



INTERNAL AUDIT DIVISION I  
OFFICE OF INTERNAL OVERSIGHT SERVICES

TO: Mr. Phillip Cooper, Chief Administrative Officer  
A: United Nations Logistics Base (UNLB)

DATE: 10 June 2005

REFERENCE: AUD- (0341/05)

FROM: Patricia Azarias, Director  
DE: Internal Audit Division I  
Office of Internal Oversight Services

A handwritten signature in black ink that reads "P. Azarias".

SUBJECT:  
OBJET: **OIOS Audit No. AP2005/610/01: Review of the state of discipline in UNLB**

1. I am pleased to present herewith the final report on the above-mentioned review, which was conducted during March-April 2005.
2. We note from your response to the draft that UNLB has accepted all recommendations. Based on the response, OIOS will close recommendations 1 through 3 in our database, and will continue to monitor recommendations 4 and 5 until their final resolution.
3. IAD-I is assessing the overall quality of its audit process and kindly request that you consult with your managers who dealt directly with the auditors and complete the attached client satisfaction survey form.

#### I. INTRODUCTION

4. The global review of the state of discipline was carried out as a result of a request from the Department of Peacekeeping Operations, in response to a number of well-publicized events in MONUC and UNAMSIL where both military and civilian personnel were found to have grossly violated the codes of established conduct. The review was carried out to assess the state of discipline in the field missions and in UNLB, Brindisi.
5. UNLB is a logistics base in support of DPKO's peacekeeping and political missions. It has a staffing compliment of 37 international and 99 local staff. In addition, UNLB has a compliment of 107 independent contractual staff in support of its operations. There are no military contingent personnel, military police personnel, military observers, or United Nations Volunteers (UNVs) assigned to UNLB.
6. Due to its location in Western Europe in the southern part of Italy, it is generally viewed as a pleasant, if somewhat isolated, family duty station. UNLB also plays important

roles as a mission training centre, hub of communications, and as a site for software development for DPKO.

## II. AUDIT OBJECTIVES

7. The major objectives of the audit were to:
- (a) Assess the state of discipline in UNLB;
  - (b) Identify gaps in existing policies and procedures on discipline; and
  - (c) Identify tools that UNLB requires to maintain an environment of good order and adherence to the code of conduct.

## III. AUDIT SCOPE AND METHODOLOGY

8. The review covered the period from January 2002 to March 2005 and individual review of cases that were related to discipline and misconduct. Staff were interviewed for their views on the subjects of discipline, conduct and harassment in all its forms. They were also surveyed on the overall state of discipline in UNLB, familiarity and awareness on several topics, and perceptions on conduct and misconduct.

9. One hundred seventy five surveys were distributed to three groups of staff in UNLB with a response rate as follows:

<u>Group</u>	<u>Response Rate</u>
Managers	100 %
Staff (Int'l and national staff)	63 %
Independent contractors	50 %

## IV. OVERALL ASSESSMENT

10. Overall, the state of discipline in UNLB was normal, although further action is required to bring the base into full compliance with conduct and discipline-related administrative issuances and directives. Clearer direction from DPKO is required to advise UNLB in the implementation of United Nations administrative instructions (AIs), information circulars (ICs) and Secretary-General's bulletins (SGBs) and their specific applicability to UNLB and peacekeeping. The survey response was high and staff were generally aware of issues of discipline and conduct. They were less aware of issues regarding sexual exploitation and abuse.

