



INTERNAL AUDIT DIVISION

REPORT 2023/082

Audit of the integrated conduct and discipline function in Kuwait and related entities

The Integrated Conduct and Discipline Unit and its client missions needed to update the operational framework to enhance the effectiveness of the conduct and discipline function, including the funding arrangement for the Unit in consideration of the assigned tasks

22 December 2023

Assignment No. AP2022-615-01

Audit of the integrated conduct and discipline functions in Kuwait and related entities

EXECUTIVE SUMMARY

The Office of Internal Oversight Services (OIOS) conducted an audit of the integrated conduct and discipline functions in the United Nations Assistance Mission in Afghanistan (UNAMA), United Nations Assistance Mission for Iraq (UNAMI), United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA), and United Nations Military Observer Group in India and Pakistan (UNMOGIP), (hereafter collectively referred to as “the client missions”). The Integrated Conduct and Discipline Unit (ICDU) based in Kuwait provides advisory conduct and discipline services to the client missions. The objective of the audit was to assess the effectiveness of ICDU in advising mission leadership on conduct and discipline matters and the adequacy of measures implemented by the client missions in managing conduct and discipline. The audit covered the period from 1 July 2019 to 31 December 2022, focusing on higher and medium-risk areas, which included: (a) governance of conduct and discipline activities; (b) prevention of misconduct; (c) enforcement of standards of conduct; and (d) remedial actions.

ICDU, in collaboration with the client missions, conducted annual quality assurance reviews of all cases reported during the audit period and closed those cases for which relevant actions had been completed. However, the operational framework that governed the conduct and discipline function was not aligned with the operating environment. There was no assurance that all reported complaints were duly recorded in the Case Management Tracking System. Additionally, the conduct and discipline risk registers did not include significant and emerging risks relevant to the missions, and ICDU work plans did not have clear timelines and were not adequately monitored. Further, conduct and discipline focal points were not adequately trained to conduct the functions assigned, and the missions did not sufficiently monitor new staff to ensure they attended induction training and that all staff completed the mandatory ethics-related training.

OIOS made eight recommendations. To address issues identified in the audit:

The client missions, in collaboration with ICDU and the Department of Management Strategy, Policy, and Compliance, needed to:

- Update the ICDU operational framework, including the Conduct and Discipline Coordination Committee and the funding arrangement for ICDU in consideration of the assigned tasks.

ICDU, in collaboration with the client missions, needed to:

- Enhance the risk assessment process and identify all significant risks relevant to conduct and discipline in the risk register, including emerging risks and risks of not reporting sexual exploitation and abuse and corresponding mitigating measures.

ICDU needed to:

- Monitor the implementation of its work plans bi-annually based on appropriate timelines of the work plan activities.

UNRCCA and UNMOGIP needed to:

- Ensure the conduct and discipline focal points take relevant training to acquire the knowledge and skills required to discharge their functions.

UNAMI, UNMOGIP and UNRCCA needed to:

- Implement a mechanism such as communicating details of new staff to the missions' training cells and reconciling records with induction attendance records to ensure all staff and military attend the induction training and records and documentation are maintained.

UNAMI needed to:

- Ensure the completion of mandatory ethics-related training by all staff by following up on monthly completion reports.

UNAMI and UNAMA needed to:

- Make additional arrangements to enhance the investigative capacity of Special Investigation Unit staff and the ad-hoc fact-finding panels, including liaising with the Department of Safety and Security and the Department of Management Strategy, Policy and Compliance, respectively, in this regard.

UNMOGIP needed to:

- Put in place a mechanism to ensure consistent participation in the activities of the Task Force on sexual exploitation and abuse.

The client missions and ICDU accepted seven recommendations and are yet to initiate action to implement them. Actions required to close the recommendations are indicated in Annex I.

However, UNAMI and UNAMA did not accept the recommendation to engage the United Nations Department of Safety and Security to provide training to the Special Investigation Unit staff. OIOS closed the recommendation based on the acceptance of the residual risks by UNAMI and UNAMA. This unaccepted recommendation may be reported to the General Assembly in the next OIOS annual report.

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Audit of the integrated conduct and discipline functions in Kuwait and related entities

I. BACKGROUND

1. The Office of Internal Oversight Services (OIOS) conducted an audit of the integrated conduct and discipline function in the United Nations Assistance Mission in Afghanistan (UNAMA), United Nations Assistance Mission for Iraq (UNAMI), the United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA), and the United Nations Military Observer Group in India and Pakistan (UNMOGIP), hereafter collectively referred to as “the client missions”. The Integrated Conduct and Discipline Unit (ICDU) based in Kuwait provides advisory conduct and discipline services to the missions.
2. The leadership and staffing structure of the missions served by ICDU are summarized in table 1.

Table 1
Leadership and staffing structure of the client missions

Mission	Mission leadership and staffing structure
UNAMA	UNAMA is headed by a Special Representative of the Secretary-General (SRSG), supported by two deputies: Deputy SRSG for Political Affairs and Deputy SRSG Resident and Humanitarian Coordinator. As of December 2022, UNAMA comprised 1,169 posts (296 international and 799 national staff and 74 United Nations volunteers).
UNAMI	UNAMI is headed by the SRSG, supported by the Deputy SRSG for Political Affairs and Electoral Assistance and Deputy SRSG Resident and Humanitarian Coordinator. As of December 2022, UNAMI comprised 698 posts (301 international and 397 national staff).
UNMOGIP	The Chief Military Observer heads UNMOGIP. The Mission comprises 112 personnel (68 civilians and 44 experts on mission).
UNRCCA	The Head of Mission heads UNRCCA. UNRCCA comprises 30 civilian staff.

