairs. Oslo, Norway. 29 October 2014. Seminar. Accessed here: https://www.youtube.com/watch?v=swlBqmM1PyE

53 Gilmour, Andrew. 'The future of human rights: a view from the United Nations.' Ethics & International Affairs, 28, no. 2 (2014): 239-250, available from https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/Gilmour-FutureOfHumanRights.pdf, pg. 243.

54 Vikilahle, Luthando. 'Lesotho crisis: SADC "has done what is can", says Tom Thabane' News24. 11 Feb. 2017. Web, available from: https://www.news24.com/Africa/News/lesotho-crisis-sadc-has-done-what-is-can-says-tom-thabane-20170211

Sejanamane, Mafa M. 'Lesotho's 2015 elections in the context of an ongoing security vacuum.' African Security Review 25 (2016): 288-302. Web, available from: https://www.tandfonline.com/doi/abs/10.1080/10246029.2016.1197137

55 United Nations Development Programme. Lesotho Annual UN Country Results Report 2015: Summary on progress towards LUNDAP outcomes in support of the national development priorities from LUNDAP Result Groups and Non-Resident Agencies (2015), available from https://www.undp.org/content/dama/unct/lesotho/docs/Publications/2015%20Report%20final.pdf

56 Ibid., Office of the High Commissioner for Human Rights. OHCHR in the field: Africa (2015), available from https://www2.ohchr.org/english/OHCHRreport2015/allegati/10_Africa_2015.pdf

57 United Nations, Department of Public Information, Institutional Human Rights Violations in Democratic People's Republic of Korea Pose Threat to International Peace, Security, Security Council Told. SC/12151, 10 December 2015, https://www.un.org/press/en/2015/sc12151.doc.htm.

58 The Jacob Blaustein Institute for the Advancement of Human Rights. 'Achievement of and Challenges Facing the Office of the High Commissioner for Human Rights in New York (OHCHR-NY).' JBI-HumanRights.org. JBI Human Rights, 26 June 2017. Web, available from https://www.jbi-humanrights.org/JBI%20report%20on%20OHCHR-NY%202017.pdf, p. 23.

59 Norris, Jennifer. 'Why is Human Rights Absent from the Secretary-General's Prevention Agenda?' TheGlobalObservatory.com. Global Observatory, 9 October 2018. Web, available from https://theglobalobservatory.org/2018/10/why-human-rights-absent-sg-prevention-agenda/

60 Kurtz, 'With Courage and Coherence: The Human Rights Up Front initiative of the United Nations,' p. 13.

61 Eliasson, 'General Assembly: Briefing on Human Rights up Front initiative - 70th session, Informal meeting.'

62 Lynch, 'At the U.N., China and Russia Score Win in War on Human Rights: The balance of power shifts amid a retreat by Trump and Europe.'

63 Borger, Julian, 'China and Russia accused of waging war on human rights at UN.' Guardian, 27 March 2018, Web, available from https://www.theguardian.com/world/2018/mar/27/china-and-russia-accused-of-waging-war-on-human-rights-at-un

64 Interviews with UN officials, 2018-2019, New York.

65 Phone interview with UN official, 22 August 2019, New York.

66 United Nations University Centre for Policy Research. 'What Works in UN Resident Coordinator-led Conflict Prevention: Lessons from the Field.'

67 BBC. 'Myanmar Rohingya: What you need to know about the crisis.' BBC.com. BBC news. 24 April 2018. Web, available from https://www.bbc.com/news/world-asia-41566561. Independent international fact-finding Mission on Myanmar. A/HRC/39/64, 12 September 2018. Web, available from https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/A_HRC_39_64.pdf

68 UNOCHA. 'Rohingya Refugee Crisis.' UNOCHA.org. United Nations Office for the Coordination of Humanitarian Affairs. 18 April 2019. Web, available from https://www.unocha.org/rohingya-refugee-crisis

69 Independent international fact-finding mission on Myanmar. A/HRC/39/64, 12 September 2018, p. 391.

70 Independent international fact-finding mission on Myanmar. A/HRC/39/64, 12 September 2018, p. 391.

71 Independent international fact-finding mission on Myanmar. A/HRC/39/64, 12 September 2018, p. 392.

72 Independent international fact-finding mission on Myanmar. A/HRC/39/64, 12 September 2018, p. 392.

73 L. Mahoney (Fieldview Solutions), Time to Break Old Habits: Shifting from Complicity to Protecting the Rohingya, July 2018. Web, available from http://www.fieldviewsolutions.org/fv-publications/Time_to_break_old_habits.pdf, p. 47.

74 Guterres, António. 'Challenges and Opportunities for the United Nations.' HuffPost.com. HuffPost, 11 May 2016, available from https://www.huffpost.com/entry/challenges-and-opportunities-for-the-united-nations_b_9796624

75 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, p. 34.

76 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, p. 23.

77 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, p. 14.

78 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, p. 110.

79 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, p. 14.

80 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, p. 22.

81 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, pp. 23-24.

82 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, p.23.

83 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, p. 11-12.

84 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, p. 12.

