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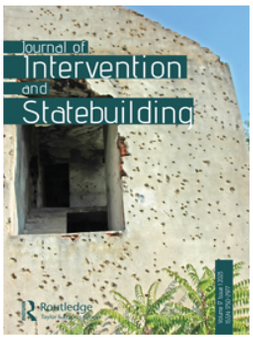
Buitelaar, T.J.A.



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Just Leaves in the Wind? Using Agent-Level Factors to Explain Variation in Human Rights Promotion Strategies

Tom Buitelaar

Institute of Security and Global Affairs, Leiden University, Leiden, the Netherlands

ABSTRACT

There is growing scholarly interest in the role of individuals in UN peace operations, but this literature includes very little systematic analysis of how individual characteristics of peacekeeping leaders affect how international interventions are conducted. This paper seeks to fill this gap by building a systematic framework for analyzing the impact of individual characteristics on the behaviour of field-level personnel. I then show the utility of this framework for explaining the human rights promotion approaches of peace operations through a comparative study of two directors of human rights divisions in the DRC.

KEYWORDS

Human rights; individuals; international organizations; peacekeeping; socializing experiences; values

Introduction

This paper addresses the role of field-based individuals within international organizations (IOs) in bringing about human rights change.[1] It addresses a gap in both the IO literature and the human rights literature. First, IO studies have a predisposition for studying IOs as collective entities, focusing on factors such as the IO's institutional features, bureaucratic politics, or the preferences of an IO's member states (Ege, Bauer, and Wagner 2020; Hurd 2011). For some of these scholars, this is more than an empirical oversight. They would argue that individuals within IOs are so constrained by their environment and the structure and context of their office, that they are just 'leaves in the wind' – with very limited opportunities for influence. This has led to a neglect of agent-level factors to explain variation in IO behaviour, which is a persistent and 'important lacuna in IO research' (Oestreich 2012, 18; as cited in Fröhlich 2014, 181).

The human rights literature shows similar tendencies. Despite important work on norm entrepreneurs and human rights advocates (Sikkink 2011), scholars still tend to focus on collective actors such as states, international organizations, or transnational advocacy networks (Schmitz and Sikkink 2012). In this work, there is a tendency to focus on how to improve the effectiveness of human rights promotion by either looking at the mechanisms of change (spiral models, boomerang models, etc.) or by looking at the target of the human rights efforts, figuring out scope conditions for when these targeted actors may be more or less likely to move from commitment to compliance (Risse, Ropp, and

CONTACT Tom Buitelaar t.j.a.buitelaar@fgga.leidenuniv.nl

Sikkink 2013). Rarely does it look at the impact of individuals on which promotion strategies are ultimately chosen.

Despite this persistent oversight in theoretical work, there is plenty of anecdotal evidence that – in addition to institutional features, organizational dynamics, and structural factors – individual leaders of IOs play an important role in determining outcomes (Jenne 2022). It is not uncommon for case studies to conclude that it was ultimately the individuals that made the difference in increasing the effectiveness of IO policies. Similarly, in my interviews with UN human rights officials, they tend to conclude that effectiveness 'all comes down to the people'.[2] But this evidence is rarely systematized and tends to come as an afterthought, sometimes to account for residual variation that cannot be explained by the authors' respective models (f.e. Doyle and Sambanis 2006).

In this paper, I will address both gaps by building a structured framework on the agent-level factors that may explain the variation in the approaches that IO field missions take towards promoting human rights in target states. I will do this in the context of United Nations (UN) peace operations. While the pressure on the liberal international order (Dunton, Laurence, and Vlavonou 2023) has made UN peace operations' involvement in human rights more controversial (Karlsrud 2023), they are still regularly mandated to monitor human rights, assist member states in their implementation, and subsequently report on these efforts.[3]

I will argue that how UN human rights offices approach human rights promotion is to a strong degree influenced by the traits of the individuals leading those offices – especially their socializing experiences and value frameworks. I make this claim against the background of findings by the peacekeeping literature that the peacekeeping system relies to a large degree on assertive individuals, who are provided with considerable room for maneuver (de Coning 2010; Jenne 2022) as they interpret ambiguous and sometimes inherently conflicting mandates in the light of operational realities on the ground (Karlsrud 2013). My research further highlights the importance of individuals in implementing changes in peacekeeping principles – for example, as in the pragmatic turn outlined in this special issue (Laurence, Dunton, and Vlavonou 2023) – and translating these to on-the-ground contexts.

This emphasis on individuals and their characteristics should be seen as nuancing and complementing the general focus on structural aspects in the norms literature (Bucher 2014), as well as the broader international relations (Hofferberth 2019) and interventions literature (Joseph 2018). To be clear upfront: I do not argue that agent-level variables are the only factors that matter in explaining variance, but I do contend that these explain at least part of it. I maintain that structural and contextual conditions set the boundaries for permissible action, but that we need agent-level factors to understand how individuals pick and choose among the set of possible options they are presented with.

In what follows, I will first review the existing literature on the role of individuals in IOs. Building on this literature, I propose a theoretical framework on the role that agent-level factors play in the choice for the approach towards human rights promotion. In the empirical part of this paper, I test this theory by conducting a structured focused comparison between two directors of the UN human rights office in the Democratic Republic of Congo (DRC). I find that agent-level factors played a more important role in determining the approach towards human rights promotion than alternative explanations.

The role of individuals in IOs

What does the current literature have to say about the role that individuals play in IO decision-making? As noted, most scholarship on IOs tends to look at these organizations as collective entities (Hooghe, Lenz, and Marks 2019) or as instances of principal-agent relationships (Hawkins et al. 2006), with little regard for the individuals working within them apart from their bureaucratic group identity. When it comes to IO decision-making, the focus is on how the bureaucracies of these organizations can exert independent influence vis-à-vis member states, how member states try to control IOs, or how institutional features of IOs influence their decision-making.