3. Core values and principles to be upheld by staff members are enshrined in the Charter of the United Nations, whereby every staff member is called upon to uphold “the highest levels of efficiency, competence and integrity.” The Standards of Conduct for the International Civil Service¹ delineate fundamental values and principles and establish the highest standards of conduct, an obligation for all United Nations personnel. The United Nations personnel located in the field are also guided as to their conduct by the Policy on “Accountability for Conduct and Discipline in Field Missions”².
4. Misconduct refers to the violations of the United Nations standards of conduct or failure to observe the standards of conduct expected of an international civil servant. There are two categories of misconduct: Category 1: serious misconduct, which includes sexual exploitation and abuse (SEA), serious and complex fraud, abuse of authority, conflict of interest, all cases involving risk of loss of life, serious criminal acts, gross mismanagement, and waste of substantial resources; and Category 2: misconduct, which includes traffic-related incidents, infractions of certain Administrative Instructions (AI), simple theft and fraud.

¹ <https://icsc.un.org/Resources/General/Publications/standards.pdf>

² <https://conduct.unmissions.org/documents-standards>

5. The Department of Management Strategy, Policy, and Compliance (DMSPC) enforces United Nations policies on conduct in field missions. The Conduct and Discipline Service (CDS) in DMSPC provides overall direction for conduct and discipline issues.

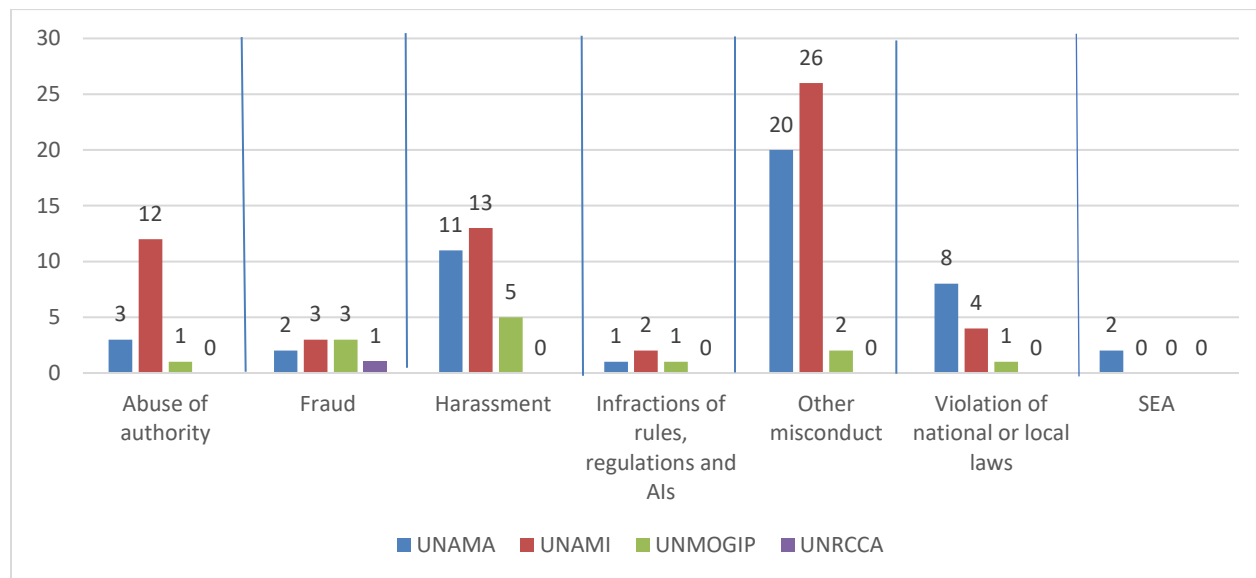
6. The United Nations has a three-pronged conduct and discipline strategy comprising:

- a. Prevention: i.e., awareness raising, training (pre-deployment, induction and refresher), risk identification, preventive measures and welfare and recreation;
- b. Enforcement: i.e., information reception, assessment and categorization, notification and referral to an appropriate investigative body, review of investigation reports, recommendations and sanctions; and
- c. Remedial action: i.e., participation in the United Nations Country Team network on protection from SEA, implementation of victims’ assistance strategy, assistance with paternity and child support claims, and other remedial actions.

7. Mission senior leadership is responsible for establishing measures to prevent misconduct, enforcing United Nations standards of conduct, and ensuring remedial actions are taken where misconduct occurs.

8. Misconduct allegations are recorded in the Case Management Tracking System (CMTS), a global, web-based data collection and management system. Figure I below show allegations of misconduct reported to ICDU from 1 July 2019 to 31 December 2022.

Figure I
Allegations of misconduct recorded in the conduct and discipline Case Management Tracking System from 1 July 2019 – 31 December 2022



Source: Case Management Tracking System

9. ICDU was established in 2014 pursuant to an operational framework developed by the erstwhile Department of Field Support (now Department of Operational Support) to support conduct and discipline-related functions in the client missions. The Unit is headed by a Chief at the P-5 level based in Kuwait (funded by UNAMA) who reports directly to the heads of UNMOGIP and UNRCCA, and the heads of UNAMA and UNAMI through the respective chiefs of staff. The Chief of the Unit is assisted by one

Conduct and Discipline Officer at the P-3 level (funded by UNAMI), and an Administrative Assistant (national staff funded by UNAMI), all based in Kuwait.

10. Additionally, there are two associate conduct and discipline officers. One is based in Kabul covering UNAMA and the other in Baghdad covering UNAMI (funded by the mission of their location). In UNRCCA and UNMOGIP, the Chief of ICDU is assisted by conduct and discipline focal points appointed by the heads of mission to undertake related responsibilities on a part-time basis, including induction training and monitoring compliance by mission staff with mandatory training requirements.

11. Comments provided by ICDU and the client missions are incorporated in italics.

II. AUDIT OBJECTIVE, SCOPE AND METHODOLOGY

12. The objective of the audit was to assess the effectiveness of ICDU in advising mission leadership on conduct and discipline matters, and of measures implemented by the client missions in managing conduct and discipline activities in their respective missions.

13. This audit was included in the 2022 risk-based work plan of OIOS because of the: (i) possible consequences of misconduct on victims and other stakeholders; (ii) high operational and reputational consequences that conduct and discipline matters may bear to the United Nations; and (iii) importance of ethical behavior and personal conduct of staff to the overall organizational culture in motivating staff to deliver their best effort.

