CHAPTER I

1.1 INTRODUCTION

Since the Vienna Convention did not specify or regulate how to deal with the situations in which the diplomatic agent is a victim of crimes, it is therefore accepted that the host authorities should take all necessary precautions to protect diplomatic officers. Although the major responsibility is with the host State, the sending State also has a role to play in the security of its diplomatic staff. Over the last few years we have seen that periodically diplomatic personnel in Suriname were victims of a number of incidents (robberies, burglaries, etc.), although there is a special office that takes care of the safety aspect of diplomats. These incidents are not only focused the attention on the actual protection provided by the Surinamese police department, but also on aspects of policy that included the three factors of this problem. This problem arises from three factors:

- the adequacy of security in the receiving State;
- the responsibility of the host country to provide security and protection at embassies;
- the extent to which such protection should be extended to all diplomatic and consular personnel and their private residence.

1.2 Historical Background Information over the inviolability of an Diplomatic agent

Inviolability of the person of a diplomatic agent is certainly the oldest established rule of diplomatic law according to Eileen Denza. In history wherever among the separate States of an international community ambassadors were sent and received, custom and religion invariably accorded a special protection to their persons. Among the city States of ancient Greece, among the peoples of the Mediterranean before the establishment of the Roman Empire, among the States of India, the person of the
herald in time of war and the diplomatic envoy in time of peace were universally held sacrosanct.

When diplomatic missions began to be exchanged among the Italian city States, ambassadors were granted safe conducts for missions whom at first were normally temporary, or were treated inviolably. During the sixteenth century the guarantee of special protection to an envoy became more difficult as their number increased and they were exchanged between sovereigns of different faith—Catholic, Protestant, and Muslim in an age of religious intolerance and of legal penalties for the practice of an alien faith. Inviolability was, however, accepted in practice as essential if diplomatic relations were to develop at all. By the end of the sixteenth century, when Gentilis published the earliest treatises on diplomatic law, the inviolability of the ambassador was firmly established as a rule of customary international law.¹

1.3 Purpose of Vienna Convention on Diplomatic Relations

The Vienna Convention has become a universal Convention and its provisions, even where at the time of their adoption they clearly marked progressive development of custom or resolved points where practice conflicted, are now regarded as settled law.

The Vienna Convention on Diplomatic Relations has also continued to be used as a point of reference in the development of related areas of international law. It has been used extensively to determine the treatment to be accorded to Head of State in their personal capacity and High officers of and representatives to International Organizations. The Convention guarantees the efficacy and security of the machinery through which States conduct diplomacy, and without this machinery States cannot construct law whether by custom or by agreement on matters of substance.

Subsequent developments in functions of governments, the conduct of International Relations, trade, travel, and communications altered in only marginal respects the main
functions of diplomatic missions—to represent the sending State and to protect its interest and its nationals, to negotiate with the receiving State, to observe and to report.²

The Convention was adopted on 14 April 1961 by United Nations Conference and Suriname has accession in October 1992, after that period the Ministry of Justice and Police in Suriname has installed a Liaison Bureau for Diplomatic Personnel and Representatives of International Organizations accredited in the Republic Suriname, replacing the former working Group “Beveiliging Buitenlandse Diplomaten”. The ultimate goal of this Bureau is to render protection and safety to the aforementioned category of personnel, to coordinate activities and to take measures with respect to police protection.

In the Commentary on its draft Article 29 of the Vienna Convention on diplomatic relations, the international law commission stated that: “Being inviolable, the diplomatic agent is exempted from certain measures that would amount to direct coercion. The principle does not exclude either self-defense or, in exceptional circumstances, measures to prevent the diplomatic agent from committing crimes or offences”.

The principle of personal inviolability was so long established in customary international law that there was in the International Law Commission no other discussion of its scope or formulation.

At the Vienna Conference on diplomatic and Immunities held at the Neue Hofburg in Vienna, Austria, from 2 March to 14 April 1961, there was again little discussion about the draft Article. China proposed to incorporate into the text the passage from the international law commission’s Commentary set out in the previous paragraph. This proposal was rejected without discussion—no doubt because it was thought to be unnecessary and liable to give rise to uncertainty as to whether the principle of self-defense applied in the case of other articles of the convention. The outcome was thus similar to that of the various attempts to introduce specific exceptions to the inviolability of mission premises under article 22. A more illuminating exchange took place in response to the proposal by Belgium to require the receiving State to take not “all
reasonable steps’—as in the international Law commission’s draft—but simply all ‘steps’ to prevent any attack on the person, freedom or dignity of the diplomatic agent. This was at first accepted by the conference, but United Kingdom representative, with support from Ireland and Nigeria, explained that he voted against it ‘because the removal of the word ‘reasonable’ would give the article unlimited scope, and impose an impossible task on receiving States’. The Belgian representative said that he would be content with ‘all appropriate steps’, and this formula, which is identical to that imposed on the receiving State in respect of premises of the mission under article 22 was then adopted by the Conference.3

1.4 Scope and Purpose of this study

The focus of this study is to look into the way policy regarding protection of diplomats is being made and how the implementation was done. This is necessary because of the above-mentioned problem. I also want to propose effective policy measures to address this issue. The result of this paper may help policymakers to formulate effective rules and regulations regarding this issue and offer them a possibility for a better way of organizing the security of diplomats of sending States.

The purpose of this study is at the one hand to increase the awareness and to stimulate a discussion on this topic regarding the role and functioning of the “Liaison Bureau”, a special office at the Police Department that takes care of the safety aspects of the diplomats in Suriname. At the other hand there must be a clear focus more than before on the protection of diplomats properties and lives.

1.5 The research questions

The research questions that which will be addressed in this paper include:

- “what is the relationship between diplomacy and security”
- “what is the responsibility of the receiving State and the sending State regarding the protection of diplomats”.
• “what kind of policies does the government of Suriname have put in place regarding this subject and how effectively are those policies in the receiving States”
• “which regulations are used to organize the protection of diplomats in the receiving State”
• “what kind of measures does the sending State apply with regard to the security of its diplomats”
• “which instructions do the diplomat receive from their government concerning their security in the receiving State”.

1.6 Research Methodology

This study adopts literature review and interviews with questions given beforehand. The theoretical framework of this study is the result of a critical literature review of tertiary literature sources such as books; research paper articles and internet sources will be explored within this review. For the interviews respondents will receive a cover letter from the researcher describing the purpose of the research and a questionnaire. Respondents will be contacted by phone and personal visits to the embassies. Visiting all the embassies in Suriname is one of the main things in this paper that is a number of roughly 10 embassies and Foreign missions. Besides the above-mentioned method, there is in the planning interviews with former Surinamese diplomats now working at the Ministry of Foreign Affairs to learn about their experience on security abroad. Important cases will be studied to see what kind of incidents were diplomats have been victims of crimes have taken place.

1.7 Limitations of the study

The focus of this research paper is limited into a research in the policy regarding the protection of diplomats in Suriname. The awareness is that there are a lot of written and unwritten rules, usages, and principles of bilateral, regional, continental, hemispheric and international diplomacy and that these rules and principles are complex. Given time
limitations the scope of this study will not go beyond the Surinamese experience on the protection of diplomats in our country.
CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

The intention of this literature review is to make use of the earlier published material regarding the subject and to tap into an authoritative knowledge base. Primarily, this review will make it possible to congregate extended knowledge regarding the function of a diplomat and the security for these people in countries where they are accredited and secondly the contribution of this review is to give people a brighter view about the responsibilities of the receiving and sending State regarding diplomats. In this Chapter key concepts and definitions will be discussed thoroughly and an overview of the practice.

