

Therefore, as with UN peace-keeping in the past, it is understandable that UN doctrine for human rights activity by UN field operations generally, and HROs specifically, is lagging behind UN practice. So far this has been an effective tactic by those espousing greater UN human rights action in UN field operations. The problem of course is that UN civil servants are put in rather untenable positions inasmuch as they are expected to take innovative steps without clear authorization to do so. Getting too far ahead of unwritten doctrine can result in severe reprimands from states and superiors, while failure to take fast and coherent action on human rights violations such as in Rwanda, can result in public criticism of what is perceived as 'yet another UN human rights failure'.

Perhaps the UN has reached the limit of the usefulness of moving this particular human rights agenda forward quietly and without doctrine. The down sides of unclear human rights doctrine and mandates for UN field operations may now outweigh the advantages of evolution through stealth. "There is a growing number of precedents for human rights work being officially conducted within the context of UN peacekeeping but these measures have been elaborated in ad hoc ways, illustrating a conceptual and political gap that needs to be bridged before the United Nations can adequately address the human rights aspects of conflict and postconflict situations."²¹⁴

This gap is increasingly serious as a lack of written principles and guidelines makes it difficult to have consistency of human rights purpose and goals from operation to operation. Furthermore, in the past 5 years human rights in field operations have evolved dramatically in their operational application, including the evolution of distinct human rights operations (HROs). It appears that some degree of doctrine is now required to allow UN staff to continue to develop the scope and practice of human rights in UN operations. In other words, it is hard to codify lessons from past operations and improve future human rights operational activity if nobody in the UN is consistently and coherently setting them down in doctrine and model operational procedures.

A further evolution that is getting mired in this uncertainty, is the human rights role for HRO's UN operational partners such as CIVPOL and military peace-keepers. Military peace-keepers are particularly reticent to take on human rights roles without clear doctrine. Many peace-keepers have voiced a desire to play a larger human rights role, but senior commanders aware of the political pitfalls have held back. It is incumbent on the UN to clarify human rights doctrine for peace-keepers and other HRO operational partners.

Usually one would expect UN member states to set out such UN doctrine themselves. Some have argued for a Security Council or General Assembly resolution specifically on human rights in peace-keeping and other field operations. Others feel that such a step is premature as it would attract sufficient opposition from a few states whose active opposition would prevent any satisfactory official doctrine or policy. They argue that no doctrine is better than flawed doctrine.

²¹⁴ p. 132, Andrew Clapham and Meg Henry, *Peacekeeping and Human Rights in Africa and Europe*, in Aspen/Henkin ed., op.cit.