

United Nations

INTEROFFICE MEMORANDUM



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MEMORANDUM INTERIEUR

INTERNAL AUDIT DIVISION I  
OFFICE OF INTERNAL OVERSIGHT SERVICES

TO: Mr. Alan Doss,  
A: Special Representative of the Secretary-General  
UNMIL

DATE: 22 December 2005

REFERENCE: AUD-7-5:75( /05) <sup>00317</sup>

FROM: Uwe Hain, Officer-in-Charge  
DE: Internal Audit Division-I, OIOS

A handwritten signature in black ink, appearing to read "Uwe Hain".

SUBJECT: **OIOS Audit No. AP2005/626/12: Review of the state of discipline  
in UNMIL**

1. I am pleased to present 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 of the recommendations have been accepted. Based on the response, we are pleased to inform you that we have closed recommendations 1, 3, 5, 6, 9 and 10 in the OIOS recommendations database. In order for us to close the remaining recommendations (i.e. 2, 4, 7, 8, 11, and 12), we request that you provide us with the additional information as discussed in the text of the report and a time schedule for their implementation. Please note that OIOS will report on the progress made to implement its recommendations, particularly those designated as critical (i.e., recommendations 2, 8 and 12), in its annual report to the General Assembly and semi-annual report to the Secretary-General.
3. IAD 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.
4. I take this opportunity to thank the management and staff of UNMIL for the assistance and cooperation provided to the auditors in connection with this audit assignment.

Copy to: Mr. Jean-Marie Guehenno, Under-Secretary-General for Peacekeeping Operations  
Ms. Jane Holl Lute, Assistant Secretary-General, DPKO  
Mr. Philip Cooper, Director, ASD/DPKO  
Mr. Ronnie Stokes, Director of Administration, UNMIL  
UN Board of Auditors  
Programme Officers, OIOS  
Mr. Prances Sooja, Chief Resident Auditor, UNMIL

# Office of Internal Oversight Services

## Internal Audit Division I



### Review of the state of discipline in UNMIL

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**Audit no:** AP2005/626/12  
**Report date:** 22 December 2005  
**Audit team:** Juanita Villarosa, Auditor-in-Charge  
Steve Ferrell, Associate Auditor  
Heidi Veideman, Audit Assistant

**EXECUTIVE SUMMARY**  
**Review of the state of discipline in UNMIL (AP2005/626/12)**

OIOS conducted a review of the state of discipline in UNMIL in April 2005. The main objectives of the review were to assess the overall state of discipline in the Mission and to determine what additional steps management should take to improve it.

Despite the overall positive feedback from UNMIL personnel on a survey conducted by OIOS, where 75 per cent of all respondents consider the state of discipline in the Mission as average to above average, there is still much to be done to improve the state of discipline in the Mission.

There were a total of 504 cases or allegations against UNMIL personnel for the year 2004. Discipline cases classified as "others", which pertain to road and traffic violations, make up 82 per cent of all cases; theft and misappropriation, 3 per cent; sexual exploitation and abuse (SEA), 8 per cent; physical assault, 4 per cent; harassment/sexual harassment, 1 per cent; abuse of authority, 1 per cent; and misuse of resources, 1 per cent.

Training and sensitization workshops for each type of misconduct should be conducted to increase UN personnel's awareness of rules and regulations related to discipline and conduct and the measures or sanctions to be imposed. Special training should also be conducted for investigators and sensitization workshops conducted for the local population, especially those residing near the contingent sites. Grey areas, particularly on SEA, should be clarified and discussed with all personnel and the simplification of rules and regulations and the use of other languages for non-English and French speaking contingents should be considered. There is also a need for the creation of a unit to take charge of all discipline cases, devise a complaints and investigation tracking system, follow through decisions on cases, evaluate gravity of offense vis-à-vis the penalty imposed and ensure that disciplinary measures are implemented.

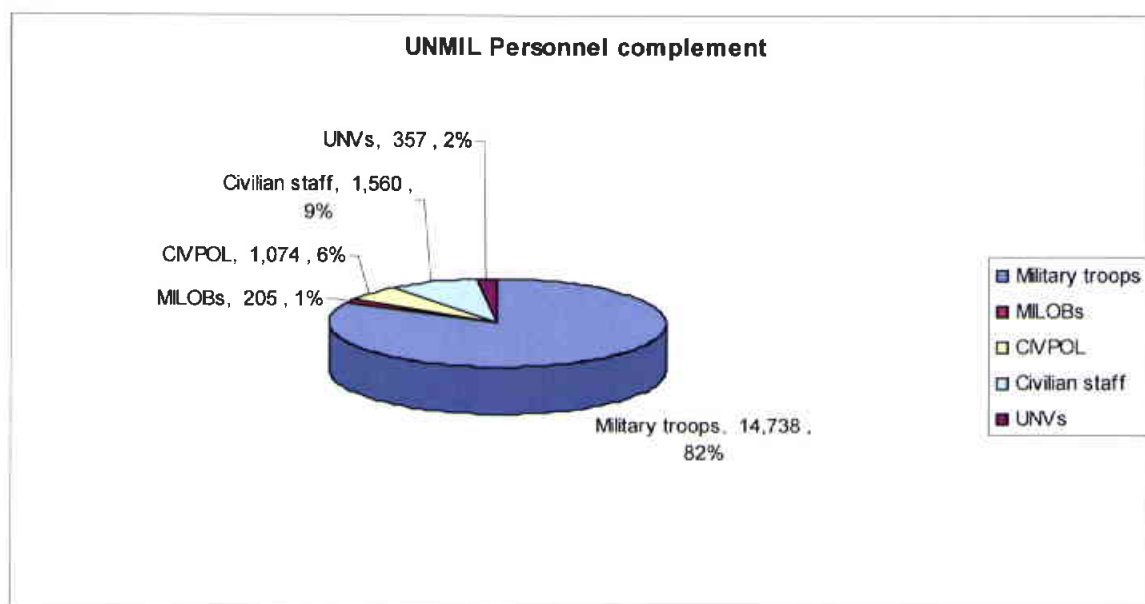
Of late, because of the interest placed on sexual exploitation and abuse, certain measures were instituted such as assigning focal persons at the mission and section levels. Of the 38 allegations made against UNMIL personnel as of 15 April 2005, 12 are being investigated, four have been dismissed or dropped due to lack of information, 17 cases where investigations have been completed are pending with the Office of the SRSG for referral to DPKO, one case involving a military serviceman resulted in his repatriation even before a formal investigation was done and two cases also involving military personnel were closed as they were rotated before any decision could be made about their cases. The Mission Focal Person noted that the UNMIL Strategy on SEA had been drafted but had not yet been approved. Lastly, DPKO and OHRM should expedite the review and resolution of cases referred to them by the Mission for final decision.

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## I. INTRODUCTION

1. OIOS conducted a review of the state of discipline at the United Nations Mission in Liberia (UNMIL) in accordance with the standards for the professional practice of internal auditing in United Nations organizations.
2. The Department of Peacekeeping Operations (DPKO) requested OIOS to conduct the review, with the overall objective of assessing the state of discipline in peacekeeping operations worldwide. A series of meetings were held between OIOS, DPKO and the Office of Human Resources Management (OHRM) which resulted in establishing the terms of reference for the review and the development of an agreed audit programme.
3. As of February 2005, the Mission has a personnel strength of 17,934 consisting of 16,017 uniformed personnel (military troops, military observers and civilian police) and 1,917 civilian personnel (international and national civilian staff and UN Volunteers).