2.2 The Nature of Diplomacy

While the sentiments of Stilwell and Stalin have some justification, they do not suggest the real nature of diplomacy, which consists of the techniques and procedures for conducting relations among states; it is, in fact, the normal means of conducting international relations. In itself, diplomacy, like any machinery, is neither moral nor immoral; its use and value depend upon the intentions and ability of those who practice it. Diplomacy functions through a labyrinth of foreign offices, embassies, legations, consulates, and special missions all over the world. Commonly bilateral in character, as a result of the growing importance of international conferences, international organizations, regional arrangements, and collective security measures, its multilateral aspects have become the simplest matter of detail in the relations between two states to vital issues of war and peace. When it breaks down, the danger of war, or at least of a major international crisis, is very real.
2.2.1 Definition.

No general definition of diplomacy can be very satisfactory or very revealing. The Oxford English Dictionary calls it “the management of international relations by negotiation,” or “the method by which these relations are adjusted and managed.” Most attempts at definition are similar in nature if not in wording. A particularly charming characterization, although equally vague and inadequate, is given in Sir Ernest Satow’s Guide to Diplomatic Practice, a work which has been the bible of British diplomats for many years. “Diplomacy,” wrote Sir Ernest, “is the application of the governments of independent states.” Since the eminent author of these lines is no longer living, we cannot ask him this impertinent but timely question: If intelligence and tact are lacking in the relations between states, is diplomacy impossible?

Diplomacy is both national and international in character, as DeWitt C. Poole, an experienced American diplomat and scholar, has pointed out most effectively. After referring to the foreign offices of all nations and to “a world-wide intermeshing” of hundreds of diplomatic and consular missions, Poole states: “These separate units are national; but the whole system emerges from its integral working as something like an integral organism, becoming in spirit and activity more international and less national, or the reverse, according to the temper of the times. This duality of character gives to diplomacy its special interest as a political phenomenon. Diplomacy at work mirrors vividly a world which is dividend and yet indivisible”.

2.2.2 Foreign Policy and Diplomacy.

A necessary distinction to bear in mind is that between foreign policy and diplomacy. The foreign policy of a state, as J. R. Childs has said, is “the substance of foreign relations,” whereas ‘diplomacy proper is the process by which policy is carried out.” Policy is made by many different persons and agencies; but presumably on major matters in any state, whatever its form of government, it is made at the highest levels, although
subject to many different kinds of controls. Diplomacy provides the machinery and the personnel by which foreign policy is executed. One is substance; the other is method. One of the most astute students and practitioners of diplomacy in the twentieth century, Harold Nicolson, is particularly insistent on calling attention to this distinction.

2.2.3 Functions of Diplomats

A diplomat is at times spoken of as the eyes and ears of his government in other countries. His chief functions are to execute the policies of his own country, to protect its interest and its nationals, and to keep his government informed of the major developments in the rest of the world. In an address before the America-Japan Society in Tokyo, on November 22, 1938, Joseph C. Grew, United States Ambassador to Japan, thus explained the “supreme purpose and duty of an ambassador”:

He must be, first and foremost, an interpreter, and this function of interpreting acts both ways. First of all he tries to understand the country which he serves – its conditions, its mentality, its actions, and its underlying motives, and to explain these things clearly to his own Government. And then, contrariwise, he seeks means of making known to the Government and the people of the country to which he is accredited the purposes and hopes and desires of his native land. He is an agent of mutual adjustment between the ideas and forces upon which nations act.

The functions of a diplomat may be broken down into what J. R. Childs has called the ‘four basic phases of diplomacy,” namely, (1) representation, (2) negotiation, (3) reporting, and (4) the protection of the interests of the nation and of its citizens in foreign lands. These functions, as we shall see, are closely interrelated.

2.2.4 Representation

A diplomat is both a formal and an informal representative of his country in a foreign state. He is the normal agent of communication between his own foreign office and that
of the state to which he is accredited. In the eyes of many citizens of the country in which he is stationed, he is the country’s representative, and that country is judged according to the personal impression he makes. The diplomat must cultivate a wide variety of social contacts, with the ranking officials of the foreign office and of the foreign government in general, with his fellow diplomats, with influential persons in all walks of life, and with articulate groups in the country. Social contacts can be enjoyable, stimulating, and profitable; they can also be hard on the stomach as well as on the pocketbook, trying to the diplomat’s patience as well as to his intelligence. Whatever else they may be, they seem to be an inescapable adjunct of the important duty of negotiation. While these contacts have tended to become less formal, they have at the same time broadened in scope.

2.2.5 Negotiation

Virtually a synonym for diplomacy, negotiation is par excellence the pursuit of agreement by compromise and direct personal contact. Codes or rules for conduct of international relations are embodied in a vast number of agreements; hence, as the scope of international relations has expanded, the work of negotiation has likewise expanded. Diplomats are by definition negotiators. As such, their work, as described by Mr. Childs, “includes the drafting of a wide variety of bilateral and multilateral arrangements embodied in treaties, conventions, protocols, and other documents of a political, economic, and social nature. Their subject matter ranges from the creation of an international security organization, through territorial changes, establishment of rules to govern international civil aviation, shipping and telecommunications, and the adjustment of international commercial relationships, to such particular matters as immigration, double taxation, waterway rights, tourist travel, and exchange control. Almost the entire gamut of human activities is covered.”

Because of the developments in communications and the increasing resort to multilateral diplomacy, as well as for other reasons, diplomats do not play as great a role in international negotiations as they once did. Most agreements between states are still on a bilateral basis, and are concluded through negotiations between the foreign offices, using
ordinary diplomatic channels. But the major international agreements, especially those of a multilateral character, are usually negotiated directly by foreign ministers or their special representatives, often at international conferences. Diplomats also have less attitude than they once enjoyed; they are now bound more closely to their foreign offices by detailed instructions and ready access by cable, diplomatic pouch, and transoceanic telephone; but while their stature has been somewhat reduced, they are more than glorified messenger boys at the end of a wire and the value of the personal factor in diplomacy is still very great.

2.2.6 Reporting

Reports from diplomats are in field raw material of foreign policy. These reports cover nearly every conceivable subject, from technical studies to appraisals of the psychology of nations. Diplomats must, above all be good reporters; if they have the ability to estimate trends accurately, if they keep an eye out for all useful information, and if they present the essential facts in concise and intelligible form, they may be worth a king’s ransom.

2.2.7 Protection of interest

While a diplomat is expected to get along with the authorities of the state to which he is accredited—that is, he must be persona non grata to the government of the receiving State—he is also expected at all times to seek to further the best interest of his own country’s. However selfish this approach may seem to be, it is the bedrock of practice of diplomacy. While it is assumed that the interest of each state will be so interpreted that they will harmonize with those of the international community, it is not the functions of a diplomat to make the interpretation. His duty is to look after the interest of his country as interpreted by the policy makers back home and in accordance with treaties, other international agreements, and principles of international law. He also has the more specific duty of attempting to assist and protect businessmen and all other nationals of his own country who are living and traveling in the country in which he is stationed.4
2.3 Diplomacy and Security

2.3.1 Defining security

The relationship between diplomacy and security is complex and evolving. The question of what constitutes security can be addressed from three perspectives—the international system, nation state and the individual.

