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INTEROFFICE MEMORANDUM MEMORANDUM INTERIEUR

INTERNAL AUDIT DIVISION I  
OFFICE OF INTERNAL OVERSIGHT SERVICES

TO: Mr. Jan Pronk  
A: Special Representative of the Secretary-General  
United Nations Mission in Sudan (UNMIS)

DATE: 30 November 2005

REFERENCE: AUD-7-5:26 ( <sup>00270</sup> /05)

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



SUBJECT:  
OBJET: **OIOS Audit No. AP2005/632/02: Review of the state of discipline in UNMIS**

1. I am pleased to present herewith our final report on the above-mentioned review, which was carried out in April 2005. The review was conducted in accordance with the professional practice of auditing in United Nations organizations.
2. I acknowledge receipt of your comments on the report's findings and recommendations dated 4 October 2005 and commend you for the actions already taken and the schedule for implementing the recommendations. OIOS will keep the recommendations open in its database until the receipt and review of documented evidence of implementation as indicated in the report. Please note that OIOS will report on the progress made in implementing its recommendations, particularly those designated as critical, i.e. recommendations 3, 4, 6-9, 11, 15, 16 and 18, in its annual report to the General Assembly and semi-annual report to the Secretary-General.
3. The Internal Audit Division 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.
4. I take this opportunity to thank the management and staff of UNMIS for the assistance and cooperation provided to the auditors in connection with this assignment. Please also convey our appreciation to the UN Country team for meeting with the auditors.

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

# Office of Internal Oversight Services

## Internal Audit Division I



### **Review of the state of discipline in the United Nations Mission in Sudan (UNMIS)**

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**Audit no:** AP2005/632/02  
**Report date:** 30 November 2005  
**Audit team:** Andrea Charles-Browne, Auditor-in-Charge  
Kemal Karaseki, Auditor

## EXECUTIVE SUMMARY

### Review of the state of discipline in UNMIS (Assignment No. AP2005/632/02)

In April 2005, OIOS conducted a review of the state of discipline in the United Nations Mission in Sudan (UNMIS), formerly the United Nations Advanced Mission in Sudan (UNAMIS), at the request of the Department of Peacekeeping Operations (DPKO). The main objectives of the review were to assess the overall state of discipline in the Mission and to make recommendations for improving it. At the time of the audit, the Mission had been in existence for only nine months.

The overall state of discipline in UNMIS is considered good. The Mission reported zero case of misconduct relating to Sexual Abuse and Exploitation (SEA) and had investigated 41 other cases of misconduct for the period from July 2004 to March 2005, none of which resulted in any disciplinary action. The survey results showed that, in general, the Mission staff think that the disciplinary measures implemented by the Mission are effective. The results also show that most staff members are aware of the UN standards of conduct.

Notwithstanding this state, the review concluded that UNAMIS (the special advanced mission) had not given sufficient priority to the implementation of the UN standards of conduct in the Mission. After nine months in existence, management had not yet developed a risk-based, mission-specific policy and established the mechanism for dealing with complaints and sensitizing the local community on the UN standards of conduct. Some of the specific areas needing improvement are outlined below:

- To date, the Mission's Security Investigation Unit (SIU) has investigated 41 cases in the first quarter of 2005 of misconduct. Though too early to establish a trend, the number of investigated cases has already doubled that of 2004, with a relatively high ratio of incidents to SIU's staff of 11.3 to 1. The Unit is understaffed. Moreover, it needs to improve its investigation report format, complaints tracking system, reporting to management and Standard Operating Procedures (SOPs).
- Although the survey results showed that 66 per cent of the civilian and uniformed personnel believe that the Mission is taking action to implement disciplinary measures, 10 per cent felt that it was not always done effectively. Most staff members (91 per cent) are aware of the UN standards of conduct. However, 32 per cent of the staff members do not know the mechanism for making a complaint, and several of them need to know more about their rights and obligations. Even among those who know how to file a complaint, 21 per cent are not willing to do so. Also, over 12 per cent of the personnel perceive that misconduct is occurring and going undetected (Annex III).
- The Mission has not yet developed a mission-specific code of conduct based on a risk assessment of Sudan, although several policies and guidelines on discipline and code of conduct have been drafted but not yet finalized and implemented.
- The organizational structure (Annex I) of the Mission provides for several Sections, Units, officers and committees that would be involved in the implementation of policies and procedures on discipline. However, their respective roles and responsibilities are not clearly defined.
- There is no established and clearly understood mechanism for making, tracking and reporting complaints. With the exception of the recent appointment of the Sexual Exploitation and Abuse (SEA) focal point, there is no focal point for receiving other complaints. Also, the alternate to the focal point on SEA and focal points for the regions have not yet been named.

## TABLE OF CONTENTS

Section	Paragraphs
I. INTRODUCTION	1-5
II. AUDIT OBJECTIVES	6
III. AUDIT SCOPE AND METHODOLOGY	8-9
IV. OVERALL ASSESSMENT	10-11
V. AUDIT FINDINGS AND RECOMMENDATIONS	
A. The state of discipline in the Mission	12-20
B. Policies and procedures on discipline	21-51
C. Misconduct prevention programmes	52-66
VI. ACKNOWLEDGEMENT	67
ANNEX I	UNMIS organization chart
ANNEX II	Statistical data
ANNEX III	Survey results
ANNEX IV	Client response and implementation of recommendations

## Glossary of Terms

ACL	Access Control Log
AI	Administrative Instruction
ASG	Assistant Secretary-General
BOI	Board of Inquiry
CAO	Chief Administrative Officer
CITS	Communication and Information Technology Section
CIVPOL	Civilian Police
COS	Chief of Staff
DPKO	Department of Peacekeeping Operations
IC	Information Circular
ISS	Integrated Support Service
IT	Information Technology
LCC	Local Committee on Contracts
LPSB	Local Property Survey Board
MOU	Memorandum Of Agreement
OHRM	Office of Human Resources Management
OIOS	Office of Internal Oversight Services
ORB	Occasional Recuperation Break
PCU	Personnel Conduct Unit
PCC	Police Contributing Countries
QIP	Quick Impact Projects
SAU	Self Accounting Unit
SEA	Sexual Exploitation and Abuse
SGB	Secretary-General Bulletin
SIU	Security Investigation Unit
SOP	Standard Operating Procedures
SRSG	Special Representative of the Secretary-General
TCC	Troop Contributing Countries
UNAMIS	United Nations Advance Mission in Sudan
UNICEF	United Nations Children's Fund
UNMIS	United Nations Mission in the Sudan
UNMOS	United Nations Military Observers

## I. INTRODUCTION

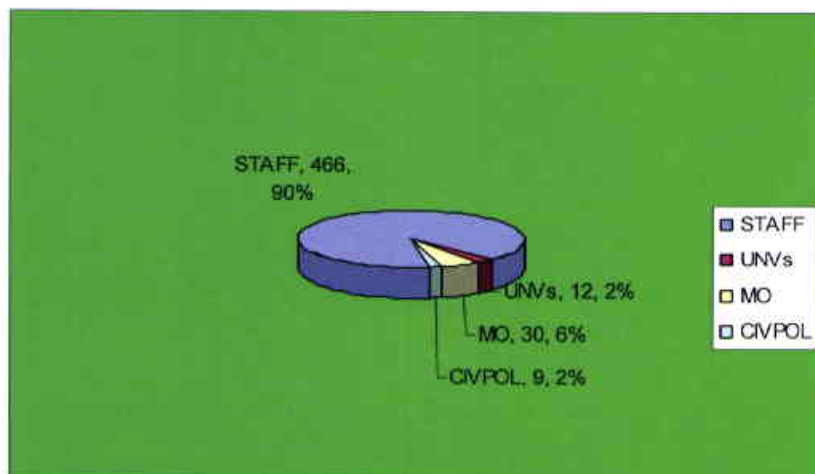
1. In April 2005, OIOS conducted a review of the state of discipline in the United Nations Mission in the Sudan (UNMIS), formerly the United Nations Advanced Mission in Sudan (UNAMIS), at the request of the Department of Peacekeeping Operations (DPKO). The review was conducted in accordance with the standards for the professional practice of internal auditing in the United Nations.

2. The Security Council adopted Resolution 1547 on 11 June 2004 for the establishment of a special political mission in Sudan, named United Nations Advance Mission in Sudan (UNAMIS), which was directed and supported by DPKO. Security Resolution 1590 on 24 March 2005 subsequently established the peace support mission, named United Nations Mission in Sudan (UNMIS) for duration of six months, and continued to be directed and supported by DPKO, as other peacekeeping missions. The Mission assumed, from the start of its mandate, operational control of the Joint Monitoring Mission/Joint Monitoring Committee in the Nuba Mountains, and the Verification and Monitoring Team and the Civil Protection Monitoring Team in Equatoria and Bahr el Ghazal areas.

3. A deployment of 10,000 troops (of which 750 will be military observers) and 755 civilian police has been authorised by the Security Council to be dispersed across six sectors in South and East Sudan and at its Headquarters in Khartoum. At full strength, the Mission can have a total of 12,846 civilian and uniformed personnel, including 2,091 civilian staff. The staff deployment at the time of the audit is shown in Figure 1. The Mission is operating under a pre-commitment authority of \$613 million, and has an anticipated budget of \$1 billion.

4. The organization chart (Annex I) provides for a Staff Counsellor, BOI/Claims Unit, Contract Management Unit in the Office of the CAO, and a Chief of Staff, Personal Conduct Unit, Security Investigation Unit and other key areas such as Gender, Legal Affairs, Child Protection and Personnel Section, Training, HIV/AIDS, Public Information in the Office of the SRSG, all of which are expected to play critical roles in the disciplinary mechanism regarding policy development, enforcement, monitoring and reporting.

**Figure 1. UNMIS Personnel as at 31 March 2005**



5. This review was conducted in the context of widespread allegations of sexual exploitation and abuse in some missions, and the letter dated 24<sup>th</sup> March 2005 from the Secretary General to the General Assembly, A/59/710, which concluded that the measures currently in place to address these issues were “manifestly inadequate and that a fundamental change in approach was needed”.

6. The comments made by UNMIS Management on the draft audit report have been included in this report as appropriate and are shown in italics

## **II. AUDIT OBJECTIVES**

7. The major objectives of the review were to:

- (i) Assess the state of discipline in the mission;
- (ii) Identify gaps in existing policies and procedures on discipline; and
- (iii) Identify tools that the mission requires to maintain an environment of good order and adherence to the UN standards of conduct.

