**Information note: The UN Human Rights Due Diligence Policy (HRDDP) and its relevance and application in UNHCR operations**

## **What is the HRDDP?**

The UN Human Rights Due Diligence Policy on Support for Non-United Nations Security Forces (“HRDDP”) is a UN-wide policy which applies to any UN support to security forces which are notpart of the UN. The Policy applies to all UN entities, including UN agencies such as UNHCR.

The HRDDP is primarily aimed at ensuring that any such support is consistent with the UN’s purposes and principles, and its responsibility to respect, promote and encourage respect for international humanitarian law, international human rights law, and international refugee law.

## **How is the HRDDP relevant to UNHCR’s work?**

In order to fulfil its mandate, UNHCR operations **interact regularly with non-UN security forces**, such as the armed forces of the host State, the police, border officials, and prison authorities.

National and regional security forces are often responsible for providing physical security for refugees, IDPs, and other persons of concern, and also for UNHCR operations and staff. They are on the frontline when civilians are displaced, during flight, and when they are seeking safety from conflict and violence.

Supporting such security forces is often **a necessity** **to ensure the effective protection of persons** of concern to UNHCR, in particular if the host State does not have adequate resources to do so. In practice, UNHCR has seen concrete protection outcomes of such support, such as:

* Enhanced physical security of sites, camps and other areas hosting displaced populations;
* Prevention of forced or child recruitment by non-State actors or organized gangs;
* The separation of fighters/combatants from displaced populations at entry/border points;
* Enhanced conditions of detention for displaced populations.

## **What kind of UNHCR activities fall within the scope of the HRDDP?**

Examples of common UNHCR activities that **would fall within the scope of the HRDDP** include:

* Payment of salaries, DSA, or any other transfers of funds to government officials (in particular the police, border, prison and security officials, or the armed forces);
* Purchase and/or provision of equipment, furniture, vehicles or fuel (for example to enhance security measures or public services in areas hosting displaced populations);
* Construction and/or improvements to infrastructure (such as a police post at the entrance of a refugee camp, or additional facilities in a detention or internment center).

UNHCR staff should, however, note that **the HRDDP would normally *not* apply to**:

* Training and sensitization activities to promote awareness and compliance with international humanitarian law, international human rights law, and refugee law;
* Legal and technical assistance on standard-setting (such as advice on, or review of, national legislation, codes or policies in relation to international refugee and human rights law);
* Capacity support which is directly related to promoting compliance with international humanitarian law, international human rights law, and refugee law;
* Humanitarian negotiations, medication, advocacy or diplomacy (including access negotiations) for the purposes of advancing UNHCR’s mandate or on a “good offices” basis;
* Medical evacuation (MEDEVAC) or casualty evacuation (CASEVAC).

Importantly, the HRDDP **should not be interpreted so as to limit UNHCR’s advocacy interventions** with security forces for the purposes of promoting the protection of its persons of concern. This includes authorities who are suspected of, or even convicted of, grave violations.

The HRDDP applies equally to indirect support provided to national or regional security forces through a UNHCR implementing partner (under a Project Partnership Agreement).

Further guidance the scope of the policy can be found in the Inter-Agency Guidance Note on the HRDDP (page 7-8). A “common sense” approach, with restrictive limitations, is recommended.

## **What is expected of UNHCR staff?**

In line with IOM/087-FOM/088/2011, **UNHCR staff are expected to familiarize themselves** with the HRDDP, and assess its relevance to their operation.

In operations where UNHCR or its implementation partners are providing, or considering to provide, support to (non-UN) security forces, UNHCR is further required to:

1. conduct a risk assessment to assess if there is a real risk of the (intended) recipient committing grave violations of international humanitarian, human rights, or refugee law;
2. provide support only when such a risk *does not* *exist* or *is mitigated* through identified mitigatory measures (part of the risk assessment);
3. establish procedures for monitoring the conduct of recipient entities; and
4. bring allegations of grave violations to the attention of national authorities with a view to bringing these to an end, should they be committed during the period of support, and, should that be ineffectual, consider suspending or withdrawing support.

The HRDDP is also recommended referenced in **all relevant Project Partnership Agreements**.

While UNHCR is expected to conduct its own risk assessments and communicate directly with national authorities on the HRDDP, such efforts should be coordinated with, and communicated to, the UN Country Team to promote consistency across the UN.

It should be noted that the **most senior UN official in the country (SRSG/RC/HC)** has a specific role, including; i) communicating the HRDDP to the relevant State authorities, ii) initiating and coordinating UN Country Team efforts (including by developing a common general and preliminary risk assessment for all national security forces), and iii) providing support to UN entities in the intervention phase (including by taking, as appropriate, a leading role in communicating with relevant authorities).

## **Where can I seek further guidance or support?**

The HRDDP Policy and Inter-Agency Guidance Note are available on RefWorld (external): <https://www.refworld.org/docid/537dd44a4.html>

The focal point for the HRDDP in the Division of International Protection (dulin@unhcr.org) or in the relevant Regional Bureau can be contacted in case of additional questions or clarifications.