



OIOS

Office of Internal Oversight Services

INTERNAL AUDIT DIVISION

AUDIT REPORT

Audit of the Conduct and Discipline Unit in UNMIL

**Focus on preventative measures may improve the
state of discipline in UNMIL**

16 April 2009

Assignment No. AP2008/626/01

United Nations  Nations Unies

INTEROFFICE MEMORANDUM

MEMORANDUM INTERIEUR

OFFICE OF INTERNAL OVERSIGHT SERVICES · BUREAU DES SERVICES DE CONTRÔLE INTERNE
INTERNAL AUDIT DIVISION · DIVISION DE L'AUDIT INTERNE

TO: Ms. Ellen Margrethe Løj
A: Special Representative of the Secretary-General
United Nations Mission in Liberia

DATE: 16 April 2009

FROM: Fatoumata Ndiaye, Acting Director
DE: Internal Audit Division, OIOS

REFERENCE: IAD: 09- 02364

SUBJECT: **Assignment No. AP2008/626/01 - Audit of the Conduct and Discipline Unit in UNMIL**
OBJET:

1. I am pleased to present the report on the above-mentioned audit.
2. Based on your comments, we are pleased to inform you that we will close recommendations 2 and 11 in the OIOS recommendations database as indicated in Annex 1. In order for us to close the remaining recommendations, we request that you provide us with the additional information as discussed in the text of the report and also summarized in Annex 1.
3. Please note that OIOS will report on the progress made to implement its recommendations, particularly those designated as high risk (i.e., recommendations 2 and 3) in its annual report to the General Assembly and semi-annual report to the Secretary-General.

cc: Lt. Gen. A. T. M. Zahirul Alam, Force Commander, UNMIL
Mr. Henrik Stiernblad, Police Commissioner, UNMIL
Mr. Paul Egunsola, Chief of Staff, UNMIL
Mr. Stephen Lieberman, Director of Mission Support, UNMIL
Ms. Roselyn Odera, Chief of Conduct and Discipline Unit, UNMIL
Mr. Swatantra Goolsarran, Executive Secretary, UN Board of Auditors
Ms. Maria Gomez Troncoso, Officer-in-Charge, Joint Inspection Unit Secretariat
Mr. Seth Adza, Chief, Audit Response Team, Department of Field Support
Mr. Moses Bamuwanye, Chief, Oversight Support Unit, Department of Management
Mr. Byung-Kun Min, Programme Officer, OIOS
Ms. Eleanor T. Burns, Chief, Peacekeeping Audit Service, OIOS

INTERNAL AUDIT DIVISION

FUNCTION

“The Office shall, in accordance with the relevant provisions of the Financial Regulations and Rules of the United Nations examine, review and appraise the use of financial resources of the United Nations in order to guarantee the implementation of programmes and legislative mandates, ascertain compliance of programme managers with the financial and administrative regulations and rules, as well as with the approved recommendations of external oversight bodies, undertake management audits, reviews and surveys to improve the structure of the Organization and its responsiveness to the requirements of programmes and legislative mandates, and monitor the effectiveness of the systems of internal control of the Organization” (General Assembly Resolution 48/218 B).

CONTACT INFORMATION

ACTING DIRECTOR:

Fatoumata Ndiaye: Tel: +1.212.963.5648, Fax: +1.212.963.3388,
e-mail: ndiaye@un.org

CHIEF, PEACEKEEPING AUDIT SERVICE:

Eleanor T. Burns: Tel: +1.212.967.2792, Fax: +1.212.963.3388,
e-mail: burnse@un.org

EXECUTIVE SUMMARY

Conduct and Discipline Unit in UNMIL

OIOS conducted an audit of the Conduct and Discipline Unit (CDU) in the United Nations Mission in Liberia (UNMIL). The overall objective of the audit was to assess the effectiveness of CDU in performing its functions. The audit was conducted in accordance with the International Standards for the Professional Practice of Internal Auditing.