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

8. The review included an analysis of data and statistics on cases of misconduct for the periods July to December 2004 and January to March 2005. OIOS also reviewed relevant policies and guidelines on discipline and selected case files on misconduct; interviewed management and staff involved in the Mission’s disciplinary mechanism and enforcement. At the time of the review, when the Security Council resolution to establish UNMIS was passed on 24 March 2005, military troops had not yet been deployed.

9. The review also included a survey on the state of discipline in the Mission. The survey covered all categories of Mission personnel. The review team also met with the members of the UN Country team to obtain their perception of the state of discipline in the Mission.

## **IV. OVERALL ASSESSMENT**

10. The overall state of discipline in UNMIS is considered good. The Mission reported zero case of misconduct relating to Sexual Abuse and Exploitation (SEA) and has investigated 41 other cases, none of which resulted in any disciplinary action. Also, the survey results showed that, in general, the Mission staff think that the disciplinary measures the Mission is implementing are effective.

11. Notwithstanding this state, the review concluded that UNAMIS (the special advanced mission) had not given sufficient priority to the implementation of the UN standards of conduct in the Mission. After nine months in existence, management had not yet developed a risk-based mission-specific policy document on discipline, and established the mechanism for dealing with complaints and for sensitizing the local community on the UN standards of conduct.

## V. AUDIT FINDINGS AND RECOMMENDATIONS

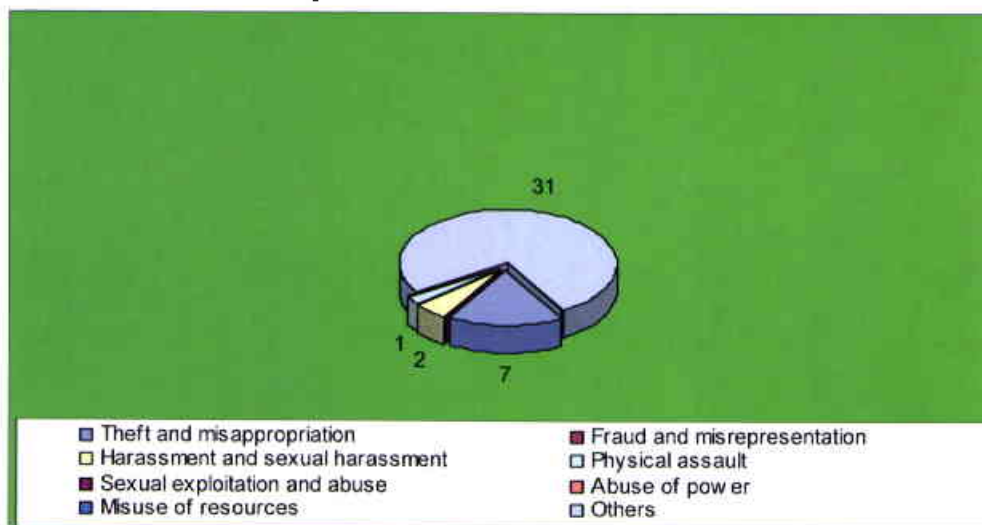
### A. The state of discipline in the Mission

#### Reported cases of misconduct

12. In its 1 March 2005 report to the Security Council, the Mission reported zero incident of misconduct associated with Sexual Abuse and Exploitation (SEA) as at 31 December 2004. However, as shown in Figure 2, from July 2004 to March 2005, there were 41 other cases that were investigated by Security Investigation Unit (SIU), which included one case of assault, one case of verbal abuse and one case of offensive behaviour.

13. All of these cases involved international and national staff, none was referred to OHRM, and none resulted in repatriation. The cases of assault, verbal abuse and harassment, and offensive behaviour were not pursued because staff did not want any further action taken.

Figure 2. The State of Discipline in UNMIS



14. A review of the process for a sample of cases investigated by Security Investigation Unit (SIU) shows a need for improvement, as follows:

a) The Investigation Unit is not adequately staffed to ensure quick response, timely investigation and continuity. For example, in one case, the report had to be resubmitted as documents could not be found, after the resignation of the initial Investigation Officer. In another case, no Investigation Officer was available to conduct the preliminary investigation, and assistance was not sought, resulting in insufficient evidence to pursue the case.

b) Mission Management (CAO and SRSG) are not informed on the number, nature and status of cases investigated, neither are statistical analyses done that would influence policy and administrative actions on discipline as appropriate.



- c) The format for recording and presenting misconduct information does not include specific information on the action taken, outlining any financial obligation to the organization and/or referral of the case to the Headquarters, New York. Also, the Mission does not maintain investigation records.
- d) The SOPs developed for the Investigation Unit do not provide for specific timeframe for completing investigation, registration of cases, and method for safeguarding evidence.

**Recommendation 1**

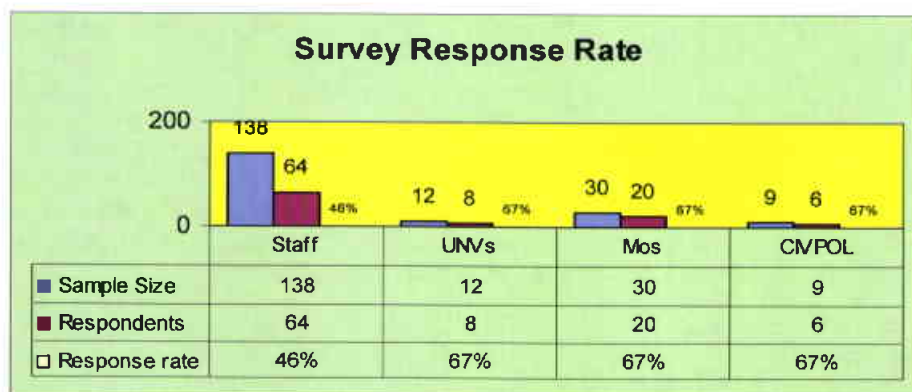
UNMIS Management should ensure that the SOPs for the Security Investigation Unit (SIU) specify and include timeframe, procedures for registering cases, safeguarding of evidence, periodic reporting on status of cases to management, the format for documenting cases and the requirement to maintain investigation records (AP2005/632/02/01).

15. UNMIS partially accepted recommendation 1 stating that UNMIS was advised that the SIU would have a special function within the Personnel Conduct Unit (PCU) and that the Terms of Reference (TORS) and operating procedures would be forwarded from Headquarters. The SIU will be established pending receipt of this information and after the PCU is established. The PCU is forecast to be established by November. An implementation date of December 2005 was indicated. OIOS will keep this recommendation open in its database until the SIU is established within PCU and the relevant SOPs have been developed.

Perceptions of the state of discipline

16. The review also included a survey of the state of discipline in the Mission. The survey involved all categories of mission personnel. The sample and response rate are displayed in Figure 3. The results are detailed in Annex III for management’s review and analysis.

Figure 3.



17. On a positive note, the survey results showed that most (91 per cent) staff members respondents are aware of the UN standards of conduct and believe that the Mission is implementing measures to prevent SEA. Also, 91 per cent of civilian staff respondents feel that the overall state of

discipline in the Mission is moderate to good; 85 per cent perceive that the Mission's handling of misconduct cases, in general, is moderate to good; 86 per cent gave the same rating of moderate to good on the way the Mission handles cases of misappropriation; 84 per cent – for handling fraud and misrepresentation; 87 per cent – for handling harassment and sexual harassment; 88 per cent – for handling physical assault; 88 per cent – for handling sexual exploitation and abuse; 81 per cent – for handling other issues like breaking Mission rules such as off-limits areas, curfew and non-authorized persons in UN vehicles.

18. Although the percentages above indicate a good perception of the state of discipline in the Mission, OIOS noted areas that need improvement: 32 per cent of staff members respondents do not know the mechanism for making a complaint and several of them want to know more about their rights and obligations; 21 per cent of those who know how to report and are not afraid to make a complaint, are unwilling to report misconduct; around 12 per cent of civilian and uniformed personnel respondents believe that misconduct is occurring but going undetected. Other areas of discipline, which require Management attention are shown in Figures 4 and 5:

**Figure 4. Areas of concern per staff, UNVs and management respondents**

<b>Areas of Concern</b>	<b>Staff</b>	<b>UNVs</b>	<b>Management</b>	<b>Total</b>
% who are not familiar with the Staff Rules and Regulations	17	63	0	18
% who are not familiar with the status, basic rights and duties of UN Staff members.	17	13	0	13
% who are not aware of what constitutes misconduct or prohibited behaviour	8	0	0	6
% who are not aware that involvement with a prostitute is prohibited under the UN standards of conduct	13	0	19	13
% who are not aware that they have a duty to report concerns or suspicions regarding sexual exploitation and abuse by a fellow worker	8	25	6	10
% who do not know how to report or file a formal complaint	35	88	31	40
% who would not report a suspicion of misconduct	19	13	25	19
% who are afraid of reporting cases of misconduct	17	0	0	11
% who think that misconduct is occurring and going undetected and unpunished	42	75	44	46

**Figure 5. Areas of concern per civilian police and military observers respondents**

<b>Areas of Concern</b>	<b>Civilian Police</b>	<b>Military Observers</b>	<b>Total</b>
% who think that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse	83	90	88
Among those who think that the mission is implementing measures, % who find them effective	17	65	54
% who do not know how to report or file a formal complaint	85	100	88
% who would not report a suspicion of misconduct	0	30	23
% who are afraid of reporting cases of misconduct	17	5	8

19. Sample comments from survey respondents on how to improve the state of discipline in the Mission are summarized as follows:

- a) “Disciplinary sanctions against staff involved in sex misconduct must be more rigorous. Better systems with TCCs and within UN should be devised.”
- b) “(There is a) need for a rapidly deployable investigation mechanism (OIOS) and robust/transparent auditing mechanism within the Mission. Regular reporting to staff on findings, results, actions taken, lessons learned from other missions will help enhance awareness and discipline.”
- c) “Check-in briefings are only a formality, something that might be ‘common knowledge’ to me, might not be to another staff member coming from different culture, background and experience.”
- d) “Procedures on filing formal complaint and definition of various terminologies/limits – fraternization, sex exploitation and sex abuse.”
- e) “Definition of misconduct. It seems only local workers and low grade international are subjected to investigation. Supervisors and high level (staff) are immune.”
- f) “A good leader or chief is respected by officers when (the leader/chief) himself is a model of good behavior...”
- g) “Code of Conduct for all UN staff should be adopted as soon as possible.”
- h) “Clear reporting mechanism and supportive attitude of Senior Management for reporting of cases are needed.”
- i) “More training on what the UN expects of its staff and of what the cultural and traditional setting in the host country demands of UN employees deployed to the

country in question will surely go a long way in improving the state of discipline in the Mission.”

j) “Statistics on various types of misconduct, investigation and disciplinary action, Mission by Mission, should be published and made known to staff members on a quarterly basis. Such information will provide an indicator on areas of seriousness and related action taken by the Management. It will also serve as a reminder for all staff members of the Management’s active role to curtail such prohibited behaviors.”

k) “To have good examples from Senior Management; staff members should sign that he/she had understood the code of conduct.”

l) “It is good if national staff know their rights and obligation and all benefits before starting work. International staff should be briefed on the Sudanese culture before coming to Sudan. Work atmosphere (workload, feeling of discrimination) always affects the performance.”

m) “No one could change or transform the behavior or personality of a person. But, with a good system or rules and regulation... we can eliminate cases of misconduct.”