14. OIOS conducted this audit from March to May 2023. The audit covered the period from 1 July 2019 to 31 December 2022. Based on an activity-level risk assessment, the audit focused on high and medium-risk areas, which included: (a) governance of conduct and discipline activities; (b) prevention of misconduct; (c) enforcement of standards of conduct; and (d) remedial actions.

15. The audit methodology included: (a) interviews with key personnel; (b) review of relevant documentation, including quarterly reports on conduct and discipline, risk assessment reports and work plans; (c) ageing analysis of 121 cases of misconduct allegations received by ICDU; (d) review of a judgmentally selected sample of 63 of 121 cases recorded in CMTS to assess whether they were timely referred for investigation or other appropriate actions were taken; (e) review of a random judgmental sample of training materials and attendance records of newly onboarded civilian personnel; and (f) survey of staff on the awareness of mechanisms and platforms for reporting allegations of misconduct.

16. The audit was conducted in accordance with the International Standards for the Professional Practice of Internal Auditing.

III. AUDIT RESULTS

A. Governance of conduct and discipline functions

Need to implement appropriate operational framework for the integrated conduct and discipline function

17. The operational framework that established ICDU included the terms of reference, governance structure, and accountability mechanism. The framework required the client missions to establish a Conduct and Discipline Coordination Committee comprising heads of missions to oversee the implementation of conduct and discipline activities. The Committee was required to meet quarterly or more frequently to carry out its oversight role, which included monitoring, reviewing and approving budgets, and assessing the

performance and capacity of ICDU. The chairperson for the Committee should alternate each year between the four missions and has the role of second reporting officer with UNAMI and UNAMA alternately, on an annual basis, performing the role of first reporting officer for the Chief of ICDU.

18. The Committee was established in 2014. However, no meetings were held during the audit period because UNAMI and UNAMA delegated the Committee functions to their chiefs of staff at the D-2 level, whereas UNMOGIP and UNRCCA delegated this function to staff at the P-5 level and below, who could not authoritatively deliberate policy issues. The Chief of ICDU explained that although the Committee did not hold meetings, the Unit worked directly with the missions' senior leadership to implement preventive and enforcement activities, including preparation of mission-specific risk assessments, annual work plans, and quality assurance reviews. Missions' senior leadership also indicated that they provided input and discussed their mission-specific risk assessments and work plans with the Chief of ICDU.

19. The absence of a functioning committee negatively impacted the adequacy of oversight of ICDU. In the absence of a functioning committee and a chairperson, the Chief of Staff for UNAMI and UNAMA took turns serving as the first and second reporting officers for Chief ICDU annually. Furthermore, the adequacy of the resources was not appropriately addressed.

20. From September 2015 to June 2019, the Chief of ICDU was the only international professional staff responsible for implementing conduct and discipline activities, including administrative tasks and case management. This adversely affected the effectiveness of ICDU. In 2019, a Conduct and Discipline Officer at the P-3 level was recruited, but the post was vacant and under recruitment at the time of the audit. Although ICDU supported UNRCCA and UNMOGIP, the original framework did not require UNRCCA and UNMOGIP to fund ICDU. There was also a need to assess the resource implications of additional responsibilities added to ICDU beyond those envisaged in the original framework. This included the additional requirement in 2015 for ICDU to support the Kuwait Joint Support Office, in 2022 the Resident Coordinator's Office in Kuwait, and in 2019 the United Nations Investigative Team for the Accountability of Da'esh (UNITAD) in Iraq. There was no corresponding increase in the Unit's resources to carry out additional responsibilities.

21. While the client missions established multiple channels for reporting misconduct, including the OIOS telephone hotline and email, ICDU telephone hotline and email, through emails or phone calls to ICDU officers, and missions' conduct and discipline officers and focal points, there were no records maintained by ICDU or monitoring by the committee of all allegations received to ensure they were appropriately addressed. OIOS, was therefore, unable to verify and reconcile complaints received through these channels with CMTS for completeness with allegations received by ICDU. During the audit period, 121 allegations of misconduct were assessed and recorded in CMTS, as shown in figure I. However, OIOS interviews with the conduct and discipline staff indicated that some allegations reported to the associate conduct and discipline officers, conduct and discipline focal points or supervisors were deemed as trivial and therefore were not reported to the Chief of ICDU for assessment, recording in CMTS, and referral for investigation, where appropriate. Consequently, OIOS could not provide assurance that all complaints reported by United Nations personnel were subsequently recorded in CMTS.

22. Additionally, OIOS staff interviews and survey results indicated that not all incidents of misconduct were being reported. For example, in UNMOGIP, staff indicated that they were unwilling to report SEA cases due to the conservative nature of the society. Also, in response to the survey³ conducted by OIOS (16 per cent response rate or 322 of 2,009 staff), 92 staff (or 29 per cent) in the four missions indicated observing misconduct. However, 54 of 92 staff (or 59 per cent) indicated they did not report it to a responsible official

³ An OIOS online survey on reporting misconduct issued to all staff in UNRCCA, UNAMI, UNAMA and UNMOGIP

or any other United Nations reporting mechanism. This included 42 per cent and 44 per cent of UNAMI and UNAMA staff, respectively, with 42 per cent and 22 per cent of national staff in UNAMA and UNAMI, respectively, indicating observing but not reporting misconduct. Reasons for not reporting misconduct included a lack of confidence that action would be taken on the report, a perceived lack of confidentiality in the reporting process, fear of retaliation and an imbalance of power between mission staff and management. The absence of a functioning Committee comprising of mission senior leadership with oversight role to guide and take actions on reported misconduct may lead to the lack of confidence in the functioning of ICDU.

23. ICDU indicated that the absence of a functional Committee was a long-standing issue which had been reported to CDS in DMSPC, but no action had been taken. However, there was no evidence of ICDU's communication with DMSPC.

(1) UNAMA, UNAMI, UNRCCA and UNMOGIP, in consultation with the Integrated Conduct and Discipline Unit (ICDU) and the Department of Management Strategy, Policy and Compliance, should update the ICDU operational framework, including the Conduct and Discipline Coordination Committee and ICDU funding arrangement in consideration of the assigned tasks.