4. UNMIL civilian and military personnel are deployed in 15 counties of Liberia. The Mission has an approved budget of \$864.8 million for the period 1 July 2004 to 30 June 2005.

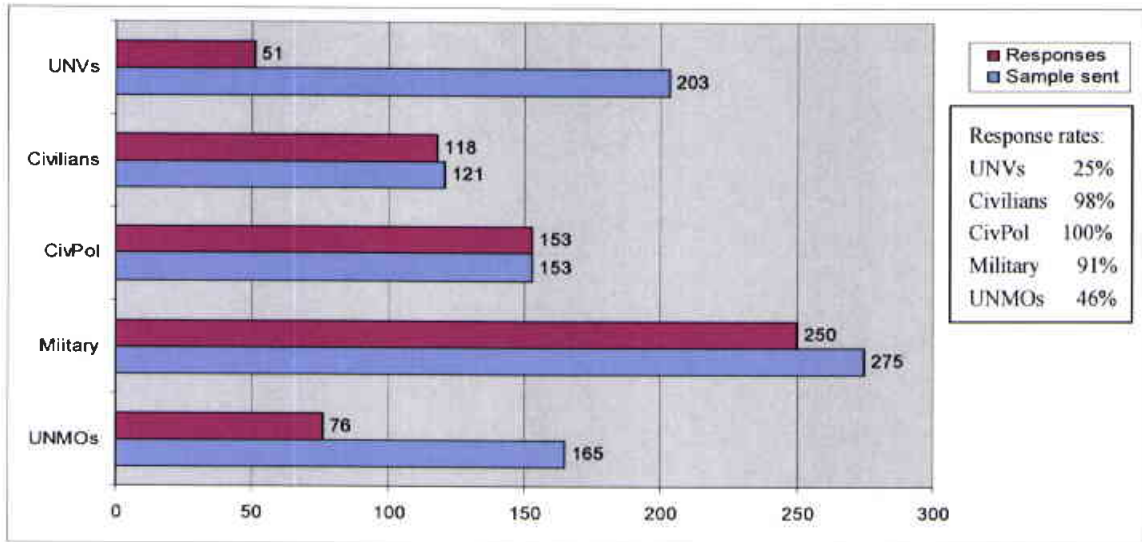
## II. AUDIT OBJECTIVES

5. The major objectives of the audit 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 code of conduct.

## III. AUDIT SCOPE AND METHODOLOGY

6. OIOS obtained verified and analyzed information on cases of misconduct from 2004 to April 2005. Interviews with management and Mission personnel (both uniformed and non-uniformed) were also conducted to obtain their views on the state of discipline in the Mission as well as their suggestions to encourage discipline.

7. Survey questionnaires were also administered to 917 Mission personnel to obtain their views and suggestions on how best to improve the state of discipline in the Mission. The detailed results of the survey are shown in Annex 1. The number of survey respondents and responses by personnel category, with an overall response rate of 71 per cent, are shown below:



8. A major survey constraint, which limited the reliability of the survey results received, was the fact that the majority of some contingents' non-commissioned servicemen do not understand English or French. The tendency of the interpreters, who are military officers of these contingents, to influence replies of the enlisted servicemen exists. OIOS rejected a number of filled out survey forms submitted by some contingents because replies, including narrative comments, were identical. One contingent, in fact, sent in reproduced copies of one survey reply.

#### IV. OVERALL ASSESSMENT

9. Despite the overall positive feedback from UNMIL personnel on a survey conducted by OIOS, there is still much to be done to improve the state of discipline in the Mission. Training and sensitization workshops for each type of misconduct should be conducted to increase UN personnel's awareness of rules and regulations related to discipline and conduct and the measures or sanctions to be imposed. Special training should also be conducted for investigators and sensitization workshops conducted for the local population, especially those residing near the contingent sites. Grey areas, particularly on sexual exploitation and abuse (SEA), should be clarified and discussed with all personnel and the simplification of rules and regulations and the use of other languages for non-English and French speaking contingents should be considered. There is also a need for the creation of a unit to take charge of all discipline cases, devise a complaints and investigation tracking system, follow through decisions on cases, evaluate gravity of offense vis-à-vis the penalty imposed and ensure that disciplinary measures are implemented. Also, DPKO and OHRM should expedite the review and resolution of cases referred to them by the Mission for final decision.



## V. AUDIT FINDINGS AND RECOMMENDATIONS

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

#### Reported cases of misconduct

10. Table 1 shows the number and types of misconduct cases per category of personnel (see Annex 2 for details).

**Table 1: Number of misconduct cases per category of personnel**

	International	National	UNVs	Military	MILOBs	CivPol
Theft and misappropriation	1	9	--	3	--	1
Fraud and misrepresentation	1	4	--	--	--	--
Harassment/sexual	1	--	2	--	--	1
Physical assault	4	3	4	1	--	7
SEA	1	--	2	29	--	6
Abuse of authority	--	--	--	1	--	4
Misuse of resources	1	5	--	--	--	1
Others	103	34	59	185	20	11
<b>Total</b>	<b>112</b>	<b>55</b>	<b>67</b>	<b>219</b>	<b>20</b>	<b>31</b>

11. Misconduct cases relating to "Others" pertain mainly to road and traffic accidents (RTA), which represent the most common form of misconduct committed by civilian personnel. RTA offenses include misuse of UN vehicles such as allowing unauthorized passengers in UN vehicles (Annex 3), speeding and traffic accidents.

12. Discipline cases classified as "others", which pertain to road and traffic violations, make up 82 per cent of all cases; theft and misappropriation (Annexes 4 to 6), 3 per cent; sexual exploitation and abuse (SEA), 8 per cent; physical assault, 4 per cent; harassment/sexual harassment, 1 per cent; abuse of authority, 1 per cent; and misuse of resources, 1 per cent.

#### Perception of the state of discipline

13. Overall, 75 per cent of the respondents find the state of discipline as average to above average; however, only 38 per cent of the female respondents find the state of discipline as average to above average compared with the 70 per cent of the male respondents. OIOS also noted that female respondents tend to have a more negative perception of how the Mission is dealing with misconduct:

**Table 2: How are misconduct cases handled by the Mission?**

Range	Value	Overall	Male	Female
1-2	Below average	14%	9%	25%
3	Average	26%	21%	32%
4-5	Above average	60%	70%	38%

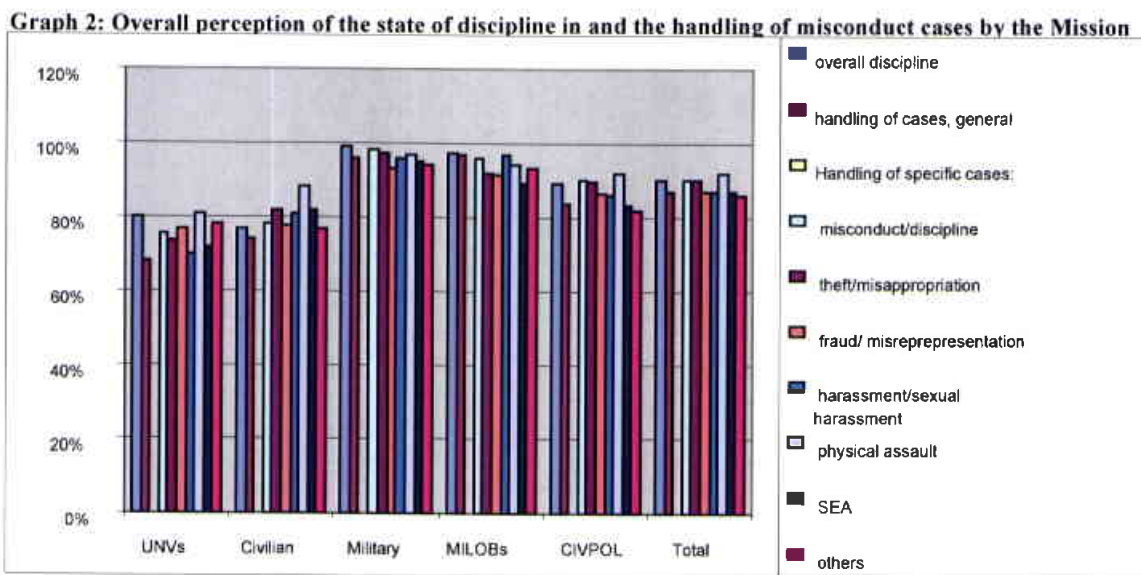
**Table 3: How do you characterize the Mission's attitude on dealing with misconduct/ disciplinary issues?**

