



THE DUTY OF CARE IN INTERNATIONAL ORGANIZATIONS: EMERGING TRENDS IN CONTEMPORARY JURISPRUDENCE

In recent decades, there has been a notable increase in the field activities of nearly all International Organizations, both at the global and regional levels. In 2023, the United Nations alone had deployed over 20,000 staff members to countries grappling with security challenges. These personnel engaged in a variety of tasks, from attending brief meetings in capital cities to participating in peace-making, peacekeeping, and peace-building, from conducting project monitoring and assessment activities in remote areas to providing humanitarian relief, among others. However, the complexity of these tasks, the volatile environments in which they occur, and the sheer number of staff involved have led to a rise in security and safety incidents and problematic situations, often resulting in tensions between the staff and the IOs. When not resolved amicably, these situations are frequently brought before international judicial bodies, with accusations levelled against the sending organization for allegedly failing to uphold its Duty of Care (DoC) obligations towards its staff.

In a book published in 2018, a thorough examination was conducted into the specific content and scope of the DoC under international law, drawing upon an unprecedented investigation of relevant jurisprudence and legal sources. The legal and political analysis undertaken at that time demonstrated the ongoing evolution of the notion of DoC to address the specific challenges faced by staff members in their daily field operations. The aim of this article is to assess, six years after the publication of that book, the new developments in international jurisprudence (mostly by the UN Dispute Tribunal, the UN Appeals Tribunal, the ILO Administrative Tribunal but also by other regional Tribunals) that have since further developed the concept here under investigation. The analysis will underscore the significant role that international jurisprudence plays in continuously interpreting the contours of this obligation, adapting to the evolving challenges encountered by staff working in the field today.