TO: Mr. Jean-Marie Guehenno, Under-Secretary-General   DATE: 22 February 2006
A: Department of Peacekeeping Operations

REFERENCE (OOII5/06)

Mr. Jan Pronk,
Special Representative of the Secretary-General, UNMIS   AUD-7-1:9

FROM: Dagfinn Knutsen, Chief
DE: Peacekeeping Audit Service
       Internal Audit Division 1, OIOS

SUBJECT: **OIOS Audit No. AP2005/600/16: Management audit of the Department of**
OBJET: **Peacekeeping Operations – Substantive Operations**

1.   I am pleased to present herewith the final report on the above-mentioned audit, which was conducted in September-November 2005.

2.   Please note that we have addressed a separate audit memorandum to the Under-Secretary-General for the Department of Political Affairs in respect of recommendations 3 through 8 of our draft report and thus these recommendations are not included herewith. Additionally, we have addressed a separate audit memorandum to the OIC Procurement Service in respect of recommendation 12.

3.   Based on your response to the draft report, we have closed recommendations 10, 11, 29, and 30 in the OIOS recommendation database, and we have withdrawn recommendation 31. In order to close the remaining recommendations, we request that you provide us with the additional information as discussed in the text of the report. OIOS is reiterating recommendations 1 and 28 and requests that you reconsider your initial response concerning these recommendations. Please note that OIOS will report on the progress made to implement its recommendations, particularly those designated as critical (i.e. recommendations 1, 2, 9, 16-18, 23-24, 27-28) in its annual report to the General Assembly and semi-annual report to the Secretary-General.

4.   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.

5.   I take this opportunity to thank the management and staff of DPKO, DPA and UNMIS for the assistance and cooperation provided to the auditors in connection with this assignment.

Copy to: Mr. Ibrahim A. Gambari, Under-Secretary-General, DPA
           Ms. Jane Holl Lute, Assistant Secretary-General, OMS/DPKO
           Mr. Philip Cooper, Acting Director, ASD/OMS/DPKO
           Ms. Mary Roth, OIC, Chief Administrative Officer, UNMIS
           UN Board of Auditors
           Programme Officer, OIOS

Office of Internal Oversight Services
Internal Audit Division I

Management Audit of the Department of Peacekeeping Operations – Substantive Operations

Audit no:	AP2005/600/16
Report date:	22 February 2005
Audit team:	Muhammad Akram Khan, Auditor-in-Charge
	Muriette Lawrence-Hume, Auditor
	Lianett Diaz, Auditor

EXECUTIVE SUMMARY
Management Audit of the Department of Peacekeeping Operations: Substantive Operations

At the request of the General Assembly, in its resolution 59/296 of 15 August 2005, OIOS conducted an audit of the Substantive Operations of the Department of Peacekeeping Operations (DPKO) as part of its comprehensive management audit during September-November 2005. In addition to DPKO Headquarters, the audit team reviewed the information relating to these areas at the United Nations Mission in the Sudan (UNMIS). The main objectives of the audit were to review the management practices of DPKO and to identify risks and exposures to duplication, fraud and abuse of authority.

This segment of the audit covered four main areas: (i) electoral assistance to peacekeeping missions by the Electoral Assistance Division of the Department of Political Affairs (DPA); and DPKO's programmes on (ii) Disarmament, Demobilization and Reintegration (DDR); (iii) Mine Action Service; and (iv) Human Rights, including Rule of Law in peacekeeping missions.

Peacekeeping operations have become multi-dimensional and complex during the last decade or so. DPKO, despite its efforts to keep pace with the expansion in the field, has not been able to build sufficient capacity at Headquarters on DDR, Human Rights, Rule of Law, Protection of Civilians and Quick Impact Projects, to provide policy advice, approve plans, monitor implementation and coordinate and evaluate the work in the field. As a result, the governance and accountability mechanism in these areas at the DPKO level is weak. It is time to build suitable capacity at DPKO for providing policy advice and monitoring and evaluation of these functions in peacekeeping missions.

The main findings and recommendations are as follows:

The financial management system of substantive operations in peacekeeping missions does not promote economy and efficiency and is it not based on a robust accountability regime. The programme managers in substantive areas do not have a separate budget allocation, they have no authority to approve expenditures for their respective functions, and they are not accountable for the costs of their decisions.

There are a number of agencies in the UN system that are involved in these substantive operations. Except for the Mine Action Service, other programmes of DPKO do not as yet have enough formal institutionalized coordination with other UN agencies to avoid duplication and bridge gaps, although OIOS noticed a strong realization about it in almost all programmes reviewed in this audit. DPKO needs to take the initiative to develop a policy framework and conclude the necessary MOUs with other organizations in the system doing similar work.

A lot of information on the good work being done is resting in the UN archives and not distilled and shared either internally or with the Member States, other stakeholders or the public in general. DPKO and DPA should consider adopting a system of periodically reporting their performance to the public.

Planning in DPKO and peacekeeping missions is not yet driven by the generally accepted methodology of risk assessment. DPKO needs to review its policies and procedures relating to planning for various programmes and introduce risk assessment as a standard methodology for planning.

Greater use of information technology would enhance operational efficiency in certain areas, such as, maintenance of roster of electoral experts, or maintenance of the database on mine action service.

The system of performance measurement introduced by the results-based budgeting needs to be applied more rigorously and elaborately within the overall framework of economy, efficiency and effectiveness in all DPKO programmes.

In the case of the mine action programme, an institutional arrangement with the Troop Contributing Countries needs to be carved out to ensure compliance with the International Mine Action Standards.

DPKO should introduce a system of periodic, independent evaluation of all its substantive programmes in peacekeeping missions.

TABLE OF CONTENTS

List of Acronyms

ACABQ	Advisory Committee on Administrative and Budgetary Questions
CAS	Chief Administrative Services
CISS	Chief of Integrated Support Section
CPA	Comprehensive Peace Agreement
CPC	Committee for Programme and Coordination
EAD	Electoral Assistance Division
EU	European Union
DDR	Disarmament Demobilization and Reintegration
DESA	Department of Economic and Social Affairs
DPA	Department of Political Affairs
DPKO	Department of Peacekeeping Operations
DOA	Director of Administration
DSRSG	Deputy Special Representative of the Secretary General
DSS	Department of Safety and Security
GICHD	Geneva Centre for Humanitarian Demining
HC	Humanitarian Coordination
HR	Human Rights
IAPSO	Inter-Agency Procurement Service Organization
IDDRS	International Disarmament Demobilization and Reintegration Standards
IIDEA	Institute for Democracy and Electoral Assistance
IMAS	International Mine Action Standards
GA	General Assembly
MACC	Mine Action Coordination Centre
MECD	Monitoring, Evaluation and Consultant Services
MOA	Memorandum of Agreement
MOSS	Minimum Operating Security Standards
MOU	Memorandum of Understanding
MORSS	Minimum Operating Residential Security Standards
NGO	Non-Governmental Organization
OAU	Organization of African Union
OCHA	Office of the High Commissioner for Human Rights
OHCHR	Office of High Commissioner for Human Rights
OIOS	Office of Internal Oversight Services
PMSS	Personnel Management Support System
PS	Procurement Service
QIP	Quick Impact Projects
RBB	Results-Based Budgeting
RFP	Request for Proposal
SAT	Selection Assistance Teams
SC	Security Council
SG	Secretary General
SOP	Standard Operating Procedures
SRSG	Special Representative of the Secretary General
TCC	Troop Contributing Countries
UN	United Nations
UNDP	United Nations Development Programme

UNLP	United Nations Laissez-Passer
UNOPS	United Nations Office for Project Services
UNMAS	United Nations Mine Action Service
UNMEE	United Nations Mission in Eritrea
UNMIS	United Nations Mission in Sudan
UNV	United Nations Volunteers

I. INTRODUCTION

1.   OIOS conducted a management audit of the Department of Peacekeeping Operations Substantive Operations during September - November 2005.   The audit was conducted in accordance with the standards for the professional practice of internal auditing in United Nations organizations.

2.   The General Assembly in its resolution 59/296 of 15 August 2005 requested the Secretary-General "… as a matter of priority, to entrust the Office of Internal Oversight Services (OIOS) with a comprehensive management audit to review the practices of the Department of Peacekeeping Operations and to identify risks and exposures to duplication, fraud and abuse of authority in the following operational areas: finance, including budget preparation; procurement; human resources, including recruitment and training; and information technology, and to report thereon to the General Assembly at its sixtieth session."

3.   The comments made by DPKO, DPA and OHCHR on the draft audit report have been included in the report as appropriate and are shown in italics.

II. AUDIT OBJECTIVES

4.   The overall objectives of this audit were, as stated in the GA resolution, to review the management practices of the Department of Peacekeeping Operations and to identify risks and exposures to duplication, fraud and abuse of authority.   Therefore, this segment of the audit assignment focused on these objectives.

5.   The major audit objectives for the substantive operations in peacekeeping contained the following elements:

      a)   Identify risks and exposures to duplication;

      b)   Identify risks and exposures to fraud;

      c)   Identify risks and exposures to abuse of authority;

      d)   Review appropriateness of the budget allocated;

      e)   Assess the appropriateness of the use of information technology; and

      f)   Assess the overall economy and efficiency of the operations.

III.   AUDIT SCOPE AND METHODOLOGY

6.   This segment of the audit focused on the following substantive operations:

      a)   Electoral assistance to peacekeeping missions;

      b)   Disarmament, demobilization and reintegration;

c)   Mine action assistance to peacekeeping missions;

d)   Human rights and rule of law programmes in peacekeeping operations.