CDU has supported the UNMIL Special Representative of the Secretary-General in designing and implementing measures to prevent sexual exploitation and abuse (SEA) and other misconduct through awareness training and the establishment of preventive, enforcement and remedial measures. However, OIOS identified opportunities to further enhance the state of conduct and discipline in the Mission:

- There is low participation in the Mission's mandatory induction and refresher training which includes presentations on SEA and the UN core values. Without timely attendance at training there is a risk that personnel are not fully aware of the UN values and how to behave in the UN environment;
- The Mission's non-fraternization policy was not effectively enforced. Contrary to the preventive measure disallowing the wearing of civilian clothing by troops, off duty troops in the capital city sometimes dressed in civilian attire;
- The CDU misconduct database was incomplete and inaccurate. As a result, the Mission could not determine the extent of misconduct in the mission in order to implement effective remedial measures; and
- Mission management was concerned that they did not have the capacity or expertise to conduct and report on cases of misconduct. Already some cases referred to the Office of Human Resources did not result in disciplinary action mainly due to the insufficiency of evidence to support allegations and weak reporting. In this regard, OIOS' Investigations Division has undertaken the design and development of a comprehensive training programme to build the capacity of UN staff with responsibility for investigating or otherwise dealing with possible misconduct. The training programme will be rolled out before the end of 2009.

OIOS has made a number of recommendations to address the issues identified during the audit to further improve the state of discipline in UNMIL.

TABLE OF CONTENTS

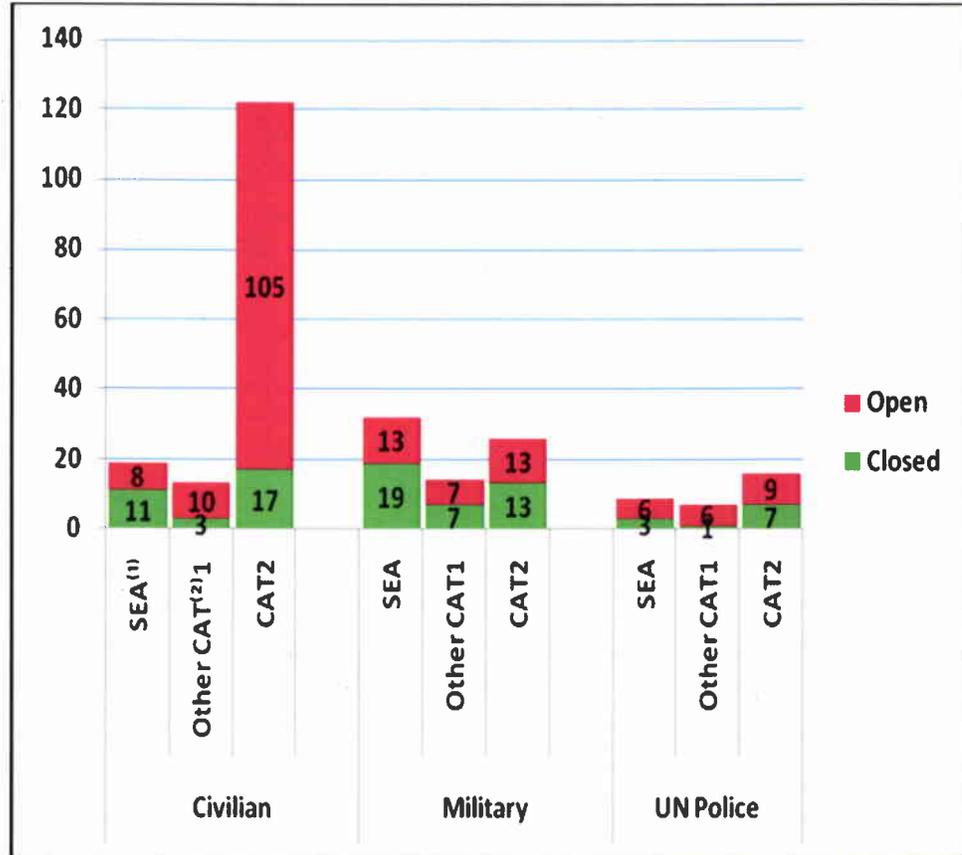
Chapter	Paragraphs
I. INTRODUCTION	1-8
II. AUDIT OBJECTIVES	9
III. AUDIT SCOPE AND METHODOLOGY	10-11
IV. AUDIT FINDINGS AND RECOMMENDATIONS	
A. Preventive measures	12-32
B. Enforcement	33-49
C. Resource availability	50-53
V. ACKNOWLEDGEMENT	54
ANNEX 1 – Status of Audit Recommendations	

