

Report of the Security in Iraq Accountability Panel (SIAP)
New York, 3 March 2004
UN Secretariat Summary of Main Findings and Conclusions

1. The Report of the Security in Iraq Accountability Panel (SIAP) of some 150 pages, and 6 volumes of supporting documents was submitted to the Secretary-General on 3 March 2004. It is the latest in a series of reports produced in relation to the tragic events of 19 August 2003 when the United Nations Headquarters in the Canal Hotel in Baghdad, Iraq was the object of a bomb attack.¹ It follows the Ahtisaari Report issued on 20 October 2003 which had recommended, *inter alia*, “that the seriousness of the breaches in the security system by the UN managers in charge at headquarters and in the field warrants the setting up of a separate and independent audit and accountability procedure to review the responsibilities of key individuals in the lack of preventive and mitigating actions prior to the attack on 19th August”. The Secretary-General tasked the SIAP to carry out a comprehensive study to examine the role of all individuals and UN organizations/offices/entities involved in the security of the UN operations in Iraq, in particular that of the UN Headquarters in Baghdad and its staff, and make findings regarding the actions or omissions of individuals in view of relevant security rules, regulations, arrangements and practices, which may have resulted in the absence of measures which might have prevented, or mitigated the effect of the attack or diminished the loss of life and injury to UN personnel.
2. In particular, the Panel was asked to:
 - (a) determine if the roles and activities of the Steering Group on Iraq (SGI) and the Security Management Team in Iraq (SMT), UNSECOORD or any other UN organization, office or entity that impacted on security issues in Iraq, and their interactions, had contributed to the blurring of the chain of command and accountability on security issues, and, thereby, to breaches of security rules, regulations, arrangements and practices in the Iraq operation;
 - (b) identify the individuals, in Headquarters and in the field, who were responsible for the management and monitoring of security of UN personnel and property in Iraq, and make findings whether they should be held accountable by the Secretary-General;
 - (c) on the basis of the alleged security lapses on the part of UN staff in Baghdad, identify if UN personnel, organizations/offices/entities were not compliant with security rules, regulations, practices and operating security standards,

¹ (Report of the United Nations Security Coordinator to the Secretary-General dated 2 September 2003; Report on an International Investigation of a Team of UN Personnel submitted to the Deputy Secretary-General on 5 September 2003; Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq issued on 20 October 2003 hereafter, the Ahtisaari Report.)

including Minimum Operating Security Standards (MOSS), security phases etc., and if so, determine why they did not or could not comply.

3. The focus of the Panel's work has been primarily the period from 1 May 2003 (the UN re-entry into Baghdad) to 19 August 2003 (the bomb blast). Pursuant to its Terms of Reference, the Panel undertook an investigative, independent audit and accountability process to review the responsibilities of key individuals and entities in the lack of preventive and mitigating actions prior to the attack on the UN Headquarters building in Baghdad on 19 August 2003. The Panel, in approaching its work, reviewed information contained in the three previous Reports and noted their conclusions. In a number of instances, however, the SIAP's own methodology, consistent with an audit and accountability approach, led it to modify some of the findings of these earlier reports. As dictated by its Terms of Reference, the Panel essentially focused on issues, and persons/entities in relation to those issues. The Report is structured around these issues where the actions or omissions of individuals or entities may have led, directly or indirectly, to a less robust UN security regime and which, in turn, resulted in the absence of measures which might have prevented or mitigated the effect of the attack on 19 August 2003, or diminished the loss of life and injury to UN personnel. Individuals and entities are considered in relation to each of the issues.
4. The Panel made considerable efforts to protect the confidentiality of its proceedings and the inputs received from all those interviewed. This is reflected in the way the report has been structured and the way references to interviews are cited. On the other hand, it has always been understood, and even explained to those who were part of the Panel's investigations that the information gathered may and can be used by the Secretary-General in any administrative or disciplinary proceedings that may follow from the report. The Panel underlined that it considered its investigative work to be part of a process in which the rights and interests of all staff members are to be protected; this also includes any staff members who may face administrative or disciplinary proceedings as a result of the findings of the Panel.
5. The following are the key areas of the report:
 - (A) possible blurring of chain of command and accountability on security issues;
 - (B) the decision to return to Baghdad (28 April 2003);
 - (C) the warning signs of an attack;
 - (D) the perimeter and UN Headquarters security;
 - (E) security clearances, staff ceilings, and staff lists; and

- (F) other issues.

(A) POSSIBLE BLURRING OF CHAIN OF COMMAND AND ACCOUNTABILITY OF SECURITY ISSUES

6. Pursuant to its Terms of Reference, the Panel was asked to “determine if the roles and activities of the SGI and the SMT in Iraq, UNSECOORD or any other UN organization, office or entity that impacted on security issues in Iraq, and their interactions, had contributed to blurring the chain of command and accountability on security issues, and thereby, to breaches of security rules, regulations, arrangements, and practices in the Iraq operations.”

The Steering Group on Iraq (SGI) and the UN Security Coordinator

7. “The Steering Group on Iraq”, initially called “The Policy Group on Iraq”, was established by the Secretary-General. Its functions and composition were determined at a first meeting convened on 1 November 2002 by the Deputy Secretary-General, who was its Chair, and reflected in a Note to the Secretary-General. It initially consisted of eleven members, being the Deputy Secretary-General and the Heads of a selected group of UN Departments, Offices and Agencies. Its composition was later revised, in particular to include the Heads of certain major UN agencies, programmes and funds operating in Iraq and the Humanitarian Coordinator for Iraq, and then consisted of fifteen members.
8. Its functions included providing consolidated policy advice to the Secretary-General, ensuring coherence between actions of the UN family with the Secretary-General’s overall strategy, pooling information and sharing analysis on key issues, including on humanitarian actions, identifying tasks, time-frames, responsibility and a division of labour for work to be performed by the UN system, and reviewing all proposals to move to higher phases of alert for contingency planning.
9. The following is a partial description of responsibilities relevant to the UN Security Coordinator as set forth in Annex III to the Report of the Secretary-General entitled, *Inter-organizational security measures: implementation of section II of General Assembly resolution 55/238 of 23 December 2000 entitled “Safety and security of United Nations personnel”* (A/56/469 of 15 October 2001):
- To act on behalf of the Secretary-General;
 - To be responsible for all policy and procedural matters related to the safety and security of UN personnel;

- To ensure an effective and coordinated response by the United Nations system to any emergency situation in the areas of United Nations operations;
 - To formulate detailed recommendations aimed at securing the security and safety of United Nations system staff;
 - To coordinate, plan and implement inter-agency security and safety programmes;
 - To initiate discussions with heads of the United Nations agencies, programmes, and funds on current and potential security-related problems;
 - To undertake security assessment missions as required and report to the Secretary-General on his or her findings; and
 - To undertake, on behalf of the Secretary-General, decisions relating to all aspects of evacuation.
10. With regard to the UN Security Coordinator's lines of reporting and accountability, it has been stated that he reports directly to the Secretary-General, and is accountable to the Secretary-General. As regards the lines of command, from a legal perspective it does not seem that the establishment of the SGI affected in any way either the right of the UN Security Coordinator of access or his duty to report and be accountable to the Secretary-General, or the right of the Secretary-General to require direct reporting and accountability from the UN Security Coordinator. As regards access, it may be noted that, apart from the Humanitarian Coordinator for Iraq, all other members of the SGI had a right of direct access to the Secretary-General, and there is nothing to suggest that the interaction between them and the Secretary-General was affected by the establishment of the SGI.
11. However, the question also arises as to whether the UN Security Coordinator's lines of reporting, as legally defined, were in practice blurred through the establishment of the SGI. After its establishment, the UN Security Coordinator submitted regularly to the SGI reports on security in Iraq. The Chef de Cabinet, who was the officer to whom the UN Security Coordinator usually reported, was a member of the SGI. After the discussion of a security issue in the SGI, it would appear that there were generally no individual reports by the UN Security Coordinator to the Chef de Cabinet on the issue discussed. The Panel did not find that this deviation caused any substantive prejudice in regard to any issue of security. If the UN Security Coordinator had disagreed with any SGI proposal to the Secretary-General involving security, it was open to him to use his direct reporting line to the Secretary-General. The Panel therefore concluded that the SGI did not blur the lines of command relating to the UN Security Coordinator.