7.   The audit included a set of issues in each of the above areas. Since the audit focused on management of these substantive operations for which no comprehensive set of regulations and rules exist, the audit team identified audit criteria for each issue. These criteria were based on generally accepted management practices. The audit team shared these criteria with the auditees in the opening meetings and obtained their agreement. The audit team, during its field work, verified the extent to which these criteria had been met.

8.   The audit was conducted both at UN Headquarters and in the United Nations Mission in the Sudan (UNMIS). At Headquarters, the audit team primarily focused on the DDR Unit, Criminal Law and Justice Advisory Unit, United Nations Mine Action Service, Police Division, and Electoral Assistance Division in the Department of Political Affairs. In UNMIS, the team reviewed the work of the Human Rights Division, Protection of Civilians Division, UN Police Division, DDR Division, UN Mine Action Service, and Rule of Law Unit. The review in the Mission focused only on those areas which were relevant to the management of the Mission by DPKO. Thus, the audit team did not audit any of these Divisions, Services or Units in UNMIS *per se*. The audit team also reviewed past OIOS reports regarding the subject of the present audit.

IV.   OVERALL ASSESSMENT

9.   The nature and scope of peacekeeping operations have become quite complex during the last decade or so. DPKO has tried to keep pace with these developments; however, it has not been able to build capacity at the HQs level to match the expanded operations in the field. DPKO needs to formalize its coordination with other departments and UN agencies. It also needs to strengthen its accountability and governance framework by implementing a system of improved monitoring and evaluation of peacekeeping operations.

V.   AUDIT FINDINGS AND RECOMMENDATIONS

A.   All substantive areas

The financial management system of substantive operations in peacekeeping missions does not promote economy and efficiency nor is it based on a robust accountability regime.

10.   The substantive operations in multi-dimensional peacekeeping missions consist of programmes such as electoral assistance; disarmament, demobilization and reintegration (DDR); mine action; protection of civilians; civilian affairs; political affairs; return, reintegration and rehabilitation (RRR); human rights; police reform and restructuring; judicial and legal systems; prisons/corrections; and gender. These programmes are generally headed by a senior officer (D-1 or P-5). The approved budget of a peacekeeping mission provides for expenditures to be defrayed by these programme managers. These expenditures could be either personnel costs or non-personnel costs. The programme managers are responsible for achieving some results and producing some outputs which are documented as their macro-level plan in the Results-based Budgeting document as approved by the Fifth Committee. The system, conceptually, seems to be excellent. The

programme managers are required to produce some results for which they are given some resources (inputs). However, in practice it is not as simple as that.

11. In practice, the programme managers of the substantive areas do not get any budget allocation on which they have any authority or accountability. The staff costs are incurred as per staffing table and the non-staff costs are controlled by the Director of Administration through various support service managers, who are declared as cost centers. The programme managers of the substantive areas, quite often, are not even aware of their budget. Whatever they require, they request from the mission administration. The mission administration, looking at the budget, decides whether and to what extent to meet the request. In some respects, it is a matter of relief for the managers of substantive areas. They are not responsible to account for these costs. However, the system has some dysfunctional aspects, as discussed below.

a) The programme managers of substantive areas, since they are not accountable for their costs, are free to make any requests for resources. They have no concern for the economy or efficiency of the decision they are making. For example, a programme manager may make a request for a special flight, considering that the matter is urgent to him. He is not aware of the cost involved or the budgetary implications if this request is met. Or a programme manager requests a fleet of vehicles for his staff in regions, never knowing what it will cost the mission or how it will impact the budget of the mission. If he or she gets these resources, he is satisfied. If the cost centre manager rejects or applies a cut, he or she is demoralized. The position of the programme manager of the substantive area is that he or she has no concern about the cost of his or her decisions. The system does not oblige him to do that, as he or she is not responsible to manage the budget of his or her function. Thus the system does not promote a culture of accountability. *In its response to the draft report, DPKO did not agree with this analysis. It observed that resource allocation is done in the Missions by executive decisions and "the substantive staff have a recourse to de-conflict a negative response by the Administration" through their senior executive.* The DPKO response does not address the issue raised by OIOS. The OIOS point is that the system does not hold the substantive managers accountable for the resources they are using. It is not an issue of inter-sectional conflict resolution.

b) The system does not provide for the correlation of the RBB framework with the financial management system followed in the mission. The programme managers are required to produce the *outputs* and *results* as stated in the budget (an *effectiveness* issue) but do not have control over the *inputs* (an *efficiency* and *economy* issue). Thus the person who has the responsibility for the outputs and results does not have authority over the inputs necessary to produce the outputs and results. This is against the basic principles of good management. *DPKO did not agree with the observation. It argued that the "RBB process also applies to the substantive staff as the resources available to the substantive staff are the staff under their control, the equipment allocated in support of the office or function by the mission and the common services provided by the mission to support its mandate. The substantive staff therefore have dedicated resources and shared resources to draw upon."* The response by DPKO does not address the issue. The OIOS point is that though the substantive managers are part of the RBB process, they do not have control over the inputs. Declaring substantive areas as cost centers would make them accountable for inputs and outputs.

c) It creates an adverse effect on the morale of the managers and staff of the substantive programmes. They feel that everything is centralized and they have no authority and sometime also feel helpless when the cost centre managers, genuinely, apply a cut on their request or make them wait. *DPKO replied that through a process of training and induction courses efforts are being made to prepare the staff better for cooperation between the substantive staff and administration staff.*

d) The RBB performance report does explain where the expenditure exceeded or fell short of the budget. It does also mention the outputs produced and results achieved. But for each result achieved and each output produced, it is not known how economically or efficiently that was done. The system does not oblige the managers to report on the economy and efficiency with which these outputs and results were achieved. *In its response to the draft report, DPKO stated that "consideration is being given in the UN Secretariat to adopting a cost accounting methodology that captures activity based costs, but this is unlikely to be available to peacekeeping missions within foreseeable future."*

12.   In brief, the system does not promote a culture of economy and efficiency; does not make the programme managers accountable for their decisions; is highly centralized; and is harmful to staff morale. It is not to argue that the system of providing various services should be decentralized. These services can be provided by the same sections and units as are being done now. However, the programme managers of substantive areas should be allocated their budgets and direct costs of their programmes should be approved, controlled and accounted for by them. This change in the system would not require a major restructuring of the mission. It will require a financial delegation of authority and a revised system of information flows whereby the programme managers of substantive areas would get information on the budgetary allocations and their costs against their budgets on a regular basis. They would have the authority of deciding whether or not to incur a cost, and the corresponding accountability for their decisions. Such a change, with the proper system of internal controls and oversight mechanism, would promote a culture of accountability, economy and efficiency.

Recommendation 1

DPKO should review its financial management system in peacekeeping missions with a view to giving financial authority to managers of substantive areas within their respective budget allocations and making them accountable for their decisions (AP2005/600/16/01).

13.   *DPKO did not accept the recommendation, stating that "DPKO missions do not run financial based programmes under the assessed budget. Programmes such as these are managed by UN agencies, or other external actors, with largely donor funding. The assessed budget provides only salaries for United Nations staff and material resources for these staff to carry out their functions."*

14.   The reply is not precise. To the extent the substantive areas are using UN funds, they should be accountable for them. The need to restructure the financial management system of peacekeeping missions remains. OIOS reiterates recommendation 1 and requests that DPKO reconsider its initial

response concerning this recommendation. OIOS will keep recommendation 1 open in its database pending implementation.

B. Electoral Assistance Division

The Electoral Assistance Division of the Department of Political Affairs and its partners need to work together to reach an agreement on their respective roles for providing effective electoral assistance to countries with peacekeeping missions.

15.   Electoral assistance is a system-wide endeavor. It involves several departments and agencies of the UN system. The Electoral Assistance Division (EAD) of the Department of Political Affairs is responsible for the coordination of the activities of the United Nations system in the field of electoral assistance. In this capacity, the Division advises and assists the Under-Secretary-General for Political Affairs who serves as the Focal Point for United Nations electoral assistance activities. The mandate of EAD provides for the following activities:

- Collaborate with other UN system agencies in the design of electoral assistance project activities and in developing operational strategies for the electoral components of peacekeeping operations;

- Coordinate and channel to the appropriate agencies requests from Member States for electoral assistance;

- Coordinate and provide support to the activities of international observers.

16.   In a typical request for electoral assistance, EAD works closely with UNDP, which is usually the UN agency present in the country even before a peacekeeping mission is mandated and set up. With the establishment of a peacekeeping mission and depending upon the mandate from the Security Council, electoral assistance is usually delivered through the peacekeeping mission, which falls under DPKO.

17.   Also, EAD has to deal with, _inter alia,_ the Department of Economic and Social Affairs (DESA), Office of High Commissioner for Human Rights (OHCHR), United Nations Office for Project Services (UNOPS), in various phases and segments of the assistance program. Involvement of several agencies requires close coordination and division of responsibilities among all the actors.

18.   The Department of Political Affairs (DPA) also realizes the need for close coordination and development of formal understanding among its partners. It has made some progress on this count. It signed a Note of Guidance with UNDP in October 2001. It reached an informal agreement with the Organization of African Union (OAU) in 2001 to cooperate more closely on the provision of technical assistance in the field and on the composition and organization of international observer missions. In June 2000, DPA signed an agreement on regular information sharing with European Union (EU). In November 2000, EAD signed a MOU with the International Institute for Democracy and Electoral Assistance (IIDEA). It has also signed agreements with electoral authorities of India, Brazil, Panama, Argentina and Mexico. It is in the process of signing a similar agreement with the Office of the High Commissioner for Human Rights (OCHA).

