

United Nations  Nations Unies  
INTEROFFICE MEMORANDUM MEMORANDUM INTERIEUR

INTERNAL AUDIT DIVISION I  
OFFICE OF INTERNAL OVERSIGHT SERVICES

TO: Major General Bala Nanda Sharma  
A: Force Commander  
UNDOF

DATE: 24 October 2005

REFERENCE: AUD-7:5:1( /05)

05-00194

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



SUBJECT:  
OBJET: **OIOS Audit No. AP2005/670/01: Review of the state of discipline in UNDOF**

1. I am pleased to present herewith our final report on the above-mentioned review, which was carried out in April 2005. The review was conducted in accordance with the professional practice of auditing in United Nations organizations.

2. Based on your response and clarification, OIOS has closed recommendation 4 in its recommendation database. In order to close recommendations 1, 2, 3 and 5 to 7, we request that you provide us with the additional information as discussed in Annex 1. OIOS reiterates recommendation 8 and requests that you reconsider your initial response concerning this recommendation. DPKO advised OIOS that it was in full support of this recommendation. Please note that OIOS will report on the progress made to implement its recommendations, particularly those designated as critical, i.e. recommendations 1 and 2, in its annual report to the General Assembly and semi-annual report to the Secretary-General.

3. The Internal Audit Division I 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. This review was requested by the Department of Peacekeeping Operations (DPKO) and its overall objective was to determine the state of discipline in peacekeeping operations worldwide. A series of meetings was held between OIOS and DPKO and the Office of Human Resources (OHRM), which resulted in establishing the terms of reference for the review and the development of an agreed audit programme.

5. UNDOF was established in 1974 following the agreed disengagement of the Israeli and Syrian forces on the Golan Heights. UNDOF continues to supervise the implementation of the agreement and maintain the cease-fire. The Mission is located in a remote environment (Camp Faouar), not easily accessible by the local population.

6. The Mission has a gross budget of \$40.9 million for 2004/2005 and the current strength of human resources of the Mission is shown in Figure 1.

**Figure 1: Number of Mission personnel**

Personnel category	Number	Percentage
Military Troops	1,028	86%
International Civilians	36	3%
National Civilians	109	11%
UNMOs*	57	

\* UNMOs are under UNTSO jurisdiction but operate in UNDOF. As such, they are not included in the computation of percentage of each personnel category.

7. Comments made by UNDOF Management on the draft report have been included in the report as appropriate and are shown in italics. Additional information OIOS needs to close the recommendations in its database is shown in Annex 1.

## II. AUDIT OBJECTIVES

8. The major objectives of the review were to:
- Assess the state of discipline in the Mission;
  - Identify gaps in existing policies and procedures on discipline; and
  - 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. The review included an analysis of the data and statistics on cases of misconduct for the past three years (2002, 2003, and 2004). The audit covered the review of all relevant policies and guidelines on discipline and selected case files on misconduct.

10. Interviews were also conducted with management and relevant personnel – civilian staff members and military personnel involved in the Mission's disciplinary mechanism and enforcement. The review also included a confidential survey on the state of discipline in the Mission covering all categories of Mission personnel. Other UN offices such as UNRWA, UNDP were also consulted for their opinion on the state of discipline in the country.

#### IV. OVERALL ASSESSMENT

11. The overall state of discipline in UNDOF was found to be generally satisfactory. This was confirmed by the results of the survey covering all categories of personnel, military troops, international and national staff. In general, Mission personnel had positive perception about the state of discipline in the Mission. UNDP and UNRWA officials interviewed by OIOS also expressed this positive view. The long presence of a family mission using almost the same TCCs and the specific environmental factors of Syria seem to have contributed to preventing discipline problems.

#### V. AUDIT FINDINGS AND RECOMMENDATIONS

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

###### Reported cases of misconduct

12. The number of discipline cases in UNDOF for the period 2002 to 2004 is shown in Figure 2. The figure indicates a relatively low number of cases as having been reported to OHRM during the period.

**Figure 2: Discipline cases recorded by UNDOF from 2002 to 2004**

	Complaints received	Under investigation	Closed without referral to HQ	Dismissed	Referred to HQ	Cases resulted in repatriation
Military	240	0	236	0	4	20
Staff	11	0	10	0	1	1
<b>TOTALS</b>	<b>251</b>	<b>0</b>	<b>246</b>	<b>0</b>	<b>5</b>	<b>21</b>

13. One situation brought to the attention of OIOS by both management and the offices in charge of implementing discipline is the status of the military observers (UNMOs) known as OGG (Observer Group Golan). These UNMOs, although under the operational command of UNDOF, are under UNTSO's jurisdiction. When faced with a misconduct situation originating from these observers, UNDOF is not in a position to apply any disciplinary measures due to dual affiliation of these observers. When a case is referred to the UNTSO Force Commander, actions taken as follow-up measures are not known by UNDOF. This has created some frustration in some units such as the Force Provost Marshall.