## **Recommendation 2**

UNMIS Management should review the survey results in greater detail and determine the reasons for the unsatisfactory responses (AP2005/632/02/02).

20. *UNMIS partially accepted recommendation 2 stating that upon receipt of the full survey UNMIS management will review the results in detail to determine to what extent the results are satisfactory and unsatisfactory. In the interim, many of the concerns raised are now being addressed through the staff induction process. Additionally, the staff rules and regulations, code of conduct and complaint mechanisms will be posted on the recently launched staff intranet. It is anticipated that the establishment of the personnel conduct unit will improve staff knowledge of these issues. An implementation date of December 2005 was indicated. OIOS will close this recommendation upon receipt of an action plan emanating from Management’s review of the survey results. The results of the survey were provided in Annex III.*

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

### Policies and procedures on discipline

21. Several Staff Administrative Instructions (ST/AIs), Secretary General Bulletins (SGBs), etc. from UN Headquarters and guidelines on discipline from DPKO have been issued and disseminated to staff. Although very comprehensive documents, these are complex and not easily understood by those who should be complying with and implementing them; they are also frequently subjected to varying interpretations. Therefore, there is a need to produce a concise, easy to understand and coherent set of rules that can be easily implemented and monitored. In OIOS’ opinion, the accountability of managers and supervisors should be clearly outlined in this document, and should

make a clear distinction between guidelines which are informative in nature and rules which are to be complied with. It should clearly outline penalties, disciplinary actions and sanctions.

22. The Best Practices Officer at the Mission liaises with the Peacekeeping Best Practices Section at the Headquarters on policy matters. However, there is no mechanism for incorporating lessons learned within the Mission area and other missions in the policy relating to conduct. Also, the role of Best Practices Officer should be clearly defined within the context of lessons learned and policy development.

23. The Mission has not yet developed a mission-specific policy on code of conduct based on a risks assessment exercise, particularly since the traditions and cultural values of the people in the North and South are different and diverse. Also, several policies and guidelines have been drafted but not yet finalized, approved and adapted. Furthermore, some policy documents and plans have not focused sufficiently on discipline measures, sanctions and mechanism for filing complaints. The following are examples of draft policy documents:

a) The audit noted that the Guidelines for Code of Conduct in Sudan are being developed by the Senior Legal Advisor and have been in draft since November 2004. However, no formal risk assessment exercise was carried out to identify the risks in the local context and to enable the development of mission-specific mechanisms to prevent and/or mitigate risks. The review noted that:

i. These are guidelines and therefore do not require mandatory compliance. Furthermore, the guidelines do not make specific reference to the governing ST/SGBs and UN standards of conduct, e.g., it is indicated that staff members are “obliged to report concerns of suspicion through the reporting system established by the Mission”, but specific reference is not made to the rule on filing a complaint as stipulated in ST/AI/371;

ii. There is also a need to have explanation of terms and definitions within the UN context, such as summary dismissal, prostitution and fraternization for the benefit all staff.

b) HIV/AIDS Policy and action plan have been drafted since November 2004, but have not yet been finalized. It included a comprehensive training plan and the Terms of Reference for the Task Force, which has not yet been formed, and identified awareness and community programmes.

c) A policy on the use of IT equipment exists in draft. It is noted therein that this policy serves as a supplement to the UN laws, and covers code of conduct and classified information. However, no mention is made of the specific UN IT policy. The policy can be developed further and improved by including the following:

i. The type of actions that will be taken if the UN standards of conduct are violated;

ii. An indication of how unauthorised use of software will be tracked to enforce “no tolerance” policy;

iii. The format of the document is unacceptable, i.e., the rules are not numbered for easy reference, and definitions of key terminology in STSGB/2004/15 not included;

iv. Reference to the requirements for asset management of IT equipment;

v. A section on dissemination of information, awareness and penalties for breach.

vi. A clear policy on web access and monitoring. Currently, the software to monitor web access has not yet been fully implemented, and staff was not made aware of its existence. The software is licensed for a limited number of users and is being used as a test version. Licensing for all users subject to budget approval and availability of funds.

d) The agreement with UNICEF to determine terms of reference for Child Protection is not yet finalized; the finalization of this could have implications for policy on discipline regarding exploitation of children.

e) A draft Field Administration Manual was used as the basis for establishing the adhoc BOI Committee. The Manual is vague in some areas. For example, although, it stipulates the BOI shall comprise 3 members as appointed by the Head of Mission and that the Chief Finance Officer and Chief Administration Officer are permanent members, it also indicate that they "may attend". It also requires the BOI to meet "as soon as possible after the incidence", without any specific established timelines.

f) The SOPs for the Civilian Police, Military Observers and Gender Affairs, Welfare and Staff Counsellor have not yet been developed.

24. Financial Rules and Regulations, 5.12 (105.13) and the Procurement Manual refer to the UN Staff Ethics and professional responsibility with reference to UN Charter, Oath of Office, UN Staff Rules and Regulations, Standard of Conduct for International Civil Servants and other professional responsibility standards. Section 4.2 also provides guidelines for gifts and hospitality offered to staff members, under Receiving of Gifts and Corrupt Practice. The same general principles are applicable in the areas of asset management and Issues from Stores and Disposal of Property through sale, the Local Property Survey Board, Custodian of Funds, etc. As such, officers should be made aware of these requirements and their respective roles and obligations. Also, in terms of procurement, there is no clause requiring the contractors doing business with the Mission to comply with SEA. The issue will be issued to DPKO in a separate audit communication.

25. The MOUs with Government/TCCs/PCCs do not require specific compliance with the UN standards of conduct and need to be reviewed and amended to include specific reference to UN standards of conduct. Also, to prevent misconduct risks, TCCs have to provide recreational facilities for troops. The issue will be addressed to DPKO in a separate audit communication.

## Recommendations 3 to 5

UNMIS management should:

- i. Coordinate with DPKO in conducting a risk assessment to identify high-risk misconduct issues facing the Mission and to develop a strategy for preventing or mitigating the identified risks, and establish a mechanism to incorporate lessons learnt within the Mission Area and in other missions in its overall strategy. (AP2005/632/02/03);
- ii. Review, finalize and issue all draft policies including the Code of Conduct, HIV/AIDS, IT and ensure that all sections, including CIVPOL, UNMOS, Gender Affairs, Welfare, and Staff Counsellor develop the relevant SOPs (AP2005/632/02/04); and
- iii. Expedite the conclusion of the UNICEF/UNMIS agreement on Child Protections and create clear link in the areas of SEA. The terms should address prevention programmes for UN Personnel, awareness of rights of children against exploitation (AP2005/632/02/05).

26. *UNMIS accepted recommendation 3 stating that as requested by the SRSG, the former personnel conduct officer from MONUC conducted an assessment of risk factors and proposed a plan of action for UNMIS. This report was completed in July 2005 and was brought to the attention of Headquarters. PCU, that will be established soon, will be responsible to review the recommendations and develop a strategy for the mission. The Chief of Staff (COS) will chair the PCU Policy Committee. An implementation date of November 2005 was indicated. OIOS will close recommendation 3 upon receipt and review of the mission's specific strategy.*

27. *UNMIS accepted recommendation 4 indicating an implementation date of June, September and October 2005 stating that:*

*(a) A Code of Conduct was issued in June 2005 and is included in the induction programme.*

*(b) CITS has prepared a policy on the use of IT resources and Internet facilities. This policy has been sent as an information circular to all staff on September 3, 2005. A proxy server (ISA) has been set up with Surf Control Software to exercise control over use of unauthorized and pornographic websites. Similarly, controls are in place to exclude unauthorized users from entering UNMIS/UN sites.*

*(c) The draft HIV/AIDS policy was completed in March 2005 and is available on the UNMIS website [www.unmis.org](http://www.unmis.org). It is currently under review by the SRSG's office.*

*(d) SOP's have been completed for CIVPOL (6 August 2005) and UNMOS (4 September 2005). The Staff Counsellor's Office in New*

*York will distribute their SOP in December 2005 and UNMIS will adapt that to Sudan context by January 2006. An SOP is still being developed for Gender Affairs.*

28. OIOS will close recommendation 4 upon receipt and review of copies of the Code of Conduct, IT Policy/IC, the approved HIV/AIDS policy and SOPs for CIVPOL, Staff Counsellors and Gender Affairs Offices.

29. *UNMIS accepted recommendation 5 and stated that UNMIS is prepared to sign a formal agreement as soon as possible. Initially, UNICEF wanted an agreement in principle and has only recently agreed to a written agreement. As a result, it is anticipated that a formal agreement will be put in place in the near future. An implementation date of December 2005 was indicated. OIOS will keep this recommendation open in its database until implemented.*

#### Roles and responsibilities

30. ST/SGB/2003/13, Section 4 outlines the duties of the Head of Mission, Offices and Mission which all have a responsibility in implementing policies and procedures on discipline, charging them to "create and maintain an environment that prevents SEA, and to take appropriate measures for this purpose." ST/IC2003/17 on Core Values requires management to identify training and provide specific guidance on the prohibition of harassment and discrimination.