19.   OIOS in its *Triennial Review of the Implementation of the Recommendations Made by the Committee for Programme and Coordination (CPC) Report* (E/AC.51/2007, 26 April 2002, p.9) recommended: "The Electoral Assistance Division should continue the process of reaching with other relevant departments and organizations of the United Nations on their respective allocation of responsibilities in order to achieve a more coordinated response to electoral assistance requests. The Division should coordinate lessons learned from electoral assistance exercises with the above activities."

20.   More recently, the Advisory Committee on Administrative and Budgetary Questions of the Fifth Committee (ACABQ), while reviewing the proposed budget of DPA for the biennium 2006-07, observed: "The Committee is of the opinion that more needs to be done to ensure an effective working relationship between the Department of Political Affairs and the Department of Peacekeeping Operations and that a description of how these two departments coordinate should be included in the budget document. The Committee has indicated the urgent need to revisit the issue of coordination and cooperation between both Departments to ensure complementarities, avoid potential duplication and overlap and to consider a possible redistribution of resources to bring them in line with changes in activities and priorities, particular attention being paid to the area of political and strategic analysis."

21.   OIOS observes that DPA has no formal agreement with its large partners, such as DPKO, UNOPS and UNV Programme. EAD has electoral assistance projects in seven countries with peacekeeping missions employing 183 international staff and 621 UNVs. UNOPS is a vital partner in the implementation of complex electoral projects. In the absence of formal MOUs, the electoral staffs, who are often constrained by tight deadlines, do not get the same MOSS or MORSS-compliant security from missions as other peacekeeping staff would get for want of resources. Similarly, the staff deployed on electoral duty do not get insurance coverage in case of personal injury if they are not MOSS or MORSS-compliant. The questions of appropriate budgeting, timely staffing and determination of salary level of electoral experts are some other issues which create a mismatch between the outlook and approach of DPKO and DPA. Such examples highlight the need for greater coordination between the two departments.

22.   OIOS learned that in the past there had been some efforts to sign MOUs with DPKO and UNV Programme but the work did not proceed beyond some initial meetings and early drafts. OIOS also learnt that EAD is currently finalizing a MOU with UNOPS.

Recommendation 2

> In view of their close working relationship, DPA, DPKO, UNV Programme and UNOPS should together develop a policy framework for cooperation, with clear division of labor and costs, as well as procedures for resolving any conflicts in the area of electoral assistance projects on an urgent basis (AP2005/600/16/02).

23.   *DPA/EAD stated that recommendation 2 can be accepted, as long it is germane to the provision of electoral assistance as a component of multidisciplinary operations, in line with the mandate entrusted the UN Focal Point for Electoral Activities, and attainable within existing*

resources of the entities involved within the next biennium. OIOS will keep recommendation 2 open pending its implementation.

<u>The Department of Political Affairs (DPA), Department of Safety and Security (DSS) and DPKO do not have a working level procedure for providing MOSS and MORSS-compliant security to the electoral staff in peacekeeping missions.</u>

24.   The electoral assistance projects in peacekeeping missions are complex in nature due to the lack of proper infrastructure, absence of host country capacity to provide support services, non-existence of previous electoral history, vast expanse of geographical areas, and existence of a legal void for elections and voters registration. Added to these are the security conditions in a conflict-ridden society. Different combating factions keep on creating unstable conditions for the UN staff, especially for those engaged in electoral activity. This is so because those factions who do not hope to win the elections try to spoil the game by creating security hazards for the national and international UN staff. These conditions make it necessary that the UN staff travel under MOSS-compliant vehicles and equipment and should have MORSS-compliant residences.

25.   The peacekeeping missions also realize the need for MOSS and MORSS compliance for all the staff including the electoral unit staff. However, sometimes, the resources available for this purpose are not sufficient to meet the requirements of all the electoral staff. This leads to real life dilemmas: either the electoral operation is reduced to a level that is possible with the available resources for security or the resources for security are increased. None of the solutions is usually easy to come by.

26.   OIOS reviewed the case of security requirements for the electoral staff in UNMIL from EAD files. The electoral unit made a request to the mission administration for MOSS and MORSS-compliant security resources for its staff on 31 August 2004 for elections to be held on 11 October 2005. However, until 4 April 2005, EAD was still struggling to get these resources. To a large extent UNMIL managed to provide these resources but it took a lot of effort and waste of time on both sides to achieve this objective. The electoral staff requires security not only at the time of elections but much before, during the preparatory stages as well. Much time and effort is usually lost in getting these resources, as the missions also have a constraint in providing them.

27.   OIOS observes that DPA, DSS and DPKO do not have a working level procedure for the provision of minimum security to the electoral staff in the peacekeeping missions. As a result, the resources required for security are not adequately built into the budget of the missions.

28.   Based on the responses of DPKO and DPA to our draft report, we have addressed recommendations 03 through 08 in a separate audit memorandum, directly to DPA.

Recommendation 9

DPKO should work together with DPA and DSS to arrive at a working level procedure for providing security to the electoral staff in peacekeeping missions that is MOSS- and MORSS-compliant. DPKO should consult the DSS during the budget process of peacekeeping missions to ensure that necessary equipment is

procured to enable staff to work under MOSS- and MORSS-compliance (AP2005/600/16/09).

29.   *DPKO accepted the recommendation saying "[it] regards the provision of security for electoral staff as coming under the umbrella of normal security concerns and measures taken for ensuring the security of all UN mission staff and/or its contracted personnel."* DPA/EAD also concurred with recommendation. OIOS will keep recommendation 9 open in its database pending confirmation of its implementation.

EAD and Personnel Management Support System (PMSS) of DPKO need to work together for establishing a reasonable time-frame for recruitment of electoral experts.

30.   EAD is responsible for providing the electoral experts to peacekeeping missions. The procedure is as follows. Once the staffing table is approved, EAD consults its roster of experts and prepares short-lists with the most appropriate candidate(s) and shares it with the Electoral Unit in the peacekeeping mission. The Electoral Unit presents the short list to the SRSG with his or her recommendation. In most of the cases, the SRSG accepts the recommendation and makes a request to PMSS in DPKO for recruiting the recommended candidate(s). PMSS initiates the process of recruitment, medical clearance and preparation of UNLP.

31.   OIOS reviewed a few cases for the recruitment of experts to estimate the time PMSS takes from when a request was received from the mission to the date when the expert actually joined the mission. OIOS observed that on average PMSS took about two months from the time it received the request from the mission to the placement of the expert. Given the fact the elections in any country are bound by a deadline, the time taken by PMSS creates stresses in the mission for implementing the election plan on time. Besides, in some cases, the selected candidates, who are usually free lancers, already take up other assignments as they cannot wait for 2-3 months for the offer of appointment from PMSS. As a result, the whole process of selection has to be started afresh, leading to further delays. There is a need for greater coordination and consultation between EAD and PMSS for arriving at a reasonable time-frame for the recruitment of electoral experts.

Recommendation 10

In view of the urgency involved in most cases, EAD and PMSS should establish a time-frame for the recruitment of electoral experts (AP2005/600/16/10).

32.   *DPKO advised that recommendation 10 has been implemented through "improved coordination with EAD" and by arriving at a new arrangement to establish a timeframe for recruitment of experts. Based on this response,* OIOS has closed recommendation 10 in its database.

Procedure for paying the electoral experts hired as consultants in peacekeeping missions is not systematized.

33.   Occasionally, EAD procures the services of consultants through PMSS for work in the peacekeeping missions. The consultants are given defined terms and conditions. Usually, the

consultant gets some advance from the mission as per his or her entitlement. The hiring contract or any other communication from PMSS or EAD to the consultant does not clearly spell out the procedure for final settlement of the consultant's emoluments. As a result, on completion of the assignment, when the consultants leave the mission, quite often, they are not aware of the formalities for getting the balance of their emoluments. Later on, after waiting for sometime for the final emolument, the consultants contact EAD for settlement of the claim. EAD approaches PMSS, who require information on attendance etc from the mission. Often, the complete documentation is not available as no one had kept track of that and no one in the mission was responsible for the certification of the consultant's attendance. As a result, the whole process of payment to the consultant becomes complicated and usually takes long before the consultant is finally paid off.

34.   OIOS reviewed a few such cases in EAD files and found that the consultants' final payment took a long time, sometime up to a year or so, after the consultant completed his or her assignment. The situation is far from satisfactory. Besides being unfair to the consultants, it tends to bring a bad name to the Organization.

Recommendation 11

> PMSS should implement a systematic procedure for the final settlement of claims for emoluments of the electoral consultants and inform the consultants of the procedure in their appointment letters as well as the mission (AP2005/600/16/11).

35.   *DPKO stated that recommendation 11 has been implemented by making the CCPOs in missions responsible for processing the final claims of consultants and by including a letter in the contract documents package for consultants informing them about the arrangement for their payments.* Based on the response received from DPKO, OIOS has closed recommendation 11 in its database.