85 UN News. UN chief accepts independent report on Myanmar, highlighting 'systemic' failure surrounding Rohingya crisis. News.un.org. UN News, 17 June 2019. Web, available from https://news.un.org/en/story/2019/06/1040681

86 Human Rights Council, Report of the independent international fact-finding mission on Myanmar. UN Doc. A/HRC/39/64, 12 September 2018, p. 18.

87 L. Mahoney (Fieldview Solutions), Time to Break Old Habits, July 2018, p.7.

88 L. Mahoney (Fieldview Solutions), Time to Break Old Habits, July 2018, p.7.

89 L. Mahoney (Fieldview Solutions), Time to Break Old Habits, July 2018, p.13.

90 Taken from conversations with activists.

91 United Nations. A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018.

92 United Nations. 'Secretary-General Unveils $5.4 Billion 2018-2019 Programme Budget to Fifth Committee, Drawing Mixed Reviews from Delegates on Funding, Staffing Cuts.' UN.org, 11 October 2017. Web, available from https://www.un.org/press/en/2017/gaab4243.doc.htm
Lynch, 'At the U.N., China and Russia Score Win in War on Human Rights: The balance of power shifts amid a retreat by Trump and Europe.'

93 Lynch, 'At the U.N., China and Russia Score Win in War on Human Rights: The balance of power shifts amid a retreat by Trump and Europe.'

94 Letter addressed to Secretary-General António Guterres on 'Funding for the Human Rights Up Front Initiative.'

95 The bulk of information from this section comes from direct conversations with and internal (hitherto unreleased) UN documents shared by UN staff.

96 Friberg, 'Human Rights Action in UN Prevention: methods for 'real world solutions through real change on the ground,'' p. 5.

97 United Nations. 'Mr. Volker Türk of Austria - Assistant Secretary-General for Strategic Coordination in the Executive Office of the Secretary-General.' UN.org, 18 April 2019. Web, available from https://www.un.org/sg/en/content/sg/personnel-appointments/2019-04-18/mr-volker-türk-of-austria-assistant-secretary-general-for-strategic-coordination-the-executive-office-of-the-secretary-general

98 Phone interview with UN official, 20 August 2019, New York.

99 Letter from Secretary-General António Guterres dated 3 January 2017 on the 'Establishment of an Executive Committee,' available from https://www.un.int/sites/www.un.int/files/Permanent%20Missions/delegate/establishment_of_an_executive_committee.pdf

100 Letter from Secretary-General António Guterres dated 3 January 2017 on the 'Establishment of an Executive Committee,' available from https://www.un.int/sites/www.un.int/files/Permanent%20Missions/delegate/establishment_of_an_executive_committee.pdf

101 United Nations Office of the High Commissioner for Human Rights. Human Rights Report 2018, available from https://www.ohchr.org/Documents/Publications/OHCHRreport2018.pdf

102 United Nations Secretary-General. Priorities: Prevention. UN.org. Web, available from https://www.un.org/sg/en/priorities/prevention.shtml. Last accessed on 28 August 2019.

103 Phone interview with UN official, 20 August 2019, New York.

104 United Nations Office of the High Commissioner for Human Rights. Human Rights Appeal 2019, available from https://www.ohchr.org/Documents/Publications/AnnualAppeal2019.pdf

105 Universal Rights Group. 'Prevention: operationalization of the Council's

prevention mandate (paragraph 5f GA res. 60/251).' Universal-Rights.org. Universal Rights Group. Web, available from https://www.universal-rights.org/prevention-operationalization-councils-prevention-mandate-paragraph-5f-ga-res-60251/

106 Guterres, António. 'Remarks to Human Rights Council.' UN.org. United Nations, 26 February 2018. Web, available from https://www.un.org/sg/en/content/sg/speeches/2018-02-26/remarks-human-rights-council

107 Human Rights Council. (17 July 2018). Resolution 38/18, The contribution of the Human Rights Council to the prevention of human rights violations, A/HRC/RES/38/18, available from https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/214/88/PDF/G1821488.pdf?OpenElement

108 United Nations, General Assembly, Economic and Social Council, UN Secretary General. Repositioning the United Nations development system to deliver on the 2030 Agenda: our promise for dignity, prosperity and peace on a healthy planet. A/72/684–E/2018/7. 21 December 2017.

109 United Nations, General Assembly, UN Secretary-General. Shifting the management paradigm in the United Nations: comparative assessment of human resources structures. A/73/366. 5 September 2018.

110 United Nations, General Assembly, UN Secretary General. 'Restructuring of the United Nations peace and security pillar.' A/72/525. 13 October 2017.