31. The organization structure also makes provision for a SIU in Security Section, Best Practice Unit, and BOI/Claims Unit, Local Property Survey, Personnel Conduct Unit as part of the overall mechanism for handling disciplinary cases. There are also a LCC and LPSB, SAUs, CITS, the posts of Chief of Staff, Gender Adviser and Staff Counsellor, with related functions critical to the financial responsibility, property management and overall discipline. The structure for Civilian Police also includes a provision for Professional Standard Units at Headquarters to be replicated in the regions and sectors. However, the roles and responsibilities, particularly as they relate to the issue of discipline, are not clearly defined. Furthermore, the responsibilities of managers regarding disciplinary issues need to be clearly defined and communicated to staff. Particularly, management is not clear as to its role or extent of its responsibility regarding accountability for the behaviour of the staff they supervise, and the managerial actions available to them.

32. The Mission intends to use a unified approach for linking both civilians and uniformed personnel as part of its formal management structure, e.g., in Security there is the UNFSO with responsibility to report to the SRSG and also the Office of Designated Official for Security in UNDP. Similar dual reporting and accountability exist within the Training Unit and in the Integrated Support Service (ISS). Also, the Force Commander reports to SRSG and is also accountable to his current military chain of command. In terms of security, the management should therefore ensure that staffing is sufficient to facilitate timely security assessments and proper dissemination of information to staff. The role of the Security Section within the Mission needs to be clearly defined and accountability outlined, within the context of the unified approach. Also, the SIU is not adequately staffed; the only staff member in the unit was transferred to another area of the Mission.

33. The Mission has not identified and assigned a single section/unit/person to be responsible for tracking discipline cases.



34. The Gender Advisor was temporarily named as the focal point on SEA in October 2004 and although a cross-sectional group meeting was held on 25 October 2004, a formal Policy Group on SEA and structure have not yet been established, a requirement of ST/SGB2003/13, which was communicated to the Mission in code cable dated 7 October 2004. Furthermore, the Focal Point for SEA, which was formally appointed in March 2005, is at the same time the Gender Adviser. This combination of tasks could compromise the effectiveness of either of these critical areas, in that SEA is not strictly a gender issue. The role as monitoring of SEA could therefore minimize an effective role as an advocate of gender issues; although this may hold true for any other staff member who may be assigned this role, it is especially true in the light of the feminist stigma attached to gender. To mitigate this risk, there is a need to ensure sufficiency of staff in this area and clear distinction of task as appropriate. The Focal Point is expected to also actively participate in in-country network on SEA, receive complaints on SEA and raise awareness. Also, the alternate focal point and the focal points for regions have not yet been named, and off limit areas have not been identified.

35. The Staff Counsellor is also charged with the welfare and recreation functions for the mission. These functions could impact negatively on the overall effectiveness of counselling where focus could be placed on developing tools for preventing breach of conduct. There is a need to clearly separate the functions of welfare from that of staff counselling. In terms of welfare, although short-term activities are being organized, no long-term arrangements are in place to provide recreation for staff. Also, the Section is not adequately staffed to service the regions.

36. The proposed Personnel Conduct Unit has not yet been established and terms of reference finalized. This unit is expected to play a key role in the investigation and policy development on discipline. The functions of the other units involved in disciplinary matters should be reviewed to identify and address possible overlapping or duplication, e.g., the post for this unit is budgeted for but not yet approved, which could hamper immediate recruitment of staff to fill the post.

37. The management role of the Chief of Staff (COS), within the office of the SRSG, needs to be clearly established and communicated to staff. The Terms of Reference and Draft Unified Sudan Plan identify the area of discipline and overall responsibility for the Personnel Conduct Unit, as roles of the COS. He is the focal point for all sensitive personnel issues. However, there is no clear reporting link between the OSRSG and that of the Office of the CAO in this regard.

38. The BPU, BOI/Claims Unit, LPSB and Contract Management Unit and Child Protection Unit have not yet been fully established and staffed. There is also inadequate critical staff for Public Information Unit and SIU. The request for Delegation of Authority for the LPSB was made on 5 April 2005 during the review; presently, there is one staff member on board for this area. Also, closer monitoring system for systems contract such as fuel and food rations is required; these areas are, by their nature, high risks areas which provide products that can be used in exchange for services.

39. Co-ordination among the different areas of the Mission, involved in influencing policy and discipline has been adhoc, and deliberations and decisions are not documented. These groups include Gender Advisor/Focal Point for SEA, Public Information, Medical, HIV/AIDS, Security, Training, Counselling/Welfare, Best Practice Officer, Civil Affairs, Child Protection, Humanitarian Officers, Military and Police and Personnel.

40. Independence in terms of reporting on disciplinary matters should be clearly outlined, and

the process should be results based and positive in approach, creating the balance between the action, consequence and sanctions. Also, accountability needs to be clearly outlined where the unified management approach exists (for example, Force Commander, HIV Officer, Integrated Medical System, Integrated Training etc).

### **Recommendations 6 and 7**

UNMIS management should:

- i. Establish an appropriate organization structure including the required structure for SEA with clear terms of reference and sufficient staff for ensuring accountability and transparency for the disciplinary process. The roles of the Chief of Staff, Focal Point for SEA/Gender Advisor, Staff Counsellor/Welfare, Special Investigation Unit, Board of Inquiry, Local Property Survey Board and proposed Personnel Conduct Unit should be clearly defined. The responsibility to track and report on misconduct issues should be assigned to the Personnel Conduct Unit (AP2005/632/02/06); and
- ii. Immediately review its current staffing needs and rapidly deploy the required staff for critical areas such as Public Information, Investigation Unit, Staff Counselling/Welfare Section, Child Protection Unit and Gender Affairs to ensure adequacy of staff to effectively implement and monitor the disciplinary process (AP2005/632/02/07).

41. *UNMIS accepted recommendation 6 stating that a PCU is in the process of being established. A steering committee will also be created to oversee the activities of the Personal Conduct Unit. It will be a unified, mission wide structure inclusive of the roles cited. Clear roles and responsibilities will be defined in the establishment process. A planned implementation date of December 2005 was indicated. OIOS will keep this recommendation open in its database until receipt and review of the documented process and outlined roles.*

42. *UNMIS accepted recommendation 7 stating that the staffing need has been addressed in the 2005/2006 budget process. An implementation date of November 2005 was indicated. Since the audit was conducted (a) there is a full complement of staff in the Staff Counselling/Social Welfare and Public Information; (b) Child protection has received all staff that it has requested to date – of the seven professional posts in the budget three have been filled; (c) Gender Affairs is still waiting for one professional post to be filled. Following approval of the 2005/2006 budget two additional professional posts and six UNV's will be assigned to Gender Affairs; (d) Staff Counselling/Social Welfare: Since the time of the audit an international social welfare officer has been appointed and the military has also provided a staff welfare officer to the unit. Additionally, a national counselling assistant and a National Welfare Assistant are in the process of being hired. OIOS will close this recommendation upon receipt and review of the revised staffing table and 2005/06 budget and proof of actions taken to fill outstanding posts.*

### Implementation of complaint mechanism

43. Except for the normal expectation of going through the existing chain of command (from

immediate Supervisor up to Head of Mission if required), the procedures for handling complaints, maintaining statistics and tracking are inadequate. Also, except for the focal point for SEA, there is no focal point for receiving complaints on other types of misconduct. As such, and as noted earlier, the survey results indicate that a high percentage (32) of the staff respondents does not know how to make a formal complaint. Furthermore, there is no mechanism for local community to file complaint. Confidentiality and credibility of responsible units need to be sustained in order to encourage SEA victims to file complaints.

44. To effectively meet the requirements of ST/AI/371 and ST/AI/379 on disciplinary measures and procedures, there is an urgent need for the establishment of an effective complaint mechanism within the mission, with clearly outlined roles on filing and receiving of complaints, conducting formal and informal investigations, monitoring and reporting. Particularly, attention should be given to clarifying the roles of the following areas which exist at the Mission, to avoid duplication of tasks and ensure efficiency:

- a) The SOPs for SIU stipulate that the Unit is charged with investigating complaints that can range from personal issues to cases of alleged discrimination, suspected misconduct, unacceptable workplace behaviour, to loss/damage to UN equipment and property, violation of UN Rules and Regulation, waste and abuse of authority;
- b) The Personnel Conduct Unit is also expected to play a key role in investigation and policy development;
- c) ST/SGB/2003/13 requires the Focal Point on SEA to receive complaints on SEA, to be investigated independently by OIOS. The focal point on SEA is also expected to liaise with the UN network on these matters, e.g., the Staff Counsellor to address complaints in an informal way. OIOS reiterates that combining critical functions such as the Staff Counselling and Welfare, Focal Point on SEA/Gender could adversely affect the reporting (both formal and informal) mechanism, if the distinctions are not clearly defined and areas adequately staffed to achieve results.

#### **Recommendation 8**

UNMIS management should establish a formal mechanism for receiving complaints from the staff and public (AP2005/632/02/08).

45. *UNMIS accepted recommendation 8, adding the fact that in November 2004 NY declined the request of the SRSG for an Ombudsperson. However, the complaint procedure process has been brought to the attention of the staff. As per the code cable on 22 July 2005 they also expect policy guidance and technical advice from the newly established Conduct and Discipline Unit on both staff and public complaints. An implementation date of November 2005 was indicated. OIOS will close this recommendation upon receipt and review of evidence that the procedure has been communicated to all staff, as well as the policy guidance from the PCU.*

#### Monitoring and reporting

46. The Mission has not yet established a mechanism for the recording and monitoring of cases of misconduct and communicating results of investigation and/or punishment to staff, as a means of

detering further misbehaviour.

47. There is no mechanism to identify and network with other traditional organizations existing in Sudan, to effectively assess risk, disseminate information and to obtain input and feedback from the local population, and to assist in the monitoring of discipline within the Mission. This would also strengthen the Mission's capacity to reduce the risk of misconduct associated with the poverty of the local population. Poverty and unfilled basic needs in the community combined with the presence of UN personnel, seen as a potential source of income, legitimate or otherwise, increase the risk of violation of the UN standards of conduct.

