

INTERNAL AUDIT DIVISION I  
OFFICE OF INTERNAL OVERSIGHT SERVICES

To: Ms. Heidi Tagliavini  
A: Special Representative of the Secretary-General  
UNOMIG

Date: 25 October 2005

Reference: AUD- 7-5:15( <sup>00191-05</sup> /05)

From: Ms. Patricia Azarias  
De: Director  
Internal Audit Division I, OIOS

*P. Azarias*

Subject: **OIOS Audit No. AP2005/656/02: Review of the state of discipline  
in the United Nations Observer Mission in Georgia**

1. I am pleased to present herewith the final report on the above-mentioned review, which was conducted in April 2005.
2. We note from your response to the draft report that all recommendations have been accepted. Based on your response, we have closed recommendations 2, 6 and 8. In order to close recommendations 1, 3, 4, 5 and 7, we request that you provide us with the additional information discussed in the text of the report. Please note that OIOS will report on the progress made to implement the recommendations in its annual report to the General Assembly and semi-annual report to the Secretary-General.
3. OIOS is assessing the overall quality of its audit process and kindly requests that you consult with your managers who dealt directly with the auditors and complete the attached client satisfaction survey form.

## I. INTRODUCTION

4. The Office of Internal Oversight Services (OIOS) conducted a review of the state of discipline in the United Nations Observer Mission in Georgia (UNOMIG). The audit was conducted in accordance with the standards for the professional practice of internal auditing in United Nations organizations.
5. The review was requested by the Department of Peacekeeping Operations (DPKO) to determine the state of discipline in peacekeeping operations worldwide. A series of meetings was held between DPKO, the Office of Human Resources Management (OHRM), and OIOS, which resulted in establishing the terms of reference for the review and the development of an agreed audit programme.

6. UNOMIG was established by Security Council resolution 858 (August 1993). Its mandate includes: to monitor and verify the observance by the Georgian and Abkhaz sides of the Agreement on a Ceasefire and Separation of Forces of 1994; to observe the operation of the peacekeeping force within the framework of the implementation of the Agreement; by its presence in the area, to contribute to conditions conducive to the safe and orderly return of refugees and displaced persons. The Mission's approved budget for 2005-06 is \$36 million. The authorized strength of personnel in the Mission is 449, comprising of 281 civilian staff, 121 Military Observers (UNMOs), 11 Civilian Police (UN Police) and 36 United Nations Volunteers or Other personnel.

7. Comments made on the draft audit report by UNOMIG management have been included in this report as appropriate and are shown in italics.

## **II. AUDIT OBJECTIVES**

8. The major objectives of the review were to:

- (a) Assess the state of discipline in the Mission;
- (b) Identify gaps in existing policies and procedures on discipline; and
- (c) Identify tools that the Mission requires to maintain an environment of good order and adherence to the UN standards of conduct.

## **III. AUDIT SCOPE AND METHODOLOGY**

9. OIOS conducted the necessary procedures to meet the objectives of the audit. This included a review of misconduct complaints and disciplinary cases from January 2002 to April 2005. Statistics were compiled and analyzed. In addition, disciplinary policies and procedures used by the Mission were reviewed. Awareness and prevention programmes and Mission-specific training materials were reviewed to determine the extent to which management promotes an environment of good order and adherence to the code of conduct.

10. Interviews were also conducted with management from each personnel category that has responsibilities for Mission discipline, policy formulation and enforcement. A cross-section of management and staff were also interviewed. OIOS distributed a confidential survey to all Mission personnel to assess their perception on the state of discipline in the Mission.

## **IV. OVERALL ASSESSMENT**

11. OIOS evaluated perceptions of UNOMIG personnel on the state of discipline in the Mission, along with the strength of management controls that maintain an environment of integrity and adherence to the code of conduct. Overall, OIOS found that Mission personnel have a positive perception of the state of discipline with 91 per cent of respondents rating it normal to good. Eighty five per cent of personnel rated the Mission's handling of misconduct complaints as normal to good. OIOS found that management's disciplinary controls were generally strong,

particularly with regards to Mission's proactive approach in supporting and promoting core values, integrity, ethics and code of conduct.

12. During the review, OIOS found areas where management should further strengthen disciplinary controls. OIOS found that mission-wide coordination and key oversight controls need to be developed. Information systems for collecting, tracking and monitoring misconduct complaints need to be developed into a mission-wide database. In addition, comprehensive reporting needs to be developed for senior management decision-making. Management agreed that there are gaps in UN policies and procedures to effectively guide personnel in the preliminary investigation process.