<u>The Procurement Service (PS) does not maintain a specialized roster of registered suppliers of election-related materials.</u>

36.   Electoral assistance projects have some special features. One is that they are implemented in a short time-frame. The other is that every election project has to procure a number of goods and services that are unique to the elections. Some of these are: printing of voters' ID cards, ballot papers, indelible ink, ballot boxes, and stamps and seals. Many of these goods and services have to be provided in a short span of time. Countries requesting electoral assistance often do not have sufficient number of suppliers to provide these things at a short notice. Governments, who are often conflict-ridden and war-torn, also do not have that necessary capacity. As a result, these have to be procured in a rush from wherever it is possible. The considerations of quality, reliability, economy and timeliness are likely to be compromised in these circumstances. For example, the equipment to print voters' ID cards for the 2005 elections in Burundi had to be rushed from Kenya. Similarly, voters' cards for the approaching Haiti elections are being procured in Mexico in a rush.

37.   In OIOS' opinion, PS needs to develop a specialized roster of such suppliers, whether in private sector or in public sector of various government agencies of different countries who have the capacity to bid and deliver the election-related materials at short notice.

38.   There is a movement towards what has been termed the 'Lead Agency Concept' whereby a specific UN Agency(s) will take the lead in a particular market either because of their in-house technical expertise/experience or because of the economies of scale they achieve through volume or bulk purchasing or both. OIOS was informed that with respect to electoral assistance projects, there are already two lead agencies, the Inter-Agency Procurement Service Organization (IAPSO) of UNDP and UNOPS. However, it is pertinent to note that according to existing regulations and instructions, the peacekeeping missions have to approach PS for their procurement needs relating to electoral goods and services. At that time PS faces immense difficulty in locating the suppliers of specialized goods required for electoral assistance projects. Therefore, PS needs to maintain a specialized roster of suppliers of electoral goods and services for peacekeeping missions until the peacekeeping missions are allowed to procure these goods and services through UNDP or UNOPS.

Recommendation 12

> DPKO, DPA and PS should work together to develop a roster of reliable suppliers of specialized goods and services relating to electoral assistance projects in peacekeeping missions (AP2005/600/16/12).

39.   *DPKO did not accept recommendation 12 stating, "DPKO is not currently resourced to support this highly-specialized requirement, which is often funded through voluntary contributions, rather than the assessed budget, and acquisitions implemented through funds, programmes and agencies."* OIOS has addressed this recommendation in a separate audit memorandum to the Procurement Service and will keep recommendation 12 open pending receipt of a reply from the Procurement Service.

Electoral operational planning in the field needs improvement.

40.   As part of the Comprehensive Management Review of DPKO, OIOS assessed the level of support provided to the UNMIL Electoral Division (ED) by EAD of the Department of Political Affairs. The assessment was not an exhaustive review, but rather an analysis of linkages between EAD and ED that support good management practices, and reduces risk and exposure to fraud, abuse of power and duplication of resources.

41.   The responsibility of holding the elections rests with the transitional government's National Elections Commission (NEC or the Commission). The UNMIL Electoral Division provides technical assistance and capacity building support to NEC, and coordinates other international assistance to the Commission enabling it to carry out its responsibility.

42.   One of the main criteria to ensure effective support in preparing to elections is a comprehensive work plan articulating the range of tasks that must be accomplished for meaningful elections to take place – including political, human rights, security, electoral and state building tasks. The work plan should assign responsibility for these tasks to the government, the UN and other international actors as appropriate. Furthermore, a comprehensive operational plan is necessary for ED to meet its mandate, goals and objectives in an effective and efficient manner.

43. However, discussions with senior management from the UNMIL ED, the EAD focal point, and electoral personnel revealed that overall operational planning was not rigorous enough at the start of the election process. Throughout the electoral process, significant operational problems were encountered that required reactive responses and/or crisis management. For example, The Electoral Division in UNMIL had requested vehicles in advance but got them only at the last minute. The electoral staff in the UNMIL did not get proper and secure accommodation. Similarly, the electoral staff in UNMIL did not get hand-held radio on time, although the Electorate Division in the mission indicated its requirement well in advance.

Recommendation 13

> DPA, in coordination with DPKO, should develop operational planning tools and training that would support electoral divisions in peacekeeping operations. This could include developing an electoral procedures manual and providing project management training (AP2005/600/16/13).

44. *DPKO and DPA accepted and agreed to implement the recommendation by December 2006. DPKO further stated that DPA already provides training for electoral officers in the planning and conduct of their tasks. DPKO/ITS will work with DPA to develop training specifications to standardize the elections planning training, particularly for ease of delivery across missions. An elections planning training manual for electoral officers will be considered as part of the training. Project Management Training is provided by OHRM in their Staff Development Program. This training by OHRM should be made available to mission staff and ITS will take up the matter with them to explore methods of delivery.* OIOS will keep recommendation 13 open in its database pending full implementation.

C. Disarmament, Demobilization and Reintegration (DDR) Programme

DPKO is trying to develop a framework for cooperation with other UN departments and agencies on DDR programme at the country level. It needs to develop a global framework of cooperation at Headquarters level as well.

45. Different departments and agencies of the UN are involved in the work relating to disarmament, demobilization and reintegration of ex-combatants. In all, fourteen UN departments and agencies have some interface with this programme either directly or indirectly. In practice, all of them have different perspectives and agendas, even though they agree with the ultimate objective of disarmament and demobilization. The differences could revolve around priorities, as some would like to give preference to child soldiers, others to gender issues, others to HIV AIDs and still others to reintegration and rehabilitation projects. In the process there is a potential risk that some areas get more emphasis at one location than the others, while some remain neglected.

46. Realizing the need for a more concerted and integrated effort, DPKO launched a programme for an integrated approach to bring all the fourteen departments and agencies on board. With its concerted efforts, a lot of ground has been covered. They have now joined hands in the form of the Inter-Agency Working Group on DDR. There is now a consensus on basic concepts, objectives, strategies and approaches. The basic guidelines have been drafted and are being finalized. So far,

the thinking is that because of the specific conditions of each country, the terms of reference for cooperation or MOUs should be drafted as country-specific documents involving those agencies who have a presence in a specific country or has interest in DDR. This would be easier and expeditious. OIOS noted that so far, no such MOU had been signed in any country though one in Haiti is at draft stage and another in Sudan may be signed shortly. The possibility of having a global framework of cooperation at the Headquarters level is still a far-distanced objective and is not easy to come by.

47.   OIOS observes that the efforts for evolving a consensus on the broader concepts, objectives and methodology are commendable. DPKO's aim is to at least have a framework for country-specific MOUs rather than to wait for the global framework which may take longer. However, in the opinion of OIOS, the significance of a global MOU at Headquarters among all the players in the field of DDR is no less urgent for implementing the International DDR Standards. Such a MOU would also play the role of a leading light for all agencies in arriving at country-specific MOUs on a priority.

Recommendation 14

DPKO should develop a global MOU with participating members of the Inter-Agency Working Group on DDR to implement the International Disarmament, Demobilization and Reintegration Standards (IDDRS) in all DDR programmes in an integrated fashion along with its efforts for achieving country-specific MOUs (AP2005/600/16/14).

48.   *DPKO stated "It is premature to establish a global MOU at the Headquarters to implement the Integrated DDR Standards (IDDRS). The aim of the unit is to have the IDDRS endorsed by the senior managers of the interagency working group, which would reflect the willingness of their organizations to implement DDR programmes in accordance with the IDDRS. A global MOU on DDR is not applicable to all members of the interagency working group, as some do not play a role in the field but rather Headquarters advocacy roles. Furthermore, there is insufficient experience of what is needed in the field to establish such a global MOU on DDR. Instead, the unit is taking the approach of establishing mission specific MOU first (efforts have begun in Haiti and Sudan), which would eventually fit into a global MOU among partners of DPKO in DDR."* OIOS will keep recommendation 14 open in its database pending complete implementation of all mission specific MOUs and the global MOU among partners of DPKO in DDR.

The relationship amongst the Best Practices Section and the Office of Operations within DPKO needs to be strengthened and institutionalized for planning, monitoring and evaluation of the DDR programme.

49.   A DDR Policy Advisor was appointed in the Peacekeeping Best Practices Section in 2004 to provide assistance in the following areas:

a) Policy development;
b) Planning;
c) Mission review and best practices; and
d) Communications and information strategy.

50.   One of the functions of the Office of Operations is to monitor the activities of peacekeeping missions. For this purpose, the respective desk officers for each mission are supposed to oversee implementation of the mission plans in respect of DDR programme as well.

51.   OIOS noted that the Office of Operations does have a system for monitoring the achievement of the missions in respect of results-based budgeting (RBB). It is also the responsibility of each mission (based on standard DPKO reporting requirements negotiated with the Mission and SitCen) to report daily events on the DDR programme. However, there is no formal integrated system of monitoring and evaluation of the DDR programme at the DPKO level.

52.   The Office of Operations has a broad responsibility of monitoring the missions as they implement the mandate given by the Security Council. The missions rely on the support of their colleagues with specific technical expertise for policy advice and planning on DDR programme. The DDR Policy Advisor works with the missions and agencies to prepare plans that contain provisions for monitoring as well. The role of the Policy Advisor ends at that. No one in DPKO is responsible for monitoring the implementation of these plans.

53.   OIOS observes that there is no formal link on DDR programmes in missions between the Peacekeeping Best Practices Section and the Office of Operations once the programme starts in a mission. The routine periodic reports received from missions do contain material on DDR programme as well. However, it is not possible and even expected that the desk officer in the Office of Operations analyze those reports from a technical angle and provides guidance on it. In fact, the Office of Operations assumes that such a technical guidance and analysis would be provided by the DDR Policy Advisor. But OIOS observes that DDR Policy Advisor is not involved, except for peacekeeping missions at Haiti and Sudan, in the day to day progress of the DDR programmes in missions nor does he have sufficient resources to undertake this work for all peacekeeping missions. At the end, there is no mechanism in DPKO to monitor the implementation of DDR programme plans.

