

Rights Up Front

A Plan of Action to strengthen the UN's role
in protecting people in crises

Follow-up to the report of the Secretary-General's
Internal Review Panel on UN Action in Sri Lanka

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I. Introduction

Protecting human rights is a core purpose of the United Nations and defines our identity as an organization.

With the world's people bearing witness, Member States have mandated the Secretary-General and the UN system, through the Charter and successive General Assembly resolutions, to use our moral authority, diplomatic creativity and operational reach to help them meet the standards so powerfully expressed in the Universal Declaration of Human Rights, and to hold them accountable for doing so.

It is States that have the primary responsibility to protect their own populations, to respect and realize their human rights. Yet too often they do not live up to their commitments.

We have seen this repeatedly in the last 60 years. The price paid by human beings has been immeasurable. Several millions have lost their lives since the 1994 Rwandan genocide. Tens of millions have been displaced.

The consequences of failure to prevent serious violations of international human rights and humanitarian law are all too evident, whether for individuals, countries or whole regions. The legacy can reverberate for generations.

Protecting human rights helps prevent conflict. Deterioration of human rights can be a telling sign of impending crisis. Success in promoting and protecting rights, and in ensuring accountability for their violation, offer effective means to de-escalate conflict and to forestall the human and financial cost of humanitarian crises. Once conflict erupts, the imperative becomes to use all practical means to protect civilians. Respect for international humanitarian law is as critical as respect for human rights.

Today we are witnessing the agony of the Syrian people. That conflict is a test – not just of Member States' will to fulfil their responsibilities, but of the UN's ability to use all the tools at its disposal to make sure that people are protected.

In 2009 the Sri Lanka crisis was a test. We failed it. It was – as characterized by the Internal Review Panel report that I commissioned – a “systemic failure”.

The challenges that plagued us in Sri Lanka were not new: they have been with us for many years and in diverse situations. They include failure to communicate evidence of impending crisis and lack of strategies to address serious violations drawing upon the full range of our diplomatic, legal and operational capacities. We do not always deploy and empower colleagues swiftly to address often rapidly changing circumstances, and back them up when they take risks. Lack of clear leadership at headquarters has resulted in mixed messages, reduced operational clarity and lost opportunities. Above all, we have not always been effective at getting Member States to reach agreement on concerted action.

Many recommendations for improving UN action have been made over the years – most memorably those from the 1999 Independent Inquiry on UN Action in Rwanda and the 1999 review on the fall of Srebrenica. The UN has become better at anticipating and responding to crises. But the lessons learned have not been systematized or applied across the board.

In launching the follow-up to the IRP report, the Secretary-General has created a unique opportunity to ensure that lessons learned from Sri Lanka and elsewhere are fully acted upon.

There are limits to what the UN can do when a government abuses its own people, shuts out the UN, or when gridlock among States paralyzes action. But this is no excuse for not doing our utmost to meet our own responsibilities both to Member States and to the people we serve.

This plan of action is intended to serve that purpose. It puts the imperative to protect people, wherever they may be, at the heart of UN strategies and operational activities. It is designed primarily for settings where the UN does not have a political or peacekeeping mission, and where our presence is predominantly anchored in the development architecture. But its spirit can and should also be applied to ‘mission’ settings.

Six actions in particular can make a qualitative difference in the way the UN meets its responsibilities.

We will integrate human rights into the lifecycle of all staff (action 1), so that all staff understand what the UN’s commitment to human rights means for their department, agency, fund or programme and for them personally.

We will also adopt an ‘Article 99 attitude’, and tell Member States what they need to hear (action 2). We must assert the UN’s moral authority and put Member States in front of their responsibilities.

On the ground, when people are at risk we will have actionable strategies that leverage our political, human rights, humanitarian and development capacities in a concerted manner (action 3).

At headquarters, we will adopt a whole-of-UN approach to our engagement with Member States and with our teams on the ground, and do so well before a crisis strikes to enable concerted early action (action 4).

We will also achieve greater impact in our human rights protection work where it matters most – in situations of serious violations (action 5). This requires more operational capacity, but equally more coordination and collaboration among the UN’s human rights offices.

Underpinning all these activities must be a more robust system for gathering and analysing information on threats and risks to populations, so that it can be used strategically, whether to plan for operational activities or to engage Member States. We will get the facts right fast, so as to move quickly from early warning to early action (action 6).

The actions proposed in this plan form part of the UN's responsibilities as set by the Charter and Member States. They may not be new. Many have been recommended before, but were not fully implemented. This time they must be. We must apply them right away to the situations before us, and I will hold accountable those responsible for their implementation.

In the current financial climate, these actions are by necessity resource neutral. Some will say that they deserve to be supported by additional resources: human rights, one of the three pillars of the UN, receive a small fraction of the organisation's budget. And violations may be just as serious in non-mission as in mission settings, calling into question the glaring funding imbalance between them. This will need to be addressed over time.

This plan will require different ways of doing things, and reprioritisation of existing resources. More important than resources will be the multiplier effect of a change in our institutional culture.