###### Perception of the state of discipline in the Mission

14. OIOS conducted a survey of Mission personnel to obtain their perception and experience with discipline issues in the Mission. The number of questionnaires distributed (or the sample size) and responses received are shown in Figure:

**Figure 3: Survey response rate**

Personnel	Total	Sample size	Sample % of total	Responses received	Response %
Military	1028	1028	100%	157	15%
Staff	145	145	100%	118	81%
	<b>1173</b>	<b>3 1173</b>	<b>100%</b>	<b>275</b>	<b>23%</b>

*Positive results of the survey of Mission personnel*

15. Overall, the results of the survey conducted by OIOS indicated a high level of satisfaction with the state of discipline in UNDOF. Over 60 per cent of the respondents to the survey rated the state of discipline as above average. Another 60 per cent of all Mission personnel, including military contingents, believe that misconduct cases are handled well by UNDOF. However, around 50 per cent of civilians either do not know that misconduct is occurring, or think that it is going undetected and unpunished. The majority of the respondents from military (84 per cent) believe that the disciplinary mechanism is fair.

16. Figure 4 shows the respondents' perception of the Mission's attitude on dealing with misconduct:

**Figure 4: Percentage of positive perception on the Mission's attitude on dealing with misconduct**

	<b>Civilian</b>	<b>Military</b>
Overall	61%	98%
Theft and misappropriation	61%	93%
Fraud and misrepresentation	58%	89%
Harassment	51%	93%
Physical assault	60%	96%
Sexual Exploitation and abuse	56%	93%
Others	53%	93%

*Survey results indicating a need for improvement*

17. The results indicated in Figure 4 clearly show a positive response with regard to how the Mission is perceived on dealing with misconduct. However, the survey has also shown a need for improvement in some areas:

a) Only 41 per cent of civilian respondents are of the opinion that the Mission is implementing measures to prevent sexual exploitation and abuse (SEA). This opinion was also shared by 51 per cent of the military. This can be explained easily by the fact that SEA is a new area of concern and the Mission had just nominated a focal point. However, greater scrutiny and awareness programs are needed.

b) Half of all personnel surveyed do not know how to report or file a formal complaint. There does not seem to be an existing complaint mechanism except the BOI which is not fully equipped for handling complaints about SEA. The role of the BOI needs to be refined in light of the complexities of the new problems arising in Mission environment. However, UNDOF made efforts to address the needed revision on the role of the BOI. This was tasked by DPKO to the Mission. The need to systematically formalize procedures for receiving and handling complaints on misconduct should be addressed by the Mission as a matter of priority.

- c) While 66 per cent of UNDOF civilian personnel are aware of their duty to report a suspicion of misconduct, the rest either would not report or did not know that they should report. For the military, over 81 per cent stated that they were aware of this requirement.
- d) Fifty per cent of the civilian respondents felt that misconduct was occurring and going undetected and unpunished

*The perception of other UN agencies*

18. Both UNDP and UNRWA officials interviewed felt that the Mission had a generally good reputation for discipline. The officials stated that sexual exploitation was not an issue either at the Mission level or the country level. However, one official stated that UNDOF may keep a low profile in terms of perception since things like flashy armored cars may send a negative signal as far as perception and security are at stake.

**Recommendations 1 to 3**

UNDOF Management should:

- (i) Request DPKO to clarify the procedures on dealing with misconduct cases involving members of the Observer Group Golan (OGG) and institute formal coordination mechanisms between OGG and UNDOF in addressing cases of misconduct by OGG UNMOs (AP2005/670/01/01);
- (ii) Provide regular training to familiarize all peacekeeping personnel with the UN standards of conduct, including the Organization's policy and measures to prevent SEA (AP2005/670/01/02);
- (iii) Establish a regular forum of dialogue with staff to dispel their perceptions about the Mission's attitude toward discipline and handling of complaints (AP2005/670/01/03).

19. *UNDOF accepted recommendation 1 and stated that the procedures of exchange of information about measures taken in cases of misconduct involving members of UNTSO can be included in the LOU between UNTSO and UNDOF. In the meantime an exchange of letters between the Heads of Missions will suffice. UNDOF will also request additional guidelines from DPKO. OIOS will leave this recommendation open until it can be confirmed that the recommendation has been implemented.*

20. *UNDOF accepted recommendation 2 and stated that with the establishment of the MTC, regular training has been implemented and will be intensified. Activities will also include the cooperation with the training institutions of the TCCs. OIOS will leave this recommendation open until it can be confirmed that the recommendation has been implemented.*

21. *UNDOF accepted recommendation 3 and stated that an electronic bulletin board / common share drive has been established to inform and update staff of the Code of Conduct issues. Furthermore, awareness will be enhanced through training sessions conducted in conjunction with the MTC.* OIOS will leave this recommendation open until it can be confirmed that the recommendation has been implemented.