The Humanitarian Coordinator/Designated Official (The Designated Official)

12. Under the current UN security management system, the Secretary-General, in consultation with the executive Heads of other organizations operating at the duty station, designates one senior official, to be titled Designated Official, who will undertake overall and special responsibility for, *inter alia*, the security and protection of the organization's staff members. The Designated Official is accountable directly to the Secretary-General, through the UN Security Coordinator, for ensuring the safety and security of UN personnel. The Designated Official is also responsible, through the UN Security Coordinator, to the Secretary-General for; *inter alia*, the following functions:
- Ensuring the observance of the arrangements detailed in the United Nations Field Security Handbook, and the development of the security plan for the duty area;
 - Keeping the Secretary-General informed, through the UN Security Coordinator, of all developments in the country which may have a bearing on the security and protection of the organization's staff members;
 - Forming the appropriate security management team, and ensuring its regular functioning;
 - Developing and implementing MOSS, and ensuring that all UN system staff are appropriately equipped with safety and security equipment; and
 - Ensuring that those with special responsibilities for security receive adequate and appropriate training.
13. In addition to his onerous duties as Designated Official, for which he was accountable through the UN Security Coordinator to the Secretary-General, the individual concerned was also the Humanitarian Coordinator, responsible to the Under-Secretary-General for Humanitarian Affairs, was also responsible to the Executive Director of the Office of the Iraq Programme for the administration of the Oil-for-Food Programme to the extent that it was managed by the Office of the Humanitarian Coordinator in Iraq (UNOHCI), was further, as the Resident Coordinator for Iraq, responsible for his duties in that capacity to the Administrator of the United Nations Development Programme, and was also the Deputy Special Representative of the Secretary-General.
14. Despite the complicated administrative structure within which he operated, the roles and activities of the Designated Official did not contribute to any blurring of the chain of command or accountability relating to himself or any other individual or entity, and thereby to breaches of security rules, regulations, arrangements and practices in the Iraq operation.
15. However, by reason of the way the SGI operated, the views of the Designated Official sometimes reached the SGI directly, and not, as required, through the UN Security Coordinator. While the Panel concluded that this did not have an adverse effect in

practice, it expressed the view that, except where unavoidable, the Designated Official's normal channel of communication through the UN Security Coordinator should be maintained.

The Security Management Team (SMT)

16. The Designated Official is obliged, after consultation with the representatives of other organizations at the duty station, to constitute a Security Management Team to advise him on all security related matters. Ideally, such a team would include: the Designated Official; the Deputy Designated Official or Alternate Designated Official; any agency representative who by training, background or experience would contribute to the team; the Field Security Officer; a medical officer; an internationally recruited staff member familiar with local conditions and the local language; and a staff member with a legal background.
17. In Baghdad, the SMT was chaired by the Designated Official, and included senior UNOHCI officials, later the Director of Administration of the Special Representative of the Secretary-General, the country heads of all UN agencies with their security officers generally in attendance, and the Head of the International Organization on Migration. The meetings were regularly briefed by the Field Security Coordination Officer (FSCO), or in his absence by his deputy. The SMT was essentially an advisory body on security to the Designated Official, and was a forum in which joint recommendations could be made by its members to the Designated Official.
18. Some deficiencies in the operation of the SMT in Baghdad were noted by the Panel. With regard to the chain of command, however, the Panel's findings are that the lines of reporting and accountability of the members of SMT remained unimpaired, and that the role and activities of the SMT did not contribute to any blurring of the relevant chains of command and responsibility.

(B) THE DECISION TO RETURN TO BAGHDAD

19. In this section of the Report, the Panel looked at the circumstances surrounding the decision to return to Baghdad on 1 May 2003, the return itself and the failure to undertake a prior security assessment. Subsequent to the completion of the evacuation of all UN staff from Iraq on 18 March 2003 and with the commencement of the war, all of Iraq, including Baghdad, remained at Phase V. According to the UN Field Security Handbook, the security phases of any country security plan, or of an area or region in the country should, at any one moment be one of five. Phase V is Evacuation, Phase IV is Programme Suspension.

20. The proposal to return to Baghdad originated with the Office of the Humanitarian Coordinator/Designated Official in Iraq (UNOHCI). It was contained in various versions of a Concept Paper discussed in full at the SGI. Whilst the earlier versions envisaged security assessment teams to be fielded prior to deployment of staff, the final version envisaged a joint security assessment team/inter-agency humanitarian advance team, led by the Designated Official, to reach Baghdad, Canal Hotel, on 1 May by road from Amman. This version was endorsed by the UN Security Coordinator even though it was strongly opposed by the UNSECOORD Regional Security Officer in Larnaca.
21. In the Panel's view, the Designated Official bears the main responsibility for putting forward a flawed "Concept of Operations IV proposal", which then formed the basis for the return of UN international staff to Baghdad. The UN Security Coordinator not only supported the plan but also actively promoted it, despite becoming aware of the strong reservations of the Regional Security Officer in Larnaca. It was incumbent on the UN Security Coordinator, in particular, to scrutinize the security dimension of the plan for the return. His final assessment and endorsement from a strictly security point of view was all the more important. The UN Security Coordinator, on 28 April 2003, failed to sensitize the executive level to the important security dimensions of the plan for the return to Baghdad. By signaling neither to the SGI nor to the Secretary-General that the plan, as proposed, foresaw an exception to by now well established practice to conduct a prior security assessment, he did not provide an occasion for a possible consideration at the executive level, particularly in the SGI, of an important issue, namely balancing risks to the staff against the benefits of a quick return.
22. The revised proposal was discussed by the SGI on 28 April 2003. The SGI agreed to recommend it to the Secretary General, without much discussion or question as to its safety implications. The Panel found, in this regard, that the SGI did not undertake any thorough study of the revised Concept of Operations Paper with a view to providing considered guidance regarding security requirements. There were questions, which its members could reasonably have asked of the Designated Official and the UN Security Coordinator, to clarify the extent of the risk that the staff was running. A further question that could have been asked in the SGI was how the UN staff in the Canal Hotel were to be protected after the troops occupying the Hotel had departed, considering that the Coalition Forces had not, at the time of return, undertaken to guard the Hotel, and that the Designated Official seemingly regarded association with the Coalition Forces as problematic.
23. Furthermore, given that the return to Baghdad was clearly a matter of high importance for the UN, it might have been expected that the members of the SGI would have studied the "Concept of Operations" papers submitted to them with care. All previous returns contemplated were by air, while the return proposed in the revised "Concept of Operations IV" was by road. The Panel recognized, however, that, having been informed of the UN's travel plans, the Coalition Forces reportedly did closely monitor the team's movement towards Baghdad and multiple radio

communication links with the convoy allowed the UN offices in Larnaca and Kuwait to stay in close contact throughout the trip. A question might reasonably have been asked whether a risk assessment had been made of the road to be travelled and the risks involved. No such assessment had in fact been made.

24. The Panel noted that the evolution of events clearly demonstrates that, in a situation of mounting humanitarian and political pressures, system-wide accepted staff security safeguards may all too quickly be compromised without an appropriate assessment as to the possible consequences. It would appear, therefore, that there was some lack of due care and diligence in the manner in which the members of the SGI dealt with the circumstances of the return of the UN team to Baghdad. However, the Panel emphasized that by far the larger share of responsibility for the endorsement by the SGI of a flawed proposal lay with the Designated Official and the UN Security Coordinator.
25. Though it may be argued that UNSECOORD's "Policy Considerations" do not make it absolutely mandatory to field a security assessment mission first, prior to deploying regular staff into a Phase V situation, the importance of doing so had been recognized by all until 28 April. It had also been respected previously, the Panel was advised, in regard to the return of UN staff to all other regions of Iraq. Indeed, the security component of the team of 1 May had been tasked to immediately carry out a security assessment. However, faced with the decision to reoccupy Canal Hotel and make "the best of it", as well as the need to cater for staff already on the ground, especially with more arriving in quick succession, the Security Team had to concentrate on becoming immediately operational. It was the Panel's view, that in these circumstances, the kind of strict focus on security aspects one expects from a dedicated first-hand security assessment was never attained subsequent to the arrival of the Security Team in Baghdad.
26. As regards the role of the Secretary-General, the Panel felt that, having approved a proposal put forward by the Designated Official which was endorsed by the SGI, and on which there were no reservations expressed by the UN Security Coordinator, the Secretary-General acted in a proper manner.
27. The Panel stressed that in addressing the aforementioned issues it was not passing judgment on whether the return to Baghdad on 1 May was timely and necessary; rather it drew attention to the need for such decisions to be arrived at with due regard for all security dimensions and options available.
28. In coming to these conclusions, however, the Panel recognized the fast and enormous build-up of pressure from within and outside the Organization for an early return to Iraq, following the total evacuation on 18 March. Given the prolonged dependency of the majority of the population on food aid and other vital supplies, the rupture in the implementation of pre-war humanitarian programmes, in the assessment of most, was likely to result in a massive emergency. With some NGOs and the International Committee of the Red Cross already at work, and the Humanitarian Aid Office of the

European Commission (ECHO) about to open an office in Baghdad, the UN was seen as dragging its feet in the face of an impending major humanitarian crisis. UN agencies that had operated in Iraq before the war, urged by their national staff who had carried on activities as best as they could and with tremendous motivation and commitment, wished the UN to return without further delay. They and others, pressed by donor Governments which had started already in late March to put up new funds, urged a return for the purpose of humanitarian needs assessment. There was also considerable political pressure from Member States of the UN, both from members of the Coalition and from others, though for different reasons.