Recommendation 15

DPKO should strengthen the coordination between the Peacekeeping Best Practices Section and the Office of Operations for monitoring implementation of DDR programme plans in all peacekeeping missions. To do so, DPKO should enhance its staff capacity in the office of the DDR Policy Advisor for undertaking monitoring of the DDR programme in all peacekeeping missions (AP2005/600/16/15).

54.   *DPKO accepted the recommendation and advised OIOS that its implementation is already in progress.* OIOS will keep recommendation 15 open in its database pending full implementation.

The UN DDR Programme in the Sudan has commitments from donors of about half of their $70 million 2005-06 budget.

55.   The UN DDR Programme in Sudan is one of the main segment of the mission's mandate for the implementation and verification of the Comprehensive Peace Agreement (CPA).

56.   The DDR Division in UNMIS works closely with UNDP under the DSRSG (Humanitarian Coordination). The assessed budget for the UN DDR programme in Sudan goes towards a common programme managed by UNMIS and UNDP, although it only covers the disarmament and demobilization activities and not reintegration.

57.   An Interim DRR Programme in Sudan began in July 2005 with an estimated budget of $70 million for the year 2005-06. Out of this, UNMIS has requested a total of $12.7 million in its 2005-06 budget submission. However, only $5.5 million are available to the mission under the Commitment Authority at the time of the audit.

58.   The Interim DDR Programme in Sudan expects to cover the remaining amount by voluntary contributions by donors and by counterpart funding as follows:

Table 1: Funding of UN DDR Programme in Sudan

Agency	Total for 2005-06 ($ millions)	Remarks
UNDP CPR Thematic TF	2.0	Already provided
Canada	1.0	Pledge
UK	3.6	Pledge
EU	15.0	Pledge
US	3.0	Pledge
UNMIS	12.7	Under approval. $ 5.5 million available under Commitment Authority
Japan	10.0	Under discussion
Total	47.3	

Source: UNDP Policy Advisor (UN DDR unit)

59.   According to Table 1, the Interim DDR Programme in Sudan has only been able to obtain $7.5 million ($2.0 from UNDP and $5.5 million from UNMIS) out of $70.0 million for the entire programme during 2005-06, which is 10.7% of the total budgeted requirement. The commitments, if they are realized in full, are also $30 million (43%) of the total budget for the programme.

60.   OIOS observes that the main objective of the CPA will be at stake if UNMIS and UNDP fail to receive the pledged funds from the donors on time and also are unable to raise additional funds to meet the budget targets for 2005-06. It would also be an embarrassment to the Organization and will raise credibility questions. The delay in implementation of the Interim DDR Programme in Sudan could result in violence, re-recruitment of those already disarmed and a breakdown of the peace process.

Recommendation 16

> DPKO, in cooperation with UNDP, should make renewed joint efforts to realize the committed funds and to raise additional funds to meet the budgeted targets for the year 2005-06 for the Interim DDR Programme in Sudan for avoiding a possible setback to the Comprehensive Peace Agreement (AP2005/600/16/16).

61.   *DPKO accepted the recommendation and stated that fund raising is an on-going effort and that UNMIS has a budget of $ 12.7 million for DDR.* OIOS is of the opinion that availability of funds is critical to the success of the DDR work plan. Recommendation 16 remains open until receipt of more information in regard to the availability of funds.

D.   Mine Action Service

There is no institutional arrangement with the Troop Contributing Countries to ensure compliance with the International Mine Action Standards (IMAS).

62.   The United Nations Mine Action Service (UNMAS) uses a combination of mine action services. Besides commercial companies contracted through UNOPS, UNMAS also uses the services of contingents of the Troop Contributing Countries (TCCs) for de-mining. The military de-mining capabilities can make a significant contribution in providing humanitarian as well as Forces-related de-mining, when mandated. The TCCs are reimbursed the cost of troops and equipment as agreed in the respective MOUs.

63.   UNMAS commissioned the Geneva Centre for Humanitarian Demining (GICHD) to evaluate the United Nations Mission in Ethiopia and Eritrea (UNMEE) Mine Action Coordination Centre. The GICHD August 2005 report highlights several weaknesses concerning the use of military contingents and their equipment for mine action. For example, the "mechanical assets deployed by Slovaks with the exception of one of the nine Bozenas, were not suitable to the country conditions... The military road clearance equipment deployed to Eritrea by the TCCs was not suitable to meet safety and clearance requirements." The report observed that "the military contingent of Bangladesh worked far below the IMAS, thus presenting not only a danger to them, but also raising questions about the safety of the so-called "cleared" areas by the TCC."

64.   OIOS observes that there is no agency in the UN system that has the authority to ensure compliance with IMAS by the TCCs. The IMAS can become binding only if the UN puts in place an institutional arrangement to do so. One possibility could be to provide for the adherence to IMAS by the mine action contingents of the TCCs in their respective MOUs. The other possibility could be the signing of additional agreements with the countries providing mine action contingents. Still other possibility is to develop Forces Standard Operating Procedures (SOPs) on mine action issued by the Force Commanders.

65.   OIOS observes that there is a need for an institutional arrangement to ensure that the TCCs bring the equipment of the required standards, and troops with appropriate training that match the

IMAS. This can be done by giving UNMAS the authority for quality assurance and oversight for compliance with IMAS.

Recommendation 17

DPKO should institutionalize compliance with the International Mine Action Standards by the Troop Contributing Countries (TCCs) either by amending the standard format of the MOUs with TCCs, or by entering into special agreements with TCCs or by enforcing SOPs at the level of Force Commanders of peacekeeping missions and assigning the responsibility for quality assurance and oversight to United Nations Mine Action Service (AP2005/600/16/17).

66. *DPKO accepted the recommendation and stated that it is already in hand and being processed.* Recommendation 17 remains open pending full implementation.

UNMAS needs to strengthen its accountability and control framework over the implementation of mine action plans in peacekeeping missions by posting its own programme managers in each Mine Action Coordination Centers.

67. The usual pattern followed by UNMAS for implementing a country mine action program is to create a Mine Action Coordination Centre (MACC) in the country of operation. UNMAS implements the country action plan through UNOPS by executing a Memorandum of Agreement (MOA). According to the agreement, the UNOPS is responsible for the hiring of staff, procurement of equipment and coordination with all concerned entities. UNOPS places a programme manager as head of MACC. The programme manager is an employee of UNOPS, although he also sends his reports to the DSRSG in the peacekeeping mission and to UNMAS at UN HQs. He is not accountable either to DSRSG or to UNMAS in the strict sense of the word. UNMAS monitors the work in the field through a monthly report prepared by the programme manager as well as other regular communications – email, phone, etc. Besides, it arranges, on an average, two technical inspections a year to review the work in the field.

68. In 2004, OIOS audited UNMAS. The audit report includes a recommendation to conduct a "comprehensive cost-benefit analysis" regarding the role of UNOPS in supporting UNMAS field-based activities as compared to utilization of peacekeeping missions or UNMAS itself to perform such services. The UNMAS has requisitioned a review of this aspect by procuring consultancy services. The report of the consultant is due in November 2005.

69. OIOS has reviewed the terms of reference (TORs) of the consultant for the above review which cover a review of management and administration, resource management and mobilization, procurement, personnel, contracting and coordination.

70. OIOS observes that these TORs do not include a review of the accountability framework for the programme manager. OIOS observes that the existing arrangement for implementing mine action programme does not cater to an effective and adequate system of accountability. The primary source of information on the implementation of the mine action plan and the work done by UNOPS

is the monthly report of the programme manager, who is an employee of UNOPS. This is compensated to some extent by two inspections by UNMAS. However, UNMAS does not have a day-to-day control of the programme. In the opinion of OIOS, it would be a more effective way of controlling the programme if the programme manager is hired by UNMAS and is accountable to it. The programme manager then would be able to report on the performance of the programme from the perspective of UNMAS, while at present he is reporting as an employee of UNOPS. There is, thus, a potential conflict of interest in this reporting channel. UNMAS has no independent source of information on the programme implementation. The information provided by the MACC manager cannot be treated as independent as he is an employee of UNOPS, who is a contractor of UNMAS. OIOS observes that the accountability and control mechanism on the performance of the Mine Action Programme in the field needs to be strengthened.

Recommendation 18

> UNMAS should review its policy of relying on UNOPS programme manager in each MACC and consider the possibility of posting one of their own staff in this position, with a view to strengthening control and accountability (AP2005/600/16/18).

71.   *DPKO accepted the recommendation and agreed to review the manner in which programme managers are managed.* OIOS will keep recommendation 18 open in its database until the said review is completed and the system of management of mine action programme in the field is streamlined.

Implementation of the Mine Action Plan would be more effective if the tactical control of troops is given to the Mine Action Coordination Centre (MACC).

72.   The Mine Action Coordination Centre (MACC) in each country implements the annual mine action plan through one or more of the following three means: (a) it procures the services of commercial service providers through the usual UN procurement procedures; (b) it uses the services of TCC contingents; (c) it gives a grant to an NGO for implementing the plan. The relationship with the commercial service provider is guided by the contract as is the NGO grant. However, the services of the TCC contingent can be availed of only through the office of the Force Commander (FC). At times, this gives rise to some conflict as tactical plans of the FC and MACC may not necessarily tally.