## V. FINDINGS AND RECOMMENDATIONS

### A. The state of discipline in UNLB

11. OIOS noted that there were only two cases of misconduct/potential misconduct.

12. A survey on the state of discipline was conducted where questionnaires were distributed to 175 staff in UNLB. Based on the high response rate, certain preliminary conclusions can be drawn on the perception of the state of discipline in UNLB, as follows:

- (a) The overall majority of all three groups indicated that they were familiar with staff regulations and rules as they relate to conduct and discipline and were aware of the basic rights and duties of United Nations staff members and have a clear understanding of what constitutes misconduct or prohibited behavior;
- (b) Equally, the majority of all staff surveyed/interviewed know that involvement with a prostitute is prohibited under the United Nations standards of conduct, as is sexual activity with a person under the age of 18 regardless of the local age of consent;
- (c) On the question of whether the mission is implementing measures to prevent sexual exploitation and abuse and enforce the United Nations standards of conduct (ST/SGB/2003/13), survey results did not indicate that a majority of staff agreed, in fact, a large number of staff either disagreed or did not know;
- (d) The majority of staff are aware that they have a duty to report concerns or suspicions regarding sexual exploitation and abuse by a fellow worker under ST/SGB/2003/13; although this needs some reinforcement;
- (e) With the exception of managers, the overall majority of staff do not know how to file a formal complaint;
- (f) Most staff would report a suspicion of misconduct; however, some concerns do exist;
- (g) The overall majority of staff, including managers, did not receive a briefing on conduct when they joined the mission;
- (h) In regard to the perception of whether misconduct was going on undetected, the survey indicated that this issue was questionable, i.e., there was not an overall majority;
- (i) On whether staff consider the disciplinary mechanism to be fair, the response was divided among yes, no, and don't know, with varied comments, i.e., very slow and cumbersome; ideals and principles of the Charter are strangled by mismanagement; not sufficiently aware of the mechanism involved; fair in theory only, etc.;
- (j) The majority of all staff surveyed/interviewed indicated that they would not fear reporting misconduct, however, a small percent of reservation was noted;
- (k) On the overall state of discipline, where the range of answers was listed as "1 = poor" and "5 = good", the majority of UNLB staff thought the overall state was "3

= normal". Regarding characterization of UNLB's attitude on dealing with misconduct cases, staff were unaware of any actual cases. The overall majority of answers fell in category "3 = normal".

## **B. Implementation of policies and procedures on discipline**

### Policies and guidelines on discipline

13. OIOS found that UNLB staff and International Contractual staff were aware of existing policies, code of conduct and regulations and rules especially those related to the protection of UNLB which had issued several recent local administrative instructions on subjects such as standards of conduct within the UNLB base, parking of vehicles, policy on HIV/AIDS, residential security and information security and usage. However, many staff were unfamiliar with relevant administrative issuances, including the new ST/IC/2005/19 on "Reporting of suspected misconduct" of 24 March 2005 which provides misconduct-related information and the obligation of staff to report misconduct when encountered. In UNLB, a focal point on HIV/AIDS had been appointed but not one responsible for sexual exploitation and abuse. UNLB staff noted during interviews several ideas in connection with raising the issue of awareness of discipline, conduct and harassment. These include:

- (a) Awareness campaign;
- (b) More frequent reminders on management's expectations on conduct expectations;
- (c) Special website in UNLB's intranet devoted to discipline issues;
- (d) Specific on-line training (similar to UNSECOORD's Security on-line training certificate exercise);
- (e) Appointment of a focal point for harassment; and
- (f) Video presentations prepared by OHRM on filing of a formal complaint, rights, obligations and how to defend yourself.

14. Many staff noted DPKO should take the lead and develop guidelines, action plans and provide guidance to UNLB (and peacekeeping missions) rather than having each individual mission develop its own response to discipline/conduct/harassment awareness.

### **Recommendation 1**

OIOS recommends that UNLB immediately identify an official, at a sufficiently high level, as a focal point for receiving reports on sexual exploitation and abuse as requested in ST/SGB/2003/13 of 9 October 2003 (AP2005/610/01/01).