Range	Value	Overall	Male	Female
1-2	Permissive	10%	8%	32%
3	Normal	33%	34%	30%
4-5	Strict	57%	58%	38%

14. As regards the Mission's attitude on dealing with specific cases of misconduct, 61 per cent to 65 per cent of male respondents believe that the Mission is strict in dealing with theft and misappropriation,

fraud and misrepresentation, harassment and sexual harassment and other forms of misconduct. On the other hand, only 26 per cent to 43 per cent of female respondents believe that the Mission is strict in dealing with specific forms of misconduct.

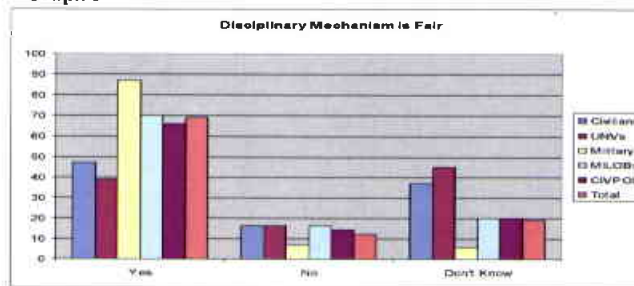
15. Fewer respondents from UNVs and civilian personnel, compared to uniformed personnel, rated the state of the discipline in the Mission as normal to good (specific perception ranges from 68 to 80% for UNVs and 74 to 88% for civilians) and its capacity to deal with misconduct (Graph 2).



16. Moreover, 33 per cent of UNVs and 24 per cent of civilian personnel believe that misconduct is occurring but going undetected compared with 11 per cent of military respondents.

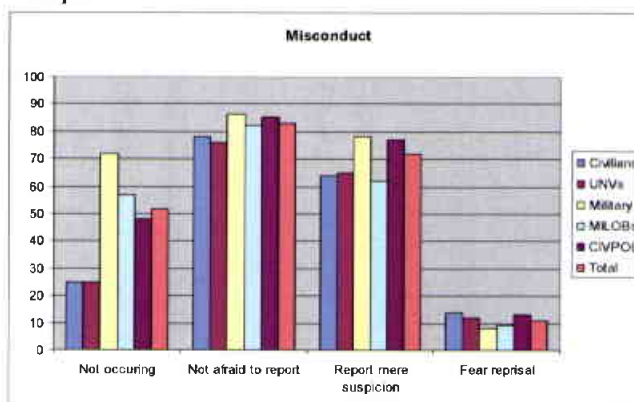
17. OIOS also noted that while uniformed personnel believe that the disciplinary mechanism is fair with positive response rates ranging from 66 per cent to 87 per cent, 38 per cent of UNVs and 47 per cent of civilian personnel gave the lowest positive perception ratings. Also, only 49 per cent of the female respondents, compared with 71 per cent of the male respondents, believe that the mechanism is fair (Graph 3).

**Graph 3**



18. Eighty-three per cent of respondents from all categories of personnel indicated that they will not be afraid to report cases of misconduct and 72 per cent said that they would report suspicion of misconduct. On the other hand, 11 per cent of all respondents admitted that they were afraid of reporting cases of misconduct because of the fear of reprisal, especially if higher ranking officials were involved in the case (Graph 4).

**Graph4**



19. Reticence on the part of some staff to report misconduct was not without basis. According to the Mission's Senior Legal Adviser, apart from the recently established complaints mechanism for SEA, there



was no established complaints mechanism for other forms of misconduct. Currently, complaints can be addressed to any Mission official (SRSG, DOA, Senior Legal Adviser and section chiefs).

20. While on the overall, 75 per cent acknowledged knowing how to file formal complaints, only 40 per cent of UNVs and 63 per cent of civilian personnel and military observers indicated that they know how to file a formal complaint. Most respondents commented that they prefer gathering sufficient proof of misconduct before filing a complaint for fear of tarnishing another person's reputation without basis.

### **Recommendations 1 and 2**

UNMIL Management should:

- i. Appoint a focal point for receiving complaints involving all forms of misconduct and monitoring the status and actions taken on complaints. Adequate resources should also be provided for the appointment of the focal point (AP2005/626/12/01); and
- ii. Disseminate information on completed and ongoing investigations of misconduct as well as the recommended sanctions to all Mission personnel to show transparency and to discourage commission of similar misconduct in the future (AP2005/626/12/02).

21. *UNMIL accepted recommendation 1 and indicated that to facilitate implementation of this recommendation, a Conduct and Discipline Unit reporting to the Office of the SRSG has been created within UNMIL. At present the office is staffed by one P4 and one P2 staff members and the remaining posts of one D1 and one P2 are under recruitment. Based on the Mission's response, OIOS has closed recommendation 1.*

22. *UNMIL accepted recommendation 2 and indicated that starting 1 January 2006, UNMIL intends to prepare short reports on cases and sanctions applied for dissemination to staff. This will be done on a quarterly basis and the necessary prudence shall be exercised in the preparation of such reports. Recommendation 2 remains open pending implementation and the receipt of a copy of such report from UNMIL.*

### The perception of other UN agencies

23. OIOS met with the UNHCR Country Representative; UNICEF Senior Programme Officer; UNDP Country Director, Deputy Resident Representative and Human Rights and Protection Officer (also acting as the UNDP focal point for SEA) and WFP Country Representative, Deputy Country Director (also acting as the WFP focal point for SEA). They indicated that they have not heard of any major incident of misconduct involving UNMIL and the UN agencies in Liberia apart from the usual road traffic accidents because of the many UNMIL vehicles on the road. The WFP and the UNHCR Country Representatives also noted that the state of discipline may be better now because of the awareness campaigns launched by the UN agencies in response to the previous reports of SEA cases committed by humanitarian workers.

24. The UN agencies were one in saying that raising awareness of staff on their responsibilities to maintain a disciplined environment and to prevent misconduct is a major concern of their offices. This is because their staff deals directly with the local population (UNHCR-the refugees and internally displaced persons, UNICEF-the children, WFP-the local population). Directives are issued on the agencies' stand against certain forms of misconduct such as SEA and staff is required to attend periodic briefings and updates on disciplinary issues. As regards SEA, the UN agencies have decided to hire a UNV who will facilitate their awareness campaigns on SEA, realizing the importance of having a uniform approach to prevent SEA.