That being said, there is an emerging consensus that 'the international bureaucrat is an entrepreneur rather than a passive servant facilitating state interaction' (Eckhard and Ege 2016, 971). Bode (2015), for example, argues that, by virtue of their personal and social capital, particular individuals can make expertise claims and exercise leadership to create compelling narratives that convince member states to support their pursuit of particular policy programs. Studies of intra-IO interactions, moreover, have found that individual bureaucrats may engage in turf wars over funding, roles, missions, or influence (Trettin and Junk 2014). Such studies highlight the fact that IOs are usually not homogenous entities which operate as one actor, but rather consist of separate units (in turn consisting of individuals) – which are rarely in complete alignment about their policy preferences.

The research most relevant to this paper has focused on two groups of individuals: IO executive heads (usually called Secretaries-General) and field-based leadership of UN peace operations. To start with the first, researchers find that executive heads are granted important discretion when they are delegated the authority to implement particular operational mandates by the member states, even if this always occurs within broader structures of opportunities and constraints (Kille and Hendrickson 2010). Apart from merely implementing mandates, executive heads also take up more proactive roles; for example, they sometimes use their information position to influence intergovernmental negotiations or operate as norm entrepreneurs by promoting certain ideas (Hall and Woods 2018, 872–874). Effective executive heads then use personal and public diplomacy to build coalitions of member states that are willing to support their plans and effectively manage the machinery of the IO to implement them (Schroeder 2014).

In the second strand of research, authors focus on the civilian heads of UN peace operations, the SRSGs, and especially zoom in on *how* they matter. Oksamytna et al. (2021, 18) argue that the leaders of UN peace operations 'wield considerable formal and informal influence over how a mission's mandate is implemented.' According to Karlsrud (2013), this is because SRSGs function as norm arbitrators. He finds that they have considerable discretion in mandate implementation given the lack of clear directions from their principals. This ambiguity gives rise to norm conflicts, which SRSGs can arbitrate by applying their personal interpretations of the UN Charter. In this exercise, they are influenced by the potential 'gain or loss of prestige,' their personal traits and experience, and headquarters guidance where relevant (Karlsrud 2013, 538). In similar research on how SRSGs balance the different roles they are supposed to fulfil, Trettin (2017) and Fröhlich (2017) point to the relevance of personality, 'cognitive maps,' and 'operational codes.'

Apart from research on *how* SRSGs matter, there is growing attention to the *traits* of SRSGs that may make them more or less influential. Bove et al. (2017, 19–21), for example, hypothesize that it is the leader's prior experiences within the UN that may matter for mission effectiveness. Fröhlich (2017, 318) similarly argues for attention to their 'personal experiences, professional backgrounds, and personal as well as ethical values.' Bove, Ruffa, and Ruggeri (2020) study the link between leadership and peacekeeping effectiveness, but focus on several measures of 'distance' between the civilian and military heads of mission. Interestingly, while they find some support for a relationship between geographical and religious distance and civilian victimization, they maintain that most problems arising from interaction 'are mainly related to personalities, not diversity per se' (Bove, Ruffa, and Ruggeri 2020, 112). Finally, Jenne (2022) argues for the potential relevance of the gender, national origin, and previous leadership experience of UN mission leaders.

In the following section, I build on this research by assuming that individuals do indeed have agency in decision-making in IOs, but advance the literature by focusing on the link between the *traits* of these individuals and which policies they support. Moreover, I expand the scope of analysis by studying a new group of actors: the directors of human rights divisions of UN peace operations. I conceptualize the dependent variable, spell out the explanatory factors which I argue can explain variation in the outcome, and identify a set of alternative explanations.

More than leaves in the wind: Theoretical expectations on the effect of individual differences

The dependent variable: Approaches towards human rights promotion

The human rights offices of the UN have to deal with a key dilemma: should they emphasize cooperation or confrontation in their efforts to promote human rights? On the one hand, the involvement of local actors is essential in bringing about change. As complexity theory would emphasize (de Coning 2020), the establishment of effective institutions is a prerequisite for self-driven and sustainable human rights compliance. On the other hand, naming and shaming those who commit human rights violations, and publicly reporting on such incidents, is considered an important element in improving the behaviour of powerful actors (Gallagher 2021). Thus, both cooperation and confrontation are legitimate approaches that may work effectively in different country contexts (Risse, Ropp, and Sikkink 2013). The dilemma, however, lies in the fact that confrontation may cause friction in the relationship with the affected parties, which may in turn complicate cooperation with those actors to bring about human rights change (Mahony and Mackenzie 2010, 4). While this friction can often be managed, there is still a balance to be struck between working under the radar to get things done and being outspoken to stand up for human rights principles.

The dependent variable is thus a categorical variable that denotes the approach that the human rights field office takes towards promoting human rights in the target country. According to Carraro (2019), there are three schools of thought on how human rights compliance may be brought about: enforcement (pressure), constructivist (triggering learning and providing information), and managerial (providing recommendations).

Applying these to the context of UN human rights field offices, I distinguish three approaches: confrontation (enforcement), cooperation (constructivist/managerial), and mixed approaches. Confrontation emphasizes the 'stick' and includes publicly reporting on human rights violations and naming and shaming the alleged perpetrators. By contrast, cooperation emphasizes the 'carrot' and focuses on working with the government to build capacity to promote human rights, using discretion in convincing implementing partners to change their practices.[4] Mixed approaches are in between, using elements of both the confrontational and cooperative approach.

Although human rights offices have to engage with many different parties, I focus on human rights promotion strategies that target the host state. I base this decision on the fact that the peacekeeping literature broadly agrees that this is the most important partner for a peace operation, primarily because of the state-based nature of the UN (Zimmerman 2020) and because state consent has been found to be highly relevant for peacekeeping success (Sebastián and Gorur 2018).

Explanatory factors: Socialization and value systems

To identify potential explanatory factors, I build on the 'personal biography approach' as discussed by Krcmaric and colleagues (2020). In this approach, scholars look at how biographical factors (in particular socializing experiences and ascriptive traits) influence individuals' behaviour. This approach fits well with my argument that individual differences influence the behaviour of field-level individuals. Following the mechanisms identified by Krcmaric and colleagues (2020), I argue that the socializing experiences of the leaders of human rights field offices affect their beliefs and values, which in turn influence their approach to human rights promotion.