15. *UNLB has accepted and implemented the recommendation commenting that Information Circular 05/17 based on ST/SGB/2003/13 of 9 October 2003 was promulgated to all staff at UNLB (including individual contractors). A focal point for receiving reports on sexual exploitation and abuse was identified. OIOS will close this recommendation in its database.*

16. Clearer direction from DPKO is required to advise UNLB in the implementation of United Nations administrative instructions (AIs), information circulars (ICs) and Secretary-General's bulletins (SGBs) and their specific applicability to UNLB. The unique status of UNLB, a logistics base, which differs significantly from peacekeeping missions, should be clarified administratively to ensure full communication is maintained with DPKO in New York. For example, due to the fact that UNLB is not a political or peacekeeping mission, they are not included on the distribution list of coded cables, normally issued from DPKO Headquarters to notify mission administration and personnel of various important instructions.

### **Recommendation 2**

OIOS recommends that the CAO, UNLB, request DPKO to include him on the distribution list of coded cables in order to keep abreast of the goings on, both at Headquarters and in the field (AP2005/610/01/02).

16. *UNLB has accepted and implemented the recommendation advising that a fax had been sent to DPKO Headquarters requesting the inclusion of UNLB in the distribution list of coded cables.* OIOS will close this recommendation in its database.

### **Roles and responsibilities of mission offices/officials responsible for discipline in UNLB**

17. From our interviews with staff, we noted that excellent policy over use of United Nations property had been established in UNLB over the years. Strict controls over preventing personal or unauthorized use of the diplomatic pouch, vehicles and telephones were in place. Filters on the internet prevented inappropriate access to gambling and pornographic sites.

18. UNLB did not keep records of allegations of misuse of property or facilities nor of allegations in any other category. Mission administrators indicated there was no current requirement to do so. Discussions noted that alleged misconduct became a formal case after receipt by the Chief Administrative Officer (CAO), and a decision was made if the allegation was serious enough to conduct a preliminary investigation. The "disciplinary process" flow chart found in the DPKO Human Resources Handbook (available on-line to all UNLB staff) illustrates this process.

19. Although staff are assisted by the Field Service Staff Union and Local Staff Union representatives in UNLB in the case of grievances, some staff indicated that the disciplinary process was flawed in that a CAO could thwart allegations from moving forward to become a case that should eventually be sent to New York. This would be true especially if the harassment or misconduct involved a high administration official or the CAO himself. The establishment of a focal point as a source of information between staff and management would improve the transparency of the process. The Office of Internal Oversight Services should also be included as an alternative first step to report any wrongdoing as indicated in the recently issued ST/IC/2005/19.

### **Recommendation 3**

OIOS recommends that UNLB administration review the disciplinary process with a view to improve transparency and to include the role of OIOS where allegations could be sent directly without resorting to the local disciplinary process (AP2005/610/01/03).

20. *UNLB has accepted and implemented this recommendation commenting that Information Circular 05/18 based on ST/IC/2005/19 of 27 March 2005 was promulgated to all staff at UNLB (including individual contractors). The IC covers the mechanisms that currently exist within the UN system for reporting suspected misconduct. It also states that staff members are entitled to make reports directly to the Office of Internal Oversight Services without resorting to the local disciplinary process. OIOS will close this recommendation in its database.*

#### Submission and handling of complaints

21. No cases of suspension were reported in UNLB. We were told that suspension with or without pay would depend on the offense. In the two instances that eventually became formal cases, action was forthcoming from DPKO once contacted by UNLB. However, for normal administrative cases, there was cynical agreement of staff interviewed that sending cases to UNHQ in New York by fax was "like putting them in the shredder" -- Headquarters never really gave any clear response unless the issue had some overwhelming importance. UNLB was powerless to take any formal action without reverting to DPKO Headquarters, but if and when DPKO Headquarters responded after a long period, it was to impose the decision back to UNLB.

22. Tracking of complaints was not currently done in UNLB. Some staff felt it would be dangerous to do so and staff's reputation or rights would be an issue if it were done. Staff who dealt with misconduct cases in UNLB were those who conducted BOI inquiries and were appointed by management. Objectivity and availability of members selected were among several factors considered in the selection process. In the case of the UNLB security officer, who could be asked to conduct security-related investigations, we found there was a need for security-related training so that his skills were updated.