25. The measures recommended by the UN agencies include:

- a. Awareness campaigns targeted at both the UN staff and the local population. Training workshops for staff should be done not only once but on a regular basis. For SEA, training should be supplemented by other forms of awareness campaigns using the media.
- b. Rules should be clear and followed even by top management; unacceptable behavior considered as SEA should be explained, particularly why certain activities should not take place and what the punishments are, based on the gravity of the offense.
- c. Disciplinary measures (what these are and why these are imposed) should be properly explained to the staff. Moreover, disciplinary measures by gravity of offense should be imposed swiftly and graver offenses should be made known to everyone to deter commission of the same offense in the future.
- d. Improvement of the investigation skills of investigators particularly on offenses related to children and women. Investigators should always be made conscious of the sensitivity of the issues to be dealt with and should be trained on the appropriate line of questioning.
- e. Efforts exerted by UNMIL directed towards prevention of SEA should be closely coordinated with other UN agencies. This is important because the misdemeanor of a UN staff will tarnish not only the image of his agency but of the entire UN system. They noted that the unacceptable conduct of some MONUC uniformed personnel affected the image of the UN as an organization and not only MONUC or the persons involved.

### **Recommendation 3**

UNMIL Management should develop a mechanism to coordinate closely with other UN agencies particularly on the issue of SEA. Sharing of information on course materials developed, investigation techniques, victim protection measures, etc. should be encouraged (AP2005/626/12/03).

26. *UNMIL accepted recommendation 3 and indicated that this mechanism is already in place in UNMIL. Until the creation of the Conduct and Discipline Unit (CDU), the Mission SEA Focal Point and UNMIL Security were actively involved in the work of a coordination mechanism which includes UN agencies, NGOs and the ICRC, The SEA Investigation Team cooperated with other members of the network to the point of mounting investigations on their behalf. The cooperation/coordination/information sharing function has now been assumed by CDU with OIOS doing the investigations.* Based on the Mission's response, OIOS has closed recommendation 3.

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

### Policy and measures to prevent sexual exploitation and abuse

27. UNMIL has already taken steps to deal with the problem of SEA. Focal persons and alternates for SEA have been appointed both at the mission Headquarters, region and section levels. A hotline for filing complaints was established and the UNMIL radio has been announcing its existence. Incoming civilian staff, military observers and contingent commanders are being trained on the prevention of SEA.

28. The SEA main focal point for UNMIL, however, acknowledges that there is much to be done to prevent SEA particularly by the uniformed personnel. He cited certain measures which need to be taken to prevent the commission of SEA:

- a. Comprehensive sensitization of UN staff on the UN policy on SEA have to take place at different stages and should be a continuing process rather than a one-time exercise;
- b. Improvement of staff welfare through establishment of recreational areas and facilities, improvement of communication with relatives and friends at home, development of pastime activities, requirement to wear uniforms when outside the barracks;
- c. Improvement of the complaints mechanism;
- d. Improvement of the investigation system through increase in the number of investigators skilled in dealing with crimes against children and women, standardizing composition and training of investigation teams, harmonizing investigation rules;
- e. Non-repatriation during ongoing investigations;
- f. Information-sharing among individuals and offices dealing with misconduct;
- g. Enforcement of zero tolerance policy through regular review and posting of off-limits places, combating prostitution in the streets, follow-up on violations of zero tolerance policy, naming and shaming;
- h. Establishing a victim support mechanism—which organizations assist UNMIL, what forms of assistance should be provided; mapping number of children fathered by UN peacekeepers.

29. The UNMIL Strategy on SEA with the above measures, has to date, not yet been approved for implementation by the Mission.

#### **Recommendation 4**

UNMIL Management should immediately approve and implement the measures contained in the UNMIL Strategy on Sexual Exploitation and Abuse (AP2005/626/12/04).

30. *UNMIL accepted recommendation 4 and indicated that this strategy on SEA is being implemented.* OIOS will leave this recommendation open pending its full implementation.

31. From the period 1 January 2004 to 19 April 2005, the SEA Mission Focal Point has documented 38 allegations of SEA: civilian cases (3); contractor (1); military (25) and CivPol (9). To date, 12 allegations are being investigated; 4 allegations have been dismissed or dropped due to lack of information; 17 cases are pending with the Office of the SRSG for referral to DPKO and one case involving a military serviceman resulted in his repatriation even before a formal investigation was done, and two cases also involving military men were closed as they were rotated before any decision could be made about their cases.

32. The survey showed that, overall, 85 per cent of respondents believe that the Mission is implementing measures to prevent sexual exploitation; however, only 77 per cent of the female respondents believe this to be so compared with 86 per cent of the male respondents.

33. Asked whether the measures implemented by the Mission to prevent SEA were effective, only 54 per cent believed that the measures were effective. Of this percentage, only 42 per cent of the female respondents and 55 per cent of the male respondents believed that the measures were effective. Comments given by those who doubted the effectiveness of the measures included the failure of Mission officials to serve as role model for morality and to set the tone towards complying with the UN Code of

Conduct, the lack of clarity on what acts constitute SEA and the punitive sanctions, and the delay in acting on cases filed.

34. The SEA Mission Focal Person noted that the poor financial condition of some contingents limits their venues for entertainment, which make them resort to obtaining cheap sexual favors from local women in need of money. Comments from the military officers confirm this observation. The military officers indicated their preference to give their troops more opportunities for recreation and communicating with relatives and friends in their home countries. Most contingents are assigned in counties outside the capital and communication by internet or telephone is not possible most of the time especially to non-ranked servicemen. Fraternization with locals is not allowed particularly by the two contingents. However, as noted elsewhere in this report, five of the SEA allegations involved members of their contingents. A look at some of the respondents' comments would, however, indicate that accidental interaction is unavoidable, "the women actually harass us by going around naked" especially when the soldiers go on patrol. OIOS auditors, in the visit to one of the contingent sites, witnessed two local women on the road who were openly teasing the soldiers.

35. Some of the responses from the military observers indicate the need for the review and clarification of the Organization's policy on SEA: "(the) UN does not have the right to dictate on my need for sex"; "why is it alright for a UN official to openly date a Liberian national and not right for us"; "my work requires me to be with the locals, so how can I avoid socializing with them?"; "why are you after the military, don't you know that more civilian staff violate the UN Code of Conduct?" OIOS, in a separate report, will recommend for DPKO to clarify or issue implementation guidelines on certain aspects of the SEA policy, e.g., exceptions to fraternization with local population, especially in relation to the discharge of mandated duties, fraternization with local staff, sexual relationship with local population above the age of 18.

#### **Recommendation 5**

UNMIL Management should verify whether the MOU requirement for the TCCs to provide welfare and recreational facilities to their troops are complied with (AP2005/626/12/05).