I. INTRODUCTION

1. The Office of Internal Oversight Services (OIOS) conducted an audit of the Conduct and Discipline Unit (CDU) in the United Nations Mission in Liberia (UNMIL). The audit was conducted in accordance with the International Standards for the Professional Practice of Internal Auditing.
2. The Special Representative of the Secretary-General (SRSG) is responsible and accountable for the maintenance of good order and discipline in the Mission area, and can take appropriate measures to ensure compliance with the standards of conduct expected of all UN personnel.
3. The CDU was established in November 2005 as the Mission's focal point for conduct and discipline related matters for all categories of peacekeeping personnel. It provides policy guidance and technical advice, assistance in developing preventive strategies for responding to Mission personnel misconduct and dissemination of the guidelines, policies and procedures on conduct and discipline issued by the UN. The CDU works in collaboration with the Office of Mission Support and the investigation units of the Security Section, Military Police, Office of the Provost Marshall and OIOS.
4. Allegations of misconduct are classified into category I and II cases depending on their nature and severity. Category I cases include allegations such as complex fraud, serious criminal act, sexual exploitation and abuse (SEA), etc. Category II cases include allegations such as simple theft, infraction of rules, negligent driving and misuse of equipment.
5. The CDU has no investigative authority. The responsibilities of the Mission's investigative entities are detailed below.

Investigative unit	Responsibilities
OIOS- Investigations Division	All category I allegations and all allegations against Mission personnel at P-5 level and above
Special Investigations Unit (SIU)	All category II allegations and incidents involving UNMIL civilian staff and property
Internal Affairs Unit (IAU)	Allegations relating to UN Police personnel
Military Police and Office of the Provost Marshall	Allegations relating to UN military personnel

6. Investigation findings provide the basis for the Mission to determine whether and which disciplinary measure should be taken against civilian personnel. Troop contributing countries (TCCs) are responsible for disciplining their troops and the United Nations Volunteers (UNV) Headquarters in Bonn is responsible for disciplining UNVs for all misconduct.
 7. The CDU misconduct database as at 30 June 2008 is summarized below.
-



8. Comments made by UNMIL are shown in *italics*.

II. AUDIT OBJECTIVES

9. The main objective of the audit was to assess the effectiveness of CDU in performing its functions and more specifically to determine compliance with regulations, rules, policies and procedures on conduct and discipline in UNMIL.

III. AUDIT SCOPE AND METHODOLOGY

10. OIOS reviewed relevant policies, guidelines and procedures relating to conduct and discipline in UNMIL. The audit included interviews of key Mission staff, detailed tests of a sample of cases recorded between July 2006 and June 2008 and field visits to the Nigerian, Pakistani and Ethiopian contingents in Monrovia, Tubmanburg and Fishtown respectively.

11. The audit did not include category I cases under the purview of OIOS.

IV. AUDIT FINDINGS AND RECOMMENDATIONS

A. Preventive measures

Induction and refresher training

12. UNMIL Integrated Mission Training Center (IMTC) conducts induction training every two weeks, including presentations on SEA and the role of the CDU. This training is compulsory for all staff to educate them on UN core values including related conduct and discipline issues.

13. A review of training records for the period from July 2007 to June 2008 found an average 60 per cent attendance rate as detailed in Table 1 below. While IMTC's follow up e-mail helped to increase the participation of new arrivals in this training, full participation of arrivals had not yet been achieved.

Table 1: Induction training attendance

Staff category	Number of recruits	Number of recruits that attended induction training	% attendance
International	89	56	63
UNV	63	54	86
National	79	29	37
Total	231	139	Average 60

14. Moreover, in OIOS' view, contingents could have been better trained on conduct and discipline issues. While some members of contingents participated in "training-of-trainers" courses, this was not consistent throughout the mission. Also, there were delays, as indicated in Table 2 below, in delivering refresher training to contingents to complement pre-deployment training conducted by concerned TCCs. OIOS was pleased to note that CDU has started preparing quarterly training programmes, commencing with the period March to June 2009, to facilitate the proactive and timely scheduling of refresher training for military, police and civilian personnel.