111 For a summary of the UN Management System Reform, see 'UN management system reform: an update.' Universal-Rights.org. Universal Rights Group, 3 May 2019, available from https://www.universal-rights.org/blog/un-management-system-reform-an-update/

112 For a summary of the UN Peace and Security Reform, see 'UN peace and security reform: an update.' Universal-Rights.org. Universal Rights Group, 11 June 2019, available from https://www.universal-rights.org/blog/un-peace-and-security-reform-an-update/

113 United Nations, General Assembly. (13 October 2017). Restructuring of the United Nations peace and security pillar: report of the Secretary-General, A/72/525, available from https://undocs.org/A/72/525

114 For a summary of the UN Development System Reform, see 'UN Development System reforms: an update.' Universal-Rights.org. Universal Rights Group, 17 April 2019, available from https://www.universal-rights.org/blog/un-development-system-reforms-an-update/

115 Lebada, Ana Maria. '"New Year, New United Nations": Structural Reforms Begin.' SDG.IISD.org. International Institute for

Sustainable Development, 22 January 2019. Web, available from http://sdg.iisd.org/commentary/policy-briefs/new-year-new-united-nations-structural-reforms-begin/

116 United Nations University Centre for Policy Research. 'What Works in UN Resident Coordinator-led Conflict Prevention: Lessons from the Field.'

117 Saad, 'The human rights implications of the new UN Resident Coordinator system.'

118 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka.

119 United Nations Sustainable Development Group, United Nations Sustainable Development Cooperation Framework Guidance. 3 June 2019, available from https://undg.org/wp-content/uploads/2019/06/UN-Cooperation-Framework-Internal-Guidance-25_June-2019.pdf

120 United Nations. Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, p.44.

121 Policy Dialogue on UN reforms hosted by the Universal Rights Group on (30 May 2019), held under the Chatham House Rule.

122 United Nations, General Assembly, Economic and Social Council. (21 December 2017). Repositioning the United Nations development system to deliver on the 2030 Agenda: our promise for dignity, prosperity and peace on a healthy planet: report of the Secretary-General, A/72/684-E/2018/7, available from undocs.org/A/72/684, paragraph 55.

123 Interview with Charles Petrie, 28 August 2019.

124 Internal UN Document, (2018/2019).

125 Interview with Charles Petrie, 28 August 2019.

Photo Credits

Front and back cover photo: Introduction. Secretary-General Visits Manik Farm IDP Camp. United Nations Photo/Eskinder Debebe, 23 May 2019. License: CC BY-NC-ND 2.0.

1. Displaced people queue for water in an IDP Camp, Vavuniya, Sri Lanka. DFID- UK Department for International Development, 17 June 2009. License: CC BY-2.0

2. Peacekeepers' patrolling team ensuring the security of the local population when returning from the fields, Surrounding areas of Nyiamiliam, North Kivu, DR Congo. MONUSCO/Abel Kavanagh, 9 April 2015. License: CC BY-SA-2.0

3. A team of MONUSCO female peacekeepers partners with a local women organization to provide hygiene, medical and nutritional care to orphaned, vulnerable and abandoned children, Munigi, North Kivu, DR Congo. MONUSCO/Michael Ali, 2 March 2018. License: CC BY-SA-2.0

4. Peacekeepers' patrolling team ensuring the security of the local population when returning from the fields, Surrounding areas of Nyiamiliam, North Kivu, DR Congo. MONUSCO/Abel Kavanagh, 9 April 2015. License: CC BY-SA-2.0

5. DPRK soldiers standing guard at the Joint Security Area, Military Demarcation Line (MDL), North Korea. William Proby, 30 September 2009. License: Public domain 1.0

6. Introduction. Secretary-General Visits Manik Farm IDP Camp. United Nations Photo/Eskinder Debebe, 23 May 2019. License: CC BY-NC-ND 2.0.

7. HRuF Initiative. Mr Ben Majekodunmi, Senior Officer, Executive Office of the Secretary-General, UN, speaks on opening panel – 'What is 'prevention' and are the Council and the wider UN system ready to meet the challenge?'. Glion Human Rights, 2016. License: CC BY-NC-ND 2.0.

8. Successes. 'UNMISS Peacekeeper in Pibor, Jonglei State.' UNMISS, 6 March 2013. License: CC BY-NC-ND 2.0.

9. Myanmar Report. Rohingya women in refugee camps share stories of loss and hopes of recovery, Xo's Bazar, Bangladesh. UN Women/Allison Joyce, March 2018. License: CC BY-NC-ND 2.0.

10. Modified HRuF Initiative. A Quiet Moment Between Meetings: Secretary-General António Guterres looks out the window over New York City at traffic as heads of state come arrive for the General Assembly debate. UN Photo/Kim Haughton, 17 September 2017. License: CC BY-NC-ND 2.0.

11. Opportunities and Challenges. United Nations Nominates Next Secretary-General. UN Photo/Mark Garten, 9 October 2006. License: CC BY-NC-ND 2.0.

12. Conclusion. Non-Violence. UN Photo/Michos Tzovaras, 27 April 1993. License: CC BY-NC-ND 2.0.

9 782940 626472

URG NYC

Universal Rights Group - NYC
The Ralph Bunche Institute
CUNY Graduate Center
365 5th Ave, 5th Floor
New York. NY 10016

T +1 (212) 817 19 39
newyork@universal-rights.org
www.universal-rights.org/nyc/
@URGThinkTank

ISBN: 978-2-940626-47-2