48. The Mission had not utilized any of the quick impact projects (QIP) budget for which there was a delegation of authority for \$250,000. There is a social impact project which is proposed by the Child Protection Unit; this project is geared towards identifying and integrating existing groups/organizations within the community into the overall monitoring mechanism. As long as it meets the requirements of QIPs, the proposal from the Child Protection Officer could be considered in this context. It is aimed at developing a monitoring and feedback mechanism by keeping effective and close relationship with local authorities (both official and civil), existing social and economic groups and getting their feedback and perception about the Mission and UN staff in terms of child protection and from abuse and exploitation, which is a key discipline area for possible misconduct. Furthermore, QIP could be beneficial to the overall level of discipline if meaningful projects area identified to alleviate poverty in local communities lowering the likelihood of involvement in inappropriate acts such as prostitution, drugs, etc., all of which influence the environment served by the Mission.

49. Management and implementation of system contracts deserve more attention in order to avoid misuse. To give an example, food rations and fuel are commodities which can be easily converted to cash or used in exchange of other goods and services, such as sex, drugs etc. and would challenge UN personnel's compliance with the UN standards of conduct, particularly in an area of economic poverty.

### **Recommendations 9 and 10**

UNMIS management should:

- i. Establish a mechanism for recording all cases of misconduct (involving both civilian and uniformed personnel) and develop a database for this purpose (AP2005/632/02/09); and
- ii. Consider to launch a social impact project proposed by The Child Protection Unit as part of a strategy to build capacity and create a local environment that could play a critical role in the overall monitoring mechanism required for discipline (AP2005/632/02/10).

50. *UNMIS accepted recommendation 9 stating that the information is tracked by the CAO pending the appointment of the personnel Conduct Officer. An implementation date of December 2005 was indicated. OIOS will keep this recommendation open in its database.*

51. *UNMIS accepted recommendation 10 stating that the project will be considered. An implementation date of November 2005 was indicated. Recommendation 10 will remain open in OIOS' database.*

### **C. Awareness and misconduct prevention programmes**

52. As noted earlier, the Mission had not conducted a formal risk assessment exercise to assist in creating a mission-specific policy on discipline and to identify effective post-induction training and awareness and prevention programmes.

53. In addition to the induction training which targets new staff, the Mission needs to identify post-induction awareness, reinforcement and prevention programmes that would be conducted on a continuous basis throughout the Mission. Also, there is a need to develop an information strategy to sensitise the public on the UN standards of conduct and the mechanism for making complaints. This strategy should be developed by the Focal Point for SEA in collaboration with Public Information Section, as required by ST/SGB/2003/13.

54. The model information sheet on SEA for local communities is not yet finalized. The draft is vague in some areas, e.g., "... as confidential as possible", the focal point "will try to keep you informed", and "encourage to make report", but the method and required evidence is not stated.

55. Although the draft Public Information strategy makes no specific provision for SEA and other disciplinary areas, the Mission could benefit from the implementation of plans to develop a website and establish a radio station. There is a need to expedite implementation of these projects. In this regard, the MOU with the partner for establishing the radio station needs to be finalized.

56. The review noted that the Mission used several means of raising awareness of staff. However, OIOS determined that these could be improved in the following areas:

a) The induction course is conducted for all staff, including civilian police and the military, and covers the Code of Conduct, core values and competency, HIV/AIDS, Child Protection, Security and stress management. The relevant materials are placed on the shared drive accessible by staff. However, the induction course does not include a presentation on the use of IT equipment/e-mail, briefing on property management (including procurement and asset management);

b) ST/AI and SGBs from HQ, guidelines from DPKO, and Administrative Instructions and Information Circulars on discipline from the Mission management are communicated to staff in e-mail Broadcast Messages from the CAO's office; however, not all staff has access to internet and email;

c) The holding of town hall meetings is another informal way used by the Mission to have open discussion on current issues in the mission. The role of the newly established Staff Union could also be effectively used in this manner. However, the deliberations are not minuted.

## Recommendations 11 to 14

UNMIS management should:

- i. Based on a risk assessment exercise, develop information strategy and post-induction awareness programmes to sensitise and educate staff and the local population on UN policies on discipline and ways for filing complaints and ensure that the mechanism is publicized accordingly (AP2005/632/02/11);
- ii. Establish and communicate preventative measures and sanctions for both civilian and uniformed personnel on discipline and misbehaviour; provide staff with a summary of the cases released annually in the ST/IC reports (a summary of the type of issues investigated and the results) and establish a robust and transparent monitoring mechanism within the mission to enforce the zero tolerance policy on SEA with regular reporting to staff on findings, results and actions taken (AP2005/632/02/12);
- iii. Ensure that the Public Information Section expedites completion of the Website and making it more interactive, to be used as a tool for building awareness and facilitating contact with the Mission to provide feedback and/or filing complaints on misconduct of UN personnel. Also, the finalization of the MOU with its partner for the establishment of the radio station should be expedited (AP2005/632/02/13); and
- iv. Ensure that the “issue vouchers” for the use of IT and other UN property by UN personnel include the related administrative instructions and policies to assure the personnel awareness of such (AP2005/632/02/14).

57. *UNMIS accepted recommendation 11 stating that UNMIS will do so and inform accordingly. An implementation date of December 2005 was indicated. This recommendation will remain open in OIOS' database.*

58. *UNMIS partially accepted recommendation 12 stating that the process must protect all persons involved, particularly the victims. Uniformed personnel are monitored by their contingent commanders and disciplined through their national command structure. However, contingents will be expected to report on the progress on their SEA training to the Force Commander once the training plan is established which is mentioned above. Training is offered pre-deployment, in the induction process and continued through peer education and sustained awareness campaigns. The UNMIS HIV/AIDS policy outlines the training process and is available at [www.unmis.org](http://www.unmis.org). The PCU is expected to establish further guidelines for civilian national and international staff. Currently, training is offered in the induction process. An implementation date of October 2005 was indicated. OIOS agreed with the Mission's position that the process must protect all persons involved, particularly the victims. However, in its response to the draft report, UNMIS appears to*

have considered only military contingents as uniformed personnel. In this regard, DPKO commented that "while military contingent members are subject to disciplinary process of their national governments, the military observers and police personnel should be subject to the mission discipline process." OIOS will keep recommendation 14 open in its database until its full implementation.

59. *UNMIS partially accepted recommendation 13 commenting that the UNMIS website was completed in April 2005 and a further revision was made in June 2005. UNMIS does not feel the website is an adequate nor sufficient mechanism for the filing of complaints, as the majority of the public do not have access to the internet. However, any comments received by the webmaster are treated in a confidential manner and forwarded to the CAO pending appointment of the Personnel Conduct Officer. The MOU between the Radio partner (FH) and UNMIS was finalized in May 2005. However, UNMIS is still in discussion with the SRTC (Sudan Radio & Television Commission) and has yet to be given a frequency or a license. OIOS will close this recommendation upon receipt and review of the MOU.*

60. *UNMIS accepted recommendation 14 stating that an advisory will be placed on all ICT vouchers (referring to UNMIS Information Circular No. 54/2005) which staff will be required to read before signing. OIOS will close this recommendation upon receipt of a copy of the ICT voucher showing insertion.*

61. ST/IC/2004/28 requires Missions to formulate a training plan and reinforcement programmes on disciplinary matters. The review determined that:

a) No specialized training has been identified for Focal points on SEA, specific training in investigation skills in SIU, and all persons who will be involved in investigation of discipline issues, to enable them to attain the necessary credibility and confidence to address sensitive issues and obtain the trust of staff.

b) The Staff Counsellor has not yet conducted the planned stress management training for supervisors. Many of the issues coming to the attention of the Counselling office relate to stress in the workplace. As prevention mechanism, programmes to reduce stress, such as ORB and recreation/welfare activities, and perception of unfairness, such as entitlements to local staff members.

c) A positive work environment which is geared towards meeting the needs of management and staff, reducing stress levels and invite openness and transparency is a critical prevention mechanism. For example, OIOS observed an incident where a limited working space caused an unfriendly behaviour of the staff members. There is, therefore, a need for improvement in the workplace in order to maintain an environment of high morale and ethics, particularly in the following areas:

i. Inadequate space has been cited as a problem throughout the mission and according to management was due, to a large extent, to the lack of adequate staffing in Engineering/ISS which resulted in delays in completing projects for providing additional office space. If not addressed in a timely manner, and as the number of staff grows rapidly, this may contribute to serious personal clashes, and has physical and psychological disadvantages/impact on overall staff morale and stress levels.

ii. TCCs should enforce compliance with pre-deployment package and briefing, sent out by DPKO, so that troops could be better prepared for the working conditions. The package should be reviewed by DPKO and made mission specific. Particular attention should be given to providing a mechanism for military personnel, who are not entitled to benefits such as ORB to be rotated in and out of the extreme hardship areas in-theatre from time to time. TCCs are paid \$6 per man/per month and are responsible for providing these facilities. However, if this is not done, the Mission has the fiduciary responsibility to monitor and ensure that such arrangements and recover related cost accordingly. Also, in OIOS' opinion, there is a need to follow up with TCCs on the requirements in the MOU for them to provide recreational facilities for the troops.

iii. There is a need to ensure that all staff members, especially local staff, are aware of the benefits and entitlements, to reduce the perception of unfairness by different categories of staff. Differences in entitlements such as hazard pay should be properly explained to staff. The Staff Union could be used to achieve awareness in this area.

iv. Occupational Recuperation Break (ORB) is not tracked and is not taken by all staff. The importance of ORB as a means to rejuvenate staff should be stressed. The audit observed that there were several cases where staff could not exercise their entitlement to ORB when due.

v. Pre-mission briefing document, Briefing Notes for UN Personnel, has been drafted. The existing draft document requires staffs to follow directions and instructions issued by the SG and the Mission Management. Section 4.4 indicated that recreation facilities are limited but made no reference to any long-term arrangements made by the Mission to facilitate staff, an area that should be looked at by the Welfare Section. Section 6.6 makes reference to Duty Schedules and hours but no emphasis placed on ORB.

### **Recommendations 15 to 18**

UNMIS Management should:

i. As a misconduct prevention measure, identify specific training for managers and staff relating to interpersonal skills, management skills, respect for authority, sensitivity and awareness raising, conflict resolution, etc. (AP2005/632/02/15);

ii. Ensure that the investigators in the PCU and SIU are provided with the appropriate training so that they have the required skills to carry out preliminary investigations and be able to know what action they should take to secure evidence in the event of potential fraud, and when matters should be referred to the auditors or investigators (AP2005/632/02/16);



iii. Finalize and implement the Briefing Notes for UN Personnel (AP2005/632/02/17); and

iv. To reduce the stress relating to work and environment in which the Mission personnel function, ensure that they are provided with adequate office space and take the ORB when due, and arrange for them long-term recreational activities (AP2005/632/02/18).