Internationally, security can be thought of in terms of stability of the international system, defined as the level of tension or violence, and corresponding extent to which actor interests can be accommodated through diplomacy, without recourse to violence, on the basis of mediation, rule and norm setting. In the vent of violence occurring the task of the diplomacy is ultimately peaceful settlement, through the negotiation of cease-fires, withdrawal and other measures of a longer term nature. From a quite different perspective violence rather than bringing about a negotiated solution.

At a national level, security has traditionally been considered in terms of responses to essentially external threats of military kind. From this perspectives diplomacy features as the state craft of force, involving such actions as deterring aggressors, building up coalitions, threatening or warning an opponent and seeking international support of legitimacy for the use or control of force. The concentration on external threat has in part been a by – product of the so-called “Golden Age” of Western (largely American) strategic theory, influenced by the cold war and the requirement that strategic analysis provide improved policy advice for dealing with Soviet Union. However, the advent of large numbers of new states into the international community, many with preoccupying internal problems, underlined the inadequacy of traditional definitions. In fact, national security, that already ambiguous symbol, had to take on an additional dimension. To reflect this the definition of security needs to be broadened de minimis include, for certain states, regime maintenance as primary national security objective.

The appropriateness of a wider definition of security can be seen from a advance industrial country perspective in the case of Japan.
At a third level, security can be considered from the perspective of relationship between the state and the individual in terms of extent to which states incorporate within their national security considerations regarding the interests of individuals. In practice the individual tend to enjoy varying degrees of state protection depending on state capabilities and conceptions of national security. In consular relations, for example, the link between the individual and the state is often relatively remote, except in period of crises. A state may be forced into a more active role in the event of repeated violence against its national or diplomatic personnel.

2.4 Some implications of Diplomacy

The purpose of diplomacy is to contribute to the process of recognizing and identifying new interests at an early stage through continuous reporting and assessments, facilitating adjustment between different interests and contributing to policy implementation. Secondly, the internal aspect of diplomacy has a number of implications for diplomacy. In those states which national security is essentially internal, security policy-making tends to be highly personalized around the leader. National security diplomacy, too, is likely to be conducted *internally*, rather than through the country’s embassies abroad or other external channels, with representatives of international organizations, non-governmental organizations (NGOs) foreign corporations on such issues as food aid, disaster relief and project implementation.

A third feature for many weaker states is the problem of establishing suitable regional security arrangements. A noticeable feature of recent diplomacy is high priority attached by states which perceive themselves weak or vulnerable in a local or regional context to enhancing their security through declarations and treaties, frequently negotiated within the framework of the United Nations.

Finally, it should be recalled that the nexus between security and diplomacy can be broken down in a number of circumstances. As we noted earlier, diplomacy may be directed entirely to the execution of violence. In other instances shift to use of force may reflect dissatisfaction with failure of diplomacy.
2.5 What is national security?

At a national level security has traditionally been considered in terms of freedom from military, political, societal, economic and environmental threats. In reality the definition of security gets broader all the time, as the world shifts to a relative reduction in direct preoccupation with military security to less overt threats that seem a byproduct of enhanced interdependence among nations around the globe, which is summed up in the word ‘globalization’.

All too often, boundary issues, and with it ethnic claims of one kind or another are a source of tension and insecurity. For example in Africa the OAU charter wisely declares that the frontiers inherited from colonial times are inviolable and are to be accepted as permanent. But this has not prevented the emergence of many situations of conflict over border issues on that continent. The establishment of good regional cooperation is invariably seen as a safety net that reduces any security threat.\(^5\)

2.6 The responsibility of the receiving and the sending State regarding the protection of diplomats in general

Article 29 of the Convention on diplomatic relations, like article 22, first confers ‘inviolability’ and than defines in greater detail what it meant. As in case of premises of a diplomatic mission there are two aspect of inviolability; first the duty on the receiving State to abstain from exercising sovereign rights and in particular law enforcement rights and secondly the positive duty to treat the diplomat agent with due respect and to protect him from physical interference by others with his persons, freedom and dignity. Prior to the Vienna Convention the attention of writers tended to focus on the first of these two aspects, and the second was almost taken for granted. In the nineteenth century it was even suggested that with increased public order and acceptance of the duty to protect all aliens, diplomatic inviolability would become unnecessary and lapse.\(^6\)

Soon after 1961 the position altered dramatically. Kidnapping, murder and violent assaults against diplomatic agents as well as against mission premises became frequent.
In some instances diplomats were selected for attack because of their status as representatives of policies of particular sending States, in others because of publicity value of flouting the long-established rule of inviolability or because the duty of protection imposed on the receiving State means that its government would be regarded as being under pressure to comply with any extortionate demand in order to secure the safety and freedom of a hostage.

The extent of the duty to protect diplomatic agents came into question at an early stage as a result of the growth in the practice of taking diplomats as hostages in order to extort political or financial gain from receiving State. It was clear from the International Law Commission’s Commentary that the receiving State might be obliged, in case of threat to the safety of a diplomat, to provide an armed guard to protect him. Experience showed, however, that special armed escorts were of limited value as protection against determined terrorists. If a diplomat was taken hostage, did the duty to ‘take all appropriate steps’ require the receiving State to pay the ransom demanded for his release or to violate his own laws by bargaining with terrorists for release of prisoners? In 1970 the West German Ambassador to Guatemala, Count Von Spreti, was kidnapped and the hostage takers demanded the release of prisoners as well as a ransom for his release.

The government of Guatemala took the position that Article 29 did not require them to violate their own constitution or endanger national security by capitulating in his way. But the Ambassador was murdered, and the Government of the Federal Republic of Germany—which has send a special envoy to press for acceptance of the terrorists; demands- protested that Guatemala as expected to do everything to obtain the release and had violated its obligations under the Vienna Convention. Germany virtually broke diplomatic relations with Guatemala.7

On the other occasion of kidnapping, by contrast, receiving States had secured the release of diplomatic hostages by capitulating to demands to release political prisoners. In 1969 the United States Ambassador to Brazil was released by the Movimento Revolucionario do Otobre 8 in exchange for the release of release of fifteen prisoners and publication of the political manifesto. In 1970 it required the release of forty prisoners to secure the safety of the West German Ambassador to Brazil. In 1970 there were seventeen separate
diplomatic kidnappings and it became apparent to those western governments whose diplomats were the favored targets that a policy of capitulating to unlawful demands was not was not an inherent requirement of article 29 of the Vienna Convention and could not be sustained.8

Beyond this, what are the ‘appropriate steps’ to be taken to safeguard diplomatic agents must be determined in the light of the relevant circumstances and particular threats or dangers by sending and receiving states in consultation. The French Minister for Foreign Affairs has made clear that the factors taken into account in determining how his government’s responsibility is to be discharged include the position of diplomats, the risks which they run, threats made against them and political circumstances in France and in the sending State.9

In Columbia, for example, regarded as a highly dangerous posting by diplomats, the Government provide armed guards for all ambassadors and first secretaries as well as special security advice. Even these measures did not prevent a wave of kidnappings of diplomats and consuls in 1988.10

A sending State with the necessary resources may offer to provide additional protection for its vulnerable diplomats and may do this if the receiving States agrees. But it must be recalled that the primary responsibility to protect and secure the enforcement of law is that of the receiving State and that any agents of the sending State protecting their own officials are bound to comply with local laws and regulations on such matters as the carriage and use of weapons.

