

Human rights monitoring and armed conflict: challenges for the UN

Michael O'FLAHERTY

Issues of human rights and armed conflict interact in multiple ways.¹ Conflict frequently has its origins in patterns of human rights abuse—such as the systemic oppression of minorities or of other vulnerable groups. With conflict underway, the assault on human rights is evident. Firstly there is the direct targeting of civilians. Account needs also to be taken of the impact on people of the destruction of infrastructure and of a slide into humanitarian crisis. Efforts to resolve conflict can also cause the denial of human rights. Peace agreements may trade off human rights protection for some other goal, such as when they institutionalize arrangements that either reflect existing patterns of discrimination or create new ones. Peace processes can also exacerbate victimization by failing to address past patterns of abuse, above all when they fail to tackle issues of justice and of redress for victims. Conversely, the value of peace processes integrating attention to human rights is increasingly acknowledged—with the development of strong human rights institutions and the general promotion of a 'human rights culture' perceived to be central to the consolidation of peace.²

In recognition of the interaction of human rights and armed conflict, the United Nations (UN) increasingly inserts human rights programmes within the civilian components of its peace-related field missions.³ In March 2004 the UN Department of Peacekeeping Operations (DPKO) and the Department of Political Affairs (DPA) were either managing or coordinating the planning of fourteen such missions. The Office of the High Commissioner for Human Rights (OHCHR), as well as contributing to the guidance of these missions, was, at the same date, operating its own civilian peace-related missions in six countries. OHCHR has also placed human rights advisors on UN country teams in such war-affected countries as Nepal and Sri Lanka and supports the establishment of post peace mission human rights programmes in Angola, and soon in Guatemala and East Timor. Meanwhile some of the UN agencies integrate human rights approaches in their conflict-related protection and programming activities.⁴

Human Rights and Peace Missions 1991–2004

The UN's involvement in human rights field operations had its origins in the surge of optimism regarding its capacity as a peace-builder, which emerged with the end of the Cold War. The first specifically human rights mandated mission, established in 1991, was tasked with monitoring the

Michael O'Flaherty, Reader in Human Rights and Co-Director of the Human Rights Law Centre at the University of Nottingham, worked for the United Nations from 1993 to 2004. He established the UN human rights programmes in Bosnia-Herzegovina and Sierra Leone and participated in the design of UN programmes for such conflict-affected countries as East Timor, Afghanistan and the Solomon Islands.

implementation of the San Jose peace agreement in El Salvador (ONUSAL).⁵ In 1992 the UN established a mission to oversee the political transition in Cambodia (UNTAC), again with a human rights component. The following year saw the establishment, jointly by the UN and the Organization of American States (OAS), of the first exclusively human rights-focused mission, in Haiti (MICIVIH). Another dedicated human rights mission was established by the UN for Guatemala in 1994 (MINUGUA).

These first missions were realized within the framework of the UN's political programming. They were established under the authority of or otherwise in close consultations with the Security Council or, less frequently, the General Assembly, headquartered in New York and without the involvement of the Organization's human rights component, then called the Centre for Human Rights, located in Geneva. However, the Centre was itself starting to undertake the deployment of human rights monitors in the former Yugoslavia in support of the Commission on Human Rights' Special Rapporteur for that region⁶ and, in 1993, had assumed responsibility to take over the UN human rights programme in Cambodia upon the withdrawal of the UN Transitional Authority. In 1994, under the guidance of the newly appointed first UN High Commissioner for Human Rights, the Centre established a mission in response to the genocide in Rwanda.⁷ In 1995 the Centre deployed human rights monitors in Burundi. These missions were launched notwithstanding the Centre's lack of relevant experience and infrastructure and were funded by voluntary contributions rather than, as was the case for the New York-led operations, from the regular UN budget.⁸

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be addressed in the design and operation of all New York-led peace missions rather than the handful that have been mentioned here; how best to involve the Geneva-based High Commissioner for Human Rights and the Centre in the guidance of these missions; the unsustainability of the Geneva-led voluntarily funded operations; how best to balance the monitoring functions of such missions with the delivery of capacity-building technical cooperation; and the extent to which regional organizations could or would mount human rights field operations.