UNAMA, UNAMI, UNRCCA and UNMOGIP accepted recommendation 1. UNAMA and UNAMI stated that it was the responsibility of DMSPC, in consultation with ICDU and the four Missions, to update the ICDU operational framework. UNMOGIP stated that the original operational framework did not require them to fund ICDU posts and they would be unable to do so due to budgetary constraint. They would, however, continue to provide financial support to the bi-annual visits of the Chief of ICDU to UNMOGIP.

Need to enhance annual work planning and its monitoring

24. ICDU is required to develop and monitor the implementation of annual risk-based work plans and conduct risk assessments in collaboration with the missions as part of the enterprise risk management (ERM) process.

25. ICDU prepared its annual work plans comprising 131 activities (48 activities in 2019/20, 48 in 2020/21, and 35 in 2021/22) that were guided by significant risks identified during the risk assessment process. The planned activities included awareness-raising for United Nations personnel on the expected standards of conduct, and provision of advice to senior leadership on their related responsibilities. The Chief of ICDU discussed the risk assessments and work plans with senior leadership of the missions, who provided relevant input to ensure alignment with the missions' overall strategies for addressing misconduct.

26. However, the risk assessment process needed to be improved to ensure comprehensive identification and assessment of significant risks. For example, in UNMOGIP, the mission environment was not adequately assessed, especially for contracted staff in a position of power who may be perpetrators of SEA. Additionally, existing risks related to the changing environment and regime for women in Afghanistan and the potential reputational risks to the United Nations on conduct and discipline issues, including for SEA, were excluded from the current risk assessment. ICDU indicated that a review of UNAMA's risk register by Mission personnel and the ERM team in DMSPC in November 2022 did not identify any gaps in the risk assessment process or register as the risk was previously identified and included in the risk registers and treatment plans developed by UNAMA and UNAMI. However, OIOS noted that relevant risks were excluded from the risk register, and as a result, mitigating measures were not reflected in the ICDU's work plans. . This could also result in underreporting of allegations of misconduct. OIOS noted that only 2 of 121 allegations reported to ICDU during the audit period related to SEA.

27. ICDU conducted work plan activities including awareness-raising training for United Nations personnel and managers on expected standards of conduct, provided guidance on conduct and discipline mission-specific policies and procedures, implemented a complaints mechanism to enable reporting of SEA and other misconduct, and received and assessed reports of allegations and referred them for investigations. However, key measures to prevent and address misconduct, including participation in the prevention from SEA (PSEA) networks, awareness raising with the local population, refresher training to staff in SIU on due process, rights and procedures, and advice to welfare committees, were not implemented during the audit period.

28. There were no timelines for implementing 22 of 131 activities, and progress was not reviewed quarterly as planned. ICDU indicated that with increased work requirements and competing priorities, quarterly monitoring was not feasible but suggested monitoring twice per year.

(2) The Integrated Conduct and Discipline Unit, in collaboration with UNAMA, UNAMI, UNMOGIP and UNRCCA, should enhance the risk assessment process and identify in the risk register all significant risks relevant to conduct and discipline, including emerging risks and risks of not reporting sexual exploitation and abuse and corresponding mitigating measures.

UNAMA, UNAMI, UNRCCA and UNMOGIP accepted recommendation 2. UNAMI and UNAMA stated that expanding the risk assessment would burden the missions and a balance was required as ICDU related concerns were already included in the missions' risk registers and treatment plan. UNMOGIP stated that the Mission would continue to collaborate with ICDU to enhance its risk assessment process and had updated its risk register to include conduct and discipline risks, emerging risks and risks of not reporting SEA. Additionally, it had begun to address and mitigate the risks through mandatory training and awareness-raising activities.

(3) The Integrated Conduct and Discipline Unit should monitor the implementation of the work plans bi-annually based on appropriate timelines of the work plan activities.

ICDU accepted recommendation 3 and stated that its implementation was dependent on the adoption of a revised and implementable ICDU operational framework.

B. Prevention of misconduct

Need to build the capacity of conduct and discipline focal points in UNRCCA and UNMOGIP

29. To be effective in their work, individuals designated as conduct and discipline focal points and alternates should preferably be staff members with some knowledge of activities associated with the prevention and/or response to misconduct and who work closely with the entity's responsible officials for conduct and discipline issues.

30. UNRCCA and UNMOGIP appointed conduct and discipline focal points to implement basic conduct and discipline activities such as induction training and logistical support to the Chief of ICDU. However, although CDS organized an annual training programme on conduct and discipline, the focal point in UNRCCA, whose substantive position was in human rights, had not undertaken induction or other training on conduct and discipline due to budgetary constraints. Inadequate training of focal points may limit their effectiveness in discharging related functions.

(4) UNRCCA and UNMOGIP should ensure that the conduct and discipline focal points take relevant training to acquire the knowledge and skills required to discharge their functions.

UNRCCA and UNMOGIP accepted recommendation 4. UNMOGIP stated that although the Chief of ICDU provided continuous support to conduct and discipline focal points remotely and during the bi-annual visits to UNMOGIP, the Mission would ensure that the conduct and discipline focal points undertake the next available training to acquire the knowledge and skills to discharge their functions.

Need for more efforts to ensure all staff undertake introductory and mandatory conduct and discipline training

31. All staff members are required to attend induction training within six months of joining the United Nations and complete four mandatory training courses relating to ethics and integrity and conduct and discipline topics to raise awareness of the Organization's core values and expectations, including mechanisms to report misconduct. The completion rates of the mandatory courses are published on the management dashboards and are included in senior managers' compacts.