The United Kingdom Government, which discharges its duty to the Vienna Convention through a specially constituted and trained Diplomatic protection group of police, have repeatedly warned diplomatic Missions that any breach of their domestic laws on import acquisition, and possess of firearms will normally lead to a request for recall of the offender.11
2.7 The practice: Liability to Arrest or Detention

While diplomats have become vulnerable to attacks from third parties, there have in modern times been virtually no cases where they have been arrested or detained by authorities of the receiving States.

One even more extraordinary breach of personal inviolability of diplomatic agents and probably the only significant breach by a contracting Party of Article 29 of the Vienna Convention was the detention for over a year of the diplomatic and consular staff in the United States Embassy in Teheran. The inaction of the Government of Iran in face of the imprisonment of diplomats and other Embassy staff by militant students demanding that the former Shah should be extradited by the United States was characterized by the International Court of Justice in the Hostage Case as a clear and serious violation of Article 29 as well as of other provisions of the Vienna Convention.

There was also continuous breach of Article 29 in respect of the effective detention of the US Charge d’Affairs and the other two members of the mission in the Ministry of Foreign Affairs. As suggested above, however, in the context of Article 22, the violation was so manifestly indefensible and so clearly condemned by the International Community that it cast no doubt on the legal position established in the Convention.

A diplomatic agent cannot be required to submit to compulsory search by the police or other law enforcement authorities and cannot be required to submit to a breath test or other medical examination. It follows that even if a waiver of inviolability could be sought and obtained from the head of the relevant diplomatic mission it would be general not be practical to obtain in necessary evidence to prosecute for drink-driving offences, and United Kingdom policy is there for not request waivers in such cases.

As in case of other immunities granted under the provisions of the Convention such as article 22 and 27, a very limited exception to the prohibition on arrest or detention may be implied on the basis on self defense or an overriding duty to protect human life. The exception has been generally admitted by writers, and was confirmed in the commentary of the International Law Commission which set out above. The International Court of Justice in the Hostage Case also stated that the observance of the principle of
inviolability did not mean ‘that a diplomatic agent caught in the act of committing an assault or other offence may not, on occasion, be briefly arrested by the police of the receiving State in order to prevent the commission of the particular crimes’. The exception is applied most usually when a diplomat seen to be drunk in charge of a motor vehicle is restrained from further driving and arrangements made for transport by alternative means. This is standard police practice in London and Washington.

### 2.8 Protection of the premises of the diplomats

In article 22 of the Vienna Convention on Diplomatic Relations laid down that:

“1. The premises of the mission shall be inviolable. The agents of the receiving State may not enter them except with the consent of the Head of the mission”.

“2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of peace of the mission or impairment of its dignity”.

3. “The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution”.

According to the Ms. Denza the Vienna Convention confers inviolability on a range of premises, persons, and property. Some kinds of property are however, given specified immunities which fall short of inviolability, for example the means of transport of the mission and the diplomatic bag. Paragraphs 1 and 3 of article 22 spell out in relation to mission premises the first duty of abstain and paragraph 2 spells out the positive duty of protection.¹⁵
3.1 Introduction

The Republic of Suriname became an effective party of the Vienna Convention on Diplomatic relations on November 25, 1975. Suriname, for almost three hundred years was a colony of the Netherlands, became independent on November 25, 1975. Before that date the Dutch government was responsible for the Foreign affairs and the defense of the colony Suriname. On September 27, 1962 the Vienna Convention on diplomatic relations was published in the “Tractatenblad van het Koninkrijk der Nederlanden” (Gazette of Treaties of the Kingdom of the Netherlands) and on this date the Netherlands formally joined the Convention. Being a constitutional part of the Kingdom of the Netherlands by that time, formally Suriname became partner of the Convention. In reality the convention had no actual consequences for Suriname because the Foreign relations were the responsibility of the government in the European part of the Kingdom.

3.2 The Legal Framework

When Suriname became independent two additional articles in the Constitution of the Republic of Suriname of 1975 dealt with this issue. Additional articles I and II declared the publication in the “Tractatenblad van het Koninkrijk de Nederlanden 1962, no. 101 and 159” (Gazette of Treaties of the Kingdom of the Netherlands 1962 no. 101 and 159) valid and in effect for Suriname reason why the government again approved the Vienna Convention on Diplomatic Relations and published it in the “Verdragenblad from the Republic of Suriname”(Gazette of Treaties
of the Republic of Suriname) In 1982 no. 28 approval by the parliament was not possible because of suspension of the constitution and the Parliament. Beside the Vienna Convention there is no legislation that passed the parliament on the protection of diplomats. There are regulations and arrangements derived from and linked with the Vienna Convention without the status of a formal law. Issues as inviolability of representatives of foreign States accredited in Suriname are dealt with by means of special regulations issued by the relevant Ministries of Justice and Police and the Ministry of Foreign Affairs.

3.3 The Liaison Bureau

The Liaison Bureau for diplomatic Personnel and Representatives of International Organizations In Suriname, has been installed by the Ministry of Justice and Police in December 2002. The purpose of this Liaison Bureau is to coordinate activities concerning the safety of diplomats in Suriname.

The Bureau has its seat at the Head Quarters of the police in Paramaribo. The Liaison Bureau was preceded by a “working group for protection of foreign Missions and Residences of Representatives”.

The installation of the Liaison Bureau has its reason in the prevailing developments in the international scene and the possible threats globally.

In light of these developments, the Ministry of Justice and Police had to change its policy towards security and safety of diplomats.

3.4 Inviolability and Security Measures

Inviolability of diplomatic agents means that they are withdrawn from the jurisdiction of the receiving State according to article 29 of the Vienna Convention on Diplomatic relations. If a diplomatic agent commits a breach of the law or a crime, the sending State will be responsible for measures against that person.

The right of inviolability is related to some issues:

A. the diplomats must not be involved in violation of the law in the receiving State;
B. Diplomats are obligatory to follow all instructions of the police and other relevant authorities in the receiving State;
C. Diplomats should not be involved in internal affairs of the receiving States.

The sending State has the obligation to indicate the persons and matters that have the right of inviolability. Through the Ministry of Foreign Affairs this information will reach the Ministry of Justice and Police (in this case the Liaison Bureau). Thus, regulations regarding the diplomatic personnel must go through the Ministry of Foreign Affairs. The police has a list of persons entitled to inviolability; on the list you will find the following categories:
A. the Heads of States visiting Suriname, their families and accompanying delegations;
B. the accredited Ambassadors, representatives of Foreign countries and International organization residing in Suriname;
C. Members and personnel of the embassies and their families.

The Liaison Bureau is staffed with police officers serving in the rank of at least, inspector. These specialized officers in the Liaison Bureau form its backbone. Whenever a mission of the Foreign State or an International organization wants to organize a function (paying of wreath, receptions, celebrations of national days, Bazaars, etc.) for which they think police presence is necessary, they have to contact the Liaison Bureau. The standard procedure is that the protocol department of the Ministry of Foreign Affairs is informed and the Liaison Bureau will be contacted by the protocol department. The Bureau will then contact the embassy and take care of the request. There are embassies with which the Liaison Bureau has more frequent contacts than with others depending on the risks the embassies suppose to run. When necessary, there is a direct contact between the Liaison Bureau and the security department of a given embassy.
There are two ways to render security protection:

1. Prevention; instructions and information are given beforehand;
2. Repression; in case of an incident the police will have to act or investigate into matter.