These concerns came to be addressed within the context of a general move to operationalize the notion of human rights as a crosscutting responsibility in all the work areas of the United Nations—a concept that was articulated by the Secretary-General in his 1997 UN Reform Programme.¹⁰ In the first place, the Centre for Human Rights (from 1998 renamed the Office of the High Commissioner for Human Rights—OHCHR) adopted a policy of seeking, as far as possible, to insert human rights components in New York-led missions rather than itself mounting entire operations. New York departments, for their part, grew increasingly willing to insert human rights components as integral parts of peacekeeping and, to a lesser extent, peacemaking operations. It was in this context that human rights programmes were located in UN missions such as those for Georgia (UNOMIG),¹¹ Liberia (UNOMIL), Angola (UNAVEM III and MONUA), Sierra Leone (UNOMSIL and UNAMSIL), Guinea-Bissau (UNOGBIS), Democratic Republic of Congo (MONUC), and Ethiopia and Eritrea (UNMEE). Those UN missions that assumed transitional authority, such as in Kosovo (UNMIK) and East Timor (UNTAET), also included human rights components.

Within a number of missions components were also established outside the human rights programme but with a clear overlap of interest—such as for promotion of rule of law, protection of the rights of the child, and addressing gender considerations. Civilian police components also assumed clear human rights-related responsibilities—as illustrated by the establishment of a policing mission in post-conflict Bosnia and Herzegovina with a predominantly human rights-related mandate.¹²

During the period there continued to be cases of OHCHR establishing its own missions, such as in Colombia, Democratic Republic of Congo and Burundi. These missions have their origins in such considerations as specific initiatives of the UN Commission on Human Rights or of intended work areas, like human rights technical cooperation, which were not then seen as related to the competencies of the New York departments or for which OHCHR project funding would be required (see further below). Sometimes OHCHR programmes were established alongside the human rights operations of peace missions, as in the case of the OHCHR programme that supports the truth and reconciliation commission in Sierra Leone.

The development of a doctrine and methodology regarding human rights field operations received a stimulus in 2000 with publication of the Report of the Panel on United Nations Peace Operations¹³ (the 'Brahimi Report'), which undertook a thorough review of the UN's peace and security activities. The report emphasized the need for mission-wide team approaches to upholding the rule of law and respect for human rights.¹⁴ It also described the human rights component of a peace operation as 'indeed critical to effective peace-building'¹⁵ and observed that the operations should engage in both human rights monitoring and capacity-building. Management models were proposed whereby OHCHR would be a participant throughout the design and oversight of future UN peace operations.¹⁶ The publication of the report coincided with the finalization of a Memorandum of Understanding (MOU) between OHCHR and DPKO, which established a formal relationship between them for the design and operation of peacekeeping missions. There is no such MOU with DPA—apparently due to the desire of the latter to maintain the flexibility of the currently informal arrangements.

The report's proposals were first tested in 2002, with the design, under Brahimi's leadership, of a new UN mission in Afghanistan (UNAMA).¹⁷ In this case, OHCHR supported a mission design that 'mainstreamed' the human rights monitoring function and ensured a human rights capacity-building programme by means of a project to be funded by OHCHR. This design gave cause for comment¹⁸ because the mainstreaming of the monitoring function resulted in the absence from the mission of a dedicated human rights monitoring unit. Subsequent missions, such as those for Iraq (UNAMI),¹⁹ Liberia (UNMIL) and Côte d'Ivoire (UNOCI), have reverted to a model of including specific human rights units within the missions,²⁰ with the Côte d'Ivoire mission also innovatively giving access to the UN regular budget for the undertaking of capacity-building activities.

The human rights mainstreaming process received further impetus with the 2002 report of the Secretary-General, 'Strengthening of the United Nations: An Agenda for Further Change'.²¹ In this context, OHCHR has described its own field role as being primarily that of supporting human rights actions of other parts of the UN system and it reaffirmed its commitment to integrated post-Brahimi peace missions.²² It also commenced the deployment of human rights experts to serve as advisers within UN country teams, including in such conflict-affected countries as Sri Lanka and Nepal. In 2003, as a further development of this idea, a UN country-team level human rights capacity-building operation was established in Angola following the departure of the peace mission—with similar operations likely to commence soon in East Timor and Guatemala.²³

A survey of mainstreamed UN approaches to the human rights needs of conflict and post-conflict societies must also take account of the manner in which a number of UN agencies, including UNICEF, UNDP and UNHCR have already gone some distance in integrating human rights approaches in their work. These increasingly system-wide developments demand new partnership configurations and present other challenges for human rights field operations.