36. *UNMIL accepted recommendation 5 and indicated that welfare is a self-sustainment sub-category included in every MOU covering military and police units in UNMIL. The responsibility for providing "appropriate levels of equipment and amenities for the morale and wellbeing of troop-contributor's personnel" is shown as the TCC's responsibility in all MOUs. Full Verification Inspections are carried out on the arrival of each unit and every six months thereafter to ensure that responsibilities are being met. In the intervening period, units submit Monthly Reports confirming their self-sustainment status and these reports are confirmed by monthly spot checks carried out by COE Unit. In the latest inspections, all UNMIL units were assessed as self-sustained in welfare, but the quality of such facilities varies greatly. Based on the Mission's response, OIOS has closed recommendation 5.*

#### **Monitoring of complaints from their receipt to final resolution**

37. OIOS noted that of the total 504 allegations against UNMIL civilian and military personnel including UNVs from late 2003 to 2004, the status of 19 per cent of the cases cannot be established, 21 per cent were closed without referral to Mission Administration, 2 per cent were dismissed, 53 per cent were referred to the SRS/DOA for further evaluation and 1 per cent resulted in the repatriation of the persons concerned as shown below (details shown in Annexes 6a to 6e of this report):



Status of cases	Intl Civilians	National	UNVs	Military	MLOBs	CivPol	Total	% to total
Received	112	55	67	219	20	31	504	
Under investigation	1	2	4	5		2	14	3%
Closed w/o referral to HQ				85		20	105	21%
Dismissed				2		8	10	2%
Referred to DPKO	1			3			4	1%
Referred to HQ/DOA	108	53	63	46		1	271	53%
Cases decided/repatriation				3			3	1%
Unknown status	2			75	20		97	19%
<b>Total</b>	<b>112</b>	<b>55</b>	<b>67</b>	<b>219</b>	<b>20</b>	<b>31</b>	<b>504</b>	<b>100%</b>

38. The reliability of the statistics furnished to OIOS by the SIU and the military cannot be ensured because of the lack of an established tracking system and records of cases are not properly maintained. For example, the status of 22 of the 46 cases categorized as "referred to HQ/DOA" (by the military) could not be ascertained. OIOS attempted to trace these cases to the list of Mission's Board of Inquiry (BOI) and was able to trace only 10 cases. Also, OIOS' verification of 10 sample cases handed over by the SIU to the DOA for action showed no indications in the personnel files of five UN staff members of the actions taken against them for curfew violations (4 cases) and fuel fraud (1 case).

#### **Recommendation 6**

UNMIL Management should establish a central tracking system of complaints and investigations (AP2005/626/12/006).

39. *UNMIL accepted recommendation 6 and indicated that this function for SEA complaints has been provided by the SEA Mission Focal Point, to whom the SEA focal points in the Mission components and sections reported. This function has now been assumed by CDU which, according to instructions from UNHQ, will also act as clearing house for information flow including to OIOS in Category 1 misconduct cases. Based on the Mission's response, OIOS has closed recommendation 6.*

#### Review of misconduct cases by the SRSB

40. OIOS noted the lack of oversight by the Mission Administration over cases involving uniformed personnel. Based on the year 2004 statistics furnished by the Office of the Provost Marshall, 85 cases of misconduct classified as "closed without referral to Headquarters" and two "dismissed" cases were not referred to the SRSB for review before final disposition. In two cases involving "theft and misappropriation" and "abuse of power", which resulted in the repatriation of the military personnel involved, there was no review of the Force Commander's decision.

41. Moreover, punitive sanctions for cases of misconduct committed by the CivPol personnel were not commensurate with the gravity of the offense:

- A case against one CivPol officer for three separate incidents of unprofessional conduct and alleged assault and offensive conduct resulted in only one verbal warning and two letters of reprimand;
- Other cases involving assault, attempted assault, unprofessional conduct, unnecessary use of force resulted in the officers involved receiving only letters of reprimand or verbal admonishments. In one case involving a CivPol personnel having sexual relationship with a local staff, the CivPol officer received a letter of reprimand for disobeying an order but was exonerated from the allegation. In another case, where a CivPol officer was proven to have had sex with a 14 year old girl, it was claimed that the result of the BOI was transmitted to DPKO but no evidence of transmittal could be produced to support this claim.

42. The requirement for military and CivPoL to report the results of their preliminary investigations on cases of serious misconduct to the Head of Mission is contained in DPKO/CPD/DDCPO/2003/001 (Directives for Disciplinary Matters Involving Civilian Police Officers and Military Observers) and DPKO/MD/03/00993 (Directives for Disciplinary Matters Involving Military Members of National Contingents).

#### **Recommendation 7**

UNMIL Management should enforce the Directives for Disciplinary Matters Involving Civilian Police Officers and Military Observers and Military Members of National Contingents Special (DPKO/CPD/DDCPO/2003/001 and DPKO/MD/03/00993). Cases acted upon by the military and CivPol should be referred to the Special Representative of the Secretary-General for review and approval of recommendations before these are forwarded to UN Headquarters for final disposition (AP2005/626/12/007).

43. *UNMIL accepted recommendation 7 and indicated that review by SRSB of all military investigation would require changes in laws governing the military's role in UN peacekeeping operations. The SRSB has no disciplinary authority over the troop contributing military contingents. There is a need for coordinative investigations to be conducted jointly by civilian and military. UNMIL is working with UNHQ to obtain the necessary legal clarification on a number of outstanding issues in this area. Recommendation 7 remains open pending the outcome of UNMIL's clarification with UNHQ.*

#### Lack of coordination between the military and civilian investigation units

44. OIOS found that coordination of investigation activities between the military, CivPol and civilian administration needs improvement. The Provost Marshall noted the unwillingness of the civilian investigating units such as the SEA Focal Committee (the Committee) to coordinate their activities with the Military. For instance, he noted that while the SEA Focal Committee reported 38 SEA allegations, coordination with their Unit was requested in only two instances. The SEA focal person admitted the Committee's hesitance to deal with the Military as he noted that there have been instances in the past when the Military tried to whitewash cases to protect its personnel. He, however, noted that the Military representatives are made part of the investigation teams so coordination is actually there.

45. The military and CivPol units pointed out that the civilian administration has, in the past, sought their help in facilitating investigations as they have the people, as well as the logistics, trained in conducting investigations in cases involving children and women. They further commented that they are also part of the UN and as such should not be considered as obstructing justice.

#### **Recommendation 8**

UNMIL Management should establish a formal coordination mechanism between the military and civilian administration to facilitate the conduct of investigations and maximize the use of available skills and resources for such investigations (AP2005/626/12/008).

46. *UNMIL accepted recommendation 8 and indicated that this has traditionally been the case as manifested by the number of Mission HQ Board of Inquiry cases concerning both civilian and uniformed Mission personnel. The UNMIL Senior Legal Adviser and the Force Legal Officer work in a cooperative fashion in order to achieve maximum coordination allowed by rules and regulations. In OIOS' opinion, the coordination mechanism to facilitate the conduct of investigations should be institutionalized in a form of MOU or an administrative instruction clearly indicating the coordination tools and roles of respective officials from military and civilian administration. Recommendation 8 remains open until it can be confirmed that it had been implemented.*



### Delay in the review of cases referred to UNHQ

47. The Head of the Mission's Anti-Trafficking of Persons Unit (TPU) noted that, based on her experience, UN personnel involved in trading or sexually assaulting children and women knew that this was against UN rules and regulations. She pointed out that one of the reasons SEA cases involving UN staff could not be easily and completely eradicated was because past offenders caught violating the SEA rules went unpunished or received only minor punishments.

48. She cited a case uncovered by TPU where one international civilian staff raped and physically assaulted two children sold as sex workers. The Special Investigations Unit (SIU) of the Mission initially recommended for the staff involved to merely be given a letter of reprimand because TPU "did not detail anything to substantiate the allegation". The SIU report also noted that their own investigation did not reveal any evidence to support the allegation of forced sexual activities.

49. The SEA Mission Focal Person pursued the case and later referred it to DPKO for further action. Although the accused was summarily dismissed four months after the case was referred to OHRM, the Mission Administration noted that it could not take any interim measure against the staff member while the case was being reviewed. The employment contract of the accused was extended despite the strong case against him because, according to the PMSS HR Policy Officer in her letter to the DOA, "Non extension of an appointment may not be used to circumvent disciplinary procedures...unless (the offender's) performance has been poor and this is well documented or there is another valid reason, not associated with the disciplinary matter, his contract must be renewed pending the (completion of the) disciplinary process."