The cooperation between the Liaison Bureau and the embassies has to be effective. The mutations of diplomatic personnel have to be send to the Ministry of Foreign Affairs. So it will be known with what people of the embassy staff they are dealing with. This last aspect, according to the management of the Liaison Bureau, is not functioning properly.

3.5 The minimum security standard providing by the Liaison Bureau

When foreign representatives are accredited in Suriname the Liaison Bureau had to make contact with the embassy. The research shows that not every embassy has contacts with the Liaison Bureau, it depends on what kind of risk is linked to the embassy and in such way they get to know who the new diplomats are or the Ambassador. At first they are getting instructions of the Liaison Bureau. Every embassy has to take the security standard measures in consideration. The necessary aspects are point 1-12 in appendix D. Further security measures for an embassy are being taken depending on what kind of country it is, because there are countries with a low risk, medium risk, a high risk, or very high risk level. (See appendix C.)

3.6 Case study regarding armed robberies and burglary of diplomats of the Republic of Indonesia embassy in Suriname

The embassy of the Republic of Indonesia has experienced in the year 2003, three times situations in which their diplomats were involved in armed robberies. The first situation was a diplomat and his wife had been brutally robbed by a group of five armed robbers, who entered the house by force, by breaking the window and its iron security fence, but without making any sound that could be heard by the victims.
The diplomat and his wife could not have any possible preventive and defensive actions in such a rapid and shocking situation, where two robbers armed with pistols and swords/long knives, had been entering the bedroom, concurred the victims by hitting their heads with the pistol, pushing the pillow to their mouths, bounding over their heads with cotton and threatening to kill them all if they did not hand all the worth that the victims had.

The robbers left the house after getting what they wanted and took away all the worth/precious things that they could bring with them, among which money, jewelry, keyboard, camera etc.

The embassy, found it necessary to let the Liaison Bureau know, through the Ministry of Foreign Affairs what had happened and requesting them to take any needed actions in relation with the robbery and of violence toward the embassy’s staff.

The Ministry of Foreign Affairs took note of the situation and informed the embassy that the principle of immunities and privileges rendered to all members of the diplomatic missions accredited in Suriname and that the embassy could be assured that all necessary steps will be taken to investigate this matter of great importance.

In the same month another diplomat who was on vacation together with his family, was intruded by robbers who had broken the window of his residence and stole some goods.

In another situation a diplomat of the Indonesian embassy was the target of five armed robbers. They brutally threatened the diplomat and his wife and took away money amounting to 700 USS and jewelry.

Since this was the third robbery within one-year period the embassy strongly wished that the Ministry of Foreign Affairs could make any possible efforts to create the comfortable climate for all staff members and family of diplomatic missions and organizations in order to have a safe and sound life in Suriname.

After the above mentioned situation the Ministry of Foreign Affairs took note of the request and asked the Liaison Bureau if this matter could be investigate and that they give a possible contribution for a comfortable climate for the diplomats.
In an interview with the chairman of the Liaison Bureau it became clear after an investigation that the neighborhood where the diplomats were living was unsafe and not an environments where diplomats should be living. They were in ghetto’s were allot of criminal resided. Another point of investigation was that they had not enough security guards at their residence and the house was not properly protected with the minimum-security standard measures.

The Liaison Bureau advised the diplomats to move immediately and to look for a safer neighborhood. After these incidents the diplomats had to make a lot of investments in safety equipments, to be able to reach the police quicker and easier (e.g. purchase of Porto phones etc.)

After these incidents and measures the relationship with the Liaison Bureau has become much stronger than before. The consequence of this case has also lead to the fact that most of the diplomats of other embassies has take measures to protect themselves more adequately. The embassy of Indonesia has also has also a division that is responsible for the security aspects of the embassy. This division has now good contact with the liaison Bureau and is following the instructions in a proper way.
From that year of 2003, there are until now, no complaints from that embassy.

3.6 The case study of the Embassy of the Co-operative Republic of Guyana

In this case there are several situations in which the diplomats of this embassy had to do with theft of important things at the embassy and their houses. The first matter was about the robbery of the ambassador at KFC (Kentucky fried Chicken) in the year 2005, as he was about to pay for an order at the drive thru delivery window. He was robbed of srd 80. He immediately informed the management of KFC of the incident and expressed his concern about the security system that was in place. The police authorities were contacted and a statement was also made of the incident.
There were also several times burglaries at the residence of diplomats. At the embassy several times theft had taken place. In the report of the Liaison Bureau it was clear that the embassy was not properly secured. In the interview with the chairmen of the Liaison Bureau it was clear that the ambassador was not attentive enough to see whether there was security in place or not. Even if there was security in place this could happen to anyone. The ambassador had a talk with the Liaison Bureau and it was clear for him that it was an unfortunate incident.

Further more the investigation showed that the security guards of the embassy assume their duties on Tuesday and Fridays during working hours. Considering this the Liaison Bureau advises the embassy to upgrade its security to one on a daily basis.

Of particular interest in the above cases linking it to article 29 of the Vienna Convention on Diplomatic Relations, is the use of phrase “…. and to take all appropriate steps to prevent any attack…”. The definition of attack is of importance and the question, which can be raised, is whether attack includes all criminal activity (e.g. car theft, burglary or a mugging), or only a violent physical attack and whether attack is implicitly limited to political, civil unrest, mob, or terrorist attacks. The extent of protection to be rendered by the host state and the appropriate steps to be taken to prevent any attack are also open to interpretation.
CHAPTER 4

QUESTIONNAIRE AND INTERVIEWS

4.1 Introduction
In this chapter an analysis of the research results is being made, that was to obtain through a questionnaire and interviews. The data will be processed by looking how many diplomats have security at home, their view about security, how the relationship is with the Liaison Bureau, and other questions that shall be discussed in the next paragraphs.
The face-to-face interviews will also be taken into consideration, but those interviews were more meant to get a general idea of what current diplomats think about the security in Suriname.
A view remarks will be make on the research methodology.

4.2 Questionnaire for Diplomatic Personnel
The questionnaire was for all kind of diplomats from the embassies but also for diplomats at international organizations. There was no discrimination in distributing this questionnaire; the only requirement was that diplomats must be accredited for at least 12 months in Suriname to be qualify to fill out the questionnaire.

4.3 Limitations of the Research Methodology
The questionnaire was distributed to all 10 embassies in Suriname without making a difference in whether these embassies have many diplomats or not. The questionnaire was also send to international organizations in Suriname where diplomatic staff are working.
4.4 Questionnaire Design

The research design consists of eleven questions, which were meant to get a clearer understanding of the security provided by the Liaison Bureau in Suriname. The idea was to know how safe diplomats are in Suriname taken into consideration the uncertainty and not always foreseeable risks. Above all the questions were also designed to know the reason of those robberies and burglaries that diplomats experience as very troublesome.

4.5 Research results

At first most of the embassies were delighted with the questions, some were not and one has refused to fill out the questionnaire due to the sensitive nature of those questions. Thus of all the 10 embassies 9 has fill out the questionnaire, of all the international organization 2 has fill out the questionnaire.