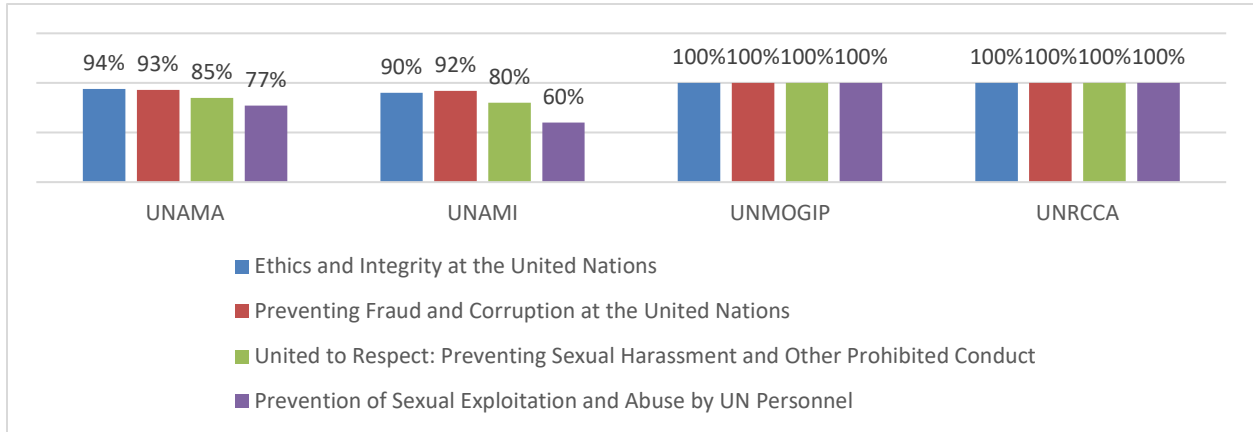
32. One of the roles of the focal points is to deliver induction training on conduct and discipline matters to new staff joining the missions. OIOS review of the induction training process and related records showed the following:

- UNMOGIP maintained documentation of induction training materials but did not keep track of any records of new civilian staff and military personnel who attended the trainings, including the session on ethics and integrity carried out by the conduct and discipline focal point. Consequently, there was no assurance that all the personnel joining the Mission underwent the induction training.
- Due to UNRCCA's small size with staff located among five countries, it did not have specialized or dedicated training capacities and did not conduct formal induction training for new staff. Instead, the Mission's conduct and discipline focal point conducted walk-through sessions to brief the new staff on conduct and discipline standards, including requirements for mandatory ethics-related training. However, training materials used were unavailable, the sessions were not documented, and attendance records were not maintained. The Mission was, therefore, unable to assure that all staff attended induction training, that information on sessions held was relevant, and that staff was sensitized on the required standards of behaviour.
- UNAMA recruited 302 staff during the audit period. A review of a random sample of 100 staff (or 33 per cent) indicated that 35 staff (or 35 per cent) did not attend induction training. UNAMI recruited 127 new staff during the audit period. A random sample of 100 staff (or 79 per cent) indicated that 86 staff (or 86 per cent) did not attend induction training. These happened because there was no process for reconciling induction attendance records with a list of new staff joining the mission.

33. While focal points indicated that ICDU provided some guidance on the induction training material, this needed to be timely updated based on specific mission risks and identified areas for enhanced training. Delivery of training by the focal points and the material they use is key to the adequacy and effectiveness of the training. The lack of capacity for conduct and discipline focal points may contribute to inadequate awareness-raising activities in the missions.

34. The average completion rates of mandatory trainings as of 30 June 2023 was: 87 per cent for UNAMA, 81 per cent for UNAMI, and 100 per cent for UNMOGIP and UNRCCA. Figure II provides a break-down of compliance by mission for the four conduct and discipline related mandatory courses.

Figure II
Conduct and discipline mandatory training compliance as of 30 June 2023



Source: Management dashboard mandatory training data

35. As shown in figure II, the completion rate in UNAMI for the Prevention of SEA by United Nations personnel was low, at 60 per cent. In addition, the average completion rate by UNAMI senior managers at the D-1 level and above for all four courses was 51 per cent. Given the important role of senior management in setting an example, the current completion rate was low.

36. UNAMA indicated that it shared records on mandatory online courses twice a month with the respective section chiefs and their deputies, including through the Chief Mission Support bulletin. This ensured that training information reached all relevant personnel in the mission. UNAMA also indicated that the Human Resources Section coordinated with the Mission Training Unit to ensure that induction training, including conduct and discipline training was provided monthly for new staff members, attendance records were kept by the Training Unit and monthly reports were shared with the Integrated Training Service at United Nations Headquarters.

37. Non-completion of induction and mandatory conduct and discipline-related training limits staff's awareness of the required standards of conduct and reporting mechanisms, as well as the protection available to those reporting misconduct. This may also result in underreporting of misconduct and prevent the missions from taking appropriate action against perpetrators.

(5) UNAMI should ensure the completion of mandatory ethics-related training by all staff by following up on monthly completion reports.

UNAMI accepted recommendation 5 and stated that the Mission training unit would ensure all staff complete relevant mandatory training courses.

(6) UNAMI, UNMOGIP and UNRCCA should implement a mechanism, such as communicating details of new staff to the missions' training cells and reconciling records with induction attendance records, to ensure all staff and military attend the induction training and records and documentation are maintained.

UNAMI, UNMOGIP and UNRCCA accepted recommendation 6. UNMOGIP stated that the Mission would ensure the conduct and discipline focal points continue providing training on the prevention of SEA to all newly deployed personnel and keep attendance records of induction training.

C. Enforcement of standards of conduct

Need to promptly address allegations of wrongdoing

38. Timely investigating alleged wrongdoing and taking appropriate action on proven misconduct is critical to creating a culture of “zero-tolerance” for misconduct. The advisory on conduct and discipline in field missions issued by the Department of Operational Support (formerly, the Department of Field Support) requires ICDU to monitor the finalization of investigations by field missions every three months for SEA cases and those under investigation by field missions’ investigative bodies and every six months for other cases being investigated by OIOS or Member States.

39. As of 31 December 2022, 121 cases were reported to ICDU as indicated in table 2 below, with 87 cases (or 72 per cent) closed after being open for an average of 529 days. These cases comprised 29 which were closed without investigation based on an assessment by ICDU that the allegations either did not amount to misconduct, the evidence was inadequate, or the complainants did not respond to requests for further information.