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

22. The results of the survey conducted by OIOS indicated that many Mission personnel were not aware of how to file a complaint of misconduct. It also revealed the fact that the Mission did not have a focal point for filing the complaints. There was also no database system to record the complaints received. Establishing a focal point would help the staff and local community to know where to file the complaint. It would also enable the Mission to have a complete record of misconduct complaints.

23. During the period covered by the review, the Mission received over 251 complaints, over 80 per cent of which related to vehicle accidents. The frequent cases of accidents indicate a soft approach towards perpetrators of accidents. However, the Mission has taken serious measures in cases where the perpetrators have committed severe offenses. For example, there was a known case of PX fraud by some contingent members and a decision to repatriate the perpetrators was made by the Mission. The Mission convened a BOI for handling these complaints. OIOS observed that the mechanism of BOI generally functioned satisfactorily.

24. The Force Commander felt that more power was needed to enforce discipline at the field level. The Force Commander cannot take disciplinary measures except for administrative actions such as recommending repatriation. The contingent commanders are responsible for maintaining discipline. This issue should be addressed at the UNHQ level.

25. OIOS noted that the Mission has not conducted any risk assessment relating to staff conduct. Conducting a risk assessment would allow the Mission to determine the high-risk areas that they need to focus on and to develop appropriate procedures to prevent or mitigate the risks.

#### **Recommendations 4 to 6**

UNDOF Management should:

- (i) Establish a focal point for receiving and handling complaints on misconduct (AP2005/670/01/04);
- (ii) Develop, in consultation with DPKO, a database for recording, analyzing, monitoring and reporting of complaints and investigations regarding cases of misconduct (AP2005/670/01/05); and
- (iii) Coordinate with DPKO in conducting a risk assessment to identify high-risk misconduct issues facing the Mission and to develop a strategy for preventing or mitigating the identified risks (AP2005/670/01/06).

26. *UNDOF accepted recommendation 4 and stated that the Military Police is the formal focal point for filing all complaints. In certain cases, UNDOF staff filed complaints rather with the Senior Civilian member of the Mission (CAO) or the Senior Military members (FC/DFC). In all cases this was successfully managed within the Chain of Command and coordinated between the civilian and military components.* Based on the clarifications provided, OIOS has closed this recommendation in its recommendation database.

27. *UNDOF accepted recommendation 5 and stated that a database exists in the Military Police. In cases where a BOI has been established, such a database exists in the personnel branch/section.* In addition, DPKO advised OIOS that it planned to provide all missions with a database to track misconduct cases. The task is scheduled to be completed in March 2006. OIOS will leave this recommendation open until it can be confirmed that the recommendation has been implemented.

28. *UNDOF accepted recommendation 6 and stated that the Mission will coordinate with DPKO. Currently, known high-risks misconduct issues have been identified and measures have been taken for prevention.* OIOS will leave this recommendation open until it can be confirmed that the recommendation has been implemented.

### **C. Misconduct prevention programme**

29. OIOS noted that the off-limit areas declared by the Mission were intended more to serve the security requirements rather than to prevent misconduct by the Mission personnel. As recently observed, Syria has known an immense influx of citizens from neighboring countries. This new population may represent a security threat and can pose some potential misconduct problems as new developments, such as prostitution, are on the rise within these categories of population. There is presently no restriction on socializing with the local population. The Mission personnel have unlimited access to the city. That makes monitoring of behaviour relating to observance of proper conduct, especially with respect to SEA, difficult.

30. OIOS noted that the Mission has not established any program to inform the local public about Mission policy on conduct and discipline or a community outreach programme to facilitate filing of complaints for the local population, should they feel aggrieved by the conduct of the Mission personnel.

31. OIOS noted that UNDOF had a code of conduct for its personnel. However, it needs to be updated in view of the Organizations' recent emphasis on SEA cases.

### **Recommendations 7 and 8**

UNDOF Management should:

- (i) Review and update the list of off-limit areas (AP2005/670/01/07);

(ii) Establish a community outreach programme to disseminate information on how the local community can file complaints on misconduct of UNDOF personnel (AP2005/670/01/08).

32. *UNDOF accepted recommendation 7 and stated that while currently, there are no establishments out of bonds, the Mission put various locations out of bonds in the past. The UNDOF FC will continue this practice in cases of suspected or possible misconduct (e.g. thefts, fights, prostitution, etc).* However, it may be noted that during the exit conference between OIOS and DPKO in May 2005, DPKO recognized that it should provide guidance to missions on implementing measures to enforce UN standards of conduct such as setting criteria for declaring off-limits areas and updating the off-limits list. OIOS will leave this recommendation open until it can be confirmed that it has been implemented.