There are two sets of socializing experiences that I expect to have a significant impact: experience as an activist and experience as a diplomat or a UN official (Bove, Ruggeri, and Zwetsloot 2017; Fröhlich 2014). I contend that if individuals have an activist past, they are more likely to choose confrontational approaches. Such individuals will be socialized into a practice of public advocacy and principled human rights work. On the other hand, if they primarily have experience in the UN system or their country's foreign service, I expect that they will have been socialized into respect for member state sovereignty and quiet diplomacy, and therefore choose cooperative approaches.

In the second step, I hypothesize that these socializing experiences affect the individual's value system, particularly the role they deem appropriate for human rights field offices within target countries. This may range from the conviction that an IO should mostly support the government's efforts to fulfil its sovereign duties, to the view that an IO should take a more independent role in the country and stand up for universal norms. Diplomatic experience makes a 'supportive' role conception more likely, while activist experience increases the likelihood of an 'independent' role conception.

That being said, it is possible that socializing experiences do not match value systems. Someone with substantial experience as an activist may still believe that UN human rights field offices should operate in assistance of the sovereign government, and vice versa. In these cases, I expect individuals to opt for a consciously mixed approach. In Table 1 below, I summarize my expectations.

Table 1. Expectations.

	Activist past	Diplomatic past
Supportive role for IO	Mixed	Cooperative
Independent role for IO	Confrontational	Mixed

The individuals under study also have to report to the mission's SRSG, who generally has to sign off on the publication of human rights reports. Importantly, these SRSGs can facilitate or complicate the work of the human rights component. They can provide resources, collaborate on joint initiatives, and involve the human rights component in the broader work of the peace operation. But they can also delay and downplay human rights reports and undermine human rights promotion in other ways. As such, the ability of the relevant individuals to act on their preferred approach is constrained by the characteristics of the SRSG. SRSGs who are more cautious make it more difficult to take a confrontational approach, while more assertive SRSGs facilitate it.

Alternative explanations

When focusing on individual differences, it is easy to lose sight of the structural contexts in which individuals operate. The literature provides us with a number of alternative explanations that emphasize these contexts. First, the principal-agent literature would point towards the importance of the mandates of IOs, even if these may be ambiguous or require interpretation by the agent (Hawkins et al. 2006). Thus, one alternative explanation might be that variance is accounted for by differences in the human rights provisions of the peace operation's mandate. Second, one would expect that the country context, especially the human rights situation and the position of the host state would affect the choice for which approach to take. In particular, when civilian victimization is high, a human rights field office will have strong incentives to report findings and take a public stand against atrocities. Whether human rights violations are primarily committed by state or non-state actors may also affect the likelihood of confrontation. Indeed, the literature shows that peace operations are less likely to respond robustly to human rights violations by host states (Labuda 2020). Finally, IO personnel will be attentive to the international environment in which they operate (Clark and Dolan 2021) and may adapt their human rights promotion approach to the preferences of the states that are active in the mission area. Therefore, an assertive human rights approach may be easier to adopt when there is international support for such a policy than when powerful states stay quiet or prioritize other goals.

Research design

I conduct research in the context of UN peace operations since 2008, the year when the UN's Office of the High Representative for Human Rights (OHCHR) field offices were first integrated into a UN peace operation as a Joint Human Rights Office (JHRO). In this configuration, human rights divisions are established jointly by OHCHR in Geneva and the UN peace operation on the ground. They are led by individuals who report both to OHCHR and to the SRSG. To convincingly show the impact of individuals, I trace and compare the impact of two directors of the JHRO of the UN mission in the DRC

(MONUC/MONUSCO[5]) between October 2008 and October 2014. I find that agent-level explanations function better than alternative explanations. I chose this comparison because there is variance in both the explanatory and outcome variables, as well as in the alternative explanations. This enables a structured focused comparison of the two leaders of JHRO by asking a theory-guided set of similar questions of each case and then comparing the answers (Jankauskas, Eckhard, and Ege forthcoming).

To measure the outcome variable, I collected data on four indicators. First, I looked at the frequency and speed with which the JHRO published reports on specific grave violations of human rights.[6] Second, I assessed the degree to which JHRO's public reports named and shamed specific individuals or organizations. As a third indicator, I compared the JHRO's public communications with public communications by Amnesty International (AI) and Human Rights Watch (HRW) to analyse whether there were major human rights violations left unreported or underreported. As the fourth indicator, I analysed the degree to which the discourse in the public reporting of the office emphasized technical cooperation with the government (i.e. awareness workshops, support to government agencies, trainings, etc.) or confrontation (i.e. monitoring and reporting, public advocacy, etc.). These four indicators together provide information on whether the JHRO adopted a cooperative or a confrontational approach. If the human rights office frequently published highly specific reports which named and shamed particular individuals, I count this as evidence of a confrontational approach, while lower scores on these indicators count as evidence of a cooperative approach.

To assess the scores on these indicators, I used a combination of publicly available sources and interviews. I analysed all public reports by JHRO, including special reports on specific human rights violations and the annual reports that it sends to the UN's Human Rights Council (HRC), also noting the perpetrator of the violations. Additionally, I examined around 500 press releases and reports of AI and HRW, as well as UN documents and media reports where available. Finally, I conducted 36 semi-structured interviews with officials who worked in or with the office during the relevant time period.[7]

For the explanatory factors, i.e. the socializing experiences and value frameworks of the relevant individuals, I used a variety of sources. First, I used publicly available information, such as CVs, media appearances, and publications authored by the JHRO directors. I also used my own interviews to get a better grasp on the details and fill in some blanks. Finally, I looked at evidence of how these leaders behaved in other contexts.[8]

For the alternative explanations, I looked at the human rights provisions within all mandates for MONUC/MONUSCO authorized by the UN Security Council within the relevant timeframe. For the level of civilian victimization, I used the UCDP Georeferenced Event Dataset v21.1 and collected all events that occurred within the DRC where civilians were the targeted actor, using the dataset's best estimate for the death count (Pettersson et al. 2021). To assess international support for particular approaches, I used a combination of semi-structured interviews and secondary literature. Having discussed my research design, I now turn to the two case studies.