29. At the beginning of May, there was also every expectation that the then prevailing situation of general lawlessness in the country, particularly in Baghdad (widespread looting, demonstrations, etc.), would be quickly brought under control; armed resistance by supporters of the former regime was infrequent and limited to targeting the Coalition Forces.
30. Very few, if any, thought the attitude of the Iraqi population towards the UN could be anything but favourable; this view was particularly strong among those who had served in Iraq before, including the UN Security Coordinator, the latter having served previously as Humanitarian Coordinator/Designated Official in Iraq before assuming his current responsibilities.

(C) WARNING SIGNS OF AN ATTACK

31. In its Terms of Reference, the Panel was asked to look at the UN's failure to recognize and react to any clear warning signs of an imminent attack on the UN. In doing this, the Panel looked at the collection, assessment and dissemination of security information by the UN in Iraq.
32. The Panel found that warnings and some of the more urgent recommendations in relation to security went unheeded, or else they were dealt with in a manner, which was so lethargic that it defeated the purpose of the exercise. A series of reports prepared by the UN security community and incidents described by the Panel, should have provided ample warning to the senior management of UNSECOORD, the SRSG, the Designated Official and the Security Management Team that from late June onwards there was a very real danger to the safety of UN staff and installations.
33. A perusal of the security updates that were compiled and disseminated between 23 May and 19 August gives a picture of how the security situation deteriorated over that period of time. The reports reflect a steady increase, in the number and level of sophistication, of attacks with improvised explosive devices (IEDs), mortar and anti-aircraft missiles against the Coalition Forces. From early July onwards, attacks were perpetrated against international organizations, non-governmental organizations, agencies and the United Nations. The Security Update for 19 July details a total of

fifteen security incidents that impacted on UN operations in Iraq between 1 June and 19 July 2003.

34. The Panel described in detail an incident that occurred in Baghdad on 8 June, involving a vehicle which was attached to the Close Protection Team (CPT) for the SRSG and a group of pedestrians. In the Panel's view, the manner, in which the incident was pursued and investigated was relevant, because it illustrated the attitude adopted towards incidents with serious security considerations and raised questions about disclosure and reporting practices.
35. At about 21.00 hours on 8 June, four vehicles attached to the CPT were travelling in convoy, on the return journey to the Canal Compound, after leaving the SRSG at the Sheraton Hotel. The drivers were UN national staff who were attached to the UNOHCI transport section at the Canal Compound. At the last bridge leading to the Canal Compound, the convoy encountered a number of pedestrians on the roadway. The driver of the lead UN vehicle thought they were going to "loot" the vehicles and took evasive action. He managed to avoid one, but the second pedestrian ran directly towards him and collided with the front of the vehicle. The driver stated that the area was dark and desolate and he did not stop and continued driving to the Canal Compound. There are unsubstantiated claims that the pedestrians were armed when they attempted to stop the convoy, but the driver did not refer to this in his report. It was obvious from the evidence on the vehicle that the pedestrian must have sustained very serious injury. The UNSECOORD Security Officer who examined the vehicle notified the Coalition Forces the same evening who did a search of the area where the incident occurred with negative results. He made further enquiries with hospitals in the locality but found no reports of fatalities or serious injury that would correspond to the incident. The Panel failed to find any indication that any further interviews or enquiries were conducted into the incident.
36. The manner in which the incident of 8 June was addressed, raised several unanswered questions in relation to security issues. The fact that there was an attempted interference with a vehicle associated with the SRSG had serious security implications and should have demanded a full investigation. The UN Security Coordinator, who had been made aware of the incident by UNSECOORD staff in Baghdad, was sufficiently concerned to communicate personally with the Designated Official, but got no response to his enquiry. The UN Security Coordinator then neglected to pursue the issue despite his earlier concerns. The information provided to the Panel suggests that the Designated Official was unhappy that the incident had been reported to UNSECOORD in New York. The FSCO told the Panel that there was no evidence which would suggest that the incident was an attack on the SRSG and that he did not consider the incident unusual in the environment.
37. The lack of a proper investigation into this serious incident, which resulted in serious injury or possibly death, was practically ignored by the Designated Official and FSCO in Baghdad and the UN Security Coordinator in New York. The Panel is of the view that despite the difficult security environment, there were several lines of

enquiry, which could and should have been pursued, to establish the true circumstances of the incident. The lukewarm response by senior UN security staff to this incident is not explained. The Panel has not found any credible explanation why a more vigorous investigation was not pursued or why, as alleged to the Panel during the proceedings, the Designated Official did not want the matter reported to New York.

38. The Security Update for 29 June quotes information from what is termed “usually reliable sources,” to the effect that “the threat of the escalation of violence for the month of July is highly probable and that the future use of car bombs and suicide bombers is very possible.” The same report also refers to information that non-Iraqi citizens were planning terrorist “spectaculars” in Baghdad.
39. The danger was recognized by the UN security community in Iraq and there are signs that some of the security officers suffered extreme frustration when their warnings were unheeded. The UN security team in Baghdad managed to mould an alliance in their efforts to identify and pool security information. A genuine team spirit developed in the security community, which was fostered by an increasing exasperation with what the group perceived as the lack of response to their warnings of the growing security threat to the safety of the mission.
40. The Panel was of the view that the UN security officers on the ground in Baghdad can not be held responsible for the failure to recognise the clear warning signs that the situation was deteriorating and that there was a possibility that the UN could become a target. The evidence indicates that as a group, they became increasingly concerned about the deteriorating situation. They made recommendations in relation to security at the Canal Compound and presented documented threat assessments highlighting the situation, in the form of Security Updates and presentations at SMT meetings.
41. The UN Security Coordinator, the Designated Official and the SMT appeared to be blinded by a conviction that UN personnel and installations would not become a target of attack, despite the clear warnings to the contrary. Indeed, the response by the SRSG to the Secretary General’s questions about security, after an attack on the Jordanian Embassy on 7 August 2003, indicated that the SRSG held the same view. The SRSG was uncertain as to whether the explosion marked a turning point, indicating that it depended on who did it and for what reason. Nevertheless, he pointed out that the incident alone was not indicative of an escalation of violence and it would be possible to start implementing projects enumerated in the recent report to the Secretary-General. It is, therefore, fair to say that this false sense of security was a state of mind that was shared by all the senior UN political and humanitarian staff in Iraq.
42. The UN Security Coordinator, the Designated Official, the SMT and the SRSG, had a responsibility to respond to the warnings and to ensure that the implementation of security measures to minimize the safety risks to staff was made a priority. They failed to respond to this challenge and steadfastly maintained the view, despite the

rapidly deteriorating security situation, that the UN was protected by its neutrality and its humanitarian mandate and that the staff and its installations would not be directly targeted. This belief proved to be ill founded and the lack of preparedness brought about by the perception of immunity from attack had tragic consequences, which have reverberated throughout the UN system. It is probable that if the security measures that were recommended by the security staff had been implemented in a full and urgent manner, the number of casualties sustained in the attack on 19 August would have been considerably reduced.

43. With regard to the Coalition intelligence staff, they had a clear operational difficulty in passing sensitive security information to UN security officers on the ground in Baghdad. The difficulty was created because there was a lack of confidence in the confidentiality in the UN system. However, the Panel share the view expressed by the Military Advisor to the SRSG, that the Coalition did not hide any information from the UN that had the potential to impact on the safety of staff, or its installations and that the arrangements for this exchange of security information was not a factor in the attack of 19 August.

(D) THE PERIMETER AND HEADQUARTERS SECURITY

44. In its Terms of Reference, the Panel was asked to consider three issues in relation to the UN Headquarters in Baghdad:
- (a) the absence of adequate perimeter security in the Baghdad headquarters location;
 - (b) the absence of adequate protection to the Baghdad headquarters building, including, but not limited to, the failure to install blast protection material;
 - (c) the inappropriate location of the offices of senior UN officials within the Baghdad headquarters building.