Above all, success requires leadership at every level, to encourage teamwork and ensure that our diverse mandates are geared to the achievement of higher goals. It demands that we have the courage and confidence to speak truth to power, on a consistent, principled and impartial basis, and back our own staff who live up to the Charter and the Universal Declaration of Human Rights.

People who are at grave risk look to us for action to protect their rights. They must be confident that we are doing everything in our power to assist them and to mobilize those who can protect them. I count on you to join me in this endeavour.

II. The Plan of Action

UN VISION AND RESPONSIBILITIES

All UN staff will be aware of the UN's responsibilities with respect to serious violations of international human rights and humanitarian law and will be held accountable for fulfilling them.

1. **Renew the vision of the UN's responsibilities:** renew a vision of the UN's responsibilities with respect to serious violations; communicate it to staff, Member States and the general public; define UN entities' responsibilities in this respect.
2. **Embed the vision into human resources management processes:** embed the vision into relevant human resources practices; roll out mandatory human rights induction and training.
3. **Hold staff and institutions accountable:** hold accountable staff, particularly at senior levels; appraise RCs¹ on human rights and political acumen; conduct real-time reviews of UN response to serious violations.

UN ENGAGEMENT WITH MEMBER STATES AND OTHER STAKEHOLDERS

In situations of serious violations, Member States and other influential stakeholders will be actively mobilized by the UN. Member States will receive full and timely information from the UN.

4. **Engage more pro-actively, strategically and creatively with Member States and other stakeholders:** implement strategies of engagement; partner with regional actors and civil society; upgrade and expand the repertoire of tools for engagement; better use the Protection of Civilians process.
5. **Provide comprehensive and timely briefings:** conduct 'horizon scanning' briefings for the Security Council; when situations of serious violations are not on the Security Council's agenda, the Deputy Secretary-General to brief Member States; use Article 99 when needed.

UN ACTION AT COUNTRY LEVEL

RCs and UN Country Teams (UNCTs) will have the right profile for crisis contexts and will be adequately supported. The UN will have a strategy to address serious violations and its footprint will match its human rights responsibilities.

6. **Ensure that UNCTs respond to the human rights context:** provide UNCTs with human rights and protection analysis; reflect human rights and protection objectives in UN plans.
7. **Develop a strategy to address potential or actual serious violations:** spell out what UN political, human rights, humanitarian and development entities will do at country, regional and global level to address the specific country situation.
8. **Ensure that RCs and UNCTs in crisis contexts have a suitable profile:** attract the best candidates to the RC track; assess their ability to uphold human rights responsibilities; improve

¹ "RCs" refers to RCs and RC/HCs; all RC references will be in accordance with Member State resolutions on RC roles.

application and shortlisting for RC posts; provide RCs with political and human rights training; review the level and profile of RCs and UNCTs in crisis countries.

- 9. Provide RCs and UNCTs with the support they require:** on human rights and political issues and for their leadership role; reinforce protection capacity in crisis countries.
- 10. Deploy human rights and political capacity:** identify 'light' models of UN deployment with political and human rights expertise; work with the concerned State and other Member States to ensure early deployment for prevention.
- 11. Ensure that the UN is able to operate in crises:** roll out the Programme Criticality Framework to stay and deliver in high risk situations; respond more effectively to violations of UN privileges and immunities; publicize such violations; equip RCs with secure telecommunications.

UN HEADQUARTERS COORDINATION

The UN will have a whole-of-UN approach to non-mission settings under the auspices of the Executive Office of the Secretary-General (EOSG).

- 12. Establish coordination mechanisms for early warning and early action:** hold quarterly inter-agency meetings to review situations of concern and decide on concerted action.
- 13. Streamline coordination mechanisms for situations of concern:** establish Inter-Agency Task Forces to coordinate implementation of the country-specific strategies (see 7) and provide consolidated guidance to the RC/HC; if required appoint a Situation Response Coordinator to pull the system together and convene a Situation Response Cabinet chaired by the Deputy Secretary-General; eliminate duplicative platforms.
- 14. Strengthen the capacity of EOSG to ensure a whole-of-UN approach:** second additional senior staff to EOSG.

UN HUMAN RIGHTS CAPACITY

Human rights entities will have greater influence and impact thanks to better coordination.

- 15. Strengthen UN human rights capacity and coordination:** step up coordination and collaboration among UN human rights entities on information management, joint analysis, advocacy and field support; UN human rights entities to co-locate; OHCHR to strengthen capacity in New York.

COMMON UN INFORMATION MANAGEMENT SYSTEM ON VIOLATIONS

The UN will have at its disposal credible, timely and joined-up information on violations of international human rights and humanitarian law and broader threats to populations.

- 16. Establish a common UN information management system on violations of human rights and international humanitarian law:** review current UN monitoring and reporting mechanisms on violations, and recommend ways to establish a common system; recommend how to join up analysis of human rights and humanitarian information; establish a small joint team at headquarters to monitor violations where this cannot be done at country level.