73.   A similar situation of potential conflict previously existed in the provision of logistics support in peacekeeping missions. However, more recently DPKO has adopted the practice of creating truly integrated support services for logistics by putting the military staff and troops responsible for this support under the Chief of Integrated Support Section (CISS). For example, this arrangement is practiced in UNMIS. It makes the reporting line clear, as the military troops report to the CISS and not to FC so far as logistics support is concerned. A similar concept could be helpful in case of mine action service. The contingents that provide mine action service can be placed under one unified command, i.e. the programme manager of MACC for tactical purposes. The contingents would remain under the administrative control of the FC. However, the tactical command can be transferred to MACC so that the troops can be transferred for de-mining

operations according to the country plan of MACC. This is likely to remove a potential conflict of interest and provide a more integrated basis for programme implementation.

Recommendation 19

DPKO, in coordination with the TCCs, should consider adopting a policy of placing the mine action troops under the tactical command of the MACC for effective implementation of the country mine action plan, while keeping the administrative control of these troops with the Force Commander (AP2005/600/16/19).

74. *DPKO accepted the recommendation and stated that "this is already being processed within a DPKO command and control policy paper. When this is approved this recommendation can be implemented."* OIOS will keep recommendation 19 open in its database pending receipt of information confirming full implementation.

UNMAS at Headquarters and the MACCs in the peacekeeping missions do not carry out risk assessment for preparing their work plans.

75. UNMAS prepares its annual plan on the basis of the mine action strategy. In the peacekeeping missions, the Mine Action Coordination Centers (MACCs) prepare their annual plans in the light of the mission mandate and guidance from UNMAS. The plans include activities to be undertaken and methodologies to be adopted.

76. The current generally accepted management practice advocates that action plans should be based on a proper risk assessment of the organization. The risk assessment helps identify events that may impede the achievement of objectives. It evaluates the likelihood of risk occurrence and the effectiveness of existing controls to mitigate those risks. The action plan and allocation of resources then focus on areas of higher risk. As a good practice, progressive organizations involve all of their key personnel in conducting risk assessment and make it as basis for their work plans. The advantage is that the resources are allocated to higher risk areas.

77. OIOS observed that UNMAS at Headquarters and MACCs in the missions do not have a system of conducting risk assessments for preparing their work plans. In the absence of proper risk assessment, it is likely that the resources are allocated to less risky areas leading to non-achievement of their mandated objectives. OIOS noted that UNMAS is in the process of refining its planning methodology. They are in the process of developing a template that would provide for tasks, time-lines, inputs and outputs. However, OIOS did not see any priority for risk assessment even in these efforts.

Recommendation 20

UNMAS should introduce a system of risk assessment as basis for developing work plans both at the HQs as well as in the MACCs in peacekeeping missions. The risk assessment should include a process of risk identification, risk prioritization and risk mitigation strategies (AP2005/600/16/20).

78.   *DPKO accepted the recommendation and agreed to implement it by 31 December 2006.* OIOS will keep recommendation 20 open in its database pending verification of full implementation.

<u>UNMAS needs to update the database of lessons learnt to take advantage of past experiences.</u>

79.   There should be a mechanism for capturing and retaining experience gained in the field for the benefit of current operations and future planning.   Such experience should be fed back into the development of policies, plans and procedures for improving future operations.

80.   Together with the US Department of State, UNMAS funded the maintenance of a lessons learnt database for the purpose of improving safety, increasing effectiveness and encouraging further cooperation within the mine action community. The database is maintained by the Mine Action Information Center at James Madison University in the USA.

81.   OIOS observed that the database is not being kept up to date and the last entry was posted on 4 September 2003.   Consequently, lessons learnt since then, including those emanating from new missions with significant mine action components; have not been incorporated in the database. The impact of this could be loss of institutional memory due to staff turnover and new arrivals in field missions not being able to take advantage of the past experiences.

Recommendation 21

UNMAS should reactivate the maintenance of the lessons learnt database and use it as a forum for sharing valuable lessons (AP2005/600/16/21).

82.   *DPKO accepted the recommendation and agreed to implement it by 31 August 2006.* OIOS will keep recommendation 21 open in its database pending receipt of information confirming full implementation.

<u>UNMAS needs to put a system in place to monitor the implementation of various recommendations made by inspection teams of the mine action programmes in the field missions by using an appropriate database.</u>

83.   UNMAS has mine action programmes in five countries with peacekeeping missions. They are Burundi, Congo, Eritrea, Lebanon, and Sudan. It also has mine action programme in some other countries, where there are no peacekeeping missions. UNMAS sends two technical missions every year to each country where they have a programme for reviewing the progress based on the annual plans. These technical missions report on the actual status of the plan and make recommendations. During the last five years several missions were sent to different countries making a large number of recommendations.   However, UNMAS does not have a system to monitor the implementation of these recommendations, such as an electronic database or software of this purpose. In the absence of such a system, it is not known if the inspections were effective in achieving their objectives.

Recommendation 22

> UNMAS should develop an electronic database to monitor the recommendations made by various inspection teams of field missions. As a starting point, it can consider reviewing the system developed and practiced by OIOS for monitoring the status of audit recommendations (AP2005/600/16/22).

84.   *DPKO accepted the recommendation and agreed to implement it by 31 August 2006.* OIOS will keep recommendation 22 open in its database pending receipt of information confirming full implementation.

<u>DPKO has not evaluated the mine action programme in Sudan independently since its inception three years ago.</u>

85.   The mine action programme in Sudan started in September 2002. It is being financed by two sources: assessed budget of DPKO and trust funds. Its total actual expenditure during the three-year period 2002-2005 was $10,074,269 from the assessed budget (as at June 05) and $25,102,231 from the trust fund (as at Sept 05). At present, it has a staff of 34 international, 6 in-kind personnel from donors, and 45 national staff. The programme is implemented by UNOPS on behalf of UNMAS. At present UNOPS has engaged three commercial contractors to implement the programme in Sudan. A part of the programme would also be implemented by troops from Bangladesh, Cambodia, Egypt, Kenya and Pakistan.

86.   MACC prepares an annual plan on the basis of the Portfolio of Projects issued by UNMAS and after taking into account the priorities of the mission. Each project in the plan is prepared on the basis of a project implementation plan, which is used as a benchmark for measuring the performance of the contractor. The programme has an elaborate system of quality assurance and inspections.

87.   OIOS observed that the programme has not been subjected to any independent evaluation since its inception in September 2002. Like any other programme, it has some planning assumptions, some risk analysis, some strategies, some inventories of assets, streams of costs and person-days and aggregates of outputs. The programme uses its own implementation plans for measuring the performance of the contractors. However, UNMAS has not conducted any in-depth independent evaluation of the programme. It is not known whether the planning assumptions, implementation strategies and the outputs achieved met the expected standards of economy, efficiency and effectiveness. It is time to undertake such an evaluation.

Recommendation 23

> UNMAS should commission an independent, in-depth technical evaluation of the mine action programme in the Sudan and review the country mine action plans and implementation strategy in light of the findings of this evaluation (AP2005/600/16/23).

88.   *DPKO accepted the recommendation and agreed to implement it by 31 December 2006.* OIOS will keep recommendation 23 open in its database pending receipt of information confirming full implementation.

<u>UNMAS should require UNOPS to strengthen their procedures for certifying invoices from commercial contractors in the field prior to payment.</u>

89.   UNMAS implements its mine action projects in field missions through UNOPS. In the implementation of these projects, UNOPS usually sub-contracts specific mine action activities to independent commercial contractors or NGOs which are paid as agreed in their respective contracts.

90.   The contracts include a schedule of monthly payments to be made to contractors and stipulate that invoices should be submitted to UNOPS New York together with monthly operational reports. The operational reports, which include a description of all survey, clearance and verification work undertaken by the contractor during the period, must also be submitted to the MACC programme manager who reviews them and forwards any comments separately to UNOPS New York.

91.   During OIOS' review of the MAS programme in Sudan, it was explained that on receipt of monthly reports from the contractors, they are circulated to various officers to comment on their factual accuracy and provide a recommendation as to whether or not the contractor should be paid. However, these comments are sometimes vague. For example, the review of the monthly report for August 2005 submitted by Mechem (Project Code: SUD/01/R71) had the following comments by the programme manager:

- "Suggest that no payment be made for any unaccredited dog teams and that Mechem be penalized for the lack of performance for the team in the North.

- Mechem to be paid for "feet on the ground" after submitting personnel attendance record to UNOPS."

92.   The review of the RONCO August monthly progress report had a comment "payments to be made conditional on no cost extension from June and July periods being agreed." OIOS observes that these comments do not provide sufficient advice to the person making the payment in New York, on the quantum of penalty deductions to be made for unsatisfactory performance. OIOS reviewed a sample of invoices from contractors and observed that they do not provide a breakdown of the services being charged for but are merely in line with the original payment schedule per the contract. No adjustment is made where services have not been provided according to the timelines anticipated in the contract.

93.   OIOS further observes that there is no feedback to the programme manager of the action taken by UNOPS so he is unaware of whether his recommendation has been effected and does not give clearance for subsequent payment of any sums withheld.

94.   OIOS is of the view that internal control on contractors' invoices, to the extent of certification of the actual work done, is weak and has the potential for over-payments or erroneous

payments to contractors. The MACC is not involved in the whole payment process although this office is supposed to be the only agency on the ground responsible for implementing the contract and ensuring quality.