The Joint Human Rights Office in the DRC between 2008 and 2014

The UN Security Council established MONUC as a small-scale observer mission in 1999. Because of continued insecurity and violence, however, particularly in the DRC's

eastern (Orientale, North Kivu, and South Kivu) provinces, the Council gradually gave MONUC a more intrusive and robust mandate. With this mandate, it played an important role in the lead-up to and organization of the 2006 presidential elections which were won by Joseph Kabila. As violence continued in the east, MONUC was unable to withdraw, and was tasked with helping the government consolidate state authority. This included aiding the government's armed forces, the FARDC, in its fight against the most important armed groups active during this time: the CNDP, which received support from Rwanda, and the FDLR (Stearns, Verweijen, and Baaz 2013).[9] In this conflict, both the government and the armed groups frequently committed human rights violations. The UN's JHRO, established in 2008, played an important role in monitoring these violations (MONUSCO n.d.). Between 2008 and 2014, this office was led by two directors, whom I discuss in turn below.[10]

Case study 1: Todd Howland as the Director of JHRO (October 2008–Summer of 2010)

Todd Howland led JHRO between October 2008 and the Summer of 2010. Born in the United States, and educated in law and economics, Howland had experience doing human rights fieldwork – most notably leading OHCHR's offices in Rwanda (1994–1996) and Angola (1998–2001). Here, he learned the importance of diplomacy and cooperation with host state authorities. He also obtained activist experience in American organizations that pursued strategic litigation to promote human rights. However, it was his UN work in Angola that appears to have particularly influenced his views on how best to promote human rights in post-conflict countries. This view crystallized around a conviction that UN human rights presences should promote both the demand and supply of human rights. In this formulation, demand meant making the people aware of their rights and how to use the law to improve them, while supply meant that the human rights division should, in a relationship of 'trust' (Howland 2004, 17), build government capacity 'to respond to its citizens' demands' (Howland 2006, 110–111). Notably, he disagreed with the idea that the 'monitoring and denunciations of abuses' (i.e. a confrontational approach) was necessarily better suited to promote human rights than 'technical cooperation' (i.e. a cooperative approach) (Howland 2006, 109–110).

On the basis of the available evidence, I would argue that Howland's diplomatic experience led him to value cooperation and support above confrontation and denunciation and thus emphasized a 'supportive' role for the IO over an 'independent' role. This leads me to expect Howland to prefer a cooperative approach to human rights promotion.

At the time of Howland's arrival, the SRSG was Alan Doss. Doss had extensive experience in the UN and, while he certainly saw the promotion of human rights as an important UN goal, he was sensitive to the consequences of confrontation for the mission's relations with the government and the stability in the mission area.[11] I would therefore argue that the SRSG in this context would serve as a potential constraint on a JHRO director wanting to pursue a confrontational approach.

Context and alternative explanations

Howland's tenure saw high levels of civilian victimization, with an average of 183 civilians killed each month (see Figure 1). Major human rights violations were committed on a

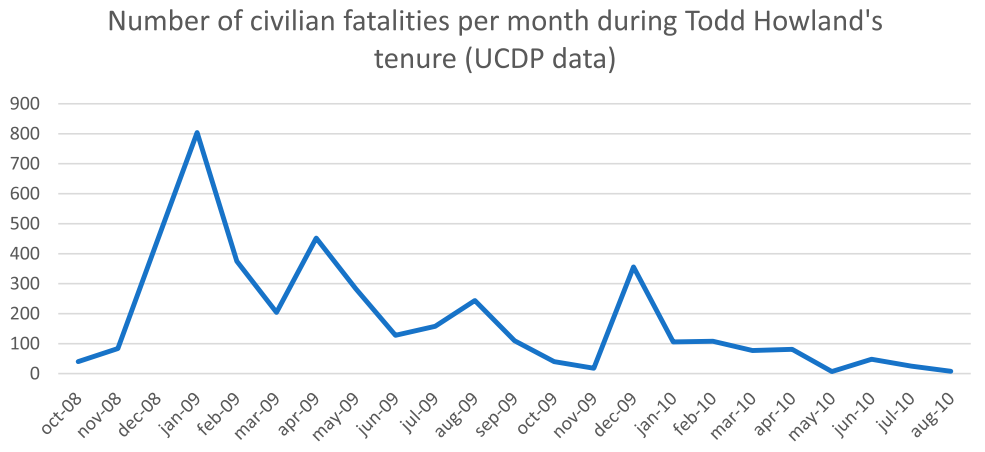

Figure 1. Number of civilian fatalities per month between October 2008 and August 2010. Source: UCDP GED, events that targeted civilians in the DRC.

regular basis, with the government, the CNDP, and the FDLR being the main perpetrators. In November 2008, for example, the CNDP committed a massacre in Kiwanja, killing approximately 150 people (Human Rights Watch 2008). Around the same time, FARDC soldiers participated in looting, arbitrary executions, and sexual violence in the area around Kanyabayonga (MONUC and OHCHR 2009).

In January 2009, the CNDP and the Congolese government agreed to integrate the rebel group into the FARDC and to engage in an offensive against Rwanda's long-time nemesis, the FDLR. The integration effort would be led by Bosco Ntaganda, a notorious war criminal sought by the International Criminal Court. Because of the promise of regional stability, there was strong international support for the peace deals and a willingness to look away at the integration of known human rights abusers. This led MONUC to face a paradoxical situation: on the one hand, it was mandated to support the FARDC in its fight against the FDLR, but on the other hand it was expected to protect civilians from the 'consequences of those operations' (Doss 2020, 169). In the end, MONUC agreed to participate with the FARDC in an anti-FDLR operation called Kimia II. The FARDC, now including the former CNDP forces, continued to commit violations, and the FDLR would often retaliate by killing civilians. However, as 2009 progressed, with human rights violations on the rise, MONUC's support to the predatory FARDC became more and more controversial, with some even accusing the mission of aiding and abetting war crimes.