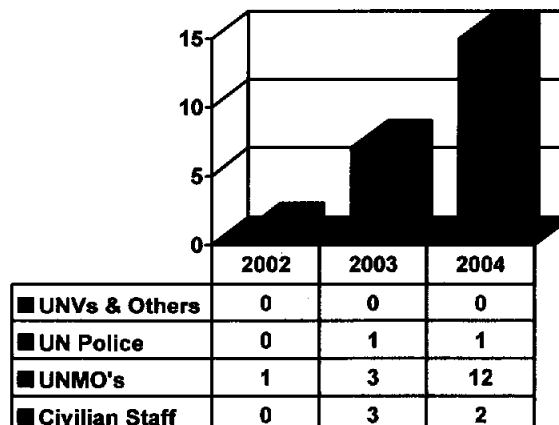
## V. AUDIT FINDINGS AND RECOMMENDATIONS

### A. The state of discipline in the Mission

#### Reported misconduct complaints

13. Over the past three years, there were approximately 25 misconduct complaints. Exhibit 1 provides details of the complaints by personnel category. Four misconduct complaints involving civilian staff members were referred to OHRM for review and disciplinary measures, and three complaints involving UNMOs resulted in repatriations.

**Exhibit 1. Number of misconduct complaints**



#### Perception on the state of discipline

14. OIOS conducted a survey which provided perceptions of Mission personnel on the state of discipline in UNOMIG. Twenty-six per cent of the population responded to the survey with a representative sample from the four personnel categories (see Exhibit 2). Paragraphs 15 to 24 present key findings from the survey.

<b>Exhibit 2. Survey response</b>			
Category	Population	Response	
		No.	%
UN Police	11	6	55%
Civilian Staff	281	65	23%
<b>TOTAL</b>	<b>449</b>	<b>116</b>	<b>26%</b>
<b>Gender Response</b>		Male	Female
		73%	27%

15. Overall, Mission personnel indicated they were aware of UN standards of conduct. Eighty-eight per cent of civilian personnel and 93 per cent of the UNMOs indicated that they were aware of standards of conduct and disciplinary rules and regulations.

16. Seventeen per cent of UNMOs said that they were not aware that involvement with a prostitute was prohibited. Comments from survey respondents indicated that the rule pertaining to involvement with a prostitute was not clear. Mission management believes that differences in national legislation of some countries on prostitution have caused this lack of clarity. UNOMIG

management stated that they would remind its personnel that the UN has a zero tolerance policy towards sexual exploitation and abuse (SEA).

17. Eighty-five per cent of respondents said that the Mission was implementing measures to address SEA and 70 per cent said that these measures were effective, while 17 per cent said measures were not effective; and 13 per cent did not know whether they were effective or not.

18. Ninety per cent of respondents said they were aware of their duty to report suspicions of SEA. OIOS believes that one factor contributing to the high level of SEA awareness is the SEA sessions that were conducted mission-wide.

19. A significant number of respondents from civilian staff (28 per cent) and UNMOs (27 per cent) indicated that they did not know how to file a formal complaint on misconduct.

20. Seventy per cent of respondents indicated that they would report suspicions of misconduct, 18 per cent would not report and 12 per cent did not know if they would report or not.

21. A significant number of respondents from civilian staff (45 per cent) said they did not receive a briefing on UN standards of conduct when they joined the Mission. Survey respondents indicated the need for reoccurring training in this area.

22. Sixteen per cent of survey respondents said that misconduct was occurring and going undetected and unpunished in the Mission. Forty per cent of UN Police and 21 per cent of civilian respondents were of this opinion.

23. Overall, 81 per cent of respondents said they did not fear reporting cases of misconduct. However, a number of respondents from civilian staff (15 per cent) and UNMOs (10 per cent) said they feared reporting. Common reasons cited included fear of non-renewal of employment contract and fear of retribution.

24. When asked to rate the overall state of discipline in the Mission, 91 per cent rated it as normal to good. When asked how well the Mission handled misconduct complaints, 85 per cent rated it as normal to good.