The Canal Compound and Security on Return

45. The Canal Hotel is a three storey building situated in a sparsely-built area of the Baladiyah district, in the eastern suburbs of Baghdad. A two lane highway called Canal Street forms the boundary at the front, or southern perimeter of the Hotel grounds. The eastern verge of a small roadway which runs from Canal Street to a Tourism Institute College at the rear of the Hotel grounds forms the western perimeter. Immediately on the other side of this road is a complex that housed a Military Hospital of the former Iraqi Regime. The emergency power station building and electrical generators for the Canal Compound were located on the left hand side of this road as one travels towards the Tourism Institute, adjacent to the main Hotel building. The roadway has a significant connection to the events that unfolded on 19

August 2003, and is referred to in the report as “the access road to the Tourism Institute”.

46. The main entrance to the Canal Compound is on Canal Street and there is a gate on the Northern perimeter which serves as the rear exit and allows access to a road that runs parallel to the rear of the Compound. When the Humanitarian Coordinator leading twenty-one international staff returned on 1 May 2003, the Canal Compound was enclosed by means of a wire fence, which was breached in many places and patched with plastic sheeting. It was occupied by troops of the 2nd Armored Cavalry Regiment of the Coalition Forces. The UN Security Coordinator contacted the U.S. Permanent Mission to the UN in New York and requested that the troops be removed from the Canal Compound. On 9 May, the military withdrew from the inner Compound and the Commanding Officer agreed to leave one Platoon to guard the outer perimeter at the request of the Designated Official. The UN provided the soldiers who remained with accommodation and radios to assist with communications with the UN security officers. The soldiers were also allowed to use the Cafeteria and internet facilities at the Canal Hotel, though at one point they were requested not to enter with their weapons.
47. On 6 May, the Designated Official convened an SMT meeting with the agency representatives that had returned to Baghdad. The Designated Official and the SMT decided to recommend to the Secretary-General the immediate change in the security phase for Baghdad from Phase V to Phase IV. The implementation of Phase IV was accompanied by a number of caveats concerning movement and travel, and stipulated that all UN international staff should reside in the Canal Hotel on a temporary basis. The Panel found there is no available documentation from the SMT meeting on 6 May which shows what factors were taken into consideration in arriving at the decision to change the security Phase status. There is no documentation to suggest that a full security assessment of the Canal Compound and an assessment of the security environment in Baghdad had been completed by that time. However, the alteration of the Security Phase provided the opportunity for additional international staff to enter Baghdad at a quick pace.
48. The adoption of Resolution 1483 by the Security Council on 22 May 2003 made provision for the appointment of the SRSG and gave the UN an increased role in Iraq. As a consequence, there was a fairly rapid increase in the numbers of UN international staff in the country. On 28 May, the FSCO announced that staff had permission to move out of the Canal Compound to hotels in the city that were cleared by the security staff. On 2 June, the SRSG and his team arrived.

Security Provided by Coalition Forces

49. The Panel had access to a security overview, prepared by the Coalition Joint Task Force 7, for the information of the Ahtisaari Panel. In the absence of responses to

questions put to the US military authorities and the inability to conduct further interviews, the Panel concluded that there was a direct conflict between what is stated in the document prepared by the US authorities for the Ahtisaari Panel and accounts related to the SIAP by the Designated Official and the FSCO.

50. There are conflicting statements of the Second Armored Cavalry Regiment and the UN Designated Official and senior UN security staff over the location of some of the military positions and equipment on the perimeter. There is also conflicting information as to whether requests were made by senior UN staff to vacate US military personnel and equipment from these critical positions before the attack on 19 August. The Panel was unable to make definite conclusions on these issues as some questions put to the US military authorities involved in the planning and execution of the arrangements for the military protection of the perimeter of the Canal Compound had not been received at the time the report was issued. However, the Panel did receive from the FSCO a copy of a note from the Regimental Commander of the Second Armoured Cavalry Regiment to the FSCO which stated: "It has been quite some time since the bombing and we have had considerable personnel turnover, but I cannot find any evidence that you specifically directed our troops to remove barriers or troops from around the Canal Hotel Compound prior to the suicide bombing."
51. There is a consensus, however, between the UN international staff and the US military authorities on the following matters relevant to the protection of the outer perimeter of the Canal Compound:
 - (a) The Compound was occupied by the soldiers of the 2nd Armored Cavalry Regiment when the UN international staff returned on 1 May.
 - (b) The soldiers withdrew from the inner Compound on 9 May and the Commanding Officer left a platoon of 30 soldiers to protect the outer perimeter at the request of the Designated Official.
 - (c) The tasking to protect the outer perimeter was formalized within the Coalition Forces on 18 June.

Security Provided by the UN

52. After 1 May, the FSCO had assumed operational responsibility for the security of the Canal Compound from UNOHCI. The decision to assume responsibility for the day-to-day security of the Compound meant that UNSECOORD subsumed the UNOHCI security posts. This meant that it now also had responsibility for the supervision of the national security guards who formerly reported to the Chief Security officer of UNOHCI.

53. The decision by the FSCO to take on an operational role in Baghdad was a departure from his terms of reference and gave him extra responsibilities which he was unable to address. The UNOHCI security posts should have been retained in a subordinate role to the FSCO who could have monitored their duties and performance.
54. The Panel concluded that the standard of security management as regards the Canal Hotel compound was seriously deficient and lacking cohesion. This deficiency was exacerbated by the inadequate support for the security staff by senior security management in New York and the Designated Official and the SMT in Iraq. The UN Security Coordinator failed to take remedial action when there were clear messages that UNSECOORD staff in Baghdad were finding it very difficult to cope with increasing demands on their services and rising stress levels. He appeared oblivious to the developing crisis and made little effort to ensure that his staff had sufficient management skills and resources to enable them to fulfill their responsibilities.

Perimeter Security

55. In the days following the return to the Canal Compound, the Designated Official and the FSCO conducted a security survey of the perimeter fencing. They found that it was breached in many places and generally in a poor condition. They were in agreement that the fencing did not provide sufficient security and that it was necessary to erect a wall to enclose the Canal Compound. It was also agreed that a new steel electrical sliding gate should be fitted at the main entrance from the Canal Road.
56. The Building Manager was advised by the FSCO that the wall should be four meters high, with decorative spiking on top and security lighting every 25 meters. The primary purpose of the wall was to enclose the compound and deter intruders. It was a hollow brick wall and not designed or constructed to be blast proof, or to provide any unique protection against the effect of a bomb or rocket attack. It is not possible to establish the exact date for its commencement, but work on the wall was not completed when the attack occurred on 19 August. The Panel was informed by the Civil Engineer for the project that the wall was completed to a height of 2.2 meters at that point in time and that work was still ongoing.
57. The SRSG's office was on the second floor ("i.e. immediately above the ground floor") of the main building on its south west corner, above and overlooking a single storey extension and the access road to the Tourism Institute. The bomb was detonated on the access road to the Tourism Institute, immediately outside the perimeter wall of the extension, at the spot where the compound wall had only reached the height of 2.2 meters. The offices immediately inside and above were subjected to the full force of the blast with inevitable tragic consequences.

58. The entire process from the identification of the necessity of the wall, until the award of the contract for construction and the commencement of construction work, took approximately six weeks. Two months later, the wall was still under construction. Under normal security conditions, this would not be considered an excessive delay. However, in the security conditions that prevailed in Baghdad, efforts should have been made to expedite the work, and it could have been expedited if the procedures in the procurement regulations which allow for urgent requirements had been utilized. The Panel was of the view that there was excessive delay in the construction of the wall.
59. The Panel concluded, that in relation to the perimeter wall, that:
- (a) The pace of the construction of the perimeter wall was very drawn out, to the extent that it was not completed by 19 August. The fact that after nearly two months, the work had failed to reach completion indicates a lack of urgency that was not reconcilable with the deteriorating security situation.
 - (b) The perimeter wall was designed and built to protect the inhabitants of the Canal Compound from stray projectiles and deter intruders. It was built of hollow block and had no unique characteristics to withstand attack with explosives.
 - (c) The wall formed a barrier that prevented unauthorized traffic from driving or parking close to the front of the main building. This advantage was negated on the western perimeter because the wall was built too close to the main building and did not allow for any security stand-off space. In addition, the wall had only reached the height of 2.2 meters on the south west corner by 19 August. The accumulated weakness of this area was exacerbated by the absence of security measures on the access road to the Tourism Institute and the fact that unrestricted parking was allowed along the outside of the wall. This exposure appears to have been exploited by the persons who attacked the Canal Compound on 19 August 2003.