This led to gradually increasing support among the international community for a more confrontational approach, which was reflected in the mandates. In October 2008, JHRO operated with a mandate of the UN Security Council to '[a]ssist in the promotion and protection of human rights, […] investigate human rights violations with a view to putting an end to impunity, […] and cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law' (Resolution 1756 (2007), para 3(c)). In December 2008, reflecting the call for a more confrontational approach, the Council added an explicit authorization for MONUC to 'publish its findings, as appropriate' (Resolution 1856, para 4(c)).[12] In addition, in the December 2009 mandate renewal, the Council formally instructed MONUC to make its

support to the FARDC conditional on that army's human rights performance (Resolution 1906, para 22).

Given the high level of civilian victimization, the increasing international pressure to take a stand, and the stronger mandate, I would thus expect JHRO's approach to become increasingly confrontational, especially during 2009 and 2010. The government's involvement in violations, however, could have acted as a potential constraint on confrontation.

Confrontation or cooperation? JHRO's approach during 2008–2010

By assessing the four indicators outlined in the research design, I will show that this period was marked by a cooperative approach more than a confrontational approach. Although Howland certainly did his best to put the spotlight internally on the human rights impact of the joint anti-FDLR operations and JHRO published a number of important human rights reports, the emphasis remained on behind-closed-doors pressure and technical cooperation.

First, between October 2008 and August 2010, JHRO published three special reports on major human rights violations, roughly 1.5 per year (see Table 2) – a small number considering the high rate of civilian victimization (Human Rights Watch 2009). There were no special reports on the abuses committed during the anti-FDLR operations of 2009. The reports were also seriously delayed, which led a 2010 evaluation of JHRO's work to ask whether there was 'enough public pressure' to motivate the government to respond to 'all the quiet diplomacy efforts going on' (Mahony and Mackenzie 2010, 5–6).[13] The delay in publication was especially remarkable in the context of the Kiwanja massacre of November 2008 (see above). While the UN initially responded quickly to the massacre by dispatching investigators, the report was not published until September 2009 (Human Rights Watch 2008; Doss 2020, 183).

The second indicator, the degree to which these reports named and shamed specific individuals or organizations, does link to a more confrontational approach. The reports mentioned in Table 2 were all very specific in naming particular human rights violations and identifying alleged perpetrators. Indeed, one human rights officer remembers 'a fair degree of liberty' in how they could report on human rights violations.[14] The annual reports to the HRC were also highly critical of the situation in the DRC and reported (although only in a cursory way) on several human rights violations that were not treated in the special reports.[15] For example, the annual report of April 2009 noted that the joint offensive and the integration of the CNDP into the FARDC led to new human rights violations and 'accountability being sidelined' (UN General Assembly 2009).

Third, the available evidence suggests that there were major human rights violations that were un(der)reported but did get significant attention by HRW and AI. The most important example of this is the lack of public follow-up to the Shalio massacre of April

Table 2. Special reports published by JHRO during Howland's tenure.

Locality	Date of the atrocity crimes	Main perpetrator	Publication date
Goma and Kanyabayonga	October/November 2008	FARDC	7 September 2009
Kiwanja	November 2008	CNDP	7 September 2009
Haut-Uele province	2009	LRA	December 2009

2009, where the FARDC allegedly killed approximately 100 civilians. MONUC did not publicly condemn the massacre and paid scant attention to it, with some leaders of MONUC even casting doubt on whether the killings had occurred at all (UN Department of Public Information 2009; Human Rights Council 2010). HRW and AI, however, were extremely critical of the lack of MONUC's response (Human Rights Watch 2009, 2010). The underreporting of such crimes by government agents points to a preference for quiet diplomacy, and indicates a cooperative approach.

Fourth, the discourse in the annual reports to the HRC suggests that JHRO put most weight on a cooperative approach. According to the reports, JHRO spent a significant portion of its time on building government capacity (the 'supply'-side in Howland's equation). For instance, it conducted awareness and sensibilization workshops and supported the judiciary in prosecutions of human rights violators (UN General Assembly 2009, paras 54-56, 2010, paras 7, 13, 20). Furthermore, JHRO worked on the 'demand'-side by supporting legal clinics where victims and NGOs could 'pursue their own cases against impunity' and by enhancing protection for victims and witnesses (Mahony and Mackenzie 2010, 20; see also: UN General Assembly 2009, paras 35, 56). These activities, which indicate a cooperative approach, were mentioned much more often than things like public advocacy and monitoring and reporting.

While the public communications of JHRO hint at a preference for a cooperative approach, it is important to note that JHRO's internal efforts suggest a more mixed approach. Within the mission, JHRO raised serious concerns about the fact that MONUC was providing support to known human rights violators. Howland told colleagues that it was 'crazy' that the UN was supporting alleged war criminals. JHRO further collected information on those in the FARDC suspected of violations, and wrote internal reports on specific abuses.[16]

The most significant result of this internal work was the conditionality policy, which was supposed to make MONUC's support to FARDC units conditional on the human rights record of their commanders (Hirschmann 2019; Levine-Spound 2020). The development of the policy, which predated the Council's December 2009 instructions, met significant resistance from MONUC's political and military leadership, who were concerned about their relations with the government and the fragile peace deal, as well as from the Congolese authorities, who were offended by the implication that their army did not merit support from the UN (Hirschmann 2019). Howland played an important personal role in countering and overcoming this resistance.[17] However, it must be said that the policy was not meant as a naming-and-shaming instrument. Rather, it was primarily designed as an internal FARDC-MONUC communication tool that should facilitate due diligence in UN support. I categorize this combination of behind-closed-doors cooperation and confrontation as a mixed approach.