#### Investigation of misconduct cases

23. For the period 2002 to March 2005, UNLB had two disciplinary cases which were investigated and which were brought forward to DPKO in New York. In addition, there was one allegation of sexual harassment that was discussed with a staff member. This matter was resolved without becoming a case and no investigation initiated. The two discipline-related investigations are summarized below.

##### a. BOI 2003/2

24. In summary, Board of Inquiry (BOI) Report 2003/2 of 30 December involved "Allegations of recruitment irregularity" related to G-3 level national staff member. This case originated during the OIOS audit of Strategic Deployment Stocks in UNLB in July

2003 on the strong suspicion of submission of a forged high school diploma which qualified this person to be eligible for G-3 core post to which she had been appointed. The BOI was finalized in February 2004. In July 2004, after submission to PMSS/DPKO a recommendation was agreed upon that the staff member receive a written reprimand. We were unable to locate this reprimand in the staff member's file during our visit, which raised obvious questions as the staff member for whom the reprimand was written is assigned as a Personnel Clerk, working in the Personnel Section, handling Personnel files. Upon our return to NY Headquarters, the CAO, UNLB, forwarded a copy of this reprimand to the auditors.

#### **Recommendation 4**

In respect of the BOI 2003/2 case, OIOS recommends that UNLB ensure that the written reprimand remains in the staff member's personnel file (AP2005/610/01/04).

25. *UNLB has accepted this recommendation and has advised OIOS that UNLB would ensure the written reprimand remains in the staff member's personnel file.* OIOS is appreciative of this action and is of the view that the staff member's move to another function outside of personnel would be in the best interest of UNLB. OIOS will keep this recommendation open pending confirmation of the reassignment.

#### **b. Fact-Finding Committee 2003/2**

26. In summary, this case relates to a dispute between two national staff members and involved a verbal insult and an obscene gesture. A "special investigative committee" was constituted to review the circumstances involved and found that the facts could not be established. In the meantime, the staff member accused of the verbal insult and obscene gesture resorted to a legal proceeding of slander/defamation against the other UNLB staff member. When the staff member and witnesses were summoned to appear before an Italian civil court, UNLB management intervened and the Office of Legal Affairs was contacted. Preliminary instructions received indicated that staff did not have the right to resort to local courts on matters falling within the Organization's work or premises. If the staff member who brought the case failed to request a waiver of privileges and immunities from the Secretary-General and failed to withdraw the proceedings, disciplinary action against her could proceed. At this point, the review became a potential disciplinary case. However, the case was dropped by the insulted staff member, yet apparently remains unresolved between the two staff as a private matter.

#### **Recommendation 5**

In respect of the Fact-Finding Committee 2003/2 case, OIOS recommends that a mutually acceptable conclusion be reached through mediation between the two parties and UNLB should encourage this mediation (AP2005/610/01/05).

27. *UNLB has accepted this recommendation and commented that while a mutually acceptable conclusion would be desirable, mediation is a voluntary process and neither party has demonstrated willingness to compromise or find common ground.* It is the intention of OIOS to monitor the case until its final resolution and will therefore keep this recommendation open in its database.

### **C. Personnel awareness and misconduct prevention programmes**

28. From the interviews and survey conducted, OIOS noted that staff were generally aware of what was expected of them as staff members of the United Nations and knew about generally accepted norms of behaviour. There was general agreement that staff knew what was right and what was wrong. Once topical issues had been identified such as discipline or conduct/misconduct, risk assessments would include the issues to be addressed if direction was given to do so from DPKO. UNLB staff, at all levels, were very helpful and concerned about the gravity of misconduct in some missions and offered suggestions about what could be done. These are included here because the staff in UNLB have very wide and varied mission experience and their views may be of potential interest to DPKO. These include:

