

Similarly, human rights experts do not inherently have any particular competence to identify much less understand all of the causes of any conflict. They do however have one key perspective on conflict. If they start to correctly identify the human rights parameters of a particular conflict, they can add significantly to the larger understanding of its causes and solutions.

Recommendation #2

It is recommended that as human rights are a fundamental factor in complex emergencies, that a UN operation should include human rights staff or a human rights operation (HRO) as additional tools for the strategic analysis of causes, and the devising of solutions for, that complex emergency.

Haiti appears to be one of the many examples where a greater attention to human rights by the political negotiators would have been more productive. Ian Martin the Director of Human Rights in MICIVIH observed that "The United Nations/OAS and the United States were dealing directly with the Haitian Armed Forces at times when its continuing serious human rights violations, and its failure to respect the terms of reference accepted in February [1993], had been clearly reported by the Mission. Yet these seem never to have been made an issue in the negotiations, up to and including Governors Island. ...the negotiators believed that the best hope for respect for human rights lay in the success of their negotiations. These, they argued, would not be aided by a tough line on human rights when the military were being coaxed into accepting the transition. But the Missions's work would have been better served if the lack of cooperation by the Haitian Armed Forces had been strongly taken up at the outset; arguably, so would the political process, which ultimately foundered on the military's perception of the weakness of the international community."¹⁵ (Emphasis added)

The former Yugoslavia is perhaps a more notorious example of the UN failing to insist on substantive human rights protection as a precondition for participation in peace talks.¹⁶ "The endless peace negotiations ...conferred legitimacy on Serbian forces -- the main perpetrators of 'ethnic cleansing' -- as it helped them to stave off more forceful international intervention"¹⁷ The former Yugoslavia seems living proof that attempting to build peace upon the narrow premise of power politics is self-defeating, and that forceful inclusion of human rights protection as a determinant of UN actions could only have had better results.

¹⁵ p. 109-10, Ian Martin, *Paper versus Steel: The First Phase of the International Civilian Mission in Haiti*, in Aspen/Henkin ed., op.cit.

¹⁶ The Commission on Human Rights' Special Rapporteur Tadeusz Mazowiecki on the human rights situation in the territory of the Former Yugoslavia, after innumerable comprehensive and forceful reports, finally resigned in the face of continued lack of support by UN member states to substantively address human rights in the context of the negotiations and peace-keeping efforts.

¹⁷ p. 3, *Human Rights and UN Field Operations*, Human Rights Watch, op.cit.