62. *UNMIS accepted recommendation 15 stating that "People Management Training" is scheduled for thirty people in September 2005. As per the 2005/2006 budget proposal, "Competency Based Performance Management" training will be offered for thirty people as will "Supervisors/General Management" training during this period.*

63. *UNMIS accepted recommendation 16 stating that regarding SIU, this will be addressed in the context of its response to recommendation No. 1. With regards to PCU, a list of candidates is under review. The Mission also noted that the Resident Auditor's office was established in August 2005. OIOS will close recommendations 15 and 16 upon receipt of a training plan.*

64. *UNMIS accepted recommendation 17 stating that briefing notes are available for all staff. When the 2005/2006 budget is approved, the notes will be revised to reflect any changes to mission information. OIOS will close this recommendation upon receipt of a revised copy of briefing notes and proof of its dissemination.*

65. *UNMIS accepted recommendation 18 stating that:*

*(a) Office space: The mission continues to expand its facilities as it grows. Since the visit of the auditors several additional properties have been acquired and many pre-fabricated buildings have been constructed. Owing to the type of premises used as office space, it is not always possible to provide the privacy that staff would prefer.*

*(b) ORB: The mission is installing an automatic system that will notify each staff member with a copy to the supervisor two weeks before the due date for ORB and request both to adhere to the cycle. However, due to the nature of start up activities, it is not always possible for staff members to take ORB when due without much disruption of the functioning of their respective sections. Management encourages staff to avail their ORB when it becomes due.*

*(c) The Mission is also evaluating a rest and recuperation (R&R) package for military and personnel not otherwise entitled to ORB and CTO.*

*(d) Recreational facilities: Gym and recreational rooms with libraries, meditation space, table tennis, games, and TV room are planned for the six sectors and Khartoum. Priority will be given to non-urban sector offices.*

66. OIOS recognizes the efforts already taken towards implementing recommendation 18. OIOS requests that UNMIS management provides a copy of its space allocation plan, details of the

automated system for ORB, the results of its evaluation on R & R for military personnel and its plan for recreational facilities. OIOS will close this recommendation upon receipt and review of the requested documents.

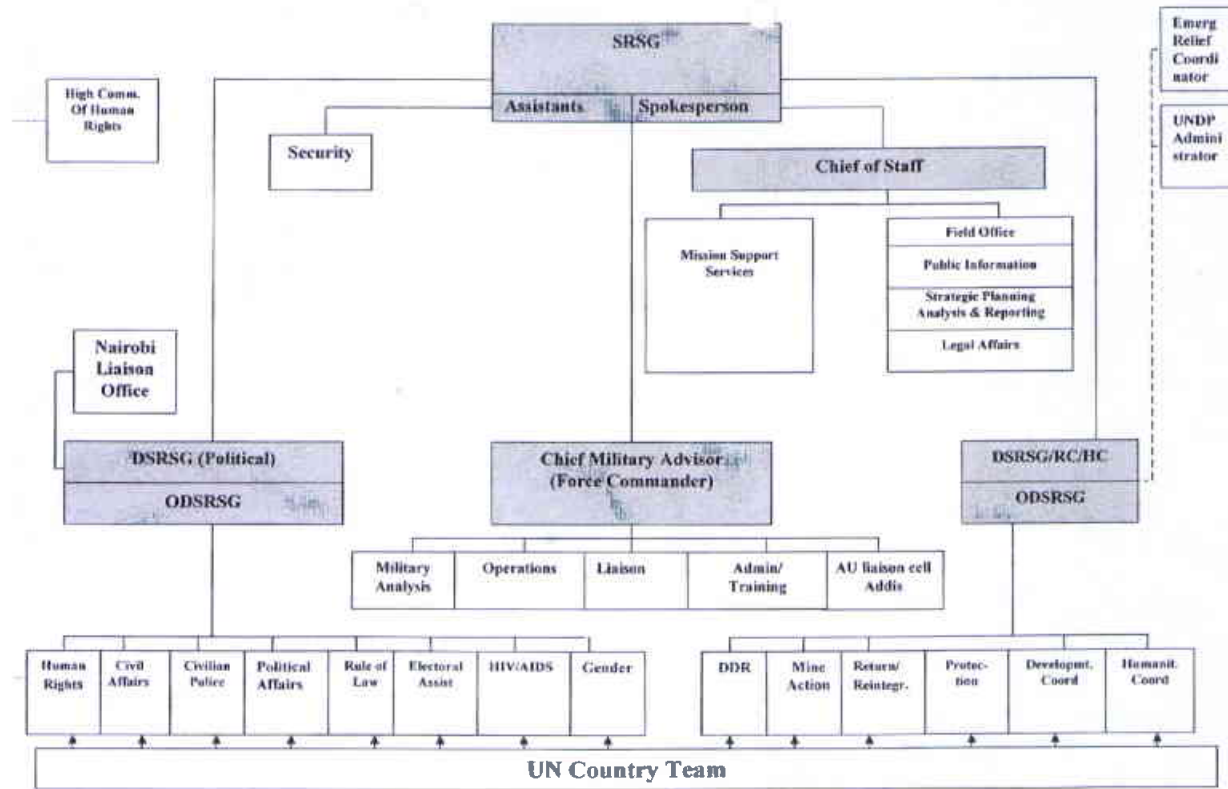
## VI. ACKNOWLEDGEMENT

67. OIOS wishes to thank UNAMIS management and staff and the members of the UN Country team for their cooperation provided to the auditors throughout the review.

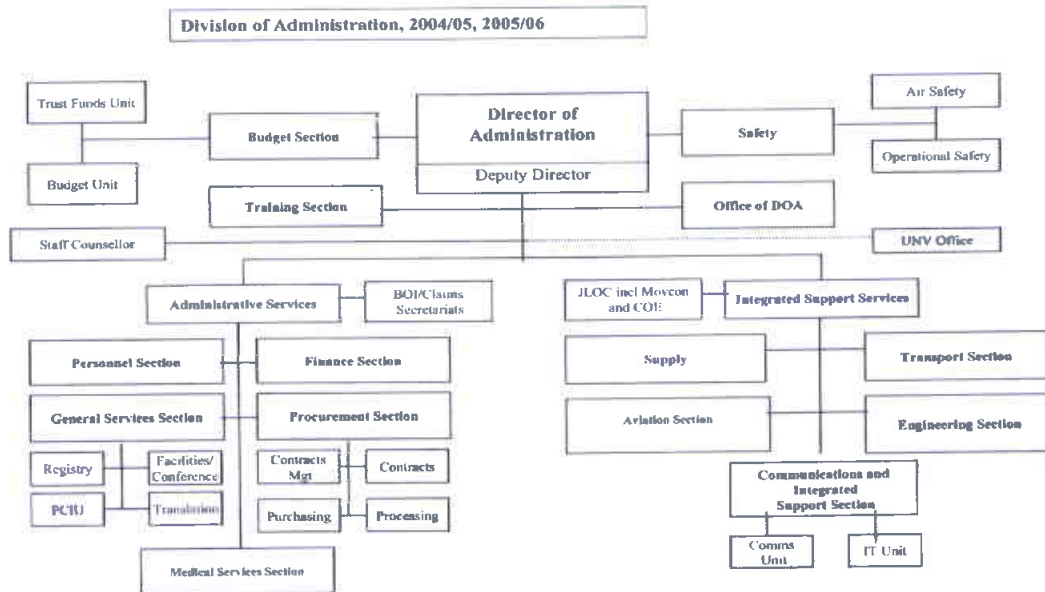
A handwritten signature in cursive script that reads "P. Azarias".

Patricia Azarias, Director  
Internal Audit Division I, OIOS

**Organization Chart**



DRAFT UNAMIS Mission Structure (Khartoum Level), Version 8, 09/12/2004



## Statistical Data

## Cases of misconduct in UNMIS involving civilian staff

TABLE 1 – Analysis of cases of misconduct involving international staff members, as the alleged offender, in Mission

	Complaints received		S T A T U S										Cases that resulted to OHRM sanction			
			Under investigation		Closed without referral to HQ		Dismissed		Referred to HQ							
			2004	2005	2004	2005	2004	2005	2004	2005	2004	2005				
1 Theft and misappropriation	0	3	0	3	0	0	0	0	0	0	0	0	0	0	0	0
2 Fraud and misrepresentation																
3 Harassment and sexual harassment, including verbal assault	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
4 Physical assault																
5 Sexual exploitation and abuse																
6 Abuse of power, position or authority, including inappropriate superior- subordinate relationship																
7 Misuse of UN resources																
8 Others	10	12	4	9	4	5	0	0	0	0	0	0	0	0	0	0
<b>TOTALS</b>	<b>11</b>	<b>15</b>	<b>4</b>	<b>12</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

## Cases of misconduct in UNMIS involving civilian staff

TABLE 2 - Analysis of cases of misconduct involving national staff members, as the alleged offender, in Mission

	Complaints received		S T A T U S				Referred to HQ		Cases that resulted to OHRM sanction	
	Under investigation		Closed without referral to HQ		Dismissed		Referred to HQ		OHRM sanction	
	2004	2005	2004	2005	2004 (1)	2005 (2)	2004 (1)	2005 (2)	2004	2005
1 Theft and misappropriation	2	2	0	1	2	1	0	0	0	0
2 Fraud and misrepresentation										
3 Harassment and sexual harassment, including verbal assault	1	1	0	1	1	0	0	0	0	0
4 Physical assault										
5 Sexual exploitation and abuse										
6 Abuse of power, position or authority, including inappropriate superior-subordinate relationship										
7 Misuse of UN resources										
8 Others	0	9	0	0	0	9	0	0	0	0
<b>TOTALS</b>	<b>3</b>	<b>12</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