Beyond the context of UN operations there have been some regional inter-governmental initiatives: already in 1993 with OAS involvement in Haiti and, more recently in Europe where the Organization for Security and Co-operation in Europe (OSCE) deployed human rights missions in Bosnia and Herzegovina, Kosovo and elsewhere, sometimes in collaboration with the UN and other international

organizations. Since then there has been little further development at the regional level, other than the inauguration of dedicated training programmes by such regional organizations as the European Union and OSCE. A number of peace missions have also been assembled by specific clusters of interested states.²⁴ Similarly, a number of NGO-led peace missions have also been deployed.²⁵ These operations, while not tending to have explicit human rights mandates, do have objectives such as civilian protection that are consistent therewith.

The functions of the human rights components of peace missions

All of the functions of civilian human rights field operations are closely related to each other. One can however distinguish specific work areas, which may, depending on specific mandates, be found in the human rights programmes of peace missions: monitoring, reporting, advocacy and intervention, capacity-building, supporting rights-related work of humanitarian and development actors, participation in peace processes and support to programmes of transitional justice, and human rights sensitization within UN operations. Another function, participation in UN governance of transitional territories, much discussed but rarely applicable, is not explored here.

MONITORING

Monitoring provides the basis for all other human rights work of a mission since programming of any kind needs to be based on reliable information. Monitoring may also contain within it a preventive function in that the very presence of monitors can deter human rights violations.²⁶ The implementation of a monitoring mandate can prove extremely challenging. In terms of the nature of the mandate such issues arise as the identification of whom to monitor. Should both government and non-state armed groups be monitored? How can monitoring be even-handed when the mission has varying levels of access across a given country? Should peacekeepers themselves be subject to monitoring? Which rights should be monitored—what is the role of a mission in terms of the monitoring of economic, social and cultural rights? When and how should it monitor the implementation of international humanitarian law? How should the monitoring be undertaken—should it seek to establish personal responsibility for actions and collect court-ready evidence or instead simply map out patterns of human rights abuse? When is it appropriate to monitor individual cases—are these cases the actual object of the monitoring exercise or are they instead intended to serve as illustrations of broader phenomena—or is this even a valid distinction? When should past situations be monitored/recorded and when should the focus be on contemporary abuses?

Turning to monitoring capacities, the issue arises of how to monitor a situation with the typically modest human rights team of a mission. What can be done when the mission lacks the requisite skills to monitor certain phenomena—for instance economic rights, sexual abuse or the rights of the child? How can monitoring be done in a manner that does not expose victims, witnesses or monitors to harm, or jeopardize programmes and operations?

Missions, on a case-by-case basis, seek to respond to questions such as these. They are hampered by a lack of agreed or shared doctrine. OHCHR did produce a human rights monitoring manual in 2001 but this, while containing much that is of value, does not chart a route through many of the complex challenges that a mission will confront in practice.²⁷

REPORTING

Good information is useless unless it gets to where it is needed. The UN has had difficulties in addressing this truism. There is still not a standard model for human rights reporting and instead each mission adopts its own style and approach²⁸—not always a bad thing but inevitably at odds with the development of system-wide methodologies. Turning to the transmittal of reports, many missions have encountered the problem that insufficient human rights information or excessively redacted information is transmitted to headquarters. The identity of recipients of internal information has caused some controversy and the practice of copying reports to the High Commissioner for Human Rights, now more or less in place, took a number of years to evolve. There remains uncertainty regarding when and how to share internal reports with UN Member States, including at the level of the Security Council. The issue also arises at the local level in terms of what information to share with the government and with diplomats and which parts of government and which diplomats to share it with. Regarding public reporting, there is the question of how much data to put in the public domain, taking account not least of such prosaic considerations as the current restrictions on the length of UN reports.²⁹ More importantly, the UN still lacks the sort of public information programme that can ensure that reports generate timely media attention. Instead it is often the case that NGOs are credited with the exposure of human rights situations that the UN may have already been reporting on for some time—not in itself a problem but nevertheless diminishing perceptions of the UN's engagement with these situations.

ADVOCACY AND INTERVENTION

Forms of advocacy and intervention have always been integral to UN human rights operations and have taken multiple forms, from quiet diplomacy to forceful condemnations. They have been undertaken at local, national and international levels. They have been targeted directly to perpetrators and also to other actors who can bring pressure to bear. Here again, there remains a lack of systems and methodologies. It is rare, for instance, that a mission will have intervened or done advocacy on the basis of a carefully worked out power and vulnerability analysis of a given location/situation. Sometimes intervention may be directed to quick resolution in a manner that undermines long-term capacities—such as when judicial solutions are bypassed or when military actors are asked to deal with situations best left to the police. And the issue again arises of how to deal with individual cases—how can the mission be both compassionate in the face of individual suffering and retain the capacity and resources to address all parts of its mandate? Within a mission it will not always be clear who should undertake a specific intervention—whether it should be the mission head, the human rights component, the police or military elements or otherwise. It may even be the case that multiple or inconsistent interventions may be undertaken by mission elements unfamiliar with each other's initiatives. Sometimes a mission will want to involve another actor in an advocacy/intervention. This will be the case, for instance, when it draws situations to the attention of UN Special Rapporteurs or treaty bodies³⁰—a practice that has seen a welcome growth in recent years—or when it encourages the direct engagement of the UN Secretary-General.³¹ But it is not always clear when and how to deal with actors outside the mission—when, for instance, is it appropriate to refer matters to national human rights institutions and to NGOs? Finally, the UN, like many NGOs, does not have systems in place to specifically evaluate the effectiveness of its advocacy and intervention.