## **B. Policies and procedures on discipline**

### Misconduct may not be reported

25. While the mission-specific disciplinary guidelines appear adequate and management is promoting the code of conduct, there is a risk that incidents of misconduct are going unreported. UNOMIG must have the means to deal with incidents, by first becoming aware that an incident of misconduct occurred. Only then can the Mission investigate the incident, determine appropriate actions for the disciplinary process, and take steps to prevent similar incidents. Two factors encourage people to report incidents of misconduct: first, they know how to report and whom to report to; and second, their working environment is supportive of such reporting.

26. Survey results indicate that 26 per cent of the respondents do not know how to file a misconduct complaint. This indicates that management needs to clearly communicate the

procedures on filing a formal complaint to personnel. In addition, management should specify who the focal points are in the Mission for filing misconduct complaints.

### **Recommendation 1**

UNOMIG management should develop clear guidelines and procedures on how to file complaints on misconduct including establishing a focal point to receive and record complaints (AP2005/656/02/01).

27. *UNOMIG accepted recommendation 1 and stated that guidelines and procedures will be developed by 15 September 2005.* OIOS will leave this recommendation open until it can be confirmed that guidelines and procedures have been developed.

#### Clarify policies and procedures

28. OIOS reviewed management's disciplinary policies and procedures and found that there were numerous policies, procedures and guidelines promulgated by DPKO. A number of UNOMIG personnel, particularly management, indicated that there is a need to clarify policies and procedures, as well as the Code of Conduct. They indicated that there are too many policies and procedures on discipline which has led to different interpretations and applications of the policies and procedures during misconduct cases. OIOS, in a separate report, will make a recommendation to OHRM on the development of a user-friendly manual on the UN standards of conduct and to clarify its disciplinary procedures.

#### Strengthen records management

29. During the review, OIOS found incomplete and/or inadequate recordkeeping of civilian and UNMOs misconduct cases. In addition, there were no control mechanisms established to provide accurate and complete statistics to monitor misconduct complaints and actions taken.

30. OIOS noted that management regularly reported on the status of individual misconduct cases at senior management meetings. However, the statistical information obtained for our analysis was not readily available and in some cases incomplete. OIOS also found no mission-wide comprehensive reporting provided to senior management to enable them to monitor the Mission's state of discipline.

### **Recommendation 2**

UNOMIG management, in consultation with DPKO, should develop and maintain a centralized database on misconduct cases to facilitate the monitoring and reporting of misconduct cases (AP2005/656/02/02).

31. *UNOMIG accepted recommendation 2 and stated that a centralized database was in place.* In view of UNOMIG's comments, OIOS has closed recommendation 2 in its database.

### Preliminary investigation training

32. OIOS noted that some personnel, who conducted preliminary investigations, had neither formal experience nor training in investigation techniques and relied on self-training. During the review of misconduct cases, OIOS found that management was not always clear on the preliminary investigation process, particularly with regards to what information can be released to alleged offenders and victims. The policies and procedures (mainly ST/AI/371, ST/AI/379, and Civilian Procedures for Preliminary Investigations Process, DPKO, dated October 2003) do not provide users with clear definitions, nor with a comprehensive, yet pragmatic preliminary investigation process. OIOS, in a separate report, will make a recommendation to OIOS Investigations Division, OHRM, DPKO and DSS to organize formal training sessions on investigation techniques for personnel conducting preliminary investigations in the field.

### Disciplinary policies and procedures

33. OIOS found that management adequately disseminated disciplinary policies and procedures to Mission personnel. In addition, management requires all personnel to sign an acknowledgment letter, which indicates that they have read the code of conduct on SEA. However, OIOS is of the opinion that management should also provide periodic summary information to UNOMIG personnel on misconduct cases as a way of communicating actions taken and deterring future misconduct.

#### **Recommendation 3**

UNOMIG management should circulate periodic summary information on misconduct cases to all UNOMIG personnel (AP2005/656/02/03).

34. *UNOMIG accepted recommendation 3 and stated that dissemination of information will start 1 September 2005.* OIOS will leave this recommendation open until it can be confirmed that it has been implemented.

35. OIOS believes that mission-wide coordination of disciplinary matters will be further strengthened with the establishment of a Personnel Conduct Officer post. OIOS also believes that the Mission could further strengthen management's commitment in promoting the code of conduct through formally stating these objectives in the PAS system.

#### **Recommendation 4**

UNOMIG management should require senior and operation managers to establish disciplinary and/or code of conduct objectives in their PAS (AP2005/656/02/04).