Recommendation 24

> UNMAS should require UNOPS to strengthen its internal control procedures by ensuring that invoices for the work done on mine action programme from commercial contractors are certified by UNMAS-recruited MACC programme managers prior to payment (AP2005/600/16/24).

95. *DPKO made acceptance of recommendation 24 contingent on the results of review pursuant to recommendation 18.* OIOS will keep recommendation 24 open in its database pending receipt of further information in regard to changes in the management of field programmes.

E.   Human Rights, Rule of Law, UN Police and Protection of Civilians

DPKO does not have an adequate governance and accountability mechanism with respect to Human Rights, Rule of Law, Protection of Civilians, Civil Affairs functions and Quick Impact Projects in peacekeeping missions.

96.   The UN peacekeeping missions have evolved over the last half century from simple military operations to ensure cessation of hostilities to multi-dimensional peacekeeping operations for peace-building and reconstruction. The multi-dimensional missions are composed of a range of components including military, civilian police, political affairs, civil affairs, rule of law, human rights, humanitarian, reconstruction, public information and gender. The evolution has taken place quite rapidly in the last decade in response to the realities and compulsions of the ground situation in several countries of conflict.

97.   OIOS studied the operations of human rights, rule of law, civil affairs and protection of civilians components in UNMIS. The role of DPKO with respect to these functions in the mission consists of providing necessary staff and logistic support through the Mission Support Division in the mission. The Human Rights Division of the mission has translated the mission mandate as stated in SC Resolution 1590 of 24 March 2005 into its operational plans. The Rule of Law Division is still in the process of settling down. It has as yet only one professional staff in place. Others, including the head of the Division, are being recruited. The Civil Affairs Division has a proposed budget of 145 persons with wide ranging functions relating to democratic development, peace consolidation, civil reconciliation, capacity-building of civil institutions, and assistance in training for the mission. By the end of July 2005, it had only 16 persons in place. Protection of Civilians Division is also in the process of settling down. As yet it has only its Director and seven Child Protection staff in position out of an approved staff of 69. The other staff is being recruited. The first three offices work under the day to day supervision of the DSRSG (Principal) and the Protection of Civilians Division works under DSRSG (HC).

98.   All of these offices generate monthly reports to be included in the SRSG's monthly report to DPKO. They also provide input to the quarterly report of the Secretary General on UNMIS. The

Human Rights Division sends a copy of its monthly activity report to the OHCHR Geneva as well. At Headquarters, the SRSG's report is received by the DPKO desk officer for UNMIS. Aside from the monthly report of the SRSG, which sums up the progress of the mission in all areas, there is no other specific report required by DPKO from the Human Rights Division, Rule of Law Unit, Civilian Protection Division or Civil Affairs Division in the mission on the details of the work done by them. In fact, in the case of Human Rights, Protection of Civilians and Civil Affairs, there are no counterpart focal points or units in DPKO who could provide guidance and support to these offices in the missions. As a result, these mission offices do not receive any policy guidance or technical feedback from DPKO on their work. However, the Human Rights Division at UNMIS receives some policy support from OHCHR Geneva.

99.   OIOS observes that while the peacekeeping missions were expanding, DPKO did try to expand its capacity at the HQs level. However, this has not been at the same pace as the changes take place in the field. One glaring example of this slow response is the absence of any monitoring or oversight capacity within DPKO relating to rule of law, human rights, protection of civilians, civil affairs and quick impact projects operations. Several peacekeeping missions now have these functions but the DPKO HQs has no focal point to oversee the work in these missions. DPKO does have a Criminal Law and Justice Advisory Unit but with its three professionals, the Unit does not have the capacity to provide robust support and oversight to the rule of law component in all peacekeeping missions around the globe. The other possible focal point for any oversight business could be the desk officers on respective peacekeeping missions in the Office of Operations within DPKO. However, it cannot be expected that a desk officer would be able to analyze the diverse technical functions and give policy advice and guidance besides monitoring the implementation of the plans in the mission. His role is mainly coordination and not policy guidance, monitoring or evaluation.

100.   OIOS observes that while the peacekeeping missions were expanding, DPKO did undertake to expand its capacity at the HQ level. However, this has not been at the same pace as the changes take place in the field. One glaring example of this slow response is the lack of sufficient monitoring or oversight capacity within DPKO relating to protection of civilians, civil affairs and quick impact projects operations. DPKO's capacity is also extremely limited in the areas of judicial and legal systems, and prisons/corrections. Several peacekeeping missions now have these various functions but the DPKO HQs has insufficient capacity to oversee the work in these missions. DPKO's Criminal Law and Justice Advisory Unit with its three professionals has been authorized to increase its strength to five professional staff members to cover two rule of law areas – judicial and legal systems and prisons/corrections. Even with this new strength will not be sufficient to provide robust support and oversight to the rule of law component in all peacekeeping missions around the globe. Another increase will be necessary in future budget cycles.

Recommendation 25

DPKO should develop an adequate institutional capacity at Headquarters level for policy advice, monitoring and evaluation of human rights, rule of law, protection of civilians, civil affairs and quick impact projects in peacekeeping missions with a view to strengthening its governance and accountability mechanism (AP2005/600/16/25).

101.   *OHCHR commented that institutional capacity in human rights monitoring already exists fully in OHCHR and there is therefore no need to replicate it in DPKO. DPKO, in its response, accepted the recommendation in principle and informed that it is already in the process of building capacity at HQs level.*   In view of the responses, OIOS will keep recommendation 25 open in its database pending completion and full implementation of the process of building capacity at HQs level which DPKO has already begun.

<u>UNMIS needs better coordination in its human rights, civilian protection and the rule of law functions.</u>

102.   UNMIS has four offices which deal with quite closely similar functions relating to human rights and rule of law. They are:

- Human Rights Division
- Rule of Law Unit
- UN Police
- Protection of Civilians Division

103.   Also, Political Affairs and Civil Affairs have roles that deal with the rule of law in some respects as they provide advice to the Government of National Unity on various draft legislative documents. All of them have similar functions. They deal with some aspects of capacity building, training, reporting and monitoring of human rights violations, state of prisons and correction services, and courts and judges. There is a potential for overlap and duplication in this scenario. Of course, it cannot be argued that they are all doing exactly the same thing in all respects. But there are marked similarities in the functions that they are handling. Our discussions with key personnel in these sections conveyed to us the impression that there is no clearly-documented demarcation of these roles within the mission.

104.   The Unified Mission Plan July 2005 (draft) mentions the roles of Human Rights, Rule of Law, UN Police and Civilian Protection sections. Although couched in a language that all seem to be different, yet their actual translation in respective action plans has some overlaps. Some examples, taken from the Unified Mission Plan, July 2005, are as follows:

a)   Human Rights Division deals with "capacity building for human rights promotion" and Civilian Police deals with "police training and capacity building", which gets close to each other.

b)   Similarly, UN Police is responsible for monitoring of law enforcement activities. The Human Rights Division is also monitoring human rights violations. Both are quite close to each other.

c)   The Rule of Law Unit is responsible for the "monitoring of police practices", which is also the responsibility of the UN Police.

d)   Human Rights Division should "cooperate with commissions of inquiry and other Sudanese, regional and international human rights bodies", while the Rule of Law Unit should provide "advice on truth and reconciliation mechanism". The two roles are quire similar.

e)   The Human Rights Division should "give priority attention to and promote gender issues", while the Protection of Civilian Division should also give " priority attention to and promote protection of civilians, in particular women and children". The two are quite similar.

f)   The Human Rights Division should contribute to "protection strategy in concert with relevant UN and NGO actors", while the Protection of Civilian Division should "develop, coordinate and implement a comprehensive protection strategy for Darfur and other parts of Sudan (in concert with other relevant UN and NGO agencies)..." Both roles are quite close to each other.

105.   The Unified Plan does mention in case of Human Rights Division and Rule of Law Unit to perform some functions by "working closely" with other sections and "in cooperation with other components of the mission". However, the exact terms of reference for the cooperation and coordination and division of labor are not defined as yet.

106.   The Mission is conscious of the need for delineating the functions and duties of each section within the mission and also for developing some coordination with other UN agencies.

107.   The Mission Unified Plan July 2005 states "In complex and cross-cutting programme areas, steering committees will be formed – for DDR, Demining and Infrastructure, Rule of Law, Return and Reintegration and for Human Rights and Protection - to ensure coherence of policy and approach among the relevant components of the mission, and other agencies, as appropriate. The steering committees would serve as secretariat and clearing house for senior management policy decision-making and be chaired by the SRSG or one of his deputies."

108.   The Mission is in the process of setting up these steering committees. However, none of the steering committees planned to be set up were working in October 2005, at the time of writing this report.

109.   Other UN agencies in Sudan also have some role in this area. For example, UNDP has a sizeable Rule of Law Unit. They have several projects relating to the rule of law. UNDP is also managing trust funds for this function. Similarly, OCHA is also active in Darfur with its Protection Officers. UNICEF is active in the field of juvenile justice and UNIFEM in gender justice. There is a potential for overlap and duplication. However, it is not clear how the role of UNMIS matches with the role of other UN agencies in the Sudan. There is no clear demarcation of the role being played by each agency.

110.   OIOS observes that there is a strong need to develop a coordination mechanism between the work of various offices within the mission and among various agencies active in the field of human rights in Sudan. The mechanism could take the form of jointly-staffed UN system programmes in

the relevant rule of law areas: police, legal, judicial and corrections. UNMIS could provide the leadership role in such programmes. Jointly-staffed programmes in various areas of rule of law would better draw on the comparative advantages of the UN departments and agencies that are currently engaged in the rule of law activities.

