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**ANNEX I: HRDDP SCOPE AND DEFINITIONS**

The UN HRDDP sets out the definitions of what constitute “non-UN Security Forces”; “support or assistance”; and “grave violations.” However, the examples listed in the Policy are not exhaustive and UN entities are advised to take a “common sense” approach when assessing the scope of the policy and to which kinds of recipients and beneficiaries it should apply. For example, support provided to prison or correction officers falls within the HRDDP scope of application, in view of the nature of their functions and keeping in mind the objectives of the HRDDP, although this is not explicitly articulated in the original 2013 Policy.

* 1. **NON-UN SECURITY FORCES**
     1. National or regional military, paramilitary, police, cybersecurity, intelligence services, border control, customs, and other similar security forces; forces in charge or in control of detention centres or similar; coast guard and port security forces.
     2. National or regional civilian, paramilitary or military authorities directly responsible for the management, administration or command or control of such forces;
     3. Peacekeeping forces of regional international organizations.
     4. Private security companies operating under the direction, contract and/or command of state authorities.
  2. **SUPPORT OR ASSISTANCE.**

The text of the policy refers to a large variety of types of support and only provides for a limited number of exceptions. Support may be direct or indirect, through implementing partners. IOM understands support or assistance to mean any of the following activities:

* + 1. Training, mentoring, advisory services, capacity- and institution-building and other forms of technical cooperation for the purpose of enhancing the operational capabilities of non-United Nations security forces;
    2. Ad hoc or programmatic support to civilian or military authorities directly responsible for the management, administration or command and control of non-United Nations security forces;
    3. Financial support, including payment of salaries, bursaries, allowances and expenses, whatever the source of the funds;
    4. Strategic or tactical logistical support to operations in the field conducted by non-United Nations security forces, including construction, rehabilitation and repair of infrastructures used by non-UN security forces to conduct operations in or from, and the provision of material, equipment, transport or other forms of logistical support;
    5. Operational support to action in the field conducted by non-United Nations security forces, including fire support, strategic or tactical planning;
    6. Joint operations conducted by United Nations forces and non-United Nations security forces.
  1. **EXEMPTIONS.**

The HRDDP provides for some limited exemptions for which an assessment is not strictly obligatory. However, any support that combines exempted and non-exempted activities must undergo an HRDDP risk assessment. In some circumstances, it is prudent to assess the risks even when the support falls under the exemptions, in order to prevent and mitigate reputational risk.

Generally speaking, ‘support’ does not include:

* + 1. Training or sensitization regarding international humanitarian, human rights and refugee law;
    2. Standard-setting (e.g. advice on and review of legislation, codes and policies) and capacity support directly related to the implementation and promotion of compliance with human rights laws and standards and to foster democratic governance of security institutions;
    3. Engagement to promote compliance with humanitarian, human rights and refugee law or to negotiate humanitarian access and carry out relief operations;
    4. Mediation and mediation-related support;
    5. Medical evacuation (MEDEVAC) and casualty evacuation (CASEVAC).
  1. **GRAVE VIOLATIONS**

Grave violations mean, for the purposes of the HRDDP:

**(a) In the case of a unit:**

(i) Commission of “war crimes” or of “crimes against humanity”, as defined in the Rome Statute of the International Criminal Court, or “gross violations” of human rights, including:

* summary executions and extrajudicial killings
* acts of torture or cruel, inhuman or degrading treatment (CIDT)
* enforced disappearances
* enslavement
* sexual violence, including rape and any other attack of a sexual nature[[1]](#footnote-1) perpetrated against females and males
* acts of refoulement under refugee law that are committed on a significant scale or with a significant degree of frequency (that is, they are more than isolated or merely sporadic phenomena); **or**

(ii) A pattern of repeated violations of international humanitarian, human rights or refugee law committed by a significant number of members of the unit; **or**

(iii) The presence in a senior command position of the unit of one or more officers about whom there are substantial grounds to suspect:

* Direct responsibility for the commission of “war crimes”, “gross violations” of human rights or acts of refoulement; or
* Command responsibility, as defined in the Rome Statute of the International Criminal Court, for the commission of such crimes, violations or acts by those under their command; or
* Failure to take effective measures to prevent, repress, investigate or prosecute other violations of international humanitarian, human rights or refugee law committed on a significant scale by those under their command;

**(b) In the case of civilian or military authorities that are directly responsible for the management, administration or command of non-United Nations security forces:**

(i) Commission of grave violations by one or more units under their command; **and**

(ii) Combined with a failure to take effective measures to investigate and prosecute the violators.

1. See Chapter 2: Understanding Sexual Violence, p.18, in International Protocol on the Documentation and Investigation of Sexual Violence in Conflict at <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/598335/International_Protocol_2017_2nd_Edition.pdf> [↑](#footnote-ref-1)