Blast Resistant Film

60. The principal issue dealt with by the Panel was the adequacy of the protection afforded to the Headquarters building itself, primarily focusing on the failure to have blast resistant materials included in the windows, corridors and glass doors of the Canal Hotel. The total area of exposed or outer glass on the building prior to the attack is given as 1260 sq. m. The Panel was informed that as high as 90% of the injuries sustained as a result of the bomb blast on 19 August was caused by penetration from flying glass shards. These estimates are according to two UN Medical Doctors present at Canal Hotel at the time of the bombing.

61. Blast resistant film for glass is marketed under different brands with different quality specifications according to the degree of risk anticipated. The film provides a significant reduction in penetration hazards from glass shards in the event of an explosion. It is a transparent polyester type material, which when fitted to the glass makes it considerably stronger and less likely to disintegrate when exposed to shock waves or trauma caused by an explosion. An information package providing advice and specifications on protective equipment including blast resistant film was not issued by UNSECOORD until September 2003. However, a recommendation to have blast resistant film fitted to the windows of UN buildings in Baghdad had been made as far back as June 2002. Then, after an explosion of ordnance close to the Canal Compound on 28 May 2003 by the Coalition forces, discussions related to its installation resumed.
62. The absence of documentation makes it difficult to establish when the issue of blast resistant film first became a security concern at the Canal Hotel. The Panel was of the opinion that the explosion on 28 May, which broke windows in the Canal Compound, was the main catalyst, which brought the broad realization that blast resistant film was needed on the windows. As recollected by the Designated Official, a discussion had taken place in the 28 May SMT meeting, related to the desirability of having the film installed as a precautionary measure against accidental damage, rather than a response to a deliberate threat. There was also a discussion about who should fund the procurement and installation of the film. It was decided that the CAO of UNOHCI and the Director of Administration for the SRSG would discuss this issue outside the meeting, because it was not a matter for the SMT. The Panel concluded that this discussion could not have taken place at the meeting of 28 May because the Director of Administration for the SRSG had not arrived in Baghdad at that time. It is possible that there was another undocumented explosion in mid-June. The Designated Official also recalled that the issue had been raised at an SMT meeting in late July, at which there was a long discussion about the correct technical specifications and the CAO told the meeting that procurement was under process.
63. In any event, a document prepared by the FSCO and dated 27 May is significant because it contains the first written recommendation for blast resistant film on all the windows of the Canal Hotel. As a result of the recommendation, the Chief Engineer requested the UNOHCI Administration Section to have blast resistant film fitted to the SRSG's office.
64. A film was fitted to the offices of the SRSG on 15 June 2003. It was procured in Baghdad and installed under the supervision of the Civil Engineer attached to the Buildings Management Unit. The installation cost \$75 and was paid for out of the petty cash account of the Administration Section. This was not blast resistant film and it was the understanding of the Chief Engineer from DPKO that it was only fitted as a temporary measure, until the correct material was available.
65. The issue of identifying the correct type of film and procuring it for the building was not actively pursued until there was a shooting incident outside the Canal Compound

on 29 June. This incident renewed interest and gave fresh impetus to the issue of blast resistant film. At the SMT meeting on 30 June, which was chaired by the Deputy Designated Official, the WFP Special Operations Coordinator made an offer to fund the procurement and installation of the film. The offer was not accepted by the CAO for UNOHCI on the grounds that a tendering process had already commenced for the work. The fact that the CAO stated that procurement had already commenced indicates that there had been previous discussion at SMT meetings on the issue.

66. The Deputy Designated Official, between 30 June and 4 July, and as a result of the SMT on 30 June, orally instructed the CAO, to fit blast resistant film on all of the windows in the Canal Hotel. The CAO issued instructions to have the entire building fitted with blast resistant film and that work was to commence with the Cafeteria. He did not want to implement a tendering process, so he instructed that the work should be financed from petty cash. It was his intention that the entire building should be completed in a piecemeal fashion to keep within the limit of the petty cash regulations. He denied that the issue was discussed at any UNOHCI staff meetings and also denied receiving any information or documents on blast resistant film from another Officer.
67. The Building Manager tasked the Civil Engineer attached to his Section to procure and install film on the Cafeteria. He also instructed the Engineer to keep the expenditure under the \$200 petty cash ceiling. As a result of his discussions with the Building Manager, the Civil Engineer firmly understood that he was tasked to procure and install blast resistant film on the entire building, starting with the Cafeteria. He prepared a "Scope of Work" for the rest of the building which he submitted to the Building Manager on or about 12 July 2003. The film was fitted to the Cafeteria windows around the middle of July 2003. It was similar in quality to that fitted to the office of the SRSG. It was available in Baghdad in quantities sufficient to cover the entire building in July 2003. The Civil Engineer requested the Building Manager to process the "Scope of Work" for the rest of the building and his request was refused on more than one occasion.
68. UNSECOORD had not disseminated any instructions or formulated any technical specifications for blast resistant film prior to 19 August 2003. The security personnel in Iraq did not seek any professional advice on specifications for the material or offer any guidance to the persons tasked with its acquisition.
69. In regard to this issue, the Panel felt that the lack of urgency and inept behavior in addressing the issue of blast resistant film represents a dereliction of duty by the persons charged with the responsibility for the safety and care of staff in the Canal Hotel Compound. There is no excuse why blast resistant film was not installed nearly three months after the need was identified. Over that same period, the security situation had deteriorated and explosives were regularly used in Baghdad as a means of attack.

70. This indictment is made more profound by the fact that a very high percentage of the casualties from the attack on 19 August suffered their injuries from flying glass shards. If blast resistant film had been installed it would by all accounts have considerably reduced the amount of serious injuries that were inflicted by flying glass and would in all probability, have saved lives.
71. The Panel could not find any evidence that would suggest the Chief Administrative Officer of UNOHCI and the Building Manager of UNOHCI ever had any serious intention to procure and install blast resistant film with the correct technical specifications for the entire Canal Hotel.
72. The Chief Administrative Officer of UNOHCI and the Building Manager of UNOHCI displayed a profound lack of responsibility and ineptitude in the manner they sought to implement the request for the installation of the film. Their combined response to the issue indicates a lethargy that is bordering on gross negligence.
73. The Chief Administrative Officer of UNOHCI told SMT meetings that the tendering process for the film had already commenced. This was an inaccurate representation of the true facts and had the effect of misleading many people.
74. In the Panel's view, it was simply incomprehensible how the Chief Administrative Officer and the Building Manager could decide:
 - (a) to deal with this issue of blast resistant film through the petty cash procedure;
 - (b) that they did not seek any advice on where and what precisely to procure; and
 - (c) that they did not seemingly take any further action as regards the rest of the building once the film was installed in the SRSG's office and the cafeteria, yet declined an offer by WFP to fund and assist with the procurement of the proper material.

Location of the Offices of Senior Officials

75. The main executive offices at the Canal Hotel were located at the front of the building on its south-west corner. The offices of the Designated Official were on the ground floor and the offices of the SRSG were on the second floor, overlooking the access road to the Tourism Institute.
76. The Chief Engineer of the Plans and Operations Unit in the Department of Peacekeeping Operations (DPKO) and a Radio Technician from the same Unit arrived in Baghdad on 25 May 2003 as the pre-assessment team for the office of the SRSG. They assessed the offices which were allocated to the SRSG by the Designated Official and put processes in train to acquire office furniture and

equipment. They shared an office with the staff of the Buildings Management Unit at the Canal Compound for the first six days of their assignment.

77. The Chief Engineer from DPKO discussed matters related to security at the Canal Compound with the FSCO. The Chief Engineer asked him a number of times for his recommendations and eventually came into possession of a document dated 27 May which contained six recommendations for security enhancements at the Canal Compound. The name of the FSCO was typed underneath the recommendations but it was unsigned. Item number two on the list was a recommendation that blast resistant film should be installed on all office windows, with first priority going to the new offices of the SRSG. The Chief Engineer did not receive the document until the day after an incident, when the Coalition Forces detonated some unexploded ordnance close to the Canal Compound.
78. The Panel found that, in a security context, the offices of the SRSG and the Designated Official were in the most inappropriate part of the building and vulnerable to attack. This, however, was also true of all the other staff offices located in this area of the building directly adjacent to the access road to the Tourism Institute. This fact was obvious and should have received remedial attention at the time of re-occupation of the building, but most certainly in the deteriorating security situation in Baghdad prior to 19 August.
79. The Panel was of the view that the FSCO in his 27 May assessment should have stated any reservations he might have had as to the location of the SRSG's offices. The Panel had the same observations about the security assessment report prepared by the staff of the UN Safety and Security Service which presumably because of the low risk assessment, accepted the status quo until new premises could be identified. A further opportunity presented itself for the FSCO to raise this issue in a forceful way when the Chief Engineer from DPKO was assessing the needs of the SRSG's office.
80. The Panel could not substantiate the assertion in previous reports that the SRSG was unwilling, or refused to move to more secure office accommodation within the Canal Hotel. The question of moving his entire office out of the Canal Hotel to a location which would have been more accessible to the public and Diplomatic Missions was, however, under consideration at the time of the attack. An architect from DPKO was assigned to Baghdad for the purpose of identifying suitable office and residential accommodation in the city. The SRSG was apparently of the view that the choice of new offices in Baghdad should be left to his successor because he was close to the end of his term of office in Iraq.