Recommendations 26 and 27

DPKO should:

(i)   Ensure that UNMIS issues a policy document that clearly defines the roles of various sections and units within the mission relating to rule of law, human rights, protection of civilians and civil affairs for avoiding potential duplication of functions and for bridging any gaps (AP2005/600/16/26); and

(ii)   Work with UN Departments and agencies to develop a policy framework for cooperation and explore the possibility of having jointly-staffed UN system projects in the areas of rule of law in countries where peacekeeping missions are operating (AP2005/600/16/27).

111.   *DPKO accepted recommendations 26 and 27 and agreed to implement them by mid-2006 and April 2006 respectively.* OIOS will keep the recommendations open in its database pending receipt of information confirming full implementation.

The recruitment and placement of Human Rights international staff for field work needed a review by DPKO to focus more on language skills of the staff.

112.   The Human Rights Division in UNMIS is in the process of settling down. However, it has prepared an action plan and the work has started in the field. Its routine operations require monitoring and reporting of human rights violations, follow-up of human rights violations with the local authorities and capacity building in the host country for sustainable human rights protection.

113.   The Human Rights Division has offices, besides Khartoum, in al-Fasher, Nyala, Geneina and Zalingi sectors in Darfur. In the South it has deployed staff in Juba and Abeyi. At present, it has 51 international staff. The Human Rights Division staff has to deal extensively with the local population. They have to interview the victims and verify the facts, as nothing can be more damaging for the UN than to report unverified or unsubstantiated facts. However, the language of the people in Sudan is mostly Arabic while the international staff in the Division is generally not fluent in Arabic. They require the services of Arabic language interpreters and translators. At present there are only three interpreters one at each sector (none at HQs), trying to provide assistance to a staff of 51. At each location there is a team of 10-12 international staff. Usually, when a team of 2-3 persons moves to interview a victim or to meet with the local officials, they take with them the only available interpreter. It leaves the rest of the team without any support for translation and interpretation.

114.   The situation in UNMIS HQs, Khartoum, is no better. At the HQs, the office has to translate a large number of documents from and to Arabic for facile communication with the Government of Sudan. However, the Division has no interpreter or translator. The situation could have been better, if the Division had adequate number of international staff who are well-versed in Arabic. It would have reduced the need and the cost of deploying more interpreters and lead to higher efficiency of the Division.

Recommendation 28

> DPKO should review the recruitment and placement policies relating to human rights personnel with a view to deploying, on a priority, those persons in the field who have expertise in the language of the host country (AP2005/600/16/28).

115.   The DPKO response to the draft report did not address this recommendation. OIOS therefore reiterates recommendation 28, which will remain open until it is implemented.

<u>The slow deployment of human resources for the Protection of Civilians Division is likely to affect the achievement of results in this area.</u>

116.   UNMIS is the first peacekeeping mission to have a Division level presence for Protection of Civilians. The role of the Division is to "provide overall coordination of, and support to, the protection response in the two main regions of concern –Darfur and Southern Sudan – and will monitor, and facilitate appropriate response to, protection concerns in other areas of the Sudan. To this end, [it] will be responsible for ensuring a coherent, comprehensive response by the key protection actors, including UN agencies (and, through Protection Working Groups, the broader humanitarian community), the African Union, relevant Sudanese authorities and other parts of the Mission…" (par. 78, Mission budget for 2005-06).

117.   The Division has an approved staffing level of 27 for HQs and 42 for field locations. By October 13, 2005, it had only its Director and seven Child Protection staff (11%) in position. The other staff is being recruited. OIOS observes that owing to the urgency of the nature of work relating to humanitarian assistance that the Division is supposed to perform; the delay in recruitment of staff is likely to affect the ultimate achievement of mission objectives.

Recommendation 29

> DPKO should expedite the recruitment of the approved staff of the Protection of Civilians Division in UNMIS (AP2005/600/16/29).

118.   *DPKO accepted the recommendation and stated various steps that it has taken to implement it, such as targeted efforts to specifically attract staff with Arabic language skills for the UNMIS; post-specific vacancy announcements, specifying the language requirement of Arabic; eligible applicants to these Vas are currently being technically cleared by the OHCHR with candidates deemed technically cleared by the OHCHR submitted to the Mission in an expedited manner.* In view of the DPKO response, OIOS has closed recommendation 29.

<u>Rate of deployment of UN police officers to peacekeeping missions is slow, jeopardizing the achievement of peacekeeping objectives in various missions.</u>

119.   One of the key activities for the Police Division in DPKO is the rapid deployment of qualified UN police officers to expanding or newly established peacekeeping operations in Haiti, Côte d'Ivoire, the Democratic Republic of the Congo and the Sudan in response to Security Council mandates. This process should be facilitated *inter alia* by the increased deployment of formed police units on short-notice.

120.   The Report of the Panel on United Nations Peace Operations (Brahimi Report) recommended that Member States should:

- Establish a national pool of civilian police officers that would be ready for deployment to United Nations peace operations on short notice;

- Enter into regional training partnerships for civilian police in the respective national pools in order to promote a common level of preparedness;

- Designate a single point of contact within their governmental structures for the provision of civilian police to United Nations peace operations.

121.   The Panel also recommended that a revolving on-call list of about 100 police officers and related experts be created in the UN standby arrangement system. These officers would be available on seven days' notice to create the police component of a new peacekeeping operation, undertake training and provide the new operation with overall greater coherence.

122.   As of 8 October 2005, 6,172 police officers out of an authorized strength of 7,615 had been contributed by 79 countries to 16 peace operations. While the statistics do not appear to indicate serious problems, the time taken to build up the police strength is longer than the target set by the Police Division. There are systemic factors affecting the Division's ability to rapidly deploy police officers. These include:

- Inappropriate quality of candidates resulting in low passing rates in the assessments conducted by the Selection Assistance Teams (SAT). Since January 2005, only 45% of officers successfully passed the assessments;

- Limited French speaking capability among police officers, including a limited geographical distribution. Overall, as of 8 September 2005 out of a total authorized strength of 3,889 UN police officers in Francophone missions only approximately 1,176 or 30% were Francophone;

- Delays in communication with Member States as the Division does not have dedicated points of contact within governmental structures that deal with police matters. It sometimes takes up to three months to receive responses to correspondence;

- Competing demands from regional organizations like the African Union and NATO; and

- Lack of logistics support at the missions to receive deployed officers.

123.   The UN Police Division at DPKO has taken some initiatives to speed up the recruitment process and address the constraint of lack of French speaking officers. They include expanding the pool of police contributors; conducting training prior to the arrival of the SAT; extending the period of service so as to have fewer rotations; recruiting retired officers where national laws allow it; and recruiting civilians for administrative and other non-police specialized functions.

124.   OIOS studied the deployment of police officers in UNMIS. UNMIS is expecting to deploy a total of 715 police officers and by 12 October 2005, it had 111 officers in place. The whole deployment plan had been behind the original plan by about six months. OIOS found that one of the major reasons for the delay was the lack of logistic support on a timely basis. The Police Monthly Activity Report for September 2005 states: "Availability of both residential and office accommodation is a serious concern. At Khartoum HQ the section is allocated less space now than when the original core team comprised just seven members; the pressure on office space is a major impediment to development. In 'field' locations it is not possible to deploy personnel until facilities are available and is aggravated by the practice of PCCs in sending large groups of officers together making it extremely difficult to maintain national balance and avoid concentration of a single nationality in one place."

125.   OIOS also learnt that a major obstacle in providing residential accommodation in UNMIS ensued from the late delivery by the contractor of tented accommodation.

126.   On a global basis, OIOS found that Member States have found it difficult to establish national pools of police officers readily available for deployment because most of their officers are required for active national service. Only 11 Member States committed police officers to the on-call list, while the majority of them did not possess the required qualifications nor were they made available upon short notice.

127.   The Police Division has points of contact in about 50% of police contributing countries and seven additional police contributors have assigned police advisors to their permanent missions to address policing issues. However, a number of member states are still reluctant to designate a single point of contact within their government structures.

Recommendation 30

OIOS reiterates the recommendations in the Brahimi report that DPKO continues to encourage Member States to designate a single point of contact within their governmental structures to liaise with the Police Division at DPKO HQs in order to accelerate the deployment of police officers to missions and to establish pools of UN police officers and formed police units that could be made available for deployment at short-notice (AP2005/600/16/30).

128. *DPKO accepted the recommendation and stated that the contact with Member States is normally facilitated through Permanent Missions.* In view of the response, OIOS has closed recommendation 30.
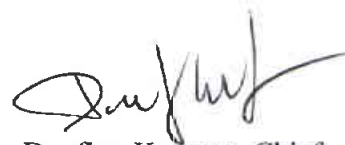
Recommendation 31

DPKO should advise the peacekeeping missions to adopt a policy of providing logistics support to the police components on a priority during and after the start up phase of missions as a means for removing a major delaying factor in deployment of police officers (AP2005/600/16/31).

129. *DPKO did not accept the recommendation in view of the fact that provision of logistics support in missions is a mission-specific decision and does not directly affect the deployment of police officers.* Based on DPKO's response, OIOS has withdrawn recommendation 31.

VI.   ACKNOWLEDGEMENT

130. We wish to express our appreciation to the Management and staff of DPKO, DPA and UNMIS for the assistance and cooperation extended to the auditors during this assignment.

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