(a) *Better induction procedures on transfer to missions.* Noteworthy was the comment that operational military briefings were done more thoroughly than civilian administrative briefings that were basically just a check-in sheet that was ticked off quickly by administrative staff;

(b) *New recruits should be processed through UNLB* where a comprehensive week-long induction course could be given;

(c) *Discipline was really an issue of governance* and should not be a bottom-up approach. Clear direction was needed from DPKO's top leaders. People management was generally very weak as was corporate knowledge. Most staff were asked to work at much higher levels than their actual grade and did so for long periods without reward. However, the result was that DPKO was not considered to be a very smart employer;

(d) *Prostitution needed to be controlled in the zones of United Nations control* in missions where sexual misconduct was occurring;

(e) *The United Nations had plenty of rules but nobody was ever punished.* Punishment when taken was completely arbitrary and not very transparent;

(f) *Training on harassment in all its forms should include role playing and role reversals;*

(g) *Every allegation should not necessarily be a case,* and unproven allegations should not follow people from mission to mission. The logging of all allegations and their categorization has a number of personal privacy issues to be considered;



- (h) *DPKO should make sure everybody knew the regulations and rules on discipline and conduct* in order to remove the element of denial of the regulations and rules;
- (i) *Leadership, not management, was needed to prevent misconduct.* DPKO needs to know what is going on and should hold its leaders accountable. Town Hall style meetings were not used enough to develop an understanding of the issues;
- (j) *The “tone at the top” was not set at the highest level.* CAOs and SRSGs above the retirement age were recycled from mission to mission. Some had long histories of abuse of power, resources, rules and regulations, and showed favouritism for groups of subordinates who moved along with them through their careers. There was no accountability or respect for them. The retention and hiring of staff beyond retirement age thwarted the career progression of qualified younger staff from moving up the ladder;
- (k) *Anonymous letters should be the subject of a clear policy decision on the acceptance and treatment.* Staff’s views were mixed on the acceptance or not of allegations brought forward anonymously;
- (l) *Disciplinary cases resulting in disciplinary action* should be publicized on an annual basis within DPKO as was done in ST/IC/2002/25 of 29 April 2002 “Practice of the Secretary-General in disciplinary matters, 2000-2002”; and
- (m) *The use of resident auditors was a positive development.*

## VI. ACKNOWLEDGEMENT

29. We wish to express our appreciation to the staff of UNLB for their cooperation and assistance to the auditors during this review. We also thank UNLB’s administration for its candid, positive and pro-active stance on all matters related to discipline and good conduct.

Copy to: Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations  
Ms. Hazel Scott, Director, ASD/DPKO  
Ms. Jane Holl Lute, Assistant Secretary-General, DPKO  
UN Board of Auditors  
Programme Officer, OIOS



OIOS/IAD-1 Client Satisfaction Survey

The Internal Audit Division-1 is assessing the overall quality of its audit process. A key element of this assessment involves determining how our clients rate the quality and value added by the audits. As such, I am requesting that you consult with your managers who dealt directly with the auditors, and complete the survey below. I assure you that the information you provide will remain strictly confidential.

**Audit Title & Assignment No.: OIOS Audit No. AP2005/610/01: Review of the state of discipline in UNLB**

**By checking the appropriate circle please rate:**

1. The extent to which the audit addressed your concerns as a programme manager.
2. The audit staff's understanding of your operations and objectives.
3. The professionalism of the audit staff (communications, integrity, professional knowledge and responsiveness)
4. The quality of the audit report in terms of:
  - accuracy and validity of findings and conclusions
  - clarity and conciseness
  - balance and objectivity
  - timeliness
5. The extent to which the audit recommendations were appropriate and helpful.
6. The extent to which your comments were considered by the auditors
7. Your overall satisfaction with the conduct

	1 (poor)	2	3	4(excellent)
1.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
-- accuracy and validity of findings and conclusions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
-- clarity and conciseness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
-- balance and objectivity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
-- timeliness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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