

Is the UN redundant?



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MALIHA KHAN

An internal report, now released to the public, on the UN's conduct in Myanmar between 2010 and 2017 says there was 'systematic failure' of the organisation in the Rohingya crisis

"A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018" by Gert Rosenthal, was released at the end of May and made public earlier this month. Rosenthal, a former Guatemalan foreign minister and UN ambassador, acknowledges off the bat that he is a "novice on Myanmar" as well as the "multiple layers of complexity" that characterise a country that only emerged from decades-long military rule in 2010 and has multiple internal political and ethnic conflicts.

However, this lack of first-hand knowledge of Myanmar was seen as an "asset" by UN Secretary-General António Guterres who wanted an impartial and independent review into the organisation's conduct in the country, which failed to deter the events in Rakhine state between 2012 and 2017 (and which is still ongoing) or since ensure the protection of Rohingya and other minorities elsewhere in the country.

Previous reviews of the UN's actions in Sri Lanka (which was also internally reviewed), where a decade-long civil war ended in 2009, and independent, outside analyses of Rwanda previously have shown that the organisation's internal governance and competing factions make a common plan of action impossible.

One of the reasons behind the founding of the UN in 1945 after the devastation of World War II, was "never again". And yet, atrocities continue to take place around the world and the UN has largely been ineffective in addressing these. This, says Rosenthal, is due to limitations that the UN Charter imposes on what it can and can't do and that failures "stem from systemic and structural obstacles".

QUIET DIPLOMACY OR OUTSPOKEN ADVOCACY?

As the report notes, the fundamental reason for the UN's failure in acting is that while it is "armed with moral authority", it has "limited political space". Governments routinely invoke their sovereignty when the UN calls for intervention in where it sees abuse of international law and human rights. The report states, "The conundrum, then, is how the United Nations can maintain some type of constructive engagement with individual member states where human rights abuses are systematically taking place, while at the same time pressing for those states to uphold their international commitments."

After all, if the UN is kicked out, it loses access. This is why development and humanitarian agencies in particular practice the "quiet diplomacy" approach—which prioritises engaging with governments even if said government is itself practicing, or allowing, human rights abuses. This ensures that the UN can still deliver humanitarian and development aid if needed.

The other approach, known internally as "outspoken advocacy", describes measures to exert pressure on uncomplying governments. The UN's most powerful unit, the Security Council, is made up of five permanent members (which were world powers at the end of World War II when the UN was formed out of the remnants of the League of Nations). The Security Council, representing as it does a significant portion of the world's military power and political influence, is empowered to take a binding resolution to prevent human rights abuses. But its very make up—of polar forces such as the UK and China, the US and Russia—means a decisive course of action is often vetoed by one of the major powers. Potentially, the Security Council could have deployed impartial UN observers in Rakhine state

or major organisations such as the EU and individual countries on the Council enforcing sanctions on Myanmar.

Security Council resolutions on the deteriorating conditions of Rakhine in the months and years leading up to August 2017 were frequently vetoed by China, an ally of Myanmar. For example, after the Secretary-General addressed the Security Council in September 2017 on the crisis in northern Rakhine, Rosenthal notes that it took two weeks for the Council to meet on the matter and a month longer to issue a statement, which too, was "perfunctory". This, he says, is not only a failure of the UN's civil service and leadership, but also of member states.

Rosenthal notes that the two approaches don't necessarily have to be one or the other—that these can reinforce each other and indeed, is called for in the recommendations from the Sri Lanka review. Instead, these have been "competing, rather than complementing strategies" and "thereby poisoning the environment in which a unified United Nations is expected to work."

'UNSEEMLY INFIGHTING'

Sections of the organisation, in particular the UN High Commissioner for Human Rights, the Special Rapporteur on the situation of human rights in Myanmar, and the Special Adviser of the Secretary-General on sexual violence in conflict, did call out the human rights violations taking place in Myanmar before 2017.

But, continues Rosenthal, "other parts of the United Nations System did not back them up with any visible support." These other arms were essentially less focused on human rights and more on the political complexities of Myanmar. A "polarization of attitudes—institutional and personal—among officials and staff, at Headquarters and in the field, and even among the non-governmental organizations, as the intensity of the human rights violations escalated, reaching their apex in August of 2017 with truly catastrophic consequences."

Both sides blamed each other—for example, those in favour of quiet diplomacy were accused of complicity and having deliberately kept quiet. With internal conflicts spilling over into the public awareness, Rosenthal states that he "was left with the impression that the over-all responsibility was of a collective character; in other words, it truly can be characterized as a systemic failure of the United Nations."

Different entities in the UN have long operated differently and are ranged under three distinct 'pillars'—development, human rights, and peace and security. Rosenthal uses the example of the "development pillar" which tend to support quiet diplomacy—leveraging development assistance to try and persuade governments to meet international human rights standards.

He goes on to note that the Department of Political Affairs (DPA) was not a central UN actor in either

Myanmar or Sri Lanka before it, as both governments did not welcome "a strong political presence of the UN". Other factors he cites complicating the UN's engagement in Myanmar, are the complexities of engaging with a government which encompassed both civilian and military parts, and continued mistrust of external actors since the country's independence. UN staff, for example, say they are harassed in Myanmar—the report cites the UN Office of the High Commissioner for Human Rights regularly having to fight for visa authorisations and two missions by the Human Rights Council which were denied access to the region altogether.

NO NAMING AND SHAMING

Human Rights Watch has criticised the report for not naming and shaming specific UN officials responsible for these failures. Rosenthal states that he did not investigate the actions of specific individuals but does mention Renata Lok-Dessallien, UN resident coordinator for Myanmar between 2014 and 2017,



who has been criticised for downplaying human rights abuses in favour of a development agenda.

"There appear to have been instances of deliberately de-dramatising events in reports prepared by the Resident Coordinator", he says, continuing that she was unequipped to deal with the political nature of the crisis and did not receive clear guidance from headquarters. Lok-Dessallien is now head of the UN in India, which the Free Rohingya Coalition, a global network of Rohingya activists, say is example of her being rewarded with a larger portfolio rather than being held accountable for her failures.

The UN's moral authority still holds sway—many Rohingya refugees and advocacy groups call for the presence of UN troops in Rakhine as the only guarantee for their safe repatriation and reintegration in Rakhine. But as explained in this report and by UN insiders and outside critics, a lack of a unified strategy and political consensus in the Security Council means that the UN is nowhere close to being equipped to take decisive measures in crises such as these.