



## **The Whistleblower vs. Mugabe at the UN**

Will a good guy ever get the better of him?

By Doug Bandow

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Zimbabwe's Robert Mugabe is a corrupt authoritarian. The United Nations is a wasteful, inefficient organization that tolerates corrupt authoritarians. Unfortunately, the two don't make beautiful music together.

But not everyone at the UN is corrupt. One hero is Georges Tadonki, a Cameroonian who for a time headed the UN Office for the Coordination of Humanitarian Affairs (OCHA) in Zimbabwe. The others are three judges in a United Nations Dispute Tribunal who last year ruled for Tadonki in a suit against the venerable international organization.

Soon we will find if members of a UN appeals panel possess equal courage. That ruling is expected soon with rumors circulating that these judges might reverse course and absolve the organization of misconduct.

In 2008 President Robert Mugabe, who took power in 1980, was busy ruining the former British colony. Elements of the rule of law and democracy survived in Zimbabwe, but Mugabe and ZANU-PF, the ruling party, employed violent intimidation to preserve control. They were quite prepared, like Samson, to bring down the temple. Good governance was the last thing on their minds.

Although the opposition won the parliamentary vote and opposition leader Morgan Tsvangirai led in the initial presidential poll, regime-orchestrated violence caused him to withdraw from his challenge to Mugabe. International pressure resulted in a coerced coalition government in which ZANU-PF controlled all of the security agencies. Last year Mugabe won reelection in a vote that was largely free on election day, but not otherwise fair, with the incumbent controlling access to the media and voters. Mugabe recently turned 90 and is still in control.

In 2008 Tadonki had been on station for six years and predicted epidemics of both cholera and violence. Journalist Peta Thornycroft interviewed Tadonki at the time, concluding that the OCHA official was unafraid to speak the truth, making him "another kind of UN voice—one that I was not used to in Zimbabwe."

Unfortunately, UN country chief Agostinho Zacarias apparently was a more traditional international bureaucrat and dismissed Tadonki's warnings. By the end of the year 100,000

people had been infected with cholera and thousands had died. Zacarias “forced us to put the figure very low,” explained Tadonki: Months into the epidemic the UN still was predicting only 2,000 cases. During the election campaigns hundreds also had been killed by government thugs, who succeeded in derailing democracy.

It turned out that Zacarias, long ago active in FRELIMO, the Mozambique guerrilla force, knew Mugabe when the latter was fighting against Zimbabwe’s white supremacist government. Zacarias also was a friend of other ZANU-PF officials. After the ruling party dismissed charges that the country was in crisis, Zacarias produced assessments blaming the country’s problems on such factors as lack of rain.

In April 2008 Tadonki warned UN headquarters that the country team was “not prepared to face the consequences of an emergency silently in the making” and hesitated to respond “to acts of political violence.” Zacarias denied the charges as Zimbabwe descended into deadly chaos.

Naturally, no good deed went unpunished. After extended discord between the two UN officials, Tadonki was fired in January 2009, in the midst of Zimbabwe’s humanitarian travails. Formally he was blamed for releasing cholera statistics without required approval and he received a poor performance review, but there was little doubt that the action was retaliation for being right and embarrassing Zacarias—who now serves the UN in South Africa. Nevertheless, top officials in Turtle Bay backed Zacarias.

The controversy demonstrates that something is very wrong with the UN system. [Observed](#) writer Armin Rosen: “This case involves more than just a single UN bureaucrat enjoying a disturbingly close relationship with one of the most oppressive governments on earth. The UN system also actively abetted a toxic organizational status quo in Zimbabwe, even when it meant ruining the career of an employee who the [review UN] tribunal found to be a talented humanitarian professional and a courageous whistleblower—and even if it meant putting thousands of Zimbabweans’ lives in danger.”

Tadonki decided to fight, though after being ruined financially he had to ask the international law firm Amsterdam & Peroff to handle the litigation on a pro bono basis (the lawyers ultimately received international recognition for their efforts). Last year the UN Dispute Tribunal based in Kenya heard his case and Judges Vinod Boolell, Nkemdilim Izuako, and Goolam Merran issued their 104-page judgment.

They [concluded](#) “that the Applicant was not, at all material times, treated fairly and in accordance with due process, equity and the core values of the Charter of the Organization” and that OCHA management ignored the UN’s “humanitarian values.” The tribunal ordered the UN to apologize for its misbehavior, investigate the mistreatment of Tadonki, hold his superiors accountable for their misconduct, cover Tadonki’s litigation costs, pay past salary through the judgment date, and provide \$50,000 in “moral damages for the extreme emotional distress and physical harm suffered by the Applicant.”

Explained the judges: “This case has brought to light not only managerial ineptitude and highhanded conduct but also bad faith from the top management of OCHA. This

mismanagement and bad faith were compounded by a sheer sense of injustice against the applicant who was hounded right from the beginning.” Perhaps even worse was the larger environment in which this misconduct occurred. Observed the tribunal: “There was a humanitarian drama unfolding and people were dying. Part of the population had been abandoned and subjected to repression. The issue between Tadonki and Zacarias was to what extent these humanitarian concerns should be exposed and addressed and the risk that there was of infuriating the Mugabe government.”

Far be it for the UN to irritate a dictator.

Zacarias and his superiors were not content to argue the substance. In its opinion the Tribunal [noted](#) that “repeated allegations made by the Respondent against the Applicant are unnecessary, gratuitous and intended to undermine the credibility of the Applicant before the Tribunal. Not only are the additional submissions made by the Respondent totally unrelated to the Applicant’s original application and the issues to be decided by the Tribunal, they are primarily focused on tarnishing the Applicant’s reputation before this Tribunal.” The judges went on to cite “the Respondent’s manifest abuse of process, which unnecessarily complicated the conduct and management of this case.”

In fact, the character issue worked in the other direction. The judges wrote that “Matters started to sour when [Tadonki] started doing his job.” In contrast, Zacarias wanted Tadonki to “remain quiet.” Said the judges, “There is clear and un rebutted evidence of a number of positive actions that the Applicant took during his short tenure in Zimbabwe, whilst having to confront two hostile ‘colleagues,’ namely RC/HC Zacarias who felt he was in an all-powerful position and untouchable, and [deputy OCHA head Farah] Muktar who was indeed ‘the enemy within’.” Top management’s “passive attitude” compounded problems for Tadonki, who “became the target simply because he had the courage to inform the OCHA Headquarters in New York that Zimbabwe was on the brink of a humanitarian crisis while RC/HC Zacarias was pretending to the contrary.” The OCHA leadership “targeted and sacrificed” Tadonki.

Concluded the tribunal, “the political agenda that RC/HC Zacarias was engaged in with the Government of Zimbabwe far outweighed any humanitarian concerns that OCHA may have had.” Worse, “The UN and Zacarias’s chief responsibility should have been to Zimbabwe’s embattled civilian population. Instead, both failed to live up to their obligations—even as they were conspiring against someone who had exceeded them.”

The judges concluded their devastating opinion by noting that no names had been redacted: “It is the considered view of this Tribunal that when individuals occupy high public offices, if the circumstances so warrant, their actions that lead to injustice should be exposed openly. This is also a component of transparent justice and accountability of public servants as reiterated by the General Assembly.”

The Tadonki verdict was important as a remedy to individual injustice. It also offered hope that accountability is not absent from the UN. At least a few good people work for the international organization.

But the final resolution depends on the appellate process, which is approaching its decision. Hopefully Georges Tadonki and the three tribunal judges are not the only UN officials willing to do what's right, irrespective of cost.

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