

not bargain with terrorists.”¹⁸ The same general methods and principles developed nationally to successfully deal with blackmailers, hostage holders, or terrorist bombers would seem to apply.

Recommendation #4

It is recommended that the UN identify and analyse concrete political and tactical field successes and failures where human rights had a major policy or tactical contribution.

2.3 Impartiality

The UN must strive for impartiality¹⁹ in the area of human rights. Impartiality connotes fairness and justice, and *what is to be strived for is absolute objectivity, not un-questioned inaction*. The UN must not freeze into inaction through a fear of upsetting some, or at times all, of the parties to a conflict. Deliberate inaction however might well be the optimum UN ‘action’. That apparent contradiction underlines the truism that inaction through deliberate abdication of responsibility is a decision in itself.

Operational impartiality is not gained by ignoring human rights violations by parties to the conflict. The aggrieved party views silence as tacit complicity and partiality. The violators see it as tacit acceptance or simple UN weakness.

The UN and many member states, sometimes in single minded attempts to broker cease-fires, can be quick to jettison human rights issues. Some see the UN’s misguided interpretation of neutrality and failure to stand up for human rights standards, being evidenced by the UN either “assigning blame with a broad brush to all parties (thus obfuscating responsibility) or by avoiding the topic altogether.”²⁰ In fact, relatively even-handed justice or other tangible responses to violations, would slowly gain the UN grudging respect for impartiality and principled behaviour. As an operational example, the ICRC has been very successful in developing a reputation for impartiality and action. This has enhanced, not diminished, their operational capacity.

This need for impartial action is particularly important in complex emergencies such as Somalia where there is a complete breakdown of civil authority. In such a situation, a UN operation by default becomes the effective authority in all or part of the country. As the de facto national authority, certain unavoidable duties accrue to the UN including the need to operate

¹⁸ p. 6, *Human Rights and UN Field Operations*, Human Rights Watch, op.cit.

¹⁹ The term impartiality is preferable to neutrality. Although the two are supposedly synonymous, neutrality often has the subtle connotation of refusing to get involved in a dispute, ie. claiming not to choose sides as a subterfuge for not wanting to get pulled into a dispute even on the side of an obvious victim.

²⁰ p. 6, *Human Rights and UN Field Operations*, Human Rights Watch, op.cit.