- Research Findings 1

Do you have special security at home? Most of the respondents do have security at home in all varieties, from iron security fence to dogs, and camera. It is clear that 40% of the diplomats of the embassy have security companies at home such as PPS (Professional Private Security), 50% have iron grills on all gates and doors, dogs, security alarm and secure fencing on the periphery walls. 10% of the embassies do not respond.
What is your experience as a diplomat about the safety situations/circumstances in Suriname? As in the chart we can see that 40% find it reasonably good, 10% find it not so good, 30% find it nowadays stable, and 20% find it very good in Suriname comparing it to other countries.
• **Research Findings 3**

The meaning of the diplomats about the maintenance of article 29 of the Vienna Convention on Diplomatic relations in Suriname? 40% give general answers, 50% say yes and 10% say no.

![Chart 3](chart3.png)

• **Research Findings 4**

How many embassies are familiar with the Liaison Bureau in Suriname? 60% are familiar, 20% never heard of it, and 20% heard of it but don’t have contact with them.

![Chart 4](chart4.png)
Research Findings 5

Measures for the Liaison Bureau to be taken to upgrade their security for target group? 20% found it not necessary, 20% do not respond, 20% said that they must create awareness of that Bureau, 10% said there must be better communication with target group, and 30% said if resources permit, some additional surveillance on the premises of diplomatic mission and the residences of diplomatic staff from security point of view may be undertaken.

![Chart 5: Measures to be taken by the Liaison Bureau to upgrade their security]

Research Findings 6

How much diplomats know about their own responsibility in the receiving State? 90% do know about their own responsibility, to respect and follow all the laws and regulations of the receiving State was the meaning of most of the diplomats and 10% do not respond.
Regarding the international circumstances that are changing rapidly and constantly, what kind of extra or special measures does the sending State take with regard to the protection of diplomats? Allot of different answers has been given on this questions, but one thing all embassies presented is that some basic training on security measures as well as for disaster management is imparted to all diplomats and other personnel posted abroad. The government of the sending State is cognizant of the risk at stake of the diplomats accredited to Suriname, foreign nationals and its own national and exercise its best from security to protect everyone.

In certain parts of the world violence and war are becoming more and more part of everyday’s life; does your government have special policy when it comes to the security of their diplomats? 80 % said that the government of the sending State should provide special security for its diplomats abroad, 20% said that however, the basic responsibility of the security of diplomatic personnel rest on the security agencies of the receiving State.
Research findings

How many government of the sending State consider a modification or actualization of Article 29 of the Vienna Convention on Diplomatic relations? 50 % had no comments on this, is a policy issue and had to be dealt on a higher level, 20% said there should be no change on the Article 29, and 30% said the Article 29 must be modified due to present situation.
## The Survey results of the protection of diplomats in Suriname

<table>
<thead>
<tr>
<th>data items</th>
<th>total of embassy 10</th>
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</thead>
<tbody>
<tr>
<td>Special security at home</td>
<td></td>
</tr>
<tr>
<td>10% do not respond</td>
<td>40% adequate</td>
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<tr>
<td>50% inadequate</td>
<td></td>
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<tr>
<td>Experience of safety situations in Suriname</td>
<td></td>
</tr>
<tr>
<td>90% feel safe</td>
<td>10% Feel unsafe</td>
</tr>
<tr>
<td>Security organizations at the embassy</td>
<td></td>
</tr>
<tr>
<td>80% good</td>
<td>20% not good</td>
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<tr>
<td>Maintenance of article 29 of the Vienna Convention on diplomatic relations</td>
<td></td>
</tr>
<tr>
<td>50% maintenance</td>
<td>10% no maintenance</td>
</tr>
<tr>
<td>Diplomats that are familiar with Liaison Bureau</td>
<td></td>
</tr>
<tr>
<td>20% is familiar but do not have contact with them</td>
<td>60% familiar</td>
</tr>
<tr>
<td>20% not familiar</td>
<td></td>
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<tr>
<td>Diplomats having their own responsibility</td>
<td></td>
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<tr>
<td>90% known about their own responsibility</td>
<td>10% do not respond</td>
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<tr>
<td>Measures to be taken by the Liaison Bureau to upgrade their security</td>
<td></td>
</tr>
<tr>
<td>60% said measures are needed</td>
<td>20% said measures are not needed</td>
</tr>
<tr>
<td>Embassy that have highly security system</td>
<td>50% highly</td>
</tr>
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<td>------------------------------------------</td>
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<tr>
<td>Government of the sending state considering a modification of art.29</td>
<td>50% had no comments on it</td>
</tr>
</tbody>
</table>

### 4.2 Interviews

First of all some remarks concerning the interviews that were conducted; the interviews were made with diplomats working at the embassies for more than one year, and most of the diplomats find Suriname not so dangerous regarding the security measures that are being taken for diplomats, but they say this comparing it to other countries like Iran, Pakistan and Guatemala. What was really remarkable is that when it comes to security for the embassies than it is the sending state who are providing the finance so that the embassy can invest in a good security system, and one embassy had made clear that there is danger for some diplomats working there because they are an embassy that are giving important visa and 75% are given 25% not. So a good security system is necessary for them.

Referring to the above arguments not all embassies have a good security system, because the sending State has not enough money to provide for them and that was an embassy that looking with anger to the Surinamese authority for not providing them enough security. It was also remarkable that the ambassador himself wants to fill in the questionnaire because when looking for the questionnaire on the given deadline, the message was that the ambassador himself wants to fill in the questionnaire. Assuming that the ambassador feel responsible for his country for the answers that would be given. There were also an interview with a diplomat of an international organization and he said he had been serving In Suriname for almost one and an half year, and never has experience with theft And Burglary. He don’t want to have
security guards because he feel safe enough in Suriname and don’t want to feel like a prisoner in a country.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

5.1 CONCLUSIONS

When taking into account the Function of the Liaison Bureau in terms of the regulations and measures with regard to combating crime and the current realities of crimes against diplomats in Suriname we can established that there are several implications linked with the protections of diplomatic personnel in Suriname:

- While the Liaison Bureau can respond, if necessary, to any threat against to the premises and personnel at foreign missions, permanent protection (guards at premises) cannot be provided unless a specific threat against the foreign mission has been identified.

- However, if a foreign mission would request additional protection, it would only be supplied if a request goes to the Ministry of Foreign Affairs. Thus this Ministry has an important role to play due to the bilateral relations with other countries.

- Furthermore, protection would be provided based on a threat analysis to establish the level of protection in accordance with the threat.
• The Liaison Bureau doesn’t have the same kind relationship with all the embassies in Paramaribo. The level and kind of contacts depend on the threat the embassies experience.

• Looking at the country risk level one can conclude that Suriname is a low risk level country comparing it to other countries, because the government is generally political stable, but criminals can be violent and they are known to use all kinds of weapons, but nevertheless Suriname is compared to other countries (regional and international), a low risk country when it come to security.

• The Liaison Bureau has an understanding with all embassies that they should take care of own effective security system for their premises and residences. Hiring of specialized private security companies is highly recommended. The liaison Bureau has its role as a body that gives advice in the phase of prevention and acts as adequately as possible in the repressive phase.

• Finally, The appropriate steps with regard to a particular situation must be determined by the sending States and receiving States in consultation with each other, since there would be no point in formulating more detailed rules as individual situations may differ.