40. The 34 open cases (28 per cent) had been open for an average of 462 days, of which, 19 were outstanding for an average of 536 days (11 of 19 were outstanding for an average of 885 days) pending investigation by an ad-hoc fact-finding panel⁴, OIOS, or SIU, and 15 cases were outstanding for an average of 368 days pending various actions, including managerial action by the missions and decisions/actions by DMSPC, contingents and member states (table 2).

Table 2

Summary of open and closed cases recorded in the conduct and discipline Case Management Tracking System from 1 July 2019 to 31 December 2022

<i>Mission</i>	Cases		
	Closed	Open	Total
<i>UNAMA</i>	32	15	47
<i>UNAMI</i>	46	14	60
<i>UNMOGIP</i>	9	4	13
<i>UNRCCA</i>		1	1
<i>Total</i>	87	34	121

Source: CMTS

41. The delays in investigation were attributed to the unavailability of witnesses, challenges in gathering evidence, and delays in constituting ad hoc fact-finding panels. Additionally, interviews with SIU and ICDU staff indicated that some SIU staff and members of the fact-finding panels lacked investigative capacity and had not been adequately trained to handle complex cases. As a result, this reduced the number of SIU staff that could adequately conduct investigations, contributing to delays in the process. SIU staff indicated that due to inadequate funding, they were unable to attend OIOS Investigations Division-led training on conducting misconduct investigations in 2022 and 2023. The missions had also not engaged DMSPC and the Department of Safety and Security to provide training for staff in SIU.

42. The long delays in concluding investigations signal a lack of capacity in ICDU, SIU and ad-hoc fact-finding panels to assess and investigate reports of misconduct.

⁴ An ad-hoc fact-finding panel is an investigative panel, appointed by the responsible official, whose mandate is to carry out investigations in the Mission in accordance with ST/AI/2017/1.

- (7) UNAMA and UNAMI should make additional arrangements to enhance the investigative capacity of Special Investigation Unit staff and the ad-hoc fact-finding panels, including liaising with the Department of Safety and Security and the Department of Management Strategy, Policy and Compliance, respectively, in that regard.**

UNAMA and UNAMI did not accept recommendation 7 and stated that they did not agree with the implied causal relationship between strengthening investigative training and preventing misconduct. They also stated that the responsibility to enhance SIU investigative capacity did not reside with the Mission. With respect to the fact-finding panels, UNAMA stated that it had consistently budgeted for and sent staff at various levels for the training conducted by OIOS and DMSPC and that two staff attended the training in 2022 and more training was provided for in the 2024 budget. OIOS notes that it is the responsibility of senior management to implement measures, including training, to prevent misconduct and to take appropriate action when it occurs. OIOS reiterates the need to enhance the investigative capacity of staff in SIU. This unaccepted recommendation may be reported to the General Assembly indicating management's acceptance of residual risks.

ICDU conducted annual quality assurance reviews for all missions, and submitted quarterly and annual reports for UNMOGIP

43. The Advisory on conduct and discipline in field missions requires the missions to conduct quality assurance to ensure that all reported allegations are fully addressed. Additionally, the accountability of Conduct and Discipline Policy in Field Missions outlines accountability measures for annual and quarterly reporting on the state of conduct and discipline in field missions. The reports provide analysis of trends and risk areas on conduct and discipline. ICDU, in collaboration with the client missions, conducted annual quality assurance reviews, which included reviewing all cases for closing those cases for which relevant actions had been completed, identifying cases with pending actions and emphasizing the importance of timely information sharing to avoid unnecessary delays. The quality assurance exercise validated the 34 outstanding cases and identified and communicated pending actions by DMSPC, the missions and OIOS. The exercise was conducted within one month, and reports were submitted to the Chief of CDS as required.

44. In addition, in accordance with the advisory on conduct and discipline in field missions, UNMOGIP as a peacekeeping mission, is required to submit annual and quarterly reports to CDS in DMSPC on conduct and discipline activities, including staffing and training, allegations/cases information extracted from the CMTS, and detailed reports generated using Microsoft Power BI. ICDU prepared relevant reports on behalf of UNMOGIP which were reviewed and approved by the Chief Military Observer prior to submission to CDS.

45. Based on these results, OIOS concluded that effective controls were in place to ensure compliance with reporting and quality assurance requirements.

D. Remedial action

All client missions but UNMOGIP actively participated in the task force on sexual exploitation and abuse

46. The United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel calls for the United Nations system to provide, in a coordinated manner, assistance to individuals with needs directly arising from sexual exploitation or sexual abuse. Targeted awareness-raising and external communication activities help to inform the general population about the United Nations standards of conduct, reporting misconduct, and assistance available to victims. This is achieved through participation in a PSEA task force, a network for

collaboration among missions, the United Nations Country Team and national partners in providing assistance to victims of SEA.

47. From 2019 to 2020, the missions did not participate in any PSEA task force meetings or activities and in UNAMA and UNAMI, this was partly attributed to the COVID-19 pandemic. Since 2021, UNAMA and UNAMI participated in the PSEA Task Force in Afghanistan and Iraq, respectively, and appointed focal points who reported to their chiefs of staff and the Chief of ICDU.

48. In Iraq, activities undertaken by the Task Force included the development of an inter-agency risk assessment, which assessed aspects of SEA, including staff awareness and the effectiveness of preventive measures. However, UNAMI's participation was not evidenced, as no meeting minutes were maintained and provided. In Afghanistan, the PSEA Task Force held monthly meetings, documented, and followed up on action plans. A review of the minutes maintained by the United Nations Country Team in Afghanistan indicated that a PSEA strategy was developed in the last quarter of 2022 and included responsibilities and accountabilities for senior management in represented organizations to ensure the highest level of support.