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CAPACITY-BUILDING

As has been already noted, commentators have drawn attention to the need for the UN to undertake human rights capacity-building in conjunction with its monitoring and reporting activities. A number of hurdles have had to and are still being negotiated. One of these has been the view that it is not possible to undertake capacity-building in times of conflict. This perception is at odds with experience

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and overlooks the manner in which elements of civil society may remain vigorous even in moments of turmoil and be keen to receive training and other support. The perception also overlooks the many instances of programming in such contexts. A converse problem is the perception that in post-conflict scenarios the monitoring, reporting and advocacy/intervention functions can be terminated and be replaced by exclusively technical cooperation activities—it may be that this understanding is informing the current UN tendency, described above, to address the human rights needs of certain conflict and post-conflict situations by deployment of advisors within UN country teams.³²

Capacity-building has been hampered by the lack of resources within peace missions funded by the regular UN budget. Instead, the missions' human rights programmes have had either to rely on OHCHR to devise voluntarily funded projects or had themselves to enter into complicated and fragile relationships with local donors and service providers.³³ This problem is now being addressed and will hopefully soon be a thing of the past.

A further challenge is that of the relationship between human rights capacity-building and broader development and humanitarian programming.³⁴ Until recently the former was considered to be somewhat distinct, focusing on a limited range of activities such as human rights education and development of standard operating procedures for key professions and sectors including police, lawyers, judiciary and NGOs. This is no longer tenable in light of new perceptions of human rights as cross-cutting all humanitarian and development sectors and of the related impossibility of viewing 'human rights activities' as discrete and divisible from other programming areas. There clearly remains a role for the specializations that the human rights programmes can bring to the humanitarian and development tables—but within the context of new and broad partnerships.

ENGAGING WITH HUMANITARIAN AND DEVELOPMENT PARTNERS

The theoretical links between human rights and humanitarian and development programming have not yet been matched by widespread patterns of partnership between peace mission human rights teams and their counterparts in the UN agencies and elsewhere. Instead there remains considerable mutual mistrust and a lack of understanding of the tangible forms that the partnerships might take.³⁵ Humanitarian and development actors occasionally fear that engagement with the human rights actors might bring them into conflict with local authorities and have a negative impact for their programmes. They sometimes also fail to see the added value that human rights bring to their work. The human rights community frequently lacks an understanding of humanitarian and development action or of the links with their own work. Both communities have for a long time been without tools to help them in bridging the sectors. Fortunately this situation is beginning to change. The experience in a number of countries of partnerships between peace missions and UN agencies have been documented³⁶ and tools are becoming available.³⁷

SUPPORT TO PEACE PROCESSES AND FOR TRANSITIONAL JUSTICE

On a broad level of analysis, everything that the human rights components of peace missions do may be seen as contributing to conflict resolution and the establishment of sustainable peace. They have also assumed more specific peace-related tasks, such as provision of advice to peace negotiations and oversight of implementation of elements of peace settlements and agreements. Practice has developed in a somewhat *ad hoc* manner. Broad guidance to UN peace negotiators regarding their human rights-related responsibilities³⁸ has not always been matched by the presence in negotiation teams of human rights specialists. Peace agreements themselves sometimes address and sometimes ignore issues of human rights. Those that address human rights sometimes do so in a controversial or eccentric manner.³⁹ The agreements in certain cases invest human rights actors, including in peace missions, with specific monitoring and other roles—they do not always identify where the resources and capacities will come from to carry out these roles. In still other cases the human rights actors assume such implementation and supervisory roles in situations where the peace agreements have failed to address the issue.⁴⁰

