

Lesson 3.3



Conduct and Discipline

Lesson at a Glance

Aim

To brief peacekeeping personnel on UN:

- Norms of conduct
- Consequences for misconduct
- Duties and responsibilities to report misconduct

Relevance

- You are an ambassador of the UN
- Everything you do must stand up to the highest standards of behavior and integrity
- Peacekeeping personnel must not be part of sexual violence or exploitation

All peacekeeping personnel must act as **role models**. You are an **ambassador of the UN** and your country. Everything you do must uphold highest standards of behaviour and integrity.

Under no circumstances can peacekeeping personnel commit sexual violence or exploit women, children or local people. **Peacekeeping personnel must not violate human rights or international humanitarian law.**

Any misconduct has serious consequences.

Learning Outcomes

Learners will:

- List the three key principles governing the conduct of peacekeeping personnel
- Describe the categories of misconduct
- Explain consequences of misconduct for peacekeeping personnel, the host population and the mission
- List key entities that address conduct and discipline issues

Lesson Map

Duration: 45 minutes total

20 minutes: presentation

25 minutes: interactive exchange or activity

| | |
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The Lesson




Starting the Lesson

Introduce the following (using the Introductory Slides):

- Lesson Topic
- Aim
- Relevance
- Learning Outcomes
- Lesson Overview


Standards of Conduct Matter

Slide 1



Standards of Conduct Matter

- Your conduct represents the UN
- You should not hinder or jeopardize the mandate
- You should not become a safety and security risk




Key Message: Standards of conduct are important.

This is because:

- **Your conduct represents** the UN Core Values: Integrity, Professionalism and Respect for Diversity
- You **should not hinder the mandate or jeopardize it through** misconduct
- You should **not be a safety or security risk** to yourself or mission colleagues

UN Standards of Conduct

Slide 2



UN Standards of Conduct

- Three principles underpin UN standards of conduct:
 1. Highest standards of efficiency, competence and integrity
 2. Zero tolerance policy on sexual exploitation and abuse
 3. Accountability of those in command or authority who fail to enforce the standards of conduct

Key Message: Three principles underpin UN standards of conduct:

1. Highest standards of efficiency, competence and integrity
2. Zero tolerance policy on sexual exploitation and abuse (SEA)
3. Accountability of those in command or authority who fail to enforce standards of conduct

The UN standards of conduct are principles for all peacekeeping personnel.

The source documents for the UN standards of conduct are different for civilians and uniformed personnel.

SEA is serious misconduct in the UN.




Inform participants that sexual exploitation and abuse will be covered in Lesson 3.4.



Present the slide that is most appropriate to participants.

Slide 3




Sources for Civilians

For Civilian Staff
(including UN staff members, UNVs, consultants and contractors)

- UN Charter
- UN Staff Regulations and Rules
- UN Financial Regulations and Rules
- Status, basic rights and duties of UN staff members (ST/SGB/2002/13)
- Measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)
- Prohibition of discrimination, harassment, including sexual harassment and abuse of authority (ST/SGB/2008/5)
- Other Administrative issuances, including on the use of information and communication technology (e.g. pornography, gambling)

Key Message: These are the UN source documents for the conduct of civilian staff.

Slide 4



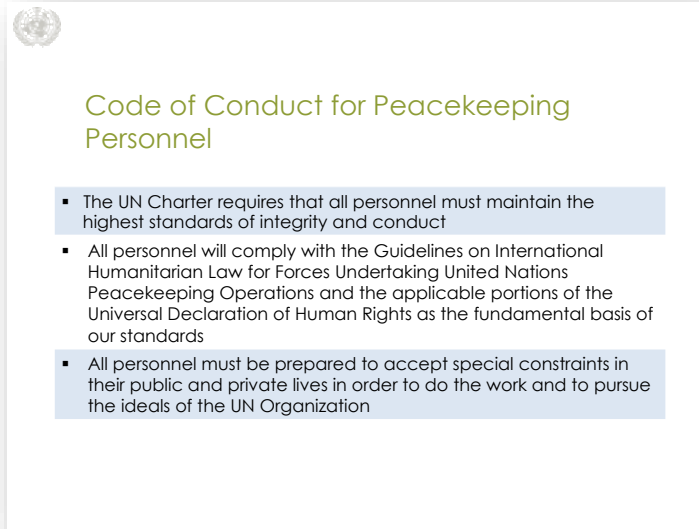
Sources for Police and Military

For Uniformed Personnel

- UN Charter
- Revised draft model Memorandum of Understanding between the UN and Troop Contributing Countries incorporating the annex "We are the UN Peacekeeping Personnel"
- Status, basic rights and duties of officials other than Secretariat and experts on mission (ST/SGB/2002/9)
- Measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)
- Observance by United Nations forces of International Humanitarian Law (ST/SGB/1999/13)
- Directives for Disciplinary Matters involving Civilian Police Officers and Military Observers (DPKO/MD/03/00994)
- Ten Rules/Code of Personal Conduct for Blue Helmets
- Other Administrative issuances, including use of information and communication technology (e.g. pornography, gambling)

Key Message: These are the UN source documents for the conduct of uniformed personnel – military and police.

Slide 5



Key Message: There is a Code of Conduct for Peacekeepers.




Make handouts of the Code of Conduct for Peacekeepers. Distribute as assigned reading before the lesson, ideally the day before. Discuss it section by section. What do people think of it? Any surprises? Are all points clear? How do they feel about living by this code?

Main points covered in the Code of Conduct:

- The UN Charter requires that all personnel must maintain the highest standards of integrity and conduct
- All personnel will comply with the Guidelines on International Humanitarian Law for Forces Undertaking UN Peacekeeping Operations and the applicable portions of the Universal Declaration of Human Rights as the fundamental basis of our standards
- All personnel must be prepared to accept special constraints in their public and private lives in order to do the work and to pursue the ideals of the UN

Immunities and Privileges

Slide 6



Immunities and Privileges

- Exist to enable civilian and police personnel as well as military observers to perform their functions
- Lifted by the Secretary-General when in the interests of the UN
- Does not mean that peacekeeping personnel who violate standards of conduct will get away with it

Key Message: UN privileges and immunities do not mean peacekeeping personnel can get away with violating standards of conduct.