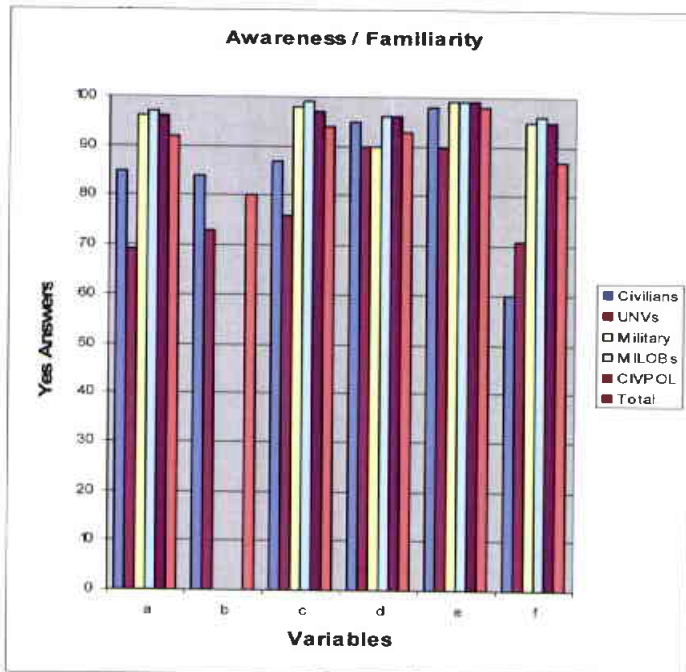
50. In the above example, considering that it took OHRM four months to decide on the case, the extension of appointment of staff members who have committed grave misconduct gives a wrong impression to Mission personnel that the Organization is not serious in its efforts to prevent SEA. Also, OIOS is concerned about the disparity of the results of SIU's initial investigation and OHRM's findings and final decision. OIOS is of the opinion that there is a need for a consistent and fair enforcement of UN policies and procedures within the Mission whereby, through strict follow-up procedures and sanctions, all UNMIL staff are reminded of the consequences of ignoring the UN rules and host country laws. OIOS would like to emphasize the need to ensure that cases referred to UNHQ are dealt with promptly. There is a need for a 'fast track' process that can react in a timely manner, given contingent rotation periods and mobility and turnover of staff, while maintaining due process and the rights of the individual. OIOS, in a separate report, will make a recommendation to OHRM and DPKO towards this end.

#### **Recommendation 9**

UNMIL Management should review the rape and physical assault case of two children to (i) identify the basis for SIU's initial investigation and recommendation to issue only a letter of reprimand to the offender, while further investigation proved the guilt of the offender, and (ii) provide OIOS with the results of the review (AP2005/626/12/009).

51. *UNMIL accepted recommendation 9 and indicated that the offender consorted with known prostitutes and had engaged in sex for money. No evidence was found to substantiate the allegation of rape or forced sexual activity, either against minors or others. He was issued a letter of reprimand for the established violation, and in line with UNMIL's policy of zero tolerance of SEA, his contract with UNMIL was not extended. UNMIL has no knowledge of any further investigation of this case and has no grounds for a review.* Based on the Mission's response, OIOS has closed recommendation 9.

### C. Staff awareness and misconduct prevention programmes



52. The survey showed that the respondents' level of awareness of UN rules and regulations related to standards of conduct and forms of misconduct is high for uniformed personnel but not for UNVs:

a. Eighty-five per cent of civilians and 96 per cent of uniformed personnel said they are familiar with the rules and regulations related to the code of conduct. However only 69 per cent of UNVs say they are aware of the Code.

b. Eighty-four per cent of civilians but only 73 per cent of UNVs are familiar with the status, basic rights and duties of UN staff members.

c. While 98 per cent of uniformed personnel say that they are aware of what constitutes misconduct or prohibited behavior, only 87 per cent of civilians and 76 per cent of UNVs say they are aware of this.

UNVs and 96 per cent of MILOBS and CivPOL say that they are aware that involvement with a prostitute is prohibited. Only 90 per cent of military respondents say they are aware of this.

e. Ninety-eight per cent of civilians, 90 per cent of UNVs and 99 per cent of uniformed personnel say that they are aware that sexual activity with a person under the age of 18 is prohibited.

f. Only 60 per cent of civilians and 71 per cent of UNVs say that they received a briefing or information on UN standards of conduct when they joined the Mission; 95 per cent of uniformed personnel say that they did.

53. When asked about the specific aspects of the UN Standards of Conduct respondents would want to be made aware of: 24 per cent indicated interest in learning more about disciplinary action for specific type of misconduct; 21 per cent, procedures for filing a complaint; 21 per cent, definition and types of misconduct; 18 per cent, the investigation process; and 14 per cent, staff members' rights and obligations.

54. This seeming lack of information by civilians and UNVs on disciplinary issues can be explained by the fact that while UN staff rules and regulations are furnished to newly arriving UN staff to the Mission, these are not discussed in detail during induction briefings. In the case of uniformed personnel, predeployment briefings done in-country are supplemented with in-theatre briefings on the Code of Conduct for Blue Helmets. Interviews with members of some contingents however revealed that these briefings are also not exhaustive enough for the issues to be really understood by the participants. They also noted the difficulty in understanding the concepts and issues well since the documents are printed only in English or French. Military officers suggested that the Code of Conduct and important directives and literature on misconduct be translated into the contingent's mother tongue to ensure that the UN's message is understood by 62 per cent of UNMIL troops who do not understand English or French.

55. The UNDP Resident Representative also suggested that the Code of Conduct be revisited to include relevant UN policies on gender, HIV/AIDS and SEA, and a shorter Code of Conduct similar to the business card-sized Ten Rules/Code of Personal Conduct for Blue Helmets be produced for civilian personnel.

## **Recommendations 10 and 11**

UNMIL Management should:

- i. Conduct comprehensive briefings on the code of conduct for civilian and military personnel as well as periodic sensitization workshops for each specific form of misconduct. Training materials should also be translated into the language of the troops deployed (AP2005/626/12/010); and
- ii. Consider producing an abridged version of the Code of Conduct, similar to the Ten Rules/Code of Personal Conduct for Blue Helmets, and develop guidelines that are simple and easy to understand to supplement the existing rules and regulations (AP2005/626/12/011).

56. *UNMIL accepted recommendation 10 and indicated that parts of this recommendation are already being implemented through the Integrated Mission Training Center (IMTC). The main focus of the IMTC has been the implementation of the UNMIL SEA Training Strategy and the delivery of the DPKO SEA Training Module. However, with regard to the suggestion to translate these standardized modules into the languages of the TCCs, this would be something that would need to be undertaken in HQ as the Mission does not have the resources for such an undertaking. Based on the Mission's response, OIOS has closed recommendation 10.*

57. *UNMIL accepted recommendation 11 and indicated that in the early part of 2006, the IMTC will develop an abridged Civilian Code of Conduct in cooperation with the Chief of the Conduct and Discipline Unit. Recommendation 11 will remain open pending the receipt of a copy of the abridged Civilian Code of Conduct upon its preparation.*

### Risk assessment

58. The Mission does not have any formal risk assessment mechanism which will enable it to analyze the risk implications of misconduct issues for purposes of identifying measures which can be adopted to prevent or deter particularly serious forms of misconduct. For instance, the fact that theft and misappropriation as well as fraud and misrepresentation cases mostly involve national staff, indicates the need for a serious review of how national applicants are screened before being accepted, the involvement of UNVs in sexual harassment, physical assault and SEA cases also indicates the need for a more thorough screening of applicants from this category of personnel.