In one area of peace-related activity, that of transitional justice, considerable progress is being made in clarifying doctrine and practice to guide human rights missions.⁴¹ The principle now seems to be established that the UN will not countenance impunity for perpetrators of war crimes and crimes against humanity and a range of tools and lessons-learned are emerging to guide UN action across the spectrum of transitional justice. Much has been learned from the UN experience in the former Yugoslavia, Rwanda, East Timor and Sierra Leone.⁴² OHCHR is preparing a set of guidelines intended to assist field personnel address such issues as the relationship between judicial processes and non-judicial accountability and on how to address the needs and rights of victims.⁴³ But there is still a long way to go. The UN is not consistent in its approach—there are situations, such as in Afghanistan, where it has been exceptionally timid in addressing transitional justice.⁴⁴ There remain elements of doctrine and methodology that are unclear—such as how to ensure that processes are locally owned and not seen as international impositions. There is the reality that a sincere *de jure* rejection of impunity may only very rarely convert into a *de facto* prosecution of all key perpetrators. Difficult issues of the relationship between judicial and non-judicial procedures remain to be resolved.⁴⁵ There is uncertainty regarding the nature of justice for victims or at least regarding how to ensure it.⁴⁶

IN-MISSION SENSITIZATION

The role of the human rights unit of a peace mission in sensitizing other mission personnel regarding human rights is one of those functions that is generally assumed but only occasionally reflected specifically in a mission mandate. It tends to have a dual nature. In the first place it concerns the raising of awareness throughout a mission of the human rights implications of mission activities, as well as concerning the standards that mission personnel should abide by—no small task given the nature of peace operations and the scandals reported through the 1990s.⁴⁷ General issues of human rights tend to be addressed as well as such specific topics as child protection and the avoidance of any form of sexual abuse.⁴⁸ Secondly, human rights sensitization is often undertaken with a view to building monitoring, reporting and other partnerships—very important in the context of missions that, typically, will have considerably more police and military observer personnel than human rights officers. In-mission sensitization has taken on new significance in light of the Brahimi Report's emphasis on the mission-wide responsibility to promote human rights, and resources have been invested in the development of manuals and training materials for the various mission components. For instance, there is currently an initiative to create a training module on human rights for senior mission management.

The UN has also yet to identify how best to assist military peace operations that are not under its direct authority, such as in the case of deployment of a regional peacekeeping force side-by-side with a UN civilian mission, as was the case in Sierra Leone until 1999.

Such achievements notwithstanding, challenges remain as to how best to train military and police personnel who rotate in and out of missions very frequently and how to achieve the balance between training undertaken before and during deployment. The UN has also yet to identify how best to assist military peace operations that are not under its direct authority, such as in the case of deployment of a regional peacekeeping force side-by-side with a UN civilian mission, as was the case in Sierra Leone until 1999.

Challenges confronting human rights field operations

Much has been achieved in the short history of human rights programming within peace missions. Dozens of UN and regional operations have been deployed and have been administered by many hundreds of dedicated personnel. These programmes have evolved into multifaceted operations that more or less keep pace with changing perceptions of the nature of conflict and of the relevance of international human rights law for its resolution. Notwithstanding these achievements there are a number of challenges that require attention.⁴⁹

The first challenge is that of the professionalization of the sector through the clarification of overarching principles, goals and methods—to describe the core ‘doctrine’ of human rights fieldwork.⁵⁰ The present situation is very far from this point. Yes there is the underlying body of international human rights law. Certainly there are some components of an operational doctrine in place—such as those provided by the Brahimi Report. There are even a few helpful ‘best practice’ reviews of certain peace missions⁵¹ and a number of discrete methodological tools have been devised. But there remain vast gaps—entire work areas where no guidance is available and the practitioner is obliged to proceed in a trial and error process of experimentation. As a corollary to the lack of guidance there is a dearth of performance indicators whereby fieldwork can be properly evaluated.⁵²

That we should be so little advanced in terms of the articulation of a doctrine is perhaps not surprising given the youth of the sector—good practice can only emerge from a phase of case-specific experimentation. Such a phase though will prove to be wasteful and harmful if it is not matched by an ongoing and system-wide assessment of good and bad practice whereby overarching principles may emerge. It is suggested therefore that it is high time for existing achievements and efforts to be placed in the context of a much more ambitious scheme—in essence to map out a new profession and, in so doing, to identify and describe the human rights professional, clarify the human rights role of other actors in the context of mainstreamed approaches to human rights work, and propose models for the forms of partnership required. This exercise would require to address UN practice, the experience of regional human rights operations and that of NGOs and others as relevant. And it needs to be an ongoing process that takes account of changing circumstances and undertakes continuous review of whatever tools and guidance may be produced.