5.2 Recommendations

The Liaison Bureau should have the obligation to provide all embassies with proper instructions regarding their security. There should not be any difference in the information and security measures to be taken; the level of risk for an embassy cannot determine the instructions it will be provided with. The Liaison Bureau need to bring in place a whole framework from the new diplomats and the one that are leaving the host country, so from time to time the instructions should also be known by every diplomats, this doesn’t happen unfortunately. The appropriate steps would obviously have to take into account: an assessment of issues such as threats made against
members of a mission, the investigation into declared intentions, the nature and inner working of dissident groups operating in the receiving State should have a high priority, and practical capabilities of the receiving State to undertake these steps. Hence article 29 provides a realistic and flexible legal framework within which governments may protect diplomats in their countries to the best of their abilities. Article 29 doesn’t require a State in any way to lay down penalties of particular severity for any attack or crime against diplomats in its country.

Foreign mission staff in Suriname is therefore personally responsible to protect their own lives in public and to protect their private residence and members of their households. Like the rest of Surinamese public they have to turn to private security guards and install alarm systems in their homes. Moreover all diplomats should be trained and informed of general precautions to protect themselves from such incidents such as vehicle hijackings and burglaries at residences.

To perform better Suriname should have to strengthen the cooperation with every embassy, so diplomats should know what there own responsibility is regarding protection and what the responsibility is of Suriname, this should not only lead to better understanding of article 29 of the Vienna Convention for diplomatic relations but international a better relationship with friendly States.
REFERENCE

• *The Times*, 7 April 1970 the diplomatic Kidnappings, a Revolutionary tactic of Urban Terrorism (1973) as quoted in Denza, E. 1998.


APPENDIX A

Paramaribo, 15 September 2006

To: Ambassador of the People’s Republic of China

Subject: requesting cooperation for the gathering of research information by Ms. Claudine Krommie

I am a graduate student of the F.H.R. Lim A Po Institute for Social Studies in the final stage of the master’s study in Public Administration in Governance. Among other subjects, the writing of a final research paper is compulsory to be able to graduate. I have chosen for a research on “The protection of diplomats in Suriname” (title of my paper). Taking into account the preceding information, I request your cooperation to collect the necessary data for my research from the diplomatic personnel working in your embassy.

I have enclosed two copies of a list of eleven (11) questions to be filled out by two (2) members of your staff-to be designated by you- residing in Suriname for twelve (12) months or longer. I hope it will be possible to complete the questionnaire before 30 September 2006. After collecting and getting through the filled out copies, it might be necessary to have an interview with the officers concerned. For this, request your cooperation as well to have the interviews with the relevant members of your staff.

Thanking you in advance for your cooperation, I remain yours sincerely,

Claudine Krommie, LL.M.
APPENDIX B

Questionnaire

1. Do you have special security provisions at your home?

2. What is your experience as a diplomat about the safety situations/circumstances in Suriname?

3. What is your opinion about the security at the embassy?

4. What is your view about the security in Suriname?
5. According to article 29 of the Vienna Convention: “the person of a diplomatic agent shall be inviolable. He shall not liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.”
What is your meaning about the maintenance of this article in Suriname?

6. Have you ever heard about the Liaison Bureau for diplomats in Suriname located at the Police Headquarters? (this bureau is meant to coordinate and take measures regarding the protection of diplomatic personnel)

7. What kind of measures do you see as necessary for the “Liaison Bureau” to take in order to upgrade the security of the target group?

8. Can you give your opinion on the own responsibility of the diplomat during his/her detachment in a receiving state (e.g. Suriname)?

9. The International circumstances are changing rapidly and constantly nowadays resulting in uncertainty and not always foreseeable risks. In light of this, what kind of extra or special measures does your sending State take with regard to the protection of diplomats?

10. In certain parts of the world violence and war are becoming more and more part of everyday’s life, does your government have a special policy when it comes to the security of their diplomatic personnel in those regions.
11. Given the perspective of the changing global diplomatic environment, will your government consider a modification or actualization of article 29 of the Vienna Convention on Diplomatic relations?

12. If a change is being considered what new aspects will be part of the articles concerning the protection of diplomats in receiving States?

Claudine Krommie, LL.M.
Student Public Administration in Governance
F.H.R. Lim A Po Institute for Social Studies
Telephone: 477695 (office)
Mobile : 08558898
E-mail : naomiroos@yahoo.com
Adress : Postbus 12602
Enclosure: two (2) copies of the questionnaire
APPENDIX C

COUNTRY RISK LEVEL DEFINITIONS

The baseline for risk rating is Washington, D.C. Risk level assignments are based on multiple factors: the general security situation in a country; level of specific threat to Country personnel; political instability; a weight average of threat assessments from outside analysts and other organizations; and security incident reports. The level of risk in each country is different and determines the security measures appropriate to Country Office and residences. Risk levels in Latin America and Caribbean countries where the Bank is represented are reassessed annually and may be changed as conditions warrant.

Low Risk

Definition: The government is stable with no evidence of political fragility and political violence is rare. Violent crime is generally isolated to less desirable areas and not commonplace in affluent commercial and residential areas frequented by the international community. Lethal forces are generally not a factor in street crimes and law enforcement is responsive, with a good record of deterring offenders.

Medium Risk

Definition: The government is generally stable, though politically motivated violence (assassination, bombing, kidnapping, etc.) occurs from time to time. Crime is sporadic, but may affect any part of the general population and is not limited to less affluent areas. The international community is sometimes targeted. Crime can be violent and criminals are known to use lethal weapons. Law enforcement agencies in the country have a mixed record of deterring crime and apprehending offenders.

High Risk

Definition: The government may be unstable or facing discord that could lead to instability. Politically motivated violence (assassination, bombing, kidnapping, etc.) is a concern and may be a frequent occurrence. Foreigners are a major target of crime and are at high risk of being injured or killed in any incident. Law enforcement agencies in the
country have little impact on preventing crime and rarely respond if called. Countries may be considered high risk because of political instability or high crime or both.

**Very High Risk**

Definition: The government may be highly unstable or facing severe discord that could lead to instability through a coup d’etat or violent struggle for power. Politically motivated violent struggle for power (assassination, bombing, kidnapping, etc.) is a major concern and may be a daily occurrence. Foreigners are a major target of crime and are at high risk of being injured or killed in any incident. Law enforcement agencies in the country have little impact on preventing crime and rarely respond if called. International staff is under constant security pressure and extraordinary measures are required in order to conduct the business of the Bank. Countries considered very high risk are generally subject to both political instability and high crime.

**COUNTRY OFFICE SECURITY PROGRAM (Cofsecurity)**

Through the administration of Cofsecurity, the BSO will implement appropriate measures to provide reasonable security for Country Offices and international staff residences. This program will consist of risk assessment, the setting of security standards, the auditing of security conditions, the correction of security deficiencies, and the elevation of awareness levels of staff for international security risk.

**Country Risk Levels**

The BSO will maintain a process for assessing relative country risk level, using Washington, D.C. as a base level. Risk levels will be used to establish minimum security standard for Country Office and international residences, and will be reviewed and updated as conditions warrant, but at least annually. Definitions of risk levels are presented in Appendix A.

**Minimum Security Standards**

The BSO will administer minimum security standards for country Offices and international staff residences which reflect the risk levels of the host country. Minimum security standards for Country Offices and international staff residences are presented in appendixes B and C, respectively.

The country Office representative are responsible for providing guidance to arriving international staff in the selection of secure residences in safe residential neighborhoods. The BSO will make Cofsecurity services available to the representatives as needed to assess suitability of specific residences and/or neighborhoods. In that respect, it is highly recommended that international staff in High and very High Risk countries live in apartments, condominiums or protected housing compounds. Staff who lease residences not in compliance with the minimum requirements of Appendix C will be responsible for
those minimum standards, or to assure the staff member understands the liabilities he/she incurs by electing to accept a substandard residence, and sighs a release form accordingly. Release forms must be approved and sighed by the Country Office Representative and copies forwarded to the corresponding Regional Manager and to the BSO.