General Observation

81. To sum up, in relation to overall compound security, the Panel found that the Designated Official, the Security Management Team, the SRSG and the UN Security Coordinator failed to grasp the magnitude of the deteriorating security situation in

Baghdad. They ignored the warning signs which were becoming more obvious each day. They failed to respond effectively to the recommendations and advice which were coming from their own security advisors to enhance the protective measures of the Canal Hotel Compound.

(E) SECURITY CLEARANCES, STAFF CEILINGS AND STAFF LISTS

82. These sections of the Panel's report examine issues relating to the issuance of security clearances to staff that were not deemed to be essential staff, and to two related aspects of the issuance of security clearances, namely the directives in place and the procedures for handling clearances as well as issues relating to staff ceilings and staff lists.

Security Clearances

83. The objectives of security clearances are described in UNSECOORD's Security Directive (SD/2004/4 of 30 September 2002) on Security Clearance Procedures as "to ensure that the Designated Official (and all country level representatives of agencies) can monitor the location and number of all personnel at the duty station and to ensure that they are included in the Security Plan. In the event of a crisis or emergency this information would ensure that a staff member could be located quickly". Another objective is to ensure that only personnel falling within the category contemplated by the applicable security phase travel into or within the duty station.
84. The same Security Directive (SD/2002/4) requires "each Designated Official (in consultation with the Security Management Team) to establish security clearance procedures for their duty station, to include receiving and issuing clearances in response to requests for both external and internal travel".
85. In a memorandum of 28 May 2003, the Deputy United Nations Security Coordinator informed all Agency Security Focal Points of the security procedures in place for Iraq, effective as of 27 May 2003. She pointed out that for the city of Baghdad (Phase IV) and other Phase IV areas, security clearances would be approved for *emergency or humanitarian relief operations or security* only (emphasis in italics is that of the UNSECOORD memorandum). This guidance reflected that of the UN Field Security Handbook (effective 1 January 1995) which in Phase IV situations envisages the presence of only those internationally recruited staff members "directly concerned with emergency or humanitarian relief operations or security matters".

86. Following a meeting of 8 June, a new procedure to manage security clearances was formalized in a memorandum dated 11 June 2003 from the Designated Official to all national and international staff in Iraq, including contractors included in the United Nations Security plan. It provided for the FSCO to clear internal travel in consultation with the Area Security Coordinator. Phase V areas required the Designated Official's endorsement and the approval of UNSECOORD. External requests (for travel to Iraq) were subject to approval by the Designated Official, following a recommendation from the FSCO.
87. This procedure for processing security clearances essentially remained in force for the period under review, except that early in August approval for externally requested clearances was delegated by the Designated Official to the FSCO at the latter's request; the FSCO felt that such a change would improve the issuance of clearances and enable better control of a number of related issues, such as having a more accurate picture of the number of staff in the country. The Panel did not see any evidence of such intended improvements.
88. A key contributing factor in the growth of requests for security clearances was the adoption of Security Council Resolution 1483 on 22 May 2003. Thereafter, the situation changed dramatically. The UN was now being tasked to carry out, with some urgency, a wide range of humanitarian, developmental and political activities, whilst at the same time having to close down and prepare the orderly handover of all assets remaining from the Office of the Iraq Programme. Various Heads of agencies had started to visit Baghdad. On 2 June, the SRSG with his team arrived from Larnaca. Multi-agency missions soon followed to start preparations for the Iraq Reconstruction Conference. Work considered essential to the implementation of resolution 1483 thus, *de facto*, seemed to replace the established criteria for limited deployment of staff in Phase IV areas as the UNSECOORD directive, effective at that time, had indicated.
89. The UNSECOORD memorandum of 28 May 2003, referred to above, described the general security situation in Iraq as "post war" with "looting, car-jacking, street robbery, shootings and other crimes [...] widespread and common in cities and along the main routes". In spite of this, the reality on the ground in Iraq and more particularly in Baghdad was of ever-increasing staff. As their numbers rose rapidly from the beginning of June, so did their need for local travel. Even though the procedure adopted in early June seemed to have improved the bureaucratic process, coping with the sheer volume remained a constant challenge, tying down one international professional and two local staff almost full time. Yet, it never became a very robust procedure and in terms of processing and monitoring local travel arrangements, some staff expressed reservations to the Panel.
90. The Panel focused in particular on the issue of essential/non-essential staff. For most of the month of May, the Designated Official made concerted efforts to limit the number of missions to Iraq, applying the Phase IV criteria of "emergency or humanitarian relief operations or security only". With the adoption of Security

Council resolution 1483 on 22 May 2003, he was no longer in a position where he could justify upholding these criteria. In fact, the current UNSECOORD memorandum of 24 December 2003, with its recognition that “the purpose of Phase IV is to limit the numbers of international staff members at the duty station to those vital for emergency, humanitarian relief, security operations *or any other operation deemed essential by the Secretary-General*”, had already taken effect in practice. Assuming that Security-Council-mandated activities would be deemed essential by the Secretary General, most of the international staff deployed to Iraq subsequent to resolution 1483 would have had to be considered “essential” as well.

91. Thus, opting for a realistic, rather than a purely legalistic point of view, the Panel found it difficult to fault the Designated Official for having acquiesced in the provisions of Security Council resolution 1483 as his guiding criteria for approving staff clearances. Rather, the Panel saw a failure on the part of senior management, especially those in the SGI, in particular Heads of agencies with activities in Iraq and the UN Security Coordinator, for not recognizing the consequences of Security Council resolution 1483 given the Phase IV in Baghdad.
92. The security situation on the ground and the UN’s ability to deal with it should have led to extra security measures and the establishment of corresponding ceilings for the numbers of international staff to be deployed. These numbers, in turn, could have been adjusted as the situation evolved, taking into account the other variables: an improving or deteriorating security situation, the changing profile of activities needing to be undertaken, and enhanced MOSS compliance. It is this range of factors, in the view of the Panel that should have governed security clearances.
93. Returning to the issue of establishing and maintaining a security clearance procedure, the above-mentioned Directive (SD/2002/4) states “the purpose of these procedures is to ensure that the Designated Official (and all country level representatives of agencies) can monitor the location and number of all personnel at the duty station and to ensure that they are included in the Security Plan. In the event of a crises or emergency this information would ensure that a staff member can be located quickly”.
94. The procedure actually in place and as referred to before, met the above-mentioned objectives only in regard to monitoring internal local travel; however, it met none of these objectives in regard to personnel arriving from outside the country, except to ensure that no personnel entered without having obtained a clearance first. As it was operated as a “stand-alone” procedure with no structured link (at least not until mid-August 2003) to the central database for staffing lists, it did not serve any further purpose. The clearances issued were not used in a systematic manner to monitor arrivals, departures and staff ceilings, and the largely bureaucratic and unwieldy process contributed little, if anything, to improving staff security. Moreover, it took away substantial staff time of an already overstretched UNSECOORD team (as well as a good part of the Designated Official’s time) which could have been better utilized for core security functions. Given the very limited purpose it served, the

procedure for screening and approving security clearances to enter Iraq could have been handled as well from outside the country, with some guidance from the Designated Official.

95. Without doubt, the whole process of security clearances, especially in regard to those requiring clearance to enter Iraq could have benefited from greater management input and technological support from UNSECOORD to ensure it served the desired purposes. As already noted, however, the shortcomings identified seem more of a systemic nature, rather than the result of failings on the part of individuals.