49. In the five countries covered by UNRCCA, the United Nations Country Team established a working group to, inter alia, promote and protect women's rights. The working group prioritized the highest risk, which was discrimination against women and domestic violence, but not SEA. SEA was rated as very low based on the evidence provided by the working group of the United Nations Country Team. OIOS review of documentation and interviews with staff indicated that UNRCCA participated in the meetings of the working group.

50. UNMOGIP, however, comprising civilian and military personnel, did not participate in the PSEA Task Force meetings functioning under the Resident Coordinator's Office due to an oversight by management and restrictions associated with the COVID-19 pandemic.

(8) UNMOGIP should put in place a mechanism to ensure consistent participation in the activities of the Task Force on sexual exploitation and abuse.

UNMOGIP accepted recommendation 8 and stated that it would collaborate with United Nations Country Team and Non-Governmental organizations to enhance the implementation of the Secretary-General's "zero-tolerance" Policy on SEA. The Mission's conduct and discipline focal points, would participate in the PSEA Task Force meetings functioning under the Resident Coordinator's Office and that the focal points would ensure that they were in the distribution list of meeting minutes so that their collaboration could be substantiated.

IV. ACKNOWLEDGEMENT

51. OIOS wishes to express its appreciation to the management and staff of ICDU, UNAMA, UNAMI, UNMOGIP and UNRCCA for the assistance and cooperation extended to the auditors during this assignment.

Internal Audit Division
Office of Internal Oversight Services

STATUS OF AUDIT RECOMMENDATIONS

Audit of the integrated conduct and discipline function in Kuwait and related entities

Rec. no.	Recommendation	Critical ⁵ / Important ⁶	C/ O ⁷	Actions needed to close recommendation	Implementation date ⁸
1	UNAMA, UNAMI, UNRCCA and UNMOGIP, in consultation with the Integrated Conduct and Discipline Unit (ICDU) and DMSPC, should update the ICDU operational framework, including the Conduct and Discipline Coordination Committee and of the funding arrangement for the ICDU in consideration of the assigned tasks.	Important	O	Receipt of evidence that UNAMA, UNAMI, UNRCCA and UNMOGIP, in consultation with ICDU and DMSPC have reviewed and updated the ICDU operational framework.	31 December 2024
2	The Integrated Conduct and Discipline Unit, in collaboration with UNAMA, UNAMI, UNMOGIP and UNRCCA, should enhance the risk assessment process and identify all significant risks relevant to conduct and discipline in the risk register, including emerging risks and risks of not reporting sexual exploitation and abuse and corresponding mitigating measures.	Important	O	Receipt of evidence that ICDU, in collaboration with UNAMA, UNAMI, UNMOGIP and UNRCCA, have enhanced the risk assessment process and included in the risk register significant risks relevant to conduct and discipline including emerging risks and risks related to underreporting.	31 December 2024
3	The Integrated Conduct and Discipline Unit should monitor the implementation of the work plans bi-annually based on appropriate timelines of the work plan activities.	Important	O	Receipt of evidence that where practicable, ICDU includes timelines for activities in the work plans and implements mechanisms to monitor the implementation bi-annually.	30 April 2024
4	UNRCCA and UNMOGIP should ensure that the conduct and discipline focal points take relevant training to acquire the knowledge and skills required to discharge their functions.	Important	O	Receipt of evidence that the conduct and discipline focal points in UNRCCA and UNMOGIP have undertaken relevant training to acquire the knowledge and skills required to discharge their functions.	31 December 2024

⁵ Critical recommendations address those risk issues that require immediate management attention. Failure to take action could have a critical or significant adverse impact on the Organization.

⁶ Important recommendations address those risk issues that require timely management attention. Failure to take action could have a high or moderate adverse impact on the Organization.

⁷ Please note the value C denotes closed recommendations whereas O refers to open recommendations.

⁸ Date provided by ICDU and client missions.

STATUS OF AUDIT RECOMMENDATIONS

Audit of the integrated conduct and discipline function in Kuwait and related entities

Rec. no.	Recommendation	Critical ⁵ / Important ⁶	C/ O ⁷	Actions needed to close recommendation	Implementation date ⁸
5	UNAMI should ensure the completion of mandatory ethics-related training by all staff by following up on monthly completion reports.	Important	O	Receipt of evidence that UNAMI follows up on monthly completion reports for mandatory ethics-related training.	31 January 2024
6	UNAMI, UNMOGIP and UNRCCA should implement a mechanism such as communicating details of new staff to the missions' training cells and reconciling records with induction attendance records, to ensure all staff and military attend the induction training and records and documentation are maintained.	Important	O	Receipt of evidence that a mechanism is implemented that ensures all staff and military personnel in UNAMI, UNMOGIP and UNRCCA attend the induction training and records are maintained.	31 January 2024
7	UNAMA and UNAMI should make additional arrangements to enhance the investigative capacity of Special Investigation Unit staff and the ad-hoc fact-finding panels, including liaising with the Department of Safety and Security and the Department of Management Strategy, Policy and Compliance, respectively, in that regard.	Important	C	OIOS closed the recommendation without implementation based on the acceptance of the residual risks by UNAMI and UNAMA.	N/A
8	UNMOGIP should put in place a mechanism to ensure consistent participation in the activities of the Task Force on sexual exploitation and abuse.	Important	O	Receipt of evidence of active participation by UNMOGIP in the activities of the PSEA Task Force.	30 June 2024

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APPENDIX I

Management Response

Rec. no.	Recommendation	Critical/ Important	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
	significant risks relevant to conduct and discipline, including emerging risks and risks of not reporting sexual exploitation and abuse and corresponding mitigating measures.		YES	HoM/CMO	Ongoing	<p>concerns are already included in the missions' risk registers and treatment plans.</p> <p>UNMOGIP accepts this recommendation and states that it would continue to collaborate with the ICDU to enhance the risk assessment process. UNMOGIP has updated its Risk Register to include conduct and discipline risks, including emerging risks and risks of not reporting SEA. UNMOGIP has already begun to address and mitigate this risk through training and awareness, as follows:</p> <p>a). UNMOGIP displayed 100% compliant in completion of four mandatory courses relating to ethics and integrity and conduct and discipline to raise awareness of UN core values.</p> <p>b) Military Gender Advisor and Military Gender Focal point in collaboration with Civilian Gender Focal Point organize regular briefings on PSEA, including Zero tolerance policies on sexual exploitation and abuse.</p> <p>c). UNMOGIP established the Missions' Policy on PSEA. Policy includes non-staff members such as "contractors" or third parties like service providers.</p> <p>d). UNMOGIP UNMO's get regular trainings (bi-annually) during</p>