33. *UNDOF did not accept recommendation 8 commenting that in contrary to other war torn regions, both UNDOF Host Nations have a solid social structure and legal system. Misconduct, if any, is being reported to the respective authorities and followed up by UNDOF. The Host Nation Authorities would implement the proposed programs. UNDOF would, however, assist and coordinate with them through the respective channels of liaison, if required. At this stage and UNDOF Community Outreach Programme is deemed neither necessary nor useful.* OIOS disagrees with the Mission's response rejecting the need for an outreach programme on how to file complaints. OIOS was advised by DPKO that it supported the OIOS recommendation and that *the obligations of missions in this regard will be communicated to senior mission leadership in an upcoming Mission Directive on Sexual Exploitation and Abuse.* OIOS is reiterating the recommendation 8 and requests that management reconsider its initial response concerning this recommendation.

## VI. ACKNOWLEDGEMENT

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

Copy to: Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations  
Ms. Jane Holl Lute, Assistant Secretary-General, DPKO  
Ms. Donna Marie Maxfield, OIC, ASD/DPKO  
UN Board of Auditors  
Programme Officer, OIOS  
Mr. Cristian Lisov, Auditor-in-Charge



**CLIENT RESPONSE AND IMPLEMENTATION OF RECOMMENDATIONS  
Assignment No. AP2005/670/01 – Review of the state of discipline in UNDOF**

No.	Recommendation	Required evidence of implementation
01	UNDOF Management should request DPKO to clarify the procedures on dealing with misconduct cases involving members of the Observer Group Golan (OGG) and institute formal coordination mechanisms between OGG and UNDOF in addressing cases of misconduct by OGG UNMOs.	Actions that UNDOF and DPKO will formally address the misconduct cases involving the OGG UNMOs.
02	UNDOF management should provide regular training to familiarize all peacekeeping personnel with the UN standards of conduct, including the Organization's policy and measures to prevent SEA.	Documentation evidencing that training efforts for the next fiscal year will cover all UNDOF staff and include induction and refresher courses.
03	UNDOF Management should establish a regular forum of dialogue with staff to dispel their perceptions about the Mission's attitude toward discipline and handling of complaints.	Evidence of training carried out.
04	UNDOF Management should establish a focal point for receiving and handling complaints on misconduct.	Recommendation closed.
05	UNDOF Management should develop, in consultation with DPKO, a database for recording, analyzing, monitoring and reporting of complaints and investigations regarding cases of misconduct.	Evidence that DPKO and UNDOF established a database to track misconduct cases.
06	UNDOF Management should coordinate with DPKO in conducting a risk assessment to identify high-risk misconduct issues facing the Mission and to develop a strategy for preventing or mitigating the identified risks.	Evidence of DPKO support for and direction on the risk assessment and the Mission's strategy for preventing and mitigating the identified risks on misconduct.
07	UNDOF Management should review and update its list of off-limit areas.	Evidence that UNDOF has objectively assessed the Mission environment for "off-limit" areas and enforcement of the approved list.
08	UNDOF Management should establish a community outreach programme to disseminate information on how the local community can file complaints on misconduct of UNDOF personnel.	Evidence of actions to address and implement the recommendation.

**ANNEX 2 (a)**

**Cases of misconduct in UNDOF 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
1 Theft and misappropriation												
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	4	3			4	3						
<b>TOTALS</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>3</b>						

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

**ANNEX 2 (b)**

**Cases of misconduct in UNDOF involving national staff members**

	S T A T U S												Cases that resulted in OHRM sanction					
	Complaints received			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		1																
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		1	2							1	2							
<b>TOTALS</b>		<b>2</b>	<b>2</b>						<b>1</b>	<b>2</b>						<b>1</b>		<b>1</b>

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

**ANNEX 2(C)**

**Cases of misconduct in UNDOF involving members of military contingents**

	S T A T U S																	
	Complaints received			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			1						1									
2 Fraud and misrepresentation			3															3
3 Harassment and sexual harassment, including verbal assault																		
4 Physical assault		1	2						1									1
5 Sexual exploitation and abuse																		
6 Abuse of power, position or authority, including inappropriate superior-subordinate relationship																		
7 Misuse of UN resources																		
8 Others	25	62	146				25	62	146							6	8	2
<b>TOTALS</b>	<b>25</b>	<b>63</b>	<b>152</b>				<b>25</b>	<b>63</b>	<b>148</b>							<b>6</b>	<b>8</b>	<b>6</b>

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

\* Indicates the information not available in Force Commander Office