Staff Ceilings

96. The Panel considered the failure to comply with the established staff ceiling of 200 persons recommended by the SMT in June 2003.
97. Existing staff security procedures and directives do not contain any express provisions or guidance in regard to establishing “ceilings” for staff deployment according to security phases. The concept of ceilings, however, is recognized as a key factor in the preparation of evacuation plans in that the means should exist to evacuate the number of staff present. Being in a Phase IV environment, the UNSECOORD team, as well as the SMT, immediately upon return to Baghdad, accepted that numbers of staff had to be limited not only to their ability to evacuate, but perhaps even more importantly to their capacity to provide day to day security coverage. Hence, the initial ceiling of 75 staff who were confined at first to the Canal Hotel and later, to a few other hotels.
98. The arrival of the SRSG and his team on 2 June increased personnel in Baghdad to over 100. From then on, numbers continued to climb, all justified by the expectations placed upon the UN family under Security Council resolution 1483.
99. Prompted by the express concerns of the security team in Baghdad, the SMT on 30 June, under the chairmanship of the Designated Official *a.i.* shared their assessment of the situation and agreed to start implementing, with immediate effect, a ceiling of 200 for international staff. This intention was also brought to the attention of the SGI and seemingly found at least tacit approval. Whilst there was thus collective and corporate agreement on the need to urgently scale down the staff presence in Baghdad on account of the deteriorating situation and the limited capacity to provide for the protection of the staff, from the moment a decision was taken to start implementing, with immediate effect, a ceiling of 200 for international staff, other imperatives started to weigh in.
100. The SRSG and the Designated Official, though sharing the concern to scale down the staff presence in Baghdad on account of the deteriorating security situation, while in principle supportive, remained preoccupied with the likely political fall-out, which might result if the UN was perceived as “evacuating staff from Iraq”, the first signs of which were already evident. The SGI did not seize on the issue, or query the position

taken by Designated Official in a meeting held in early July, but seemed content to leave this problem to be dealt with by the Baghdad team. The Security Coordinator, though essentially also judging it primarily an issue to be addressed by the Designated Official, remained preoccupied and planned to address it in conjunction with other concerns about the security arrangements during his planned visit to Baghdad, which he had scheduled for mid-August.

101. Under the Designated Official's leadership, efforts to establish quotas for each agency, identifying personnel that might be reduced without significantly endangering ongoing programme activities, should have been vigorously pursued. Conversely, should a reduction of staff to a level commensurate with the security arrangements in place have proved impossible to attain, an emergency package to immediately enhance the staff security coverage in Baghdad should have been put forward. Given the broad spectrum of activities being carried out in Iraq, the Panel did not believe that, with concerted management support, funding of any additional and special security measures would have presented an insurmountable problem. In short, once the increased exposure of the staff had been identified, it should not have been allowed to continue unaddressed. Decisive action on the part of the UN Security Coordinator was also called for. Some measures were taken, but they fell far short of what was needed.
102. The Panel was of the view that senior and executive management by and large have collectively proven insensitive to the implications of implementing resolution 1483 in a rapidly deteriorating security environment in Iraq. An issue such as staff ceilings, which affected the entire UN family represented in Baghdad, should have been placed firmly on the agenda of the SGI by the Designated Official and the Security Coordinator; equally, for their part, executive heads at the SGI should have more consistently informed and concerned themselves with the evolving security situation, satisfying themselves that staff numbers and the attendant security were receiving the kind of priority the situation demanded.

Staff Lists

103. The Ahtisaari Report mentioned the lack of up-to-date staff lists as a reason for not being able to account for staff in the Canal Hotel. No doubt, had a consolidated list been accessible immediately after the attack, it would have facilitated the task of accounting for staff in general. However, in terms of establishing who was or who was not in the building at the time of the attack, a general staff list would have been of very limited use; it would have required a separate log, recording the arrival and departure of any visitor to the Canal Hotel.
104. The main responsibility for ensuring the availability for maintaining up-to-date, accurate staffing lists rested de facto with the Designated Official, who as a senior

manager should have intervened much earlier and more forcefully in compiling such lists.

105. The FSCO, in the opinion of the Panel, failed to identify the more crucial constraints he and his team faced in putting a workable procedure and system in place. Rather than repeatedly stressing the routing of security clearances through the Designated Official and the irregular reporting by agencies of staff changes as the main obstacle to accurate lists, the FSCO should have realized more quickly that his team lacked the capacity, manpower and technological expertise to cope with this task, which proved increasingly complex in the Baghdad setting. It was not until early August that the system that had been introduced, had stabilized and reached a fair degree of accuracy. However, even then it only covered international staff; consolidation of local staff lists was yet to be achieved. Opportunities seem to have also been missed by the UNSECOORD team in Baghdad to build on the experience and expertise available within UNOHCI that dated back to work done in relation to the Oil-for-Food Programme and other OIP activities.
106. The Panel was of the opinion that, to a large measure, there was a collective responsibility on the part of agency country representatives (and the SMT) as well, for not having adequately supported the efforts to comply with this very fundamental component of any security plan. Even if some of them had achieved the maintenance of accurate lists for their own agency, their responsibility did not end there; clearly, as also foreseen in the framework for accountability, they were also to ensure the ultimate objective, having one consolidated list readily accessible in case of an emergency. By mid-August, several agencies still did not provide, on a regular basis, the Designated Official and the FSCO's office with up-dates on staff movements.

(F) OTHER ISSUES

Security Plan

107. The Panel was asked to look at the issue of the absence of a security plan for Iraq. As at 19 August 2003, no consolidated security plan for Iraq as a whole existed. On the other hand, various plans covering the different regions in Iraq were in existence. The Security Plan is described as the primary management tool for security preparedness at any duty station and details responsibilities and actions to be taken in response to emergency situations, such as political unrest or natural disasters. The plan should include the development of a number of feasible options for the safe movements of all the personnel employed by organizations of the United Nations system.
108. Although the development of a security plan was discussed between the UN Security Coordinator and the Designated Official, a review of the SMT minutes reveals few references to Security Plans. It was the weekend before the explosion that hard copies of the regional plans, as well as one for the whole of Iraq, were reviewed by the FSCO, and the final version was being worked on at the time the blast occurred.

The Panel received from the FSCO hard copies of several regional plans, some apparently already prepared in June; the version of the plan for Baghdad given to the Panel was dated 1 September 2003. The Panel was particularly concerned by the fact that at the level of the SMT, at least as it appeared from the minutes, neither the Designated Official nor any member of the SMT ever raised concerns about the lack of a Security Plan.

109. The Panel noted that the Field Security Handbook provides that in countries where bomb threats are a reality, it is important that all offices have an effective bomb plan. Considering that improvised explosive devices (IEDs) were being used in Baghdad from late June, a bomb plan should have been produced for the Canal Hotel.
110. The Panel concluded that the Office of the UN Security Coordinator and the Designated Official were at fault for not intervening decisively to ensure that there was capacity within the FSCO's team to finish the security plan.

Frequency and Minutes of SMT Meetings

111. The Panel focused on the absence of proper records for meetings of the SMT as it operated in Baghdad and the periodicity of the meetings. Notwithstanding the relevant provisions of the applicable security regulations and rules, the Designated Official did not convene regular meetings as required nor kept adequate and proper records of meetings held. In the Panel's view, the principal defect in the management of SMT meetings in Baghdad was not so much the absence of minutes of meetings, but the fact that meetings were not held with the frequency required. The Panel felt that the SMT seems to have been regarded by the Designated Official not as an essential tool for maintaining a continuous review of security, but rather as an item to be fitted in when it was convenient to do so.
112. The Panel concluded that the Office of the UN Security Coordinator bore some responsibility for the failure to make the Designated Official comply with these responsibilities; the Designated Official bore the principal responsibility for not holding SMT meetings with the regularity required, and for not signing the minutes of meetings that were held; the SMT members also bore some responsibility for acquiescing, without protest, in the lack of regular meetings and absence of minutes. This was not in keeping with the collective responsibility imposed on the SMT, to meet on a regular basis, to review the prevailing security situation, and to ensure that security was being managed effectively at the duty station.

Minimum Operating Security Standards (MOSS)

113. The Panel considered the non-compliance with MOSS. All the major agencies, especially those with their own security services, claim to have been largely

compliant, certainly as far as equipment and vehicles were concerned. Compliance with procedures, staff briefings and training and the only limited availability of protective supplies were the main issues. The only documentation regarding systems-wide MOSS compliance the Panel could obtain concerns the status of UN-agency-offices/premises in Baghdad as at 23 September 2003. The UNHCR and UNDP/HABITAT/UNESCO buildings were the only two listed as almost fully MOSS compliant; only UNHCR and WHO are listed as having blast-resistant film on their windows; the Canal Hotel, according to this table, is shown as the least compliant of all.