In sum, of the four indicators, there are three indicators pointing to a cooperative approach and one to a confrontational approach. There is further evidence of a mixed approach taking place behind closed doors. Overall, this leads me to conclude that JHRO's approach towards human rights promotion during Howland's tenure can best be characterized as more cooperative than confrontational. This is contrary to the expectations derived from the alternative explanations, but in line with the expectations derived from the agent-level factors.

Case study 2: Scott Campbell as the Director of JHRO (September 2011–October 2014)

After a period where JHRO had no formally appointed director, Scott Campbell, an American citizen like Howland, took up the post in September 2011. Following an education in international affairs and public health, he had, amongst others, experience as the acting head of the OHCHR office in the DRC (1996–1997) and in the OHCHR office in Geneva overseeing field operations in Africa. In between, he worked for various NGOs, including Human Rights Watch. With regards to socializing experiences, Campbell therefore presents somewhat of a mixed bag: he had both substantial experience in the UN and in more activist roles. Although Campbell was not particularly outspoken about his views on the proper role for UN human rights field offices, in the available public communications, Campbell emphasized the relevance of investigating human rights abuses by documenting crimes and using the information 'to put public [and] private pressure on authorities to take action' (UNIfeed 2014; Witte 2010). There is less evidence that Campbell placed much emphasis on 'quiet diplomacy'. Overall, I would therefore argue that agent-level factors point in the direction of a preference for a confrontational or mixed approach.

Despite this, in the first few years of his tenure, Campbell's scope of action was constrained by the SRSG, Robert Meece, who had been appointed in June 2010. Although Meece was someone who held human rights in high regard, he placed a larger emphasis on maintaining good relations with the government.[18] Meece was replaced in August 2013 by the German Richard Kobler, who 'had a reputation for activism' and was 'a "dark horse" in the UN system' (Paddon Rhoads 2016, 152, 156). He had a proactive stance on using human rights investigations to influence events in the target country and had a 'style of working' that was 'interventionist' (Kopp 2013).[19] As such, I would expect that Campbell's ability to act on his preferences was more constrained under Meece than under Kobler.

Context and alternative explanations

President Kabila won the November 2011 elections amid widespread allegations of fraud. To regain some of the lost legitimacy, Kabila increased pressure on the CNDP elements in the army. In response, ex-CNDP soldiers under Ntaganda's command started the M23 rebellion in May 2012. The M23 – operating with substantial support from Rwanda – seized a number of important areas and posed a serious threat to state authority (Tull 2018, 173). In November 2012, the provincial capital Goma fell to the M23, despite a heavy FARDC and MONUSCO presence. This major loss of face for the UN led the Council to mandate a Force Intervention Brigade, which was to work together with the FARDC in offensive operations to 'neutralize' armed groups in eastern DRC. By November 2013, the M23 rebellion had been defeated (Tull 2018, 175).

Despite the temporary flare-up in violence in 2012, the level of civilian victimization remained relatively limited compared to the previous years, with an average of 39 deaths per month (see Figure 2). Serious human rights abuses still took place, however. First, state security forces were accused of major human rights violations during the November 2011 presidential elections. Second, both state security forces and rebel groups committed violations during the M23 insurgency. Combatants attacked each

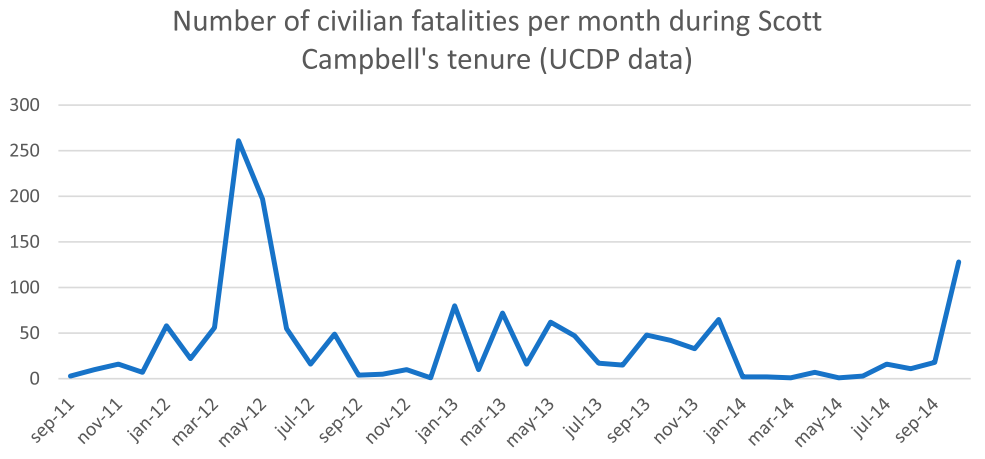

Figure 2. Number of civilian fatalities per month between September 2011 and September 2014. Source: UCDP GED, events that targeted civilians in the DRC.

other with little regard for civilian consequences, or retaliated against those they thought were supporting their respective enemies. Finally, between November 2013 and February 2014, the Congolese National Police (PNC) conducted an anti-crime campaign called Operation Likofi in Kinshasa, during which it allegedly summarily executed between 40 and 50 young men and boys (MONUSCO and OHCHR 2014; Human Rights Watch 2014). The more limited civilian casualties and a continued role for the government as a perpetrator of violations would lead one to expect a more cooperative approach towards human rights promotion.

This happened in a context where, after mid-2010, the international community encouraged a role for the UN mission that was more supportive of the government (von Billerbeck and Tansey 2019). Again, this was visible in the mandate. It was to 'support the [government's] efforts […] to promote and protect human rights and to fight impunity' (Resolution 1925 (2010), paras 12(c) and (d)). Significantly, although the resolution also mandated MONUSCO to collect information on human rights violations, it was only to 'bring them to the attention of the authorities as appropriate' (Resolution 1925 (2010), para 17). To conclude, the mandate, country context, and levels of international support would all lead one to expect a cooperative approach towards human rights promotion.