The process of clarification of core doctrine must be matched by comprehensive professional training programmes of a type conducive to the maintenance of a professional consistency and coherence. Here again it is not that there are not already a number of fine initiatives—many institutions worldwide have established relevant training programmes in recent years and the UN itself has taken impressive strides⁵³—however these programmes and the related training materials have been developed in response to specific situations and demands and without the benefit of the single organizing framework that the process of professionalization would provide.

Professionalization and harmonized training of the sector will not be enough. These have to be matched by consistent application in practice of human rights approaches regardless of the nature or the location of a given armed conflict. The survey of peace missions contained in this paper illustrates the extent to which the present reality falls far below this goal. While it is beyond the scope of this paper to essay political strategies to universalize human rights approaches, it is possible to point towards a number of concrete and achievable actions. In the first place, the UN Security Council can ensure that all of its peace missions contain, as a matter of course, human rights components and that these be adequately supported and resourced. Secondly, in the absence of peace missions, the UN needs to identify ways in which to place or support the placement of sturdy human rights programmes in conflict-affected countries with mandates to undertake monitoring, reporting, capacity-building, advocacy/intervention and other activities. The present UN approach of inserting small human rights programmes within the UN country teams should be re-examined. Thirdly, the increasing number of regional organizations, states and non-governmental bodies that engage in peace operations of one kind or the other can learn from and build on the experience of past missions by themselves also ensuring that human rights issues are comprehensively addressed in their initiatives. Here too the UN has a clear leadership and mentoring role.

Conclusion: the role of the High Commissioner for Human Rights

The addressing of the challenges identified in this paper will require action from myriad actors at the political, technical and educational levels, nationally, regionally and internationally. However, it will only succeed if it is strongly and coherently led in a manner that integrates attention to the political/policy and the technical/programmatic aspects.

The role of the UN High Commissioner for Human Rights is compelling. The High Commissioner is vested with the overarching responsibility to promote human rights approaches across the UN system and to be a voice of principle and guidance on human rights for all parts of the international community. Only the High Commissioner has the status, authority and comprehensive mandate to articulate the vision and guide the action that will be required.

Needless to say, the High Commissioner's task would be a daunting one. It would have to be undertaken as a core priority of OHCHR, at the expense of whatever other issues are competing for attention. It would require ongoing and well-informed policy-level dialogue with the UN Security Council, the Secretary-General, relevant UN departments and agencies as well as with the leadership of other international and regional organizations, governmental and non-governmental. It would demand frequent intervention with governments of war-affected countries and with other states. There would be the need for rounds of international consultation and reflection. At the technical level it would necessitate augmentation of OHCHR's existing specialist human resources at the headquarters level, as well as the building of new academic, professional and other partnerships. Current operational policy would require to be adjusted: the task as envisaged in this paper would go beyond just catalysing and supporting partners. It would, for instance, on occasion, require OHCHR to mount its own human rights operations in situations where the necessary sturdy response will not be undertaken by any other actor—with all that this entails in terms of OHCHR's operational capacity. There would be need to reallocate existing resources and identify new funding. And all of these efforts of the High Commissioner and OHCHR would have to be maintained over a sufficiently lengthy period to allow for the putting in place of sustainable systems.

At the time of writing of this paper Justice Louise Arbour has been appointed to the post of High Commissioner. As she prepares to assume this office, Justice Arbour has the opportunity to assess and

review the priorities and the operations of OHCHR. In so doing she is presented with an opportunity to assert the leadership role described in this paper. The present writer hopes that she may take on this challenge—the investment is significant but so too are the opportunities.