114. The Panel found that the Designated Official, the SMT and the FSCO failed to recognize that they were obliged to implement baseline MOSS in Baghdad from 1 May and this should have been aggressively pursued from the outset. The Panel also concluded that it was a serious collective breach of the Designated Official and the members of the SMT, that Iraq specific MOSS were not reviewed, assessed and approved by the SMT as soon as possible after the return of the UN to Baghdad. They also should have been updated/adjusted as the deteriorating security situation demanded.
115. This was a collective responsibility of the Designated Official and members of the SMT. The Panel recognized that in an ad hoc manner enhanced MOSS were being followed, but it did not satisfactorily make up for the benefits derived from a formal input from all parties concerned. The FSCO on his part should have also provided better structured input and appropriate guidance to move this process through the necessary steps.
116. While the SMT was constantly reminded of the need to be “100 % MOSS compliant”, no system seems to have been put in place to regularly monitor performance by individual agencies against the various sections of MOSS. The FSCO’s team did not have the capacity, and none of the FSOs was assigned to such a task. This was a responsibility for the Designated Official and members of the SMT to address, and it would have assisted in bringing out difficulties in implementing MOSS requirements. As a case in point, it was noted by the Panel, with quite some concern, that it was not until the beginning of August 2003 that the lack of sufficient flak vests and helmets was brought up in the SMT and action pursued. However, attempts to set up a system of Security Focal Points (SFPs) which would have had the task of monitoring MOSS compliance failed for lack of support by the SMT.

Security Training and Briefings

117. By the time of the re-entry of the UN team to Iraq on 1 May 2003, some larger operational agencies had invested in security training programmes for their staff and there had been system-wide progress. However, there was no readily available way to determine whether staff who was selected for deployment to Iraq had received agency-based training.

118. In April 2003, a mandatory basic training programme on CD ROM was introduced for all UN staff. However, the date set for mandatory completion of this programme by all staff was 1 November 2003. Prior to the introduction of the CD ROM-based training, UNSECOORD had been conducting short familiarization training at various duty stations but there was no mechanism to record individual attendance in a way that could be used to vet staff being deployed to Iraq. At the same time as the duty station training was being conducted, all members of the SMT were to be trained in their duties. This did not take place in Iraq. UNSECOORD also conducted regionally-based FSCO workshops. Only one of the FSCO staff in Iraq had the benefit of this training.
119. In early May, the security training for new UN staff entering Iraq was provided in Larnaca or Amman. On 26 May, the UNSECOORD office in Larnaca, informed the Designated Official in Baghdad that the multiple entry points to Iraq made it difficult to provide security training to staff prior to their arrival in the country. It was therefore proposed that future security training should be provided to staff after they arrived in Baghdad. There is no evidence to indicate that any formal training was conducted prior to entry into Iraq, other than that which might have been provided for some staff in connection with other assignments. As far as the Panel could establish, neither the Designated Official nor any member of the SMT received any specific training as to how they should fulfill their respective responsibilities in Iraq.
120. The Panel found that a considerable percentage of the UN staff that entered Iraq after 1 May 2003 displayed a very casual attitude towards security training and their personal safety. The UNSECOORD staff in Baghdad was ill equipped and understaffed to meet the increased training demands brought about by the rapid increase in the number of staff entering Iraq after Security Council resolution 1483.
121. The primary responsibility to ensure that staff deployed was trained for their task rests with the parent agencies. In Iraq, there was a poor response by staff to training sessions organized. (For example, the security “stand-down” exercise in Baghdad on 8 July.) The in-country agency Heads gave a tacit acceptance to this casual attitude by not imposing any sanctions against staff who failed to attend the training.
122. The Panel found that the UN management in Iraq had a collective responsibility to ensure that staff complied with security training requirements. The security staff on the ground made a credible effort in difficult circumstances to deliver the security message, but not everybody wanted to hear it. The Panel found it incomprehensible that a large number of staff neglected to take part in the activities organized specifically for their benefit on special training days.

Close Protection Team (CPT)

123. The SRSG was to leave for Baghdad, with a minimum of delay, once Security Council resolution 1483 was passed on 22 May 2003. The initial CPT had to be assembled under considerable time pressure to be ready for deployment with the SRSG. The focus was on having a sufficient number of staff available, but very little substantive preparations were made for the task ahead. With members having been assigned from various duty stations, the full team assembled for the first time in Larnaca, Cyprus, for two days of briefing and organizational meetings. They then left for Baghdad with the SRSG and his staff on 2 June.
124. There were no formal close protection security preparations made for the SRSG either in Larnaca or in Baghdad. Even the most basic security briefing had not been made available. The members of the CPT were, by their unanimous admission, a long way from being a team, and were ill prepared and poorly equipped. Because of time constraints, it was necessary for them to borrow some basic equipment. These issues were raised with the CAO (UNSECOORD) and the Chief of UNSSS. There is no record of an immediate response or steps taken to address these concerns of the CPT.
125. The Panel was struck by the apparent lack of a coherent and consistent approach to the protection of senior UN officials. This was particularly evident in the case of the SRSG and his deployment to Iraq. A team was hastily assembled from three different duty stations with the members divided by language, experience, training level and doctrine (i.e. policy and procedures). Personal choices of the SRSG were catered to, to the detriment of team cohesiveness and hierarchy. Some officers felt a loyalty and an obligation to the SRSG to join his team when he called; however they were not able to commit to the full tasking period, thus causing unnecessary turnover in the CPT members.
126. Surprisingly, the Chief of UNSSS did not consider it his responsibility to “create the team and decide who will lead it”; once assigned, he considered them as “no longer working for him, but for the person that’s there”. The reporting line was from the team leader to the Director of Administration in the SRSG’s office and through him to the SRSG himself. This chain of command was not necessarily fully understood by all members of the team, and misunderstandings would arise. There also seemed to have been questions about the CPT’s formal relationship with the UNSECOORD team in Baghdad.
127. The Panel recognized that there was urgency in deploying the newly appointed SRSG. However, it could be argued that there were some opportunities for better planning for this eventuality. One reason for many of the shortcomings associated with the CPT deployment could be the apparent absence of a system-wide doctrine (policy and procedures) for close protection of senior officials.

128. The Panel recognized that there was deterioration in the security situation following the deployment of the SRSG and the CPT. However, even based on the initial situation assessment, there were deficiencies in the timely supply of basic communications equipment.
129. Other factors that affected the work of the team were the understanding that the SRSG would be in Baghdad only a short time and that a move to a new residence and possibly new offices was under consideration; and that the consistent threat assessments and risk analyses stated that the SRSG was at a low risk. It was the individual experience, high skill levels and hard work of the CPT members that compensated for some of the other difficulties of this tasking.
130. A UNSSS assessment mission, led by the Deputy Chief UNSSS, visited Baghdad in late June-early July to ascertain whether the CPT, as then constituted and equipped, was able to assist the SRSG in the discharge of his mission. On arrival of the UNSSS mission, a number of the difficulties were addressed and remedies pursued. The report of the mission provided a threat assessment for the SRSG and contained a considerable number of recommendations in a series of areas. A good number of the recommendations were addressed (such as more security officers, weapons training, some equipment), but others had yet to be attended to at the time the bomb blast occurred on 19 August. The Panel felt that there had been no determined or focused effort to address the principal recommendations, especially as some envisaged actions fell to people outside UNSSS. Failure in following up these recommendations is not surprising, as the report remained an internal one and was not shared, including with UNSECOORD, until after the attack on 19 August, at which time an unsigned and undated copy was passed to UNSECOORD by UNSSS.

Conclusion

131. In making all its judgments, the Panel was motivated by an overarching concern for the safety and security of staff. The Panel, however, was fully aware that the Organization and its staff will continue to have to accept risks, perhaps at higher levels than in the past. The challenge will be, in their view, to ensure that the Organization has in place, for any given operation, a range of security measures commensurate with the degree of risk of that operation. This will require, in their view, not only sufficient security resources, staff and training, it will also require a culture of security within the Organization in which security and threat assessment come to be seen as an integral part of the Organization's work which will enhance its effectiveness.
132. The Panel acknowledged the tremendous support it received throughout its work, from the UN staff, system-wide. There was broad appreciation of the need for the United Nations to examine what may have gone wrong in the events leading up to

19 August 2003. In their view, this scrutiny is the price that has to be paid, if needed improvements are to be made in making staff security an integral dimension in managing UN activities in today's world. As the Panel visited former Baghdad staff in various locations, it could see that many are still recovering from their wounds and traumatic experiences. They still need ongoing support. Another somber shadow over the Panel's work has been the memory of those who lost their lives in the tragic event of 19 August.