## ANNEX III

### EVALUATION OF SURVEY RESULTS (Civilian Staff + Management + UNVs + UNOBs + CivPol)

- Q4: 91% are aware of what constitutes misconduct or prohibited behaviour, 6% not. 3% checked "don't know" and 1% left blank.
- Q5: 86% are aware that involvement with a prostitute is prohibited under the UN standards of conduct, 9% are not aware. 3% checked "don't know" and 2% left blank.
- Q6: 94% are aware that sexual activity with a person under age 18 is prohibited under UN Standards of conduct, 3% are not aware. 1% checked "doesn't know" and 2% left blank.
- Q7a: 66% think that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse; 10% do not think so. 20% checked "don't know" and 4% left blank.
- Q7b: among those who think that the mission is implementing measures; 55% find the measures as effective and 10% do not. 16% checked "don't know" and 19% did not answer.
- Q9: 58 % know how to report or file a formal complaint and 32% do not know. 6% checked "don't know" and 4% left blank.
- Q10: 67% said they would report a suspicion of misconduct and 21% said no. 8% checked "don't know" and 4% left blank.
- Q11: 82% said they received briefing or information on UN standards of conduct and 14% did not. 1% checked "doesn't know" and 3% left blank.
- Q12: 12% think that misconduct is occurring and going undetected and unpunished and 47% do not think so. 37% checked "don't know" and 4% left blank.
- Q13: 62% consider the disciplinary mechanisms to be fair and 9% do not. 25% checked "don't know" and 4% left blank.
- Q14: 10% said they are afraid of reporting cases of misconduct and 82% said they are not. 4% checked "don't know" and 4% left blank.
- Q15: 91% feel that overall state of discipline in the Mission is moderate to good and 7% feel it is poor. 2% left blank.
- Q16: 85% perceive that misconduct cases handled by the Mission are moderate to good and 9% perceive as poor. 6% did not answer.
- Q17a: The mission's attitude on dealing with overall misconduct and disciplinary issues are characterized by 84% as moderate to good and by 9% poor. 7% did not answer.
- Q17b: The mission's attitude on dealing with theft and misappropriation is characterized by 86% as moderate to good and by 6% poor. 8% did not answer.
- Q17c: The mission's attitude on dealing with fraud and misrepresentation is characterized by 84% as moderate to good and by 5% poor. 11% did not answer.
- Q17d: The mission's attitude on dealing with harassment and sexual harassment is characterized by 87% as moderate to good and by 5% poor. 8% did not answer.
- Q17e: The mission's attitude on physical assault is characterized by 88% as moderate to good and by 3% poor. 9% did not answer.
- Q17f: The mission's attitude on dealing with sexual exploitation and abuse is characterized by 88% as moderate to good and 6% as poor. 6% did not answer.
- Q17g: The mission's attitude on dealing with other issues like breaking Mission rules such as off-limits areas, curfew, and un-authorized persons in UN Vehicles is characterized by 81% as moderate to good and 11% as poor. 8% did not answer.

## EVALUATION OF SURVEY RESULTS (Civilian Staff + Management + UNVs)

- Q2: 79% of civilian staff are familiar with the Staff Rules and Regulations, 18% not. 1% checked "doesn't know" and 2% left blank.
- Q3: 85 % are familiar with the status, basic rights and duties of UN Staff members, 13% not. 1% checked "doesn't know" and 1% left blank.
- Q4: 90% are aware of what constitutes misconduct or prohibited behaviour, 6% not. 3% checked "don't know" and 1% left blank.
- Q5: 81% are aware that involvement with a prostitute is prohibited under the UN standards of conduct, 12% are not aware. 4% checked "don't know" and 3% left blank.
- Q6: 92% are aware that sexual activity with a person under age 18 is prohibited under UN Standards of conduct, 4% are not aware. 1% checked "doesn't know" and 3% left blank.
- Q7a: 58% think that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse; 13% do not think so. 24% checked "don't know" and 5% left blank.
- Q7b: among those who think that the mission is implementing measures; 56% find the measures as effective and 14% do not. 14% checked "don't know" and 16% did not answer.
- Q8: 79% are aware that they have a duty to report concerns or suspicions regarding sexual exploitation and abuse by a fellow worker and 10% are not aware. 7 %checked "don't know" and 4% left blank.
- Q9: 47 % know how to report or file a formal complaint and 40% do not know. 7% checked "don't know" and 6% left blank.
- Q10: 64% said they would report a suspicion of misconduct and 19% said no. 11% checked "don't know" and 6% left blank.
- Q11: 75% said they received briefing or information on UN standards of conduct and 20% did not. 1% checked "doesn't know" and 5% left blank.
- Q12: 17% think that misconduct is occurring and going undetected and unpunished and 46% do not think so. 33% checked "don't know" and 4% left blank.
- Q13: 61% consider the disciplinary mechanisms to be fair and 10% do not. 26% checked "don't know" and 3% left blank.
- Q14: 11% said they are afraid of reporting cases of misconduct and 82% said they are not. 6% checked "don't know" and 1% left blank.
- Q15: 92% feel that overall state of discipline in the Mission is moderate to good and 7% feel it is poor. 1% left blank.
- Q16: 85% perceive that misconduct cases handled by the Mission are moderate to good and 10% perceive as poor. 5% did not answer.
- Q17a: The mission's attitude on dealing with overall misconduct and disciplinary issues are characterized by 85% as moderate to good and by 7% poor. 8% did not answer.
- Q17b: The mission's attitude on dealing with theft and misappropriation is characterized by 88% as moderate to good and by 4% poor. 8% did not answer.
- Q17c: The mission's attitude on dealing with fraud and misrepresentation is characterized by 86% as moderate to good and by 3% poor. 11% did not answer.
- Q17d: The mission's attitude on dealing with harassment and sexual harassment is characterized by 88% as moderate to good and by 4% poor. 8% did not answer.
- Q17e: The mission's attitude on physical assault is characterized by 87% as moderate to good and by 3% poor. 10% did not answer.
- Q17f: The mission's attitude on dealing with sexual exploitation and abuse is characterized by 93% as moderate to good and 4% as poor. 3% did not answer.
- Q17g: The mission's attitude on dealing with other issues like breaking Mission rules such as off-limits areas, curfew, and unauthorized persons in UN Vehicles is characterized by 81% as moderate to good and 11% as poor. 8% did not answer.

## EVALUATION OF SURVEY RESULTS (Military Observers + Civilian Police)

- Q2: 100% of Military Observers and Civilian Police are aware of UN code of conduct (10 rules- Code of Personal conduct for blue helmets)
- Q3: 92% are aware of what constitutes misconduct or prohibited behaviour and 8% are not.
- Q4: 100% are aware that involvement with a prostitute is prohibited under the UN standards of conduct.
- Q5: 100% are aware that sexual activity with a person under age 18 is prohibited under UN Standards of conduct.
- Q6a: 88% think that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse; 4% do not think so. 8% checked "don't know".
- Q6b: among those who think that the mission is implementing measures; 54% find the measures as effective and 4% do not. 19% checked "don't know" and 23% did not answer.
- Q7: 88% know how to report or file a formal complaint and 8% do not. 4% checked "don't know".
- Q8: 77% said they would report a suspicion of misconduct and 23% said they wouldn't.
- Q9: 100% said they received briefing or information on UN standards of conduct.
- Q10: 50% think that misconduct is not occurring and going undetected and unpunished. 46% checked "don't know" and 4% did not answer.
- Q11: 65% consider the disciplinary mechanisms to be fair and 8% do not. 19% checked "don't know" and 8% did not answer.
- Q12: 81% said they are not afraid of reporting cases of misconduct and 8% said they are. 11% did not answer.
- Q13: 88% feel that overall state of discipline in the Mission is moderate to good and 8% find it poor. 4% did not answer.
- Q14: 84% perceive that misconduct cases handled by the Mission are moderate to good and 8% perceive as poor. 8% did not answer.
- Q15a: The mission's attitude on dealing with overall misconduct and disciplinary issues are characterized by 81% as moderate to good and by 15 % as poor. 4% did not answer.
- Q15b: The mission's attitude on dealing with theft and misappropriation is characterized by 81% as moderate to good and by 11% as poor. 8% did not answer.
- Q15c: The mission's attitude on dealing with fraud and misrepresentation is characterized by 77% as moderate to good and by 12% as poor. 11% did not answer.
- Q15d: The mission's attitude on dealing with harassment and sexual harassment is characterized by 85% as moderate to good and by 8% as poor. 7% did not answer.
- Q15e: The mission's attitude on physical assault is characterized by 88% as moderate to good and by 4% as poor. 8% did not answer.
- Q15f: The mission's attitude on dealing with sexual exploitation and abuse is characterized by 73% as moderate to good and by 12% as poor. 15% did not answer.
- Q15g: The mission's attitude on dealing with other issues like breaking Mission rules such as off-limits areas, curfew, and un-authorized persons in UN Vehicles is characterized by 81% as moderate to good and by 11% as poor. 8% did not answer.



## EVALUATION OF SURVEY RESULTS (Civilian Staff)

- Q2: 79% of Civilian Staff are familiar with the Staff Rules and Regulations, 17% not. 2% checked "don't know" and 2% left blank.
- Q3: 81 % are familiar with the status, basic rights and duties of UN Staff members, 17% not. 2% left blank.
- Q4: 88% are aware of what constitutes misconduct or prohibited behaviour, 8% not. 2% checked "don't know" and 2% left blank.
- Q5: 77% are aware that involvement with a prostitute is prohibited under the UN standards of conduct, 13% are not aware. 6% checked "don't know" and 4% left blank.
- Q6: 92% are aware that sexual activity with a person under age 18 is prohibited under UN Standards of conduct, 2% are not aware. 2% checked "don't know" and 4% left blank.
- Q7a: 58% think that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse; 15% do not think so. 19% checked "don't know" and 8% left blank.
- Q7b: among those who think that the mission is implementing measures; 72% find the measures as effective and 7% do not. 14% checked "don't know" and 7% did not answer.
- Q8: 79% are aware that they have a duty to report concerns or suspicions regarding sexual exploitation and abuse by a fellow worker and 9% are not aware. 6 %checked "don't know" and 6% left blank.
- Q9: 50 % know how to report or file a formal complaint and 35% do not know. 6% checked "don't know" and 9% left blank.
- Q10: 67% said they would report a suspicion of misconduct and 19% said no. 6% checked "don't know" and 8% left blank.
- Q11: 73% said they received briefing or information on UN standards of conduct and 19% did not. 2% checked "don't know" and 6% left blank.
- Q12: 17% think that misconduct is occurring and going undetected and unpunished and 42% do not think so. 35% checked "don't know" and 6% left blank.
- Q13: 71% consider the disciplinary mechanisms to be fair and 6% do not. 19% checked "don't know" and 4% left blank.
- Q14: 16% said they are afraid of reporting cases of misconduct and 76% said they are not. 6% checked "don't know" and 2% left blank.
- Q15: 90% feel that overall state of discipline in the Mission is moderate to good and 10% feel it is poor.
- Q16: 81% perceive that misconduct cases handled by the Mission are moderate to good and 15% perceive as poor. 4% did not answer.
- Q17a: The mission's attitude on dealing with overall misconduct and disciplinary issues are characterized by 84% as moderate to good and by 8% poor. 8% did not answer.
- Q17b: The mission's attitude on dealing with theft and misappropriation is characterized by 86% as moderate to good and by 4% poor. 10% did not answer.
- Q17c: The mission's attitude on dealing with fraud and misrepresentation is characterized by 81% as moderate to good and by 4% poor. 15% did not answer.
- Q17d: The mission's attitude on dealing with harassment and sexual harassment is characterized by 84% as moderate to good and by 6% poor. 10% did not answer.
- Q17e: The mission's attitude on physical assault is characterized by 83% as moderate to good and by 4% poor. 17% did not answer.
- Q17f: The mission's attitude on dealing with sexual exploitation and abuse is characterized by 90% as moderate to good and 6% as poor. 4% did not answer.
- Q17g: The mission's attitude on dealing with other issues like breaking Mission rules such as off-limits areas, curfew, and unauthorized persons in UN Vehicles is characterized by 86% as moderate to good and 4% as poor. 10% did not answer