Rec. no.	Recommendation	Critical/ Important	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
			Yes	Deputy Head, Sen. Political Affairs Officer, Mr. Philip Saprykin.	2024	<p>UNMO's conference by Chief of ICDU.</p> <p>e). USG Mr. Christian Saunders, Special Coordinator on Improving the UN Response to Sexual Exploitation and Abuse (SEA) held a Townhall meeting with UNMOGIP staff during his visit in February 2023</p> <p>f). UNMOGIP has expanded its Risk Management Committee to include the risk owner who is accountable for monitoring and reporting on the gradual mitigation of conduct and discipline/SEA related risks.</p> <p>UNRCCA: No additional comments</p>
3	The Integrated Conduct and Discipline Unit should monitor the implementation of the work plans bi-annually based on appropriate timelines of the work plan activities.	Important	Yes	ICDU	April 2024	<p>UNAMA & UNAMI: This is reliant on the adoption of a revised and implementable ICDU Operational Framework.</p> <p>UNMOGIP & UNRCCA: No comments.</p>
4	UNRCCA and UNMOGIP should ensure that the conduct and discipline focal points take relevant training to acquire the knowledge and skills required to discharge their functions.	Important	YES	HoM/CMO	Ongoing	UNMOGIP accepted recommendation 4 and states that UNMOGIP would ensure that UNMOGIP Conduct and Discipline (C & D) focal points shall take the next available training to acquire the knowledge and skills to discharge

Rec. no.	Recommendation	Critical/ Important	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
			Yes	C&D Focal Point - Mr. Armands Pupols.	2024	their functions. Chief of ICDU provides continuous support to UNMOGIP C&D focal points remotely and during his bi-annual visits to UNMOGIP. UNRCCA: No additional comments
5	UNAMI and UNAMA should ensure the completion of mandatory ethics-related training by all staff by including the requirements in the staff performance appraisal and following up on monthly completion reports.	Important	No	Chief Training Ms. Sabrina Naidu, and the Chief of Staff	Ongoing	UNAMA: The monthly completion report is consistently shared with mission chiefs /sections and units. UNAMA ethics related training status are as follows: 1. Ethics and integrity at the UN – 95% 2. Preventing Sexual Harassment and other prohibited conduct – 89% 3. Preventing sexual exploitation and abuse by UN personnel – 83% 4. Induction Training – 100% UNAMA Management will continue to encourage completion of all mandatory training. However, ST/SGB/2018/4 on UN Mandatory Learning Programmes, has no requirement for training completion rates to feature in staff performance appraisals. UNAMI: UNAMI will encourage completion of mandatory training, but as per ST/SGB/2018/4 on UN Training, there is no requirement for
			Yes (with reservations)	Chief Integrated Training Section,	Ongoing	

Rec. no.	Recommendation	Critical/ Important	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
				and the Chief of Staff		training completion rates to feature in staff performance appraisals.
6	UNAMI, UNAMA, UNMOGIP and UNRCCA should implement a mechanism such as communicating details of new staff to the missions' training cells and reconciling records with induction attendance records, to ensure all staff and military attend the induction training and records and documentation are maintained.	Important	No	Chief Training Ms. Sabrina Naidu	Ongoing	UNAMA: Human resources coordinate with training on all new arrivals to the Mission. The induction training for all new staff (both nationals and internationals) are conducted every month and attendance records are kept with the Training Unit. Records for compliance for 2022 & 2023 are at 100% and available with ITS.
			Yes	Chief, Operations and Resource Management	January 2024	UNAMI: No comment
			Yes	HOM/CMO	Ongoing	UNMOGIP accepts recommendation 6 and states that it is already implemented the mechanism through the following: a). UNMO's receive pre-deployment training before arriving to the Mission. b). UNMOGIP would ensure the conduct and discipline focal points would continue providing training on the prevention of SEA to all newly deployed personnel. c) Conduct and Discipline Focal Points keep attendance records of Induction Training.
						UNRCCA: No comments

Rec. no.	Recommendation	Critical/ Important	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
			Yes	C&D Focal Point - Mr. Armands Pupols.	2024	
7	UNAMA and UNAMI should make every effort to enhance the investigative capacity of Special Investigation Unit staff and the ad-hoc fact-finding panels, including liaising with the Department of Safety and Security and the Department of Management Strategy, Policy and Compliance respectively in that regard.	Important	No		Ongoing	UNAMA: Does not accept the implied causal relationship between strengthening investigative training and preventing misconduct. Further, the responsibility to enhance the SIU investigative capacity does not reside with the Mission. With respect to the Fact-finding panels, UNAMA has consistently budgeted for and sent staff at various levels for the training conducted by OIOS and DMSPC. 2 staff attended the training in 2022 and it is included in the 2024 budget.
			No		Ongoing	UNAMI: The responsibility to enhance SIU and ad-hoc panel investigative capacity does not reside with UNAMI. Further, UNAMI does not accept the implied causal relationship between strengthening training and preventing misconduct.
8	UNMOGIP should put in place a mechanism to ensure consistent participation in the activities of the Task Force on sexual exploitation and abuse.	Important	Yes	HoM/CMO	Ongoing	UNMOGIP accepts this recommendation and states that in collaboration with United Nations Country Team and NGOs shall enhance the implementation of SG’s “Zero-Tolerance Policy” on PSEA. UNMOGIP CDU focal points shall participate in the PSEA Task Force meetings functioning under the RCO. These Focal points will ensure that

Rec. no.	Recommendation	Critical/ Important	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
						they are in the distribution list of meeting minutes so their collaboration can be substantiated.