36. *UNOMIG accepted recommendation 4 and stated that an Administrative Instruction will be developed that requires senior management to implement this recommendation. The PAS for*

*senior and operations managers will be changed at the mid-term review cycle.* OIOS will leave this recommendation open until it can be confirmed that it has been implemented.

### **C. Misconduct prevention programmes**

#### Management commitment in promoting an ethical culture

37. During interviews with Mission personnel in the Gali and Zugdidi Sectors, OIOS was told that while personnel appreciated senior management visits to discuss discipline, misconduct as well as other issues, they believe that more could be done by operations management. The SRSG noted that more visits by the operations managers to the Sectors are being encouraged and planned. These visits would lead to improved communication, reducing the risk of misunderstandings that can lead to misconduct issues.

38. OIOS notes that management has undertaken several actions to sustain a healthy work environment, including changing the ORB cycle from 3 to 2 months, and has improved monitoring controls of visiting hours in the UN compounds.

#### Sexual exploitation and abuse awareness and prevention programme

39. During the review, OIOS observed management's commitment to establishing sexual exploitation and abuse (SEA) awareness and training in the Mission. The Mission has provided SEA awareness to all its personnel, and has implemented ongoing training. OIOS noted that the SEA focal points volunteered to undertake this important task in addition to their regular duties. OIOS commends their efforts and dedication in promoting SEA awareness. OIOS believes that the Mission's SEA program could be further enhanced by providing the focal points with formal training on SEA, and by providing adequate training materials for their awareness sessions.

#### **Recommendation 5**

UNOMIG management, in consultation with DPKO, should provide formal training to the SEA focal persons (AP2005/656/02/05).

40. *UNOMIG accepted recommendation 5 and stated that formal SEA training will be provided to SEA focal points by the end of 2005.* OIOS will leave this recommendation open until it can be confirmed that it has been implemented.

#### Code of conduct and cultural awareness training

41. After discussions with UNOMIG personnel and review of induction materials, OIOS is of the opinion that management should further strengthen its training provided to personnel in this area.

## **Recommendation 6**

UNOMIG management should provide regular training to all personnel on the UN standards of conduct, including the local cultural environment (AP2005/656/02/06).

42. *UNOMIG accepted recommendation 6 and stated that regular code of conduct and culture awareness training is in place, including a quarterly SEA prevention program by military personnel.* In view of UNOMIG's comments, OIOS has closed recommendation 6 in its database.

### Risk management

43. Risk management is an integral part of good management practice. It involves identifying, assessing and addressing risks or vulnerabilities to which the Mission is exposed. Currently, management does not have a formal risk assessment for identifying potential misconduct and/or disciplinary issues.

44. OIOS also noted through observations, interviews and survey comments that there is a need for improved recreational facilities to minimize the risk of misconduct.

## **Recommendations 7 and 8**

UNOMIG management should:

- (i) In consultation with DPKO, conduct a risk assessment to determine the potential of misconduct incidents that may occur in the Mission and to develop an appropriate strategy to mitigate significant risks (AP2005/656/02/07); and
- (ii) Assess the adequacy of welfare and recreational facilities in UNOMIG headquarters and undertake the necessary actions to improve the facilities (AP2005/656/02/08).

45. *UNOMIG accepted recommendation 7, however management stated that completing a mission-wide risk assessment on misconduct/discipline was beyond the capacity of the Mission, and that assistance from HQ would be required.* OIOS will leave this recommendation open until it can be confirmed that it has been implemented.

46. *UNOMIG accepted recommendation 8 stating that the Mission has conducted a welfare and recreational assessment and is implementing measures for improvement. Management will also be electing a Welfare Committee by the end of August 2005.* In view of UNOMIG's comments, OIOS has closed recommendation 8 in its database.



#### **D. Best Practices**

47. OIOS found that the Mission has been proactive in developing and implementing a number of initiatives that promote an environment of high standards of integrity and conduct. Below are several best practices that are currently in place:

- Promotion of strong values, integrity, ethics and the UN standards of conduct by senior management;
- Regular senior management visits to the Sectors;
- Acknowledgment letter from UNOMIG personnel which indicates that they have read the policy on SEA;
- Mission-wide campaign in promoting awareness on SEA; and
- Participation of the UN Police in the investigation process to enhance and expedite the conduct of preliminary investigations.

#### **VI. ACKNOWLEDGEMENT**

48. We wish to express our appreciation to the management and staff of UNOMIG for the assistance and cooperation extended to the auditors during this assignment.

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