## **Recommendation 12**

UNMIL Management should coordinate with DPKO in conducting a risk assessment exercise to identify high-risk misconduct issues facing the Mission and to develop a strategy for preventing or mitigating the identified risks (AP2005/626/12/012).

59. *UNMIL accepted recommendation 12 and indicated that UNMIL management proposes that this task be carried out by the Conduct and Discipline Unit once it is fully staffed and operational. Recommendation 12 will remain open pending the implementation of the risk assessment exercise by the Conduct and Discipline Unit.*

## VI. ACKNOWLEDGMENT

60. We wish to express our appreciation to the Management and staff of UNMIL for the assistance and cooperation extended to the auditors during this assignment.



Uwe Hain, Officer-in-Charge  
Internal Audit Division I, OIOS

## Summary of Survey Results

			Total	UNVs	Civilians	MILOBs	Military	CivPol
1. Are you familiar with the rules and regulations related to the code of conduct?	Yes	83%	135	35	100			
	No	10%	17	11	12			
	Don't know	7%	11	5	6			
		<b>100%</b>	<b>163</b>	<b>51</b>	<b>118</b>			
Are you aware of the UN Code of conduct for blue helmets?	yes	96%	462			74	241	147
	no	1%	5			1	2	2
	don't know	3%	12			1	7	4
		<b>100%</b>	<b>479</b>			<b>76</b>	<b>250</b>	<b>153</b>
2. Are you familiar with the status basic rights and duties of UN staff members?	yes	80%	136	37	99			
	no	13%	22	9	13			
	don't know	7%	11	5	6			
		<b>100%</b>	<b>169</b>	<b>51</b>	<b>118</b>			
3. Are you aware of what constitutes misconduct or prohibited behaviour?	yes	94%	611	39	103	75	245	149
	no	2%	15	7	3	0	2	3
	don't know	3%	22	5	12	1	3	1
		<b>100%</b>	<b>648</b>	<b>51</b>	<b>118</b>	<b>76</b>	<b>250</b>	<b>153</b>
4. Are you aware that involvement with a prostitute is prohibited under the UN standards of conduct?	yes	93%	604	46	112	73	226	147
	no	2%	11	5	2	1	2	1
	don't know	5%	33	0	4	2	22	5
		<b>100%</b>	<b>648</b>	<b>51</b>	<b>118</b>	<b>76</b>	<b>250</b>	<b>153</b>
5. Are you aware that sexual activity with a person under the age of 18 is prohibited under the UN standards of conduct regardless of the local age of consent?	yes	98%	637	46	116	75	248	152
	no	1%	6	4	1	0	1	
	don't know	1%	5	1	1	1	1	1
			0					
			0					
		<b>100%</b>	<b>648</b>	<b>51</b>	<b>118</b>	<b>76</b>	<b>250</b>	<b>153</b>
6. Do you think that the Mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN standards of conduct relating to sexual exploitation and abuse?	yes	85%	550	40	92	65	234	119
	no	9%	57	7	15	6	5	24
	don't know	6%	41	4	11	5	11	10
			0					
			0					
			0					
		<b>100%</b>	<b>648</b>	<b>51</b>	<b>118</b>	<b>76</b>	<b>250</b>	<b>153</b>
7. If so do you think these measures are effective? Why or why not?	yes	54%	342	22	42	41	171	66
	no	13%	80	11	18	12	11	28
	don't know	34%	216	18	58	23	58	59
		<b>100%</b>	<b>638</b>	<b>51</b>	<b>118</b>	<b>76</b>	<b>240</b>	<b>153</b>
8. Are you aware that you have a duty to report concerns or suspicions regarding sexual exploitation and abuse?	yes	80%	135	45	90			
	no	15%	25	4	21			
	don't know	5%	9	2	7			
			0					
		<b>100%</b>	<b>169</b>	<b>51</b>	<b>118</b>			
9. Do you know how to file a formal complaint?	yes	75%	488	21	76	48	210	133
	no	18%	119	28	32	15	30	14
	don't know	6%	41	2	10	13	10	6
		<b>100%</b>	<b>648</b>	<b>51</b>	<b>118</b>	<b>76</b>	<b>250</b>	<b>153</b>



			Total	UNVs	Civilians	MILOBs	Military	CivPol
10. Would you report a suspicion of misconduct?	yes	72%	469	33	76	47	195	118
	no	17%	109	7	17	19	43	23
	don't know	11%	70	11	25	10	12	12
		100%	648	51	118	76	250	153
11. Did you receive a briefing or information on UN standards of conduct when you joined the Mission	yes	87%	564	36	71	73	238	146
	no	10%	66	12	38	2	8	6
	don't know	3%	18	3	9	1	4	1
			0					
		100%	648	51	118	76	250	153
12. Do you think that misconduct is occurring and going undetected and unpunished? If yes, please cite specific cases or incidents in the comments column.	yes	19%	120	17	29	8	27	39
	no	52%	338	13	29	43	180	73
	don't know	29%	190	21	60	25	43	41
		100%	648	51	118	76	250	153
13. Do you consider the disciplinary mechanism to be fair?	yes	69%	447	20	55	53	218	101
	no	12%	78	8	19	12	18	21
	don't know	19%	123	23	44	11	14	31
		100%	648	51	118	76	250	153
14. Do you fear reporting cases of misconduct? Explain	yes	11%	69	6	16	7	20	20
	no	83%	537	39	92	62	214	130
	don't know	6%	42	6	10	7	16	3
		100%	648	51	118	76	250	153
15. How do you feel about the overall state of discipline in the mission, including staff behavior or conduct and management stance on disciplinary matters?	1- worse	3%	19	0	9	1	2	7
	2-	6%	39	10	17	1	1	10
	3-	23%	145	20	35	14	22	54
	4-	25%	159	12	33	26	54	34
	5- good	43%	274	9	19	34	164	48
		100%	636	51	113	76	243	153
16. what is your perception of how misconduct cases are handled by the mission?	1- worse	4%	27	3	10	1	4	9
	2-	9%	54	11	19	2	6	16
	3-	25%	157	20	33	23	33	48
	4-	20%	126	9	23	17	43	34
	5- good	42%	260	2	26	32	155	45
		100%	624	45	111	75	241	152
17. How do you characterize the Mission's attitude on dealing with misconduct/disciplinary issues								
<b>Overall</b>								
1- permissive		3%	19	1	7	1	4	6
2-		7%	41	10	17	2	3	9
3-		33%	209	18	45	28	46	72
4-		17%	106	8	21	17	40	20
5 strict		40%	249	9	20	26	153	41
		100%	624	46	110	74	246	148
<b>Theft and misappropriation</b>								
1- permissive		1%	9	0	6	1	1	1
2-		8%	49	11	14	5	5	14
3-		29%	174	16	36	25	29	68
4-		19%	117	7	22	15	51	22
5 strict		42%	254	9	32	27	150	36
		100%	603	43	110	73	236	141