## EVALUATION OF SURVEY RESULTS (UNVs)

- Q2: 37% of UNVs are familiar with the Staff Rules and Regulations, 63% are not.
- Q3: 88 % are familiar with the status, basic rights and duties of UN Staff members, 12% are not.
- Q4: 100% are aware of what constitutes misconduct or prohibited behaviour.
- Q5: 100% are aware that involvement with a prostitute is prohibited under the UN standards of conduct.
- Q6: 100% are aware that sexual activity with a person under age 18 is prohibited under UN Standards of conduct.
- Q7a: 37% think that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse. 63% checked "don't know".
- Q7b; among those who think that the mission is implementing measures, 25% find the measures effective and 75% did not answer.
- Q8: 50% are aware that they have a duty to report concerns or suspicions regarding sexual exploitation and abuse by a fellow worker and 25% are not aware. 25 %checked "don't know".
- Q9: 13% know how to report or file a formal complaint and 87% do not know.
- Q10: 88% said they would report a suspicion of misconduct and 12% said they would not.
- Q11: 88% said they received briefing or information on UN standards of conduct and 12% did not.
- Q12: 12% think that misconduct is occurring and going undetected and unpunished and 75% do not think so. 13% checked "don't know".
- Q13: 50% consider the disciplinary mechanisms to be fair and 13% do not. 37% checked "don't know".
- Q14: 100% said they are not afraid of reporting cases of misconduct.
- Q15: 100% feel that overall state of discipline in the Mission is moderate to good.
- Q16: 100% perceive that misconduct cases handled by the Mission are moderate to good.
- Q17a: The mission's attitude on dealing with overall misconduct and disciplinary issues are characterized by 100% as moderate to good.
- Q17b: The mission's attitude on dealing with theft and misappropriation is characterized by 100% as moderate to good.
- Q17c: The mission's attitude on dealing with fraud and misrepresentation is characterized by 100% as moderate to good.
- Q17d: The mission's attitude on dealing with harassment and sexual harassment is characterized by 100% as moderate to good.
- Q17e: The mission's attitude on physical assault is characterized by 100% as moderate to good.
- Q17f: The mission's attitude on dealing with sexual exploitation and abuse is characterized by 100% as moderate to good.
- Q17g: The mission's attitude on dealing with other issues like breaking Mission rules such as off-limits areas, curfew, and un-authorized persons in UN Vehicles is characterized by 38% as moderate to good and 62% as poor.

## EVALUATION OF SURVEY RESULTS (Management)

- Q2: 100% of Management are familiar with the Staff Rules and Regulations.
- Q3: 94 % are familiar with the status, basic rights and duties of UN Staff members. 6% checked "don't know".
- Q4: 94% are aware of what constitutes misconduct or prohibited behaviour. 6% checked "don't know".
- Q5: 81% are aware that involvement with a prostitute is prohibited under the UN standards of conduct and 19% are not.
- Q6: 88% are aware that sexual activity with a person under age 18 is prohibited under UN Standards of conduct, 12% are not.
- Q7a: 69% think that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse; 12% do not think so.19% checked "don't know".
- Q7b; among those who think that the mission is implementing measures; %27 find the measures as effective and % 37 do not. 18% checked "don't know" and 18% did not answer.
- Q8: 94% are aware that they have a duty to report concerns or suspicions regarding sexual exploitation and abuse by a fellow. 6% are not.
- Q9: 56% know how to report or file a formal complaint and 31% do not know. 13% checked "don't know".
- Q10: 44% said they would report a suspicion of misconduct and 25% said they would not. 31% checked "don't know".
- Q11: 75% said they received briefing or information on UN standards of conduct and 25% did not.
- Q12: 19% think that misconduct is occurring and going undetected and unpunished and 44% do not think so. 37% checked "don't know".
- Q13: 37% consider the disciplinary mechanisms to be fair and 19% do not. 44% checked "don't know".
- Q14: 94% said they are not afraid of reporting cases of misconduct and 6% checked "don't know".
- Q15: 94% feel that overall state of discipline in the Mission is moderate to good. 6 % did not answer.
- Q16: 88% perceive that misconduct cases handled by the Mission are moderate to good. 12% did not answer.
- Q17a: The mission's attitude on dealing with overall misconduct and disciplinary issues are characterized by 81% as moderate to good and by 6% as poor. 13% did not answer.
- Q17b: The mission's attitude on dealing with theft and misappropriation is characterized by 88% as moderate to good and by 6% as being poor. 6% did not answer.
- Q17c: The mission's attitude on dealing with fraud and misrepresentation is characterized by 94% as moderate to good. 6% did not answer.
- Q17d: The mission's attitude on dealing with harassment and sexual harassment is characterized by 94% as moderate to good. 6 % did not answer.
- Q17e: The mission's attitude on physical assault is characterized by 94% as moderate to good. 6% did not answer
- Q17f: The mission's attitude on dealing with sexual exploitation and abuse is characterized by 100% as moderate to good.
- Q17g: The mission's attitude on dealing with other issues like breaking Mission rules such as off-limits areas, curfew, and % as moderate to good and by 6 % as poor. 6% did not answer.

## EVALUATION OF SURVEY RESULTS (Military Observers)

- **Q2:** 100% of Military Observers is aware of UN code of conduct(10 rules- Code of Personal conduct for blue helmets)
- **Q3:** 88% is aware of what constitutes misconduct or prohibited behaviour.
- **Q4:** 100% is aware that involvement with a prostitute is prohibited under the UN standards of conduct.
- **Q5:** 100% is aware that sexual activity with a person under age 18 is prohibited under UN Standards of conduct.
- **Q6a:** 88% thinks that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse.
- **Q6b:** among those who think that the mission is implementing measures; 59% find the measures as effective.
- **Q7:** 82% knows how to report or file a formal complaint
- **Q8:** 64% said they would report a suspicion of misconduct and 12% said they wouldn't.
- **Q9:** 100% said they received briefing or information on UN standards of conduct.
- **Q10:** 47% thinks that misconduct is not occurring and going undetected and unpunished. 53% checked "don't know".
- **Q11:** 71% considers the disciplinary mechanisms to be fair. 6% checked "don't know".
- **Q12:** 6% said they are afraid of reporting cases of misconduct, 76% is not.
- **Q13:** 88% feels that overall state of discipline in the Mission is moderate to good.
- **Q14:** 88% perceives that misconduct cases handled by the Mission are moderate to good.
- **Q15a:** The mission's attitude on dealing with overall misconduct and disciplinary issues are characterized by 83% as moderate to good.
- **Q15b:** The mission's attitude on dealing with theft and misappropriation is characterized by 83% as moderate to good.
- **Q15c:** The mission's attitude on dealing with fraud and misrepresentation is characterized by 77% as moderate to good, 17% as poor, 6% did not answer.
- **Q15d:** The mission's attitude on dealing with harassment and sexual harassment is characterized by 89% as moderate to good, and 12% as poor.
- **Q15e:** The mission's attitude on physical assault is characterized by 100% as moderate to good.
- **Q15f:** The mission's attitude on dealing with sexual exploitation and abuse is characterized by 72% as moderate to good.
- **Q15g:** The mission's attitude on dealing with other issues like breaking Mission rules such as off-limits areas, curfew, and non-authorized persons in UN Vehicles is characterized by 88% as moderate to good.

## EVALUATION OF SURVEY RESULTS (Civilian Police)

- Q2: 100% of Civilian Police are aware of UN code of conduct(10 rules- Code of Personal conduct for blue helmets)
- Q3: 100% are aware of what constitutes misconduct or prohibited behaviour.
- Q4: % 100 is aware that involvement with a prostitute is prohibited under the UN standards of conduct.
- Q5: % 100 is aware that sexual activity with a person under age 18 is prohibited under UN Standards of conduct.
- Q6a: 83 % think that the mission is implementing measures to prevent sexual exploitation and abuse and enforce the UN Standards of conduct relating to sexual exploitation and abuse and 17% do not think so.
- Q6b: among those who think that the mission is implementing measures; 17% find the measures as effective and 50% checked "don't know". 33% did not answer.
- Q7: 100 % know how to report or file a formal complaint
- Q8: 100 % said they would report a suspicion of misconduct.
- Q9: 100 % said they received briefing or information on UN standards of conduct.
- Q10: 33 % think that misconduct is not occurring and going undetected and unpunished. 50% checked "don't know" and 17% did not answer.
- Q11: 33 % consider the disciplinary mechanisms to be fair. 67% checked "don't know".
- Q12: 17% said they are afraid of reporting cases of misconduct and 83% are not.
- Q13: 84 % feel that overall state of discipline in the Mission is moderate to good and 16% left blank.
- Q14: 67 % perceive that misconduct cases handled by the Mission are moderate to good. 33% left blank.
- Q15a: The mission's attitude on dealing with overall misconduct and disciplinary issues are characterized by 67 % as moderate to good and by 17% as poor. 16% left blank.