Confrontation will not make friends: JHRO's approach during 2011–2014

In contrast to the above expectations, JHRO adopted a confrontational approach towards human rights promotion under Campbell. The first indicator of this is that, between September 2011 and October 2014, JHRO published nine special reports on specific human rights violations (roughly three reports per year, see Table 3) and did so relatively quickly after the atrocities had been committed.[20] Compared to the previous director, this was a high number, especially in the context of lower levels of civilian victimization. It is also notable that these reports dealt with violations by both state and non-state actors.

Second, these special reports were highly critical, identified individual perpetrators and organizations, and called for accountability. Three of these reported on the 2011 electoral

Table 3. Special reports published by JHRO during Campbell's tenure.

Locality	Date of the atrocity crimes	Main perpetrator	Publication date
DRC-wide	Pre-electoral period	State forces	November 2011
Kinshasa	Electoral period: November/December 2011	State security and defense forces	March 2012
Masisi	April-September 2012	Raïa Mutomboki, Mayi Mayi Kifuafua and FDLR	14 November 2012
DRC-wide	Deaths in detention centers	Government	March 2013
Goma, Sake, Minova	November/December 2012	FARDC/M23	May 2013
DRC-wide	Electoral period November 2011 and after	Government authorities	December 2013
DRC-wide	Impunity for sexual violence	Government authorities	April 2014
North Kivu	April 2013–November 2013	M23	October 2014
Kinshasa	Operation Likofi: November 2013–February 2014	PNC	October 2014

period and accused the government of repressing and harassing opposition parties, human rights defenders, and critical journalists, and identified those responsible for these abuses (MONUSCO and OHCHR 2013). This was an instance of naming and shaming that undermined the legitimacy of the elections. Notably, however, SRSG Meece's response to the allegations in these reports 'remained relatively mild' and focused on the positive steps that the government had taken so far and how MONUSCO could contribute to the government's efforts (von Billerbeck and Tansey 2019, 15).

JHRO published six more special reports. In every one of them, it identified individual units or commanders where possible, and called for the perpetrators to be brought to justice. This approach was mirrored in JHRO's annual reports to the HRC, which called the FARDC the 'main perpetrato[r]' of human rights violations (UN General Assembly 2013). Perhaps the most notable special report was on Operation Likofi, which explicitly noted the names of police commanders and a set of police units, said that some of them were present at summary executions of unarmed individuals, and asked for them to be brought to justice. The response of SRSG Kobler to this important human rights report was clearly different from Meece's reaction to earlier reports. Indeed, Kobler published a press release expressing concern about the findings and calling on the government to follow up on its recommendations (OHCHR 2014). The government of the DRC responded to some of these reports with public denunciations, indicating its displeasure with JHRO's activity (Government of the Democratic Republic of the Congo 2012; MONUSCO and OHCHR 2013). In response to the Likofi report, the government even declared Campbell *persona non grata*, effectively ending his tenure as director.[21]

When it comes to the third indicator, the data shows that JHRO reported on practically all major human rights violations highlighted by AI and HRW. Nevertheless, it is still remarkable that none of the reports on the M23 mention the support that the armed group allegedly received from Rwanda, despite the large amount of attention this issue received in the media (f.e. Wroughton 2013).

For the fourth indicator the evidence indicates that during Campbell's tenure, JHRO's annual reports to the HRC mention more activities that pertain to confrontation than to cooperation. Reports speak more frequently about monitoring, investigating abuses, publishing reports, and high-level advocacy than on workshops, sensibilization, and trainings (f.e. UN General Assembly 2013, paras 13, 17). During the elections, for example, the office

had established a hotline 'to gather information on alleged election-related human rights violations in the DRC' (MONUSCO and OHCHR 2012, note 6). Asking citizens to directly come to JHRO with reports of human rights violations, instead of letting such efforts go through the government, explicitly established the office as an independent actor in the monitoring and reporting of human rights violations. In sum, all four indicators hint at a confrontational approach.

Comparison

The two case studies above analyse two different directors of the JHRO who pursued different approaches to human rights promotion. These differences were more in degree than in kind. Both men cooperated with the government and armed groups to promote human rights in the DRC, but also published critical human rights reports that accused both state and non-state actors of major human rights violations. However, Howland appears to have preferred a style of capacity-building and cooperation, while Campbell seems to have put more emphasis on confronting abusers by monitoring and reporting on violations and using these reports to put public (and private) pressure to achieve change. As the indicators show, the differences are particularly noticeable in the number of reports that the directors published and the types of activities they emphasized in their annual reports to the HRC.

From the case studies, it emerges that the choice of approach is explained better by agent-level factors than by alternative explanations. First, the two men had somewhat different socializing experiences: Howland had more experience in legal advocacy campaigns in the US and in UN field operations, while Campbell had more experience working for NGOs in Africa and in OHCHR headquarters. Moreover, Campbell had been educated in international affairs while Howland had a legal education. These different socializing experiences correlate with different views on the proper role of a human rights field office: Howland emphasized cooperation with the authorities and the boosting of supply and demand, whereas Campbell saw more potential in using human rights reporting to pressure human rights abusers to change. The expectations derived from this largely match the data: we see Howland pursuing a more cooperative approach, while Campbell pursued a more confrontational approach. Again, this is not to say that either approach was more effective. Although Howland was criticized for insufficiently raising the UN's human rights 'voice', Campbell's more assertive efforts in this direction resulted in the government making him *persona non grata* which (at least temporarily) put an end to this more confrontational approach.

Finally, the case studies demonstrated the relevance of the institutional context that these JHRO directors worked in. All three SRSGs in the case studies – Doss, Meece, and Kobler – supported the human rights work of the mission, but they balanced it against other mission priorities in different ways. Although they operated in different contexts and with different mandates, Doss and Meece tended to prioritize stability and relations with the government, whereas Kobler was more willing to take an activist stance. In the case of Howland, we saw that Doss initially opposed the development of the conditionality policy. Campbell, meanwhile, initially faced an SRSG (Meece) who tried to downplay reports on electoral violence, whereas the next SRSG (Kobler) supported the publication of the highly critical Likofi report. This shows that the SRSGs that the JHRO directors

have to work with shape the opportunity structure in which human rights promotion takes place.