Security Audits and Enhancements

Using country risk levels and minimum security standards as a guide, the BSO will direct the conduct of security audits of Country Offices and international staff residences on the following schedule: Very High Risk countries – every 2 years; High Risk countries – every 3 years; Medium Risk countries – every 5 years and Low Risk countries – as a need arises, but not scheduled on a specific cycle. Out of cycle audits are conducted as needed.

Audits will consist of the following, as a minimum:

A. Evolution of security measures and procedures in effect, identification of vulnerabilities detected, and recommendations for mitigating or reducing risks.

B. Initiating of contact with building management, local police organizations, police organizations, other international organizations and the host government security officials as appropriate to coordinate security support for the Country Office in case of crisis.

C. Preparation or review of crisis management plans, including air, land or maritime Evacuation during crisis.

D. Presentation of security awareness seminars for Country Office staff and their Dependents.

Audit reports will be prepared and distributed to the Country Office Representative and Regional Manager. The BSO will coordinate the correction of deficiencies and implement the security enhancements identified in the audit reports.

Crisis Management Planning

The maintenance of current crisis management plans and the performance of yearly training exercise are responsibility of the Country Office Representative. The BSO will make available to the Country Representative assistant in the drafting and evaluation of crisis management and evaluation plans as part of the security audit/enhancement process.
Security Incident Reporting

The Country Office Representative is responsible for assuring the preparation of reports of security incidents, criminal acts or loss/thefts perpetrated against the Country Office, its officers and/or dependents, and for forwarding such incident reports to the BSO. The BSO will use security incident reports as input into the continuous review of country risk levels and setting of security standards.

Information Security

The Country Office Representative is responsible for assuring that each staff member is aware of their individual responsibility for safe filing of confidential documents and securing electronic devices such as personal digital assistants, computers and cell phones with number memory storage.

Access to the computer server should be limited via an access control system.

Communications

The Country Office Representative is responsible for establishing an effective communications network most appropriate to the country of assignment. The BSO will provide two satellite phones to each Country Office for communications between the Country Office and Headquarters for the use in events of a serious crisis or failure of the local communications infrastructure.
APPENDIX D

MINIMUM SECURITY STANDARDS – COUNTRY OFFICE

Grills: Country Office located in a stand-alone proprietary facility (or ground floor space in a share facility), must grill all ground level windows, or install equivalent barriers, to prevent criminal entry. Air conditioners and other areas that could afford unauthorized access must be grilled or “strapped-in”

Doors: Primary entry doors should be metal-frame with protected glass, or Alternatively steel or solid wood, and equipped with double-cylinder deadbolt locks or equivalent locking mechanisms. All secondary ground-level entrances should be equipped with keyed locks and have a grill door attached if accessible from the exterior in a stand-alone building.

Smoke Detectors: An appropriate number of smoke detectors should be installed on each level of an office area. Detectors should be placed at least 20 feet from kitchen areas.

Office Locations: Country Offices located in a shared building, should not occupy offices below the third floor due to the threat of criminal access. Office areas above the 8th floor should be avoid due to the difficulty of evacuation and the absence of effective life safety codes in many countries.

Controlled Lobby: Country Offices should have a controlled lobby. That is, a lobby from which visitors cannot gain access to office areas or upper floors without encountering a lobby receptionist located behind impact resistant glass and a locked door controlled by occupants. Magnetometers for visitors control an screening are also highly recommended as part of there controlled lobby concept.

Secondary Entrances: Access through secondary entry doors should be denied to visitors, and access controlled through the use of cipher locks or card keys.

Emergency Exit: Should be used exclusively for evacuating the premises in emergency situations. Emergency exit doors should equipped with alarmed panic bar lock.
**Emergency Stairwell**: Buildings should contain an internal or external stairwell stairwell that permits safe evacuation of the building in an emergency.

**Security Guard Personnel**: Twenty-four guard services are authorized for stand-alone facilities. Country Offices in shared buildings in High and Very High Risk countries are authorized a guard to protect and control access to the Bank’s area on a particular floor during hours of operation. Guards should be armed unless country specific security issues dictate otherwise.

**Intrusions Alarm**: All Country Offices should equipped with intrusion alarm to alert occupants to an unauthorized entry. Alarm should be monitored by a central station (off-site) with response personnel in the event of activation.

**Perimeter Wall**: Stand-alone Country Offices should have perimeter walls and fences at least seven feet in height, topped with a 2’ deterrent to climbing, such as concertina wire or its equivalent. Pedestrian and vehicular gates should be of equal height.

**Access Control**: Entrance to a Country Office should be locked at all times and released by a receptionist. Employee access should be controlled by cipher cards or card key identification. A visitor control system, which requires presentation of picture identification (a cedula exchange) and maintenance of a visitor log, must be established.

**On-Premise Parking**: In High and Very High Risk countries on-premise parking is preferred, and access to parking should be controlled by a guard or attendant.

**Evasive Driving**: In High and Very High Risk designated countries, official drivers in Country Offices will receive evasive driver training and be certified in basic defensive driving techniques.

**Fleet Security**: Official vehicles must be equipped with communications, emergency vehicle and first aid kits and be maintained in good working condition. In rare instances, it may be appropriate to consider security enhancements to fleet vehicles in response to increasing security threats.
APPENDIX E.


- Interviews with the Chairmen of the Liaison Bureau. Mr. H. Setrosentono, Assistant Commissioner at the Headquarter of the Police.

- Interviews with the Head of the Organization of American States in Suriname.
ENDNOTES:

1 Denza, E., Diplomatic Law, Commentary on the Vienna Convention on Diplomatic Relations, second edition pp. 210
2 Denza E., Diplomatic Law, Commentary on the Vienna Convention on Diplomatic Relations, second edition pp.1
3 Denza E., Diplomatic Law, Commentary on the Vienna Convention on Diplomatic Relations, second edition pp. 211-212
4 Palmer N.D. and Perkins H. C., Internationals Relations pp. 156-160
5 Kishan S. Rana. Bilateral Diplomacy, pp.53
9 1982 AFDI 1099. see also Satow. Diplomatic Practice (5th edn.)15.5. For an appraisal of protection provided in a case where the Turkish Ambassador was murdered in Paris see 1988 AFDI 888 as quoted in Denza E. Diplomatic Law, Commentary on the Vienna Convention on Diplomatic Relations second edition pp.216
10 The Times 5 May 1988 as quoted in Denza E.,Diplomatic Law, Commentary on the Vienna Convention on Diplomatic Relations second edition pp.216
11 Review of the Vienna Convention, Cmnd. 9497, Para. 70, as quoted in Denza E., Diplomatic Law, Commentary on the Vienna Convention on Diplomatic Relations second edition pp. 216
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13 Lecaros, Diplomacia Contemporanea at p.134 says that detention ‘aroused the repulsion of the entire world as quoted in Denza E. Diplomatic law, Commentary on the Vienna Convention on Diplomatic Relations, second edition, pp.218
14 1986 BYIL 550-1, as quoted in Denza E. Diplomatic law, Commentary on the Vienna Convention on Diplomatic Relations, second edition, pp 218
15 Denza E. Diplomatic law, Commentary on the Vienna Convention on Diplomatic Relations, second edition, pp 112