

## **Case Summary: Mauchline v. CADUS e.V.**

In May 2018, Mr. Simon Mauchline, an experienced Australian emergency nurse, was deployed by the German NGO CADUS e.V. The deployment was intended to support a project treating war wounded people in Raqqa, Syria. By the time the team mobilized, six months after the project was designed and funded, the fighting had ended, and the project was no longer needed. After waiting three weeks in Iraq and following the resignation of four team members, CADUS headquarters instructed the remaining staff to move into al-Qamishli, one of only two towns in northeast Syria under Syrian regime control. Here, foreign nationals faced a well-documented risk of detention and torture. Twelve days later, Mr. Mauchline and a colleague were arrested by regime forces, flown to Damascus, and imprisoned and tortured for 48 days. Mr. Mauchline claims after his release, he received no meaningful support from CADUS.

**This case challenges the court to consider whether an organization that directs its staff into a known high-risk area to wait for work that may or may not start, assumes responsibility for the consequences of that direction.**

Mr. Mauchline's contract with CADUS stated that he "must comply with the instructions of the HoM [Head of Mission]." Al-Qamishli was avoided by other international NGOs due to the elevated detention and torture threat posed by the Syrian regime to foreigners without visas. CADUS had no project agreements, no risk assessment, and no operational justification for sending Mr. Mauchline there. The organization chose a risk-heavy location without necessity, exposing staff to predictable harm.

**This case challenges the court to consider what duty of care an organization owes to its personnel once they have suffered severe trauma under its direction.**

Following Mr. Mauchline's release, CADUS had no structured support system in place. He was given no formal injury assessment, no medical or psychological care, and received only minimal communication from the organization. He remains unable to fully return to his profession, and his psychological injuries are ongoing. The organization did not follow through on its stated commitment to post-incident care.

**This case challenges the court to consider whether arranging insurance that excludes foreseeable psychological injury, without disclosing that exclusion, constitutes a breach of organizational duty.**

Although CADUS's internal policies recognized long-term psychological injury as a real possibility, the insurance coverage they provided excluded such injuries. Mr. Mauchline was never informed of this. CADUS failed to ensure adequate coverage through insurance or otherwise, for foreseeable injuries of its staff.

This case is not about the actions of the Syrian regime, it is about the responsibility of an organization that negligently directed its staff into the precise location where the regime's authority and practices were known. Seven years later, Mr. Mauchline continues to live with the consequences. His case raises urgent questions about accountability in the humanitarian sector when risk is grossly misjudged, and duty of care is neglected.