Table 2: Refresher training

Contingent	Arrival date	Deployment period	CDU training	Lead time
BanEng-Log Sig	April 2007	12 months	December 2007	8 months
BanBatt-12	April 2007	12 months	November 2007	7 months
Ghanbatt	March 2007	6 months	July 2007	4 months
Ghanbatt-8	March 2007	6 months	July 2007	4 months

15. Regular and timely training to create misconduct awareness and to effectively communicate the Mission's policy may reduce incidents of misconduct.

Recommendations 1 and 2

(1) The UNMIL Mission Integrated Training Center should implement an effective mechanism to ensure all civilian personnel participate in its induction training modules.

(2) The UNMIL Conduct and Discipline Unit and the Integrated Mission Training Center should regularly follow-up with the Force Commander to ensure that induction and refresher training modules are delivered to contingents in a timely manner.

16. *The UNMIL Management accepted recommendation 1 and stated that the Check-in Check-out Unit will notify each new staff member of the mandatory courses to be completed. The Human Resources Information Technology Cell will obtain up-to-date completion lists for on-line courses from the UN Headquarters' centralized database holders and follow up induction training attendance with UNMIL IMTC. Recommendation 1 remains open pending the establishment of an adequate and effective compliance monitoring system for mandatory training programmes.*

17. *The UNMIL Management accepted recommendation 2 and stated that follow-up is regular, and that from January 2009, arrangements have been made for arriving units to be trained within two weeks of placement at their operational locations. Based on the action taken, recommendation 2 has been closed.*

Mandatory online training programs

18. The Secretary-General issued ST/SGB/2005/17 "Integrity awareness initiative" on 12 September 2005 and ST/SGB/2005/20 "Prohibition of workplace harassment, sexual harassment and abuse of authority" on 28 November 2005. The latter was reiterated by ST/SGB/2008/5 issued on 11 February 2008 and the SRSB issued a reminder to staff on 23 June 2008. The bulletins require all staff to complete the related mandatory on-line learning programmes, and assign responsibility to Heads of Sections for ensuring completion.

19. A review of Mission personnel records revealed low compliance rates as shown in Table 3, which the Chief Civilian Personnel Officer partly attributed to on-line access difficulties.

Table 3: Completion of mandatory on-line training programmes

Staff category	Total number of staff as at 31 August 2008	Number of staff that completed on-line training on prevention of harassment training	Number of staff that completed training on integrity awareness training
International	472	159	234
National	924	264	269
UNVs	230	93	Not available
TOTAL	1626	516 (32%)	503 (31%)

20. Non-compliance with the Secretary-General's bulletins exposes UNMIL to the risk of personnel not being fully aware of the core values of the UN and how to behave in the UN environment.

Recommendations 3 and 4

(3) The UNMIL Management should remind Section Chiefs of their responsibility to ensure staff completes mandatory learning programmes, reflecting successful completion of them in performance appraisals, and setting a target date for full compliance.

(4) The UNMIL Chief Civilian Personnel Officer, if there are difficulties in accessing training programmes on-line, should request adequate copies of the CD-ROM versions of both "Prevention of Harassment" and "Integrity Awareness" learning programmes from the Office of Human Resources Management for distribution mission wide to facilitate their completion.

21. *The UNMIL Management accepted recommendation 3 and stated that the Chief of Staff shall obtain from the Human Resources Management Section a list of those who have not completed mandatory training programmes and request Section Chiefs to ensure compliance by their staff.* Recommendation 3 remains open pending the issuance of a directive to Section Chiefs regarding the completion of mandatory training.

22. *The UNMIL Management accepted recommendation 4 and stated that the Chief Civilian Personnel Officer is liaising with the Office of Human Resources Management to rectify application problems encountered with the on-line programmes, following which all UNMIL personnel will be notified and encouraged to complete the training programmes.* Recommendation 4 remains open pending confirmation that the application problems have been rectified and receipt of updated lists reflecting satisfactory compliance rates by the set target date.

Non-fraternization policy not effectively enforced

23. Contrary to the preventive measure disallowing the wearing of "mufti" i.e. civilian clothing by the troops, several off duty troops of NIBATT 17 "Bravo" Company based on Carey Street in the Capital City, Monrovia, occasionally dresses in civilian wear.