		Total	UNVs	Civilians	MILOBs	Military	CivPol
<b>Fraud and misrepresentation</b>							
1- permissive	3%	16	2	4	1	5	4
2-	9%	55	7	21	5	8	14
3-	29%	171	17	40	27	27	60
4-	19%	111	8	23	15	44	21
5 strict	40%	232	6	24	23	144	35
	<b>100%</b>	<b>585</b>	<b>40</b>	<b>112</b>	<b>71</b>	<b>228</b>	<b>134</b>
<b>Harassment and sexual harassment</b>							
1- permissive	3%	19	3	7	0	2	7
2-	8%	45	10	13	2	7	13
3-	26%	156	15	37	21	27	56
4-	16%	95	6	21	13	39	16
5 strict	47%	284	11	28	37	160	48
	<b>100%</b>	<b>599</b>	<b>45</b>	<b>106</b>	<b>73</b>	<b>235</b>	<b>140</b>
<b>Physical assault</b>							
1- permissive	3%	18	3	5	1	2	7
2-	4%	25	5	8	3	5	4
3-	29%	171	15	46	22	24	64
4-	16%	97	6	25	13	31	22
5 strict	47%	278	15	25	31	164	43
	<b>100%</b>	<b>589</b>	<b>44</b>	<b>109</b>	<b>70</b>	<b>226</b>	<b>140</b>
<b>Sexual exploitation and abuse</b>							
1- permissive	5%	28	3	7	3	4	11
2-	7%	42	9	12	5	5	11
3-	23%	134	13	34	14	24	49
4-	15%	85	7	19	13	31	15
5 strict	50%	288	12	33	35	164	44
	<b>100%</b>	<b>577</b>	<b>44</b>	<b>105</b>	<b>70</b>	<b>228</b>	<b>130</b>
<b>Others</b>							
1- permissive	4%	27	3	7	1	6	10
2-	8%	51	7	18	4	6	16
3-	25%	153	12	32	18	42	49
4-	24%	147	12	20	15	77	23
5 strict	39%	241	13	33	38	114	43
	<b>100%</b>	<b>619</b>	<b>47</b>	<b>110</b>	<b>76</b>	<b>245</b>	<b>141</b>
18. What aspects of the UN standards of conduct do you want to be more aware of:							
a. procedures on filing formal complaint	21%	181	13	29	17	52	70
b. definition/types of misconduct	21%	177	16	25	13	42	81
c. investigation	18%	152	15	19	18	39	61
d. disciplinary action	24%	203	19	21	20	55	88
e. staff members' rights/obligations	14%	116	23	42	3	8	40
f. others	3%	27	2	5	1	0	19
	<b>100%</b>	<b>856</b>	<b>88</b>	<b>141</b>	<b>72</b>	<b>196</b>	<b>359</b>

			Total	UNVs	Civillians	MILOBs	Military	CivPol
19. What would you suggest to improve								
the state of discipline in the Mission?								
a. one rule for all with open condemnation	9%	15	3	4	1		7	
b. consequences strictly applied across the board	16%	26	1	2	5		18	
c. top management should set standards	3%	4		2			2	
d. more awareness	13%	20	4	5			11	
e. trainings and briefings	27%	42	7	9	7		19	
f. enforcement of code of conduct	11%	17			1		16	
g. educational materials	4%	7		7				
h. investigation procedures improved	5%	8					8	
i. motivation improved	3%	4					4	
j. better accommodation/sanitation	2%	3					3	
k. more recreation	6%	9					9	
l. increase leave entitlements	1%	2					2	
m. increase communication facilities	1%	1					1	
	100%	158	15	29	14		27	73

ANNEX 2

Cases of misconduct in UNMIL involving international staff as the alleged offender

	Complaints received			S T A T U S								Cases that resulted in OHRM sanction							
	Under investigation			Closed without referral to HQ				Dismissed				Referred to HQ							
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004				
1 Theft and misappropriation			1							1									
2 Fraud and misrepresentation			1							1									
3 Harassment and sexual harassment, including verbal assault			1							1									
4 Physical assault			4							4									
5 Sexual exploitation and abuse			1			1													
6 Abuse of power, position or authority, including inappropriate superior-subordinate relationship																			
7 Misuse of UN resources			1																
8 Others			103																
<b>TOTALS</b>			<b>112</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

LEGEND: (1) Dismissed because case could not be substantiated; (2) Dismissed due to false allegation

ANNEX 2

Cases of misconduct in UNMIL involving national staff members

	Complaints received			S T A T U S															
	Under investigation			Closed without referral to HQ				Dismissed				Referred to HQ				Cases that resulted in OHRM sanction			
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	
1			9																
2			4																
3				1															
4																			
5																			
6																			
7			5																
8			34																
<b>TOTALS</b>			<b>55</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

LEGEND: (1) Dismissed because case could not be substantiated; (2) Dismissed due to false allegation

ANNEX 2

Cases of misconduct in UNMIL involving UNVs and other civilian personnel

	Complaints received			S T A T U S				Cases that resulted in OHRM sanction					
	Under investigation			Closed without referral to HQ		Dismissed		Referred to HQ					
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	
1 Theft and misappropriation													
2 Fraud and misrepresentation													
3 Harassment and sexual harassment, including verbal assault			2				2						
4 Physical assault		2	2				4						
5 Sexual exploitation and abuse			2										
6 Abuse of power, position or authority, including inappropriate superior-subordinate relationship				2									
7 Misuse of UN resources													
8 Others			59				57						
<b>TOTALS</b>	<b>0</b>	<b>2</b>	<b>65</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>63</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

LEGEND: (1) Dismissed because case could not be substantiated; (2) Dismissed due to false allegation

ANNEX 2

Cases of misconduct in UNML involving members of military contingents

	Complaints received			S T A T U S												Cases that resulted in repatriation				
	Under investigation			Closed without referral to HQ			Dismissed						Referred to HQ							
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004		
1			3															1		
2																				
3																				
4			1																	
5	1	28				3									2			1	18	
6					5															
7		1																	1	
8		6	179								85									46
<b>TOTALS</b>	<b>0</b>	<b>7</b>	<b>212</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>90</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

LEGEND: (1) Dismissed because case could not be substantiated; (2) Dismissed due to false allegation



ANNEX 2

Cases of misconduct in UNMIL involving military observers

	Complaints received			S T A T U S														
	Under investigation			Closed without referral to HQ				Dismissed				Referred to HQ			Cases that resulted in repatriation			
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004
1 Theft and misappropriation			0															
2 Fraud and misrepresentation																		
3 Harassment and sexual harassment, including verbal assault																		
4 Physical assault																		
5 Sexual exploitation and abuse																		
6 Abuse of power, position or authority, including inappropriate superior-subordinate relationship																		
7 Misuse of UN resources																		
8 Others			20															
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

LEGEND: (1) Dismissed because case could not be substantiated; (2) Dismissed due to false allegation

ANNEX 2

Cases of misconduct in UNMIL involving civilian police officers

	Complaints received			S T A T U S												Cases that resulted in repatriation			
	Under investigation			Closed without referral to HQ				Dismissed				Referred to HQ							
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	
1 Theft and misappropriation			1																
2 Fraud and misrepresentation																			
3 Harassment and sexual harassment, including verbal assault			1																
4 Physical assault			7																
5 Sexual exploitation and abuse			6																
6 Abuse of power, position or authority, including inappropriate superior-subordinate relationship			4																
7 Misuse of UN resources			1																
8 Others			11			2													
<b>TOTALS</b>			<b>31</b>			<b>2</b>												<b>1</b>	

LEGEND: (1) Dismissed because case could not be substantiated; (2) Dismissed due to false allegation