Conclusion

In this article, I analysed the role of individuals in field-based IO missions. More specifically, I investigated how agent-level factors shape the approach that directors of human rights units in UN peace operations take towards human rights promotion. I proposed a theoretical framework in which individuals' socializing experiences influence their value frameworks, which can in turn explain the approach they take. In a structured focused comparison of two directors of the JHRO in the UN mission in the DRC, I illustrated the plausibility of this framework: agent-level factors did a better job at explaining variance in the approach to human rights promotion than alternative explanations. These agent-level factors, therefore, have at least some explanatory powers; individuals working in IOs are not just 'leaves in the wind'.

That being said, this research obviously has some limitations. First, this investigation is restricted in scope and it is possible that the DRC mission was a unique context which enabled individual agency to an exceptional degree. Future research should therefore focus on doing broader comparative work in other mission contexts, analyzing more, and different, individual leaders. It is also possible that UN peace operations present a unique context. What happens if we relax the scope conditions and investigate individuals in other IO field missions? Do they have similar rooms for maneuver, or do they exercise agency in different ways? In addition, more interpretivist work could take a broader view on agency apart from looking at individual influence on policy outputs, examining differences in how individuals make their voice heard and engage in embodied practices within peace operations (Holmes 2019). Moreover, I would suggest further, perhaps inductive work to extend and refine the relevant socializing experiences and components of value frameworks. This may also involve assessments of the impact of personality differences. Finally, it would be interesting to analyse the degree to which individual differences between human rights leaders will translate into different translations of the 'turn' towards pragmatic peacekeeping (Laurence, Dunton, and Vlavonou 2023) as they relate to liberal peacekeeping practices like human rights promotion.

Notes

1. In this paper, I follow the definition by Schmitz and Sikkink (2012, 827) of human rights as 'principled ideas about the treatment to which every individual is entitled by virtue of being human.' I focus in particular on physical integrity rights.
2. Telephone interview with former MONUC human rights official, 20 November 2018.
3. For example, in its most recent mandate, the UN mission in the Central African Republic (MINUSCA) has the mandate '[t]o monitor, help investigate, report annually to the Security Council, and follow up on violations of international humanitarian law and on violations and abuses of human rights committed throughout the CAR.' See: UN Security Council Resolution 2605 (2021), para 35(a)(i).
4. The distinction between cooperation and confrontation does not lie primarily in the public/discreet distinction. Confrontation may of course also happen behind closed doors, while cooperation may also happen in the spotlight. I primarily use the terms 'confrontation' and 'cooperation' because they best reflect the activities they denote.

5. MONUC is the French acronym for the 'United Nations Organization Mission in the Democratic Republic of the Congo.' For reasons discussed in more detail in the main text, the mission changed its name to MONUSCO in 2010, which is the French acronym for the 'United Nations Organizations Stabilization Mission in the Democratic Republic of the Congo.'
6. Such reports are drafted by the human rights unit but usually co-signed by the director of the human rights unit and the SRSG. They usually also have to be approved by the Department of Peace Operations in New York and OHCHR in Geneva.
7. The respondents were offered anonymity to speak candidly.
8. Where possible, I obtained this data from sources that originate from before the onset of their tenure in the DRC. I did this to ensure the right temporal order of the explanatory and outcome variables.
9. CNDP is the French acronym for the National Congress for the Defence of the People. It claimed to represent Tutsi interests in eastern DRC and was led by Laurent Nkunda and Bosco Ntaganda. FDLR is the French acronym for the Democratic Forces for the Liberation of Rwanda. It consisted of a collection of Hutu militants led by individuals associated with the 1994 genocide in Rwanda.
10. In between the first and second director I discuss, there was at least one ad-interim director. I do not include this individual in my analysis.
11. Telephone interview with former senior MONUC human rights official, 6 December 2018.
12. When the UN Security Council makes such changes in a peace operation's mandate, it is often meant as criticism of a mission's track record. As such, we can assume that the Council was critical of MONUC's lack of public reporting on human rights violations and wanted it to be more outspoken.
13. In their evaluation of JHRO, Mahony and Mackenzie 2010 (pp. 5–6) also noted 'a serious concern that JHRO reports utterly lose their strategic value due to these delays' and asked for a 'more pro-active and outspoken use of the UN's *human rights voice*' (p. 22, italics in original). Such criticism was mirrored by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions who argued that 'timely publication' of important human rights reports occurred 'rarely.' See: Human Rights Council 2010, para 43.
14. Even though there may have been 'room to tone them [the reports] down, [they] didn't.' Telephone interview with former MONUC human rights official, 24 January 2019.
15. Although, officially, these are reports by the High Commissioner for Human Rights, we can expect that JHRO had an important impact on the information in and formatting of the report.
16. Telephone interview with former MONUC human rights official, 24 January 2019.
17. Telephone interview with former MONUC human rights official, 24 January 2019.
18. Telephone interview with MONUSCO official, 6 August 2018.
19. Telephone interview with former senior MONUSCO official, 24 November 2018.
20. This excludes the October 2011 report by JHRO on the pre-electoral period in the DRC. I excluded this report because Campbell had not yet arrived in the country by that time. Telephone interview with former senior MONUSCO human rights official, 20 September 2018.
21. Telephone interview with former MONUC human rights official, 12 September 2018; Telephone interview with former senior MONUSCO human rights official, 20 September 2018.

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Notes on contributor

Tom Buitelaar is an Assistant Professor in War, Peace and Justice at the Institute for Security and Global Affairs at Leiden University. His research focuses on the interface between peacekeeping and international criminal justice, the role of norms in international interventions, and agency in peacekeeping. He is also the co-convener of the Dutch Peacekeeping Network which convenes NGOs, academia, and the Dutch Ministries of Foreign Affairs and Defense, to consider and improve the Dutch role in UN peacekeeping operations.

ORCID

Tom Buitelaar http://orcid.org/0000-0002-9089-7573

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