

## SAFETY AND SECURITY OF STAFF

### I. INTRODUCTION

1. This information note is an update on issues raised in a previous note (EC/49/SC/INF.3) presented at the fourteenth meeting of the Standing Committee in February 1999.

2. The safety and security of humanitarian staff continues to be an issue of crucial importance for UNHCR. Today, many of the situations where humanitarian workers face security risks are also those where the international community has been unable to act to prevent or stop conflicts that give rise to displacement. In these circumstances, governments often look to the international humanitarian response to substitute for the very action that would at least help ensure the safety of humanitarian staff and the affected civilian populations. It is clear, nevertheless, that the primary responsibility for ensuring the safety and security of United Nations personnel rests with States<sup>1</sup>. While all necessary measures are taken to enhance the safety and security of UNHCR field staff, no security arrangements will ever be as effective as those provided by a government. In instances where it becomes clear that a State is unwilling or unable to guarantee the safety and security of humanitarian staff, the question should be asked as to whether or not the acceptable security threshold has been exceeded and relief efforts curtailed accordingly.

3. Over the past year, the safety and security of humanitarian staff has been actively discussed in relevant international fora. During the recent meeting of the Administrative Committee on Coordination (ACC) held in Rome on 5 April 2000, the Deputy Secretary-General proposed various mechanisms to strengthen the current system of United Nations security management. As a result, it was agreed that the security of United Nations personnel needs to be reinforced and training and communication networks need to be strengthened. The close link between staff living and working in difficult locations and the risk of HIV/AIDS was also raised during the meeting, due to the fact that field-based agencies are exposed to risks when working with populations experiencing increasingly high HIV infection rates.

### II. LEGAL PROTECTION OF ALL UNITED NATIONS PERSONNEL

4. The Statute of the International Criminal Court (ICC) was adopted in Rome in July 1998. Since then, the Preparatory Commission for the Court held three sessions in New York to formulate the Rules of Procedures and Evidence. Article 8 of the Statute specifically includes as a category of war crimes "intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict." UNHCR vigorously urged for violence

---

<sup>1</sup> See the general provisions of human rights law and the specific provisions of the Geneva Conventions and their Additional Protocols, the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons Including Diplomatic Agents, and the 1994 Convention on the Safety of United Nations and Associated Personnel.

against aid workers to be included in the Statute. The Statute unfortunately imposes certain restrictions, notably that only those attacks which are part of a larger-scale policy of violence against United Nations personnel and which are committed in situations of "protracted" armed conflict will be considered war crimes. UNHCR has lobbied against both of these limitations. As of May 2000, only 10 of the 97 signatory States to the ICC had ratified this instrument. A total of 60 are required for the Statute to enter into force. In his *Report to the Security Council on the Protection of Civilians in Armed Conflict (S/1999/957)*, the Secretary-General urges Member States to ratify the Statute "as a concrete measure aimed at enforcing respect for international humanitarian law and human rights law."

5. The 1994 Convention on the Safety of United Nations and associated personnel entered into force in early 1999, after 22 States had become parties. The Convention does not automatically cover those United Nations and associated personnel who are engaged in humanitarian operations. In his Report to the Security Council, the Secretary-General invites the General Assembly to urgently pursue the development of a protocol to the 1994 Convention to extend the scope of legal protection to all United Nations and associated personnel, including locally-recruited staff. UNHCR would welcome this extension.

### III. THE OPERATIONAL RESPONSE

6. In response to the increasing number of threats against UNHCR staff in the field over the past 15 months, the Office has employed an additional seven Field Safety Advisers (FSAs), bringing the total number of FSAs in UNHCR to 27, and deployed 23 to duty stations where staff are considered at risk. FSAs have also been deployed as part of Emergency Response Teams in order to better manage staff safety issues in highly volatile emergency situations.

7. In consultation with the United Nations Security Coordinator (UNSECOORD), UNHCR has closely reviewed the 1999 hostage-taking incident, when a UNHCR staff member was held captive for some 11 months, from a lessons-learned perspective. As a result, UNHCR has recommended that any future hostage response mechanism should be a collective and multilateral United Nations response, as opposed to the unilateral effort that characterized the response to this incident. UNHCR will also continue to work with WFP, UNICEF and UNSECOORD in an effort to enhance the safety of United Nations and non-governmental organizations staff working in the field. In this context, UNHCR considers it critical that duty stations, particularly those in remote locations where humanitarian staff are most vulnerable, have reliable communications equipment in offices and vehicles, as well as hand-held radios. Mandatory security training, stress counselling and arrangements for regular leave are also aspects of UNHCR's efforts to respond to security needs of staff.

8. UNHCR is also in the midst of an on-going process of internal consultations to examine how best to implement the ACC recommendation to present staff safety and security under one budget line. This process will continue in the context of efforts to refine the recently established unified budget structure

### IV. THE INSTITUTIONAL ARRANGEMENTS

9. The current centralized Secretariat structure of UNSECOORD would benefit from a greater involvement of the United Nations humanitarian operational agencies at both the headquarters and field levels. This would improve UNSECOORD's capacity to analyse the constantly changing realities on the ground. To this end, it has been suggested that all professional officers assigned to UNSECOORD should have Field Security Officer (FSO) or agency equivalent experience. At the ACC meeting in April 2000, the High Commissioner stated that UNHCR was ready to support the strengthening of UNSECOORD by seconding one of its FSAs. Continued efforts will also be made

to encourage UNSECOORD to improve the budgetary mechanisms in place to fund the timely recruitment and deployment of Joint System FSOs.

10. Within UNSECOORD, UNHCR believes that the Designated Official (DO) mechanism needs to be improved. DOs should be encouraged to share information more systematically with other members of the Security Management Teams. They must also be more thorough in gathering and collecting information, data and analysis from offices in the field in order to be as well informed as possible when making decisions. In addition, there is a need for a more effective method of selecting DOs.

11. In order to enhance the safety of field staff, it is imperative that UNSECOORD be more active and thorough in monitoring compliance with its directives at the field level. The regulation requiring DOs to undertake a security assessment for each high-risk area where the delivery of humanitarian assistance requires the presence of United Nations staff provides specific guidance on how this should be conducted. Further efforts are needed to ensure that such regulations are complied with. Concerned staff in the field must also show a greater sense of responsibility in complying with directives from United Nations Headquarters. At the same time, Headquarters must seek to enhance accountability and hold those managers in the field who do not abide by the existing regulations responsible for their actions or lack thereof.

#### V. LOOKING AHEAD

12. UNHCR believes that any approach to the safety and security of staff must be comprehensive in scope and extensive in coverage. There is a close link and complementarity between staff safety and refugee security. Inasmuch as UNHCR and other international and national staff are constantly present in refugee camps, any enhancement of camp security will increase safety for all humanitarian staff. In this connection, this information note should be read in conjunction with *The Security, Civilian and Humanitarian Character of Refugee Camps and Settlements* (EC/50/SC/INF.4).

**Statistics on security incidents affecting UNHCR staff and/or property during the period from January 1999 to May 2000**

A total of 158 security incidents affecting UNHCR staff and property were reported to FSS between January 1999 and May 2000. They ranged from death and life-threatening events to petty thefts. Most of the incidents (67) were considered to be of a serious nature.

The following chart shows the type, location and number of serious security incidents. It is followed by a brief description of each type of incident.

Type of Incident	Location	Number of Incidents
Murder	Kosovo	1
Shooting	Albania Iraq Kenya (x 2) Burundi Georgia (x 2)	Sub-total 7
Arrest and detention	Dem. Rep. of the Congo	4
Occupation of office premises/Hostage taking	Armenia Geneva (HQ) Iraq Sweden Colombia Morocco Pakistan Somalia Sri Lanka France Thailand Czech Republic	Sub-total 12
Threat	Tajikistan Greece Malaysia Georgia (x 2) Pakistan Thailand	Sub-total 7
Aggression by asylum-seeker	India Iraq Libyan Arab Jamahiriya Turkey India Islamic Rep. of Iran Italy Pakistan	Sub-total 8
Convoy/Field Activity	Kosovo (x 5) Indonesia (x 4)	Sub-total 9
Office break-in/Theft	Belgium Bosnia and Herzegovina Croatia United Rep. of Tanzania Afghanistan (x 9) Islamic Rep. of Iran (x 2) Côte d'Ivoire Krygyzstan Kosovo South Africa	Sub-total 19
		TOTAL 67

Brief description by category of incidents

Murder: One local staff member was killed.

Shooting: Incidents in which UNHCR staff were targeted by armed persons, for political or criminal reasons. In four cases (Albania, Kenya, Burundi and Georgia), staff members were wounded.

Arrest and detention: Staff members were arrested because of their employment with UNHCR, and in one case, severely mistreated during detention.

Office occupation/hostage taking: Staff members are kept hostages during the occupation of UNHCR's office premises. The four incidents recorded in the first quarter of 1999, including the occupation of Headquarters, were in protest at the arrest of a prominent rebel leader Ocalan. In Sri Lanka, Somalia and Colombia, the occupation of UNHCR's offices was designed to put pressure on the governments concerned and attract the attention of the media to a local problem.

Threats: These became more frequent by the end of this year, with one foiled bomb-attack against a staff member.

Aggression by asylum-seekers: One such incident resulted in the maiming of an office guard. It is suspected that many other events of this kind go unreported.

UNHCR convoys/field activities: UNHCR convoys and teams were targeted in the framework of inter-ethnic violence in Kosovo and West Timor. (Theft of vehicles and of UNHCR material is not included in this category.)

Office break-in/Theft: In these incidents, UNHCR premises have been violated mainly for criminal reasons (i.e. attempted robbery). Moreover, UNHCR offices were stormed by mob eight times in one week in Afghanistan, as a result of a protest against the United Nations. A bomb exploded in a UNHCR Field Office in the Islamic Republic of Iran for unknown reasons.