24. Off duty troops of NIBATT 18, Camp Abuja who, between five and seven weeks after their deployment, were yet to benefit from CDU refresher training were permitted to leave the camp so long as they observe the 19:00 hours curfew. The troops frequent an adjoining local community to buy goods from the market place, in contravention of the non-fraternization policy applicable to military personnel.

25. Uniformed personnel constitute the largest component of peacekeeping personnel, and their living conditions constitute an integral part of their welfare. OIOS observed that the troops of NIBATT 18, deployed to protect Roberts International Airport (RIA), as well as the unit assigned in Harbel to protect Firestone facilities, are accommodated in deplorable living conditions within close proximity of a local civilian population.

26. The Status of Forces Agreement assigns the Government of Liberia responsibility to provide suitable accommodation. However, UNMIL administration has to provide substitutes where required. The Director of Mission Support informed OIOS that an alternative site has been identified for relocation of the RIA-based contingent as part of ongoing measures to improve accommodation facilities. OIOS notes this development and therefore does not issue a recommendation.

Recommendation 5

(5) The UNMIL Force Commander should implement effective procedures to ensure compliance with the non-fraternization policy, military dress code and the related command and control procedures taking into account the prevailing surroundings.

27. *The UNMIL Management accepted recommendation 5 and stated that the Force Commander shall re-issue and ensure compliance by all contingents with the Force Commander's directive on conduct and discipline for military members of national contingents, staff officers and military observers.* Recommendation 5 remains open pending receipt of the Force Commander's directive as re-issued, and the establishment of an effective compliance monitoring mechanism.

Welfare and recreational facilities

28. The Secretary-General's comprehensive report on SEA (A/60/862) recognized the provision of adequate welfare and recreation facilities as an effective misconduct prevention strategy. UNMIL has made considerable progress in providing facilities for civilian staff welfare. The rank and file of all three contingents visited relied on group activities such as walking and jogging for recreation and fitness training.

29. Self-sustainment is a logistical arrangement through which TCCs receive a welfare reimbursement to facilitate the provision of appropriate levels of equipment and amenities amongst other miscellaneous general stores. Apparently the self-sustainment did not always result in improved recreational facilities for troops, as evidenced by the Nigerian and Ethiopian contingents which did not have proper recreational facilities.

30. UNMIL SRSG and the Deputy Force Commander emphasized the Mission's lack of control over TCCs application of self-sustainment

reimbursements to the welfare of troops in the Mission. OIOS notes this limitation and therefore does not issue a recommendation.

Background checks

31. None of the 39 personnel (20 national and 19 international) files reviewed by OIOS included evidence of background checks to ascertain that the recruited staff have no history of misconduct. While the Field Personnel Division, DFS is responsible for background checks for international staff, UNMIL needs to ensure adequate checks are carried out on national staff recruits.

Recommendation 6

(6) The UNMIL Chief Civilian Personnel Officer should ensure that the Recruitment Section conducts and documents background checks on new national staff recruits to the extent possible.

32. *The UNMIL Management accepted recommendation 6 and stated that Human Resource Management Section teams carry out pre-employment checks on all locally-recruited staff, and will now keep this information on record in a more concise manner.* Recommendation 6 remains open pending OIOS' verification that pre-employment checks on locally recruited staff is done.

B. Enforcement

Sector representation

33. Neither CDU, Special Investigations Unit (SIU) nor Internal Affairs Unit (IAU) are represented at sector level. Also, UNMIL does not have a consistent SEA focal point resource base due to the military rotation cycle and ongoing staff turnover that is typical during mission drawdown. While Monrovia based staff travel to cover all sectors, this is sometimes hampered by weather and flight constraints during the May to November rainy season. This impedes the Unit's effort to enhance staff awareness and implement reliable complaint and follow up mechanisms, increasing the likelihood of incidents going unnoticed or unreported.

Recommendation 7

(7) The UNMIL Conduct and Discipline Unit should identify and train sector based Sexual Exploitation and Abuse focal points pending any plans for regional or sector based representation, and establish a seamless replacement process for both military and civilian focal points, including handover notes.