Notes

1. See B. Ramcharan, 2004, Human Rights and Conflict Resolution, *Human Rights Law Review*, Summer; D. Carment and A. Schnabel, 2003, *Conflict Prevention: Path to Peace or Grand Illusion*, Tokyo, UNU; H. Thoolen, 2001, *Early Warning and Prevention*, in G. Alfredsson et al. (eds), *International Human Rights Monitoring Mechanisms: Essays in Honour of Jakob Th. Moller*, The Hague, p. 301; L. Mahoney, 2003, Unarmed Monitoring and Human Rights Field Presences: Civilian Protection and Conflict Protection, *The Journal of Humanitarian Assistance*; E. Lutz et al., 2003, Human Rights and Conflict Resolution from the Practitioners' Perspective, *The Fletcher Forum of World Affairs*, vol. 27, no. 1 (Winter/Spring); J. Saunders, 2002, *Bridging Human Rights and Conflict Prevention: A Dialogue between Critical Communities*, Carnegie Council on Ethics and International Affairs, at <www.cceia.org/viewMedia.php/prmTemplateID/1/prmID/161>; M. O'Flaherty, 2004, Sierra Leone's Peace Process: The Role of the Human Rights Community, *Human Rights Quarterly*, vol. 26; M. O'Flaherty, 2003, Future Protection of Human Rights in Post-Conflict Societies: the Role of the United Nations, *Human Rights Law Review*, Spring.
2. M. O'Flaherty, 2003, *op. cit.*
3. For an overview of current UN programmes see OHCHR, *Annual Appeal 2004*, Geneva, pp. 32–33, at <www.unhcr.ch/html/menu2/9/fundrais/fundr.htm>. See also <www.unhcr.ch/html/menu2/5/field.htm>.
4. See, for example, regarding UNICEF <www.unicef.org/rightsresults/index.html>; and regarding UNDP <www.undp.org/governance/humanrights.htm>.
5. A description of this and all other UN peacekeeping missions can be found at <www.un.org/Depts/dpko/dpko/home.shtml>.
6. A similar scheme was envisaged to support the mandate of the Special Rapporteur on Iraq but deployment to that country was not feasible.
7. Human Rights Field Operation for Rwanda (HRFOR).
8. With the single exception of the Cambodia office, the core costs of which are met from the UN regular budget.
9. See the papers presented at meetings in 1995 and 1998 contained in A. Henkin (ed.), 2000, *Honoring Human Rights*, The Hague; D. Garcia-Sayan, Human Rights and Peacekeeping Operations, *University of Richmond Law Review*, vol. 29, p. 45; D. Little, 1996, Protecting Human Rights During and After Conflicts: The Role of the United Nations, *Tulsa Journal of Comparative and International Law*, vol. 4, p. 87; W. Clarence, 1997, Field Strategy for the Protection of Human Rights, *International Journal of Refugee Law*, vol. 9 no. 2; I. Martin, 1997, *Human Rights Monitoring and Institution-Building in Post-Conflict Societies: The Role of Human Rights Field Operations*, paper delivered to USAID Conference, Promoting Democracy, Human Rights and Reintegration, 30–31 October, on file with the author, and I. Martin, 1998, A New Frontier: The Early Experience and Future of International Human Rights Field Operations, *Netherlands Quarterly of Human Rights*, vol. 16, no. 2, p. 121. See also W.G. O'Neill, 2001, Gaining Compliance Without Force: Human Rights Field Operations, in S. Chesterman (ed.), *Civilians in War*, Lynne Rienner.
10. K. Annan, *Renewing the United Nations: A Programme for Reform*, UN document A/51/950 of 14 July 1997.
11. The human rights component of this mission is jointly staffed by UN and OSCE human rights officers.
12. The United Nations International Police Task Force (IPTF).
13. United Nations, *Report of the Panel on United Nations Peace Operations*, document A/55/305 S/2000/809 of 21 August 2000, <www.un.org/peace/reports/peace_operations/>.
14. *Ibid.*, para. 40.
15. *Ibid.*, para. 41.
16. *Ibid.*, para. 244.
17. The United Nations Assistance Mission in Afghanistan. See <www.unama-afg.org/about/index.html#structure>.
18. See M. O'Flaherty, 2003, *op. cit.*; Centre for Humanitarian Dialogue, 2003, *Politics and Humanitarianism, Coherence in Crisis?*, Geneva, ch. 5.
19. The United Nations Assistance Mission for Iraq. See <www.uniraq.org/>.
20. With regard to Iraq, human rights was first integrated in UN programming in 2002 by mean of secondment of OHCHR staff to the Office of the UN Humanitarian Coordinator for Iraq (UNOHC). See OHCHR, 2004, *op. cit.*, p. 53.
21. UN document A/57/387 of 9 September 2002.

22. B. Ramcharan, 2003, The Future Directions of Human Rights Field Presences, address at the opening of the Annual Meeting of OHCHR Field Presences, Geneva, 17 November, at < www.unhchr.ch > .
23. OHCHR, 2004, *op. cit.*, pp. 32–33.
24. See L. Mahoney, *op. cit.* and L. Mahoney, 2004, *Promoting Unarmed Monitoring: Thinking Long-term*, informally distributed essay on file with the author, dated 5 January.
25. See L. Mahoney, 2004, *op. cit.*
26. *Ibid.*
27. OHCHR, 2001, *Training Manual on Human Rights Monitoring*, New York and Geneva.
28. Though elements of standardization of publicly issued reports is emerging in the context of an OHCHR effort to place regular information regarding its field operations on its website. See < www.unhchr.ch/html/menu2/5/field.htm > .
29. A problem which may be overcome by means of the innovative OHCHR practice of publishing regular web-based informal reports of its field operations.
30. See M. O'Flaherty, 2000, Treaty Bodies Responding to States of Emergency, in J. Crawford and P. Alston (eds.), *The Future of UN Human Rights Treaty Monitoring*, Cambridge.
31. See M. O'Flaherty, 2003, *op. cit.*
32. The approach is described in B. Ramcharan, 2003, *op. cit.* It is commented on by L. Mahoney, 2004, *op. cit.*
33. See T. Howland, 2004, UN Human Rights Field Presence as Proactive Instrument of Peace and Social Change: Lessons from Angola, *Human Rights Quarterly*, vol. 26, no. 1.
34. See the various papers at < www.unhchr.ch/development/approaches.html > ; M. O'Flaherty, 2003, *op. cit.*; U. Jonsson, 2003, *Human Rights Approach to Development Programming*, UNICEF Nairobi.
35. See J. Darcy, 2004, Human Rights and Humanitarian Action: A Review of the Issues, paper delivered to a workshop on human rights and humanitarian action convened by OHCHR, UNICEF and ICVA, Geneva, April.
36. See, in particular, Inter-agency Standing Committee (IASC), 2002, *Growing the Sheltering Tree*, New York, UNICEF.
37. These include human rights-related elements of the guidelines for the humanitarian consolidated appeal process (CAP), see < www.humanitarianinfo.org/iasc/publications.asp > ; the Common Country Assessment/United Nations Development Assistance Framework (CCA/UNDAF) as well as human rights guidelines for UN Resident Coordinators, see < www.undg.org/recent.cfm > ; and for UN Humanitarian Coordinators (in the process of being drafted by the IASC Working Group).
38. I. Martin, 2000, *Justice and Reconciliation: Responsibilities and Dilemmas of Peace Makers and Peace-Builders*, paper delivered to an Aspen Institute meeting, 'The Legacy of Abuse—Justice and Reconciliation in a New Landscape', November 2000, on file with the author.
39. See M. O'Flaherty, 2001, Human Rights and the General Framework Agreement for Peace in Bosnia and Herzegovina, in G. Alfredsson et al, *op. cit.*; and C. Bell, 2000, *Peace Agreements and Human Rights*, Oxford University Press.
40. M. O'Flaherty, *ibid.*
41. See M. O'Flaherty, 2003, *op. cit.*
42. See the various materials and links at < www.ictj.org/research > .
43. See OHCHR, 2004, *op. cit.*, p. 106. This project is underway.
44. See for instance the criticisms levelled by the human rights NGO, Human Rights Watch, at < hrw.org/english/docs/2003/12/31/afghan6991.htm > .
45. See W. Schabas, 2003, The Relationship Between Truth Commissions and International Courts: The Case of Sierra Leone, *Human Rights Quarterly*, vol. 25, no. 4.
46. For a recent discussion of the range of issues see Redress, 2003, *The International Criminal Court's Trust Fund for Victims*, London, at < www.redress.org > .
47. See, for instance, the materials accessible at < www.globalpolicy.org/security/peacekpg/general/> and at < www.reliefweb.int/w/rwb.nsf/0/2fcd11349cbccdd85256b6e007d2765?OpenDocument > .
48. The latter having received considerable attention in 2002 following allegations of sexual abuse by humanitarian workers in West Africa. See UNHCR and Save the Children-UK, 2002, *Note for Implementing and Operational Partners by UNHCR and Save the Children-UK on Sexual Violence & Exploitation*, available at < www.reliefweb.int/w/rwb.nsf/vID/6010F9ED3C651C93C1256B6D00560FCA?OpenDocument > and *Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse*, ST/SGB/2003/13 of 9 October 2003.
49. Some of the ideas that follow have been stimulated by the writings of L. Mahoney, 2003 and 2004, *op. cit.*
50. For a useful and apposite discussion of the nature of professionalism and the requirements for development of the profession of humanitarianism see P. Walker, 2004, What Does it Mean to be a Professional Humanitarian?, *The Journal of Humanitarian Assistance*, January, available at < www.jha.ac/articles/a127.htm > .
51. DPKO has established a best practices unit. See < www.un.org/Depts/dpko/lessons/> .
52. See the interesting discussion of performance indicators in W.G. O'Neill, 2001, *op. cit.*
53. See < www.peacekeepingbestpractices.unlb.org > .