

# THE ORANGE COUNTY REGISTER

## Whistleblowers need protection

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.

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

Soon we will find out if members of a U.N. 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, and ZANU-PF, the ruling party, were employing violent intimidation to preserve their control. At the time 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 U.N. voice – one that I was not used to in Zimbabwe."

Unfortunately, U.N. 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. During the election campaigns hundreds also had been killed by government thugs, who succeeded in derailing democracy.

In April 2008, Tadonki warned U.N. headquarters that the country team was "not prepared to face the consequences of an emergency silently in the making" and hesitantly "responded 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 U.N. officials, Tadonki was fired in January 2009. There was little doubt that the action was retaliation for being right and embarrassing Zacarias – who now serves the U.N. in South Africa.

The controversy demonstrates that something is very wrong with the U.N. system. Observed writer Armin Rosen: “This case involves more than just a single U.N. bureaucrat enjoying a disturbingly close relationship with one of the most oppressive governments on earth. The U.N. system also actively abetted a toxic organizational status quo in Zimbabwe, even when it meant ruining the career of an employee who the [review U.N.] 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 he had to ask the international law firm Amsterdam & Peroff to handle the litigation on a pro bono basis.

Last year, the U.N. 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 U.N.’s “humanitarian values.” The tribunal ordered the U.N. 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.”

The tribunal’s conclusion is devastating: “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.” Of course, “The U.N. 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.”

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 U.N. officials willing to do what’s right, irrespective of cost.

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