34. *The UNMIL Management accepted recommendation 7 and stated that CDU conducts three SEA focal point trainings per year for individuals who in turn train their colleagues. Managers and commanders shall be requested to*

report to UNMIL Headquarters to ensure that there is continuity and that activities are documented. Recommendation 7 remains open pending confirmation of the appointment of sector based SEA focal points and the establishment of an effective focal point replacement process.

Reporting mechanisms

35. UNMIL Force Commander's directive on conduct and discipline for military staff specifies that military commanders are personally responsible and accountable for the conduct and discipline of all troops under their command. The commanders of contingents visited informed OIOS that they receive complaints against their troops and follow-up accordingly.

36. Considering that commanders have investigative and disciplinary authority over their troops, it is possible that the CDU is not informed about certain complaints particularly those that the commanders choose not to report. Therefore, to ensure that the full extent of alleged misconduct is established in the Mission, there is the need for the CDU to implement an effective independent mechanism to supplement the existing mechanisms through which military commanders receive complaints.

37. OIOS found that CDU's dedicated hotline for receiving complaints, although publicized during sensitization workshops and occasionally on UNMIL Radio, has been ineffective partly because complainants are generally not educated about registering complaints on the answering machine. Callers leave incomplete messages with no caller number. As a result, no actionable complaint has been received through the hotline.

Recommendation 8

(8) The UNMIL Conduct and Discipline Unit should activate a call register for the hotline, and invest in alternative user friendly reporting mechanisms such as strategically placed locked drop-in boxes and designated e-mail addresses, amongst others.

38. *The UNMIL Management accepted recommendation 8 and stated that CDU has now installed a voicemail option to act as a call register and will set up a designated e-mail address, which will be regularly broadcasted on UNMIL Radio. The Unit will install drop-in-boxes at UNMIL headquarters and in the field installations but notes that drop-in boxes may compromise confidentiality of complaints.* Recommendation 8 remains open pending the establishment of an appropriate complaint reporting mechanism.

Investigations

39. IAU investigations are designed to establish the facts for allegations involving UN Police (UNPOL). The reports, which do not draw conclusions or make recommendations, are sent to the UNPOL Chief of Staff who makes

recommendations and forwards them to the Police Commissioner for adjudication.

40. The adjudication process categorizes allegations as follows:

- (i) Sustained – the allegation is well founded;
- (ii) Unresolved – the allegation is neither proved nor disproved;
- (iii) Exonerated – the allegation did not breach standard operating procedures; and
- (iv) Unfounded – the allegation did not occur.

41. In OIOS’ opinion, the adjudication process could be subjective since it is conducted by one individual and the “unresolved” adjudication category is inconclusive as it neither proves nor disproves the allegation.

Recommendation 9

(9) The UNMIL Police Commissioner should review the adjudication process and establish an adjudication panel to eliminate any perceived partiality whilst ensuring clarity of the categories in use.

42. *The UNMIL Police Commissioner accepted recommendation 9, agreeing to the need for clarification of terminology and a review of internal procedures to ensure compatibility and compliance of UNMIL Police standard operating procedures with DPKO directives, guidelines and other relevant issuances, whilst ensuring consistency of application in missions.* Recommendation 9 remains open pending receipt of the approved revised misconduct review and adjudication process for the civilian police component.

Collection and collation of data on misconduct

43. The CDU is responsible for maintaining a comprehensive database of misconduct committed by staff. The Unit liaises with the military, SIU and IAU to obtain case data, which until June 2008 had been maintained in Microsoft Excel. In July 2008, the CDU started using the web-based DPKO/DFS Misconduct Tracking System, keying in 2008 case data first to be followed by data for previous periods.

44. OIOS’ review of the CDU database found a lack of chronological order and disparities between the numbers of cases in the database and the numbers of cases handled by police and military investigative units as indicated in Table 4.

Table 4: Comparative number of cases

	UN Police cases			Military cases		
	2006	2007	2008	2006	2007	2008
No. of cases per investigating unit	58	86	30	5	35	61
No. of cases per CDU	18	12	2	51	14	7
DIFFERENCE	40	74	28	46	21	54

45. Incidents resulting in damage, loss or injury for which the UN may incur liability e.g. road traffic accidents or loss of UN owned-equipment are not classified as misconduct until preliminary investigations make a finding of misconduct. The CDU internal process to extract misconduct cases from SIU case log is not designed to identify such incidents and OIOS identified 12 incidents out of a sample 35 that were not included in the CDU database.

46. Moreover, none of the numerous curfew violations noted by OIOS were in the CDU database. The CarLog Unit of the Transport Section started producing curfew violation reports following an advisory issued by the Director of Mission Support subsequent to OIOS' enquiries. Curfew violations constitute category 2 misconduct and are subject to disciplinary action. The Chief of CDU stated that guidance received from DFS, Conduct and Discipline Team indicated that violations of mission administrative issuances such as those governing speeding and curfew restrictions do not themselves demonstrate a breach of the "highest standard of integrity" and while they are entered into the misconduct tracking system for record purposes, they are not reflected as misconduct.

47. Moreover, UNMIL CDU hired a consultant to conduct advocacy and training activities for the civil society and local communities situated near UN installations as part of its effort to combat SEA. This commendable initiative has enabled the Mission to effectively convey the UN policy of zero tolerance to SEA in the local language. Through this initiative, there were reported allegations of SEA incidents, but these are not always reflected in the CDU database. For example, in a recent report reviewed by OIOS of the results of the consultants work, the consultant provided some details of misconduct that had been reported to him. On follow-up, OIOS noticed that only some of these cases were recorded in the CDU database. The Chief of CDU informed OIOS that as the consultant was not able to provide sufficient details of the cases to be able to refer them for investigation they were not recorded. Considering the potential seriousness of SEA cases, it is important that the consultant working for UNMIL is provided adequate guidance in reporting cases.

Recommendations 10 and 11

(10) The UNMIL Chief of Conduct and Discipline Unit should verify the completeness and integrity of the Unit's database against source documents and harmonize it to the records of investigative units.

(11) The UNMIL Chief of Conduct and Discipline Unit should give appropriate guidance to the consultant concerning the critical information to obtain where allegations of Sexual Exploitation and Abuse emerge.

48. *The UNMIL Management accepted recommendation 10 and stated that a reports officer was recruited who has been entering data on civilian matters, and that the military and police components will be directed to provide data on a regular basis.* Recommendation 10 remains open pending verification that the misconduct tracking system database is complete, accurate and up-to-date.

49. *The UNMIL Management accepted recommendation 11 and stated that the consultant has since participated in SEA focal point training which included required elements for reporting, and received reporting templates containing the basic required information where allegations of SEA emerge. Based on the action taken by UNMIL, recommendation 11 has been closed.*

C. Resource availability

Investigative capacity

50. Sixty nine per cent of cases in the CDU misconduct database as at 30 June 2008 were open. A review of the duration between when cases are reported and closed revealed the following:

Table 5 – Duration of open cases

Personnel category	Case duration (in days)
Civilian	1 - 878
Military	12 - 673
Police	15 - 511

51. Moreover, the Mission stated that due to the lack of expertise, the reports of the SIU were unlikely to withstand legal scrutiny. For example, some cases referred to Office of Human Resources Management (OHRM) did not result in disciplinary action, as the case was successfully challenged due to insufficient evidence provided in the report.

52. The continuing presence of known offenders in the Mission with no demonstrable consequences could impede the effectiveness of the Mission in maintaining good order and discipline. The Mission administration can only take administrative actions such as issuing warnings; but lacks the authority to take disciplinary actions such as dismissal. The SRSG underscored that her limited authority to take disciplinary action against staff, in her opinion, impedes her from effectively discharging her responsibility and accountability for the maintenance of good order and discipline.

Recommendation 12

(12) The UNMIL Management should identify appropriate training for its investigative staff to enhance their collective investigative and reporting skills.

53. *The UNMIL Management accepted recommendation 12 and stated that per General Assembly Resolutions A/RES/59/287 and A/RES/62/247, OIOS Investigations Division has offered to provide basic investigation training, as appropriate, for the handling of minor forms of misconduct, and to develop a comprehensive training module designed to build the capacity of United Nations staff to support administrative inquiries or investigations. Recommendation 12*

remains open pending confirmation of appropriate investigative and reporting skills training attendance by the Mission's investigative staff.

V. ACKNOWLEDGEMENT

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

STATUS OF AUDIT RECOMMENDATIONS

Recom. no.	Recommendation	Risk category	Risk rating	C/O ¹	Actions needed to close recommendation	Implementation date ²
1	The UNMIL Mission Integrated Training Center should implement an effective mechanism to ensure all civilian personnel participate in its induction training modules.	Human Resource	Medium	O	Establishment of an adequate and effective compliance monitoring system for mandatory training programmes.	1 March 2009
2	The UNMIL Conduct and Discipline Unit and the Integrated Mission Training Center should regularly follow-up with the Force Commander to ensure that induction and refresher training modules are delivered to contingents in a timely manner.	Operational	High	C	Action taken.	Implemented
3	The UNMIL Management should remind Section Chiefs of their responsibility to ensure staff completes mandatory learning programmes, reflecting successful completion of them in performance appraisals, and setting a target date for full compliance.	Compliance	High	O	Receipt of an issuance directing Section Chiefs to ensure completion of mandated on-line training by their staff, and verification of a satisfactory compliance status by the set target date.	30 June 2009
4	The UNMIL Chief Civilian Personnel Officer, if there are difficulties in accessing training programmes on-line, should request adequate copies of the CD-ROM versions of both "Prevention of Harassment" and "Integrity Awareness" learning programmes from the Office of Human Resources Management for distribution mission wide to facilitate their completion.	Compliance	Medium	O	Confirmation that the application problems have been rectified and receipt of updated lists reflecting satisfactory compliance rates by the set target date.	30 June 2009
5	The UNMIL Force Commander should implement effective procedures to ensure compliance with the non-fraternization	Compliance	Medium	O	Receipt by OIOS of the Force Commander's directive as re-issued, and the establishment of an effective	1 April 2009

Recom. no.	Recommendation	Risk category	Risk rating	C/O ¹	Actions needed to close recommendation	Implementation date ²
6	policy, military dress code and the related command and control. The UNMIL Chief Civilian Personnel Officer should ensure that the Recruitment Section conducts and documents background checks on new national staff recruits to the extent possible.	Human Resource	Medium	O	compliance monitoring mechanism. OIOS review for consistent evidence of pre-employment checks conducted on locally recruited staff.	Implemented
7	The UNMIL Conduct and Discipline Unit should identify and train sector based Sexual Exploitation and Abuse focal points pending any plans for regional or sector based representation, and establish a seamless replacement process for both military and civilian focal points, including handover notes.	Operational	Medium	O	Confirmation of the appointment of sector based Sexual Exploitation and Abuse focal points and the establishment of an effective focal point replacement process.	30 June 2009
8	The UNMIL Conduct and Discipline Unit should activate a call register for the hotline, and invest in alternative user friendly reporting mechanisms such as strategically placed locked drop-in boxes and designated e-mail addresses, amongst others.	Operational	Medium	O	Establishment of appropriate complaint reporting mechanism	30 June 2009
9	The UNMIL Police Commissioner should review the adjudication process and establish an adjudication panel to eliminate any perceived partiality whilst ensuring clarity of the categories in use.	Governance	Medium	O	Receipt of the approved revised misconduct review and adjudication process for the civilian police component	30 June 2009
10	The UNMIL Chief of Conduct and Discipline Unit should verify the completeness and integrity of the Unit's database against source documents and harmonize it to the records of investigative units.	Operational	Medium	O	Verification that the misconduct tracking system database is complete, accurate and up-to-date.	30 June 2009
11	The UNMIL Chief of Conduct and Discipline Unit should give appropriate guidance to the consultant concerning the	Operational	Medium	C	Action complete.	Implemented

Recom. no.	Recommendation	Risk category	Risk rating	C/O ¹	Actions needed to close recommendation	Implementation date ²
12	critical information to obtain where allegations of Sexual Exploitation and Abuse emerge. The UNMIL Management should identify appropriate training for its investigative staff to enhance their collective investigative and reporting skills.	Operational	Medium	O	Confirmation of appropriate investigative and reporting skills training attendance by the Mission's investigative staff.	30 June 2009

1. C = closed, O = open
2. Date provided by UNMIL in response to recommendations.