

Report of the Independent Panel on Accountability

The Report of the Independent Panel on Accountability related to the attack on the United Nations premises in Algiers in December 2007 was presented to the Secretary-General on 21 September 2008.

The Panel, which was comprised of Mr. Ralph Zacklin (Chair), Mr. Jean Jacques Graisse, Mr. Sinha Basnayake, Ms. Zelda Holtzman and Ms. Marisela Padron, was established on 19 June 2008. In accordance with its terms of reference, the Panel was mandated to gather and review documentation relating to the attack, identify the officials and offices concerned with the security of the United Nations operation in Algiers, make findings regarding acts or omissions of individuals at Headquarters and in the field in implementing relevant security regulations and rules which may have prevented the attack or mitigated its effects. It was also mandated to make recommendations regarding proceedings against individuals or others giving due regard to applicable rules of the Organization.

The Panel's report is based on extensive interviews of 54 individuals and an intensive review of thousands of pages of documents concerning the security framework and the communications involving the Algiers office in the period 2006-7.

The Panel has made findings with regard to twelve individuals and one organ of collective responsibility. They include an appreciation of the actions of one individual, following the submission of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide (IPSS) report, and one positive finding in the case of the Security Adviser in Algiers, who perished in the bombing.

The Panel has recommended administrative measures with respect to six individuals and disciplinary proceedings with respect to four individuals. It has also made a recommendation that amounts to an administrative measure in respect of an organ of collective responsibility.

Although the Terms of Reference of the Panel required that staff fully cooperate, the Report indicates that there was a marked reluctance on the part of some of those interviewed to accept the Panel's procedures

and methods of work. It felt that this may have been attributable to a misunderstanding as to the Panel's function. However, the Panel took the view that this reflected an attitude of institutional and individual denial of the principle of accountability which is regrettably prevalent in the case in question.

In addressing the issues of individual accountability, the Panel found that it was impossible to evaluate accountability without taking into account the institutional framework governing the security management system. The UN security management system in its present form is less than four years old and the Panel considered that, in many respects, it is a work in progress. It has been hampered by a lack of resources, but, in the Panel's view, it has to be recognized that the UN, unlike many national authorities, will never receive the kind of funding for security that is available at the national level.

However, in the Panel's view, the dysfunction of the present system is not attributable to a lack of resources alone. It is also attributable to a failure on the part of those who designed it and those who implemented it. At the root of the design fault of the system is the lack of executive authority of the Under-Secretary-General, Department of Safety and Security and the role of the Designated Official. The former official was given responsibility without authority and the latter was expected to function as the head of security in the field office and as the programme manager, responsibilities which are often inherently contradictory, a flaw mirrored to a lesser degree in the role assigned to members of the security management team.

Furthermore, in the Panel's view, the integration of UNSECOORD into the new DSS as a result of the implementation of the reform proposals adopted in 2005 has clearly given rise to a variety of problems, and four years on, the cultures of the two organizations did not appear to have been successfully integrated resulting in internal mistrust and even dissension.

The Report indicates that there has been a lack of adequate supervision and training and the recruitment process has resulted in an imbalance at the senior and middle management level which is heavily weighted towards certain types of experience which is not necessarily best suited to an organization such as the UN and the threats that it faces.

The second pillar of UN security is the host country. Indeed, it is the host country which has the primary responsibility for security of UN staff. The Report states that relations with the host country are of paramount importance and where it is strained or non-existent, a critical fault-line may develop with tragic consequences. Governments must assume their responsibilities fully if they are to meet the expectations inherent in the notion of primary responsibility. Proper and effective channels of communication must be opened and maintained between the host country security services and the UN Security Advisers in the field that will ensure that a reliable exchange of information in relation to the UN presence in the country is available.

In the Panel's view, the UN needs to urgently review the one-UN house doctrine and the security phase system. The one-UN house doctrine if followed "liturgically" seriously undermines UN security in countries where there are terrorist threats.

The security phase system was found by the Panel to have been seriously compromised in Algeria through a process of politicization. The system as such was rejected or questioned by many of those interviewed since it tends to provide a false sense of security or the appearance of careful elaboration when in fact it is frequently inconsistent in its application from country to country.

The Panel considered, however, that, at the heart of the Algiers tragedy, more fundamental than all the frameworks and structures and models and assessments lies the human factor.

Any system can only be as good as the individuals who implement it. It is widely recognized, acknowledged and appreciated that United Nations personnel, especially those in the field, have often to work under difficult even dangerous conditions and that they have displayed strong commitment and dedication to the goals and objectives of the Organization as well as an exceptional work-ethic. The Panel does not doubt that many of the officials interviewed are professional, competent and hard-working. However, it states that its inquiry has shown that there were significant lapses in judgement and performance on the part of those involved. There was a lack of adequate supervision and guidance on the part of senior managers which, it said, can only be partially excused by the lack of resources. Senior managers were pre-occupied with Afghanistan, Iraq, Lebanon, Somalia and Sudan. Algeria was not on the radar screen. During the early and middle part of 2007

when the situation in Algeria clearly required sustained attention, key parts of DSS were undergoing personnel changes. There was a failure to fulfill core responsibilities both upward in the hierarchy and downward to the field due to a lack of understanding of the tools at the centre of the system model and, in some cases, because of a pre-disposition to dismiss the value of the product of such tools. In the field, the Panel found that a dysfunctional relationship among key actors combined with passive and ineffective teamwork resulted in a false sense of security and a lack of urgency which was belied by the evidence.

The Panel recognized that its Findings and Recommendations cannot help the victims but they can bring about some degree of accountability. Taken together with the reforms of the security structure deriving from the recommendations of the IPSS, it hoped the present report may at least go some way to preventing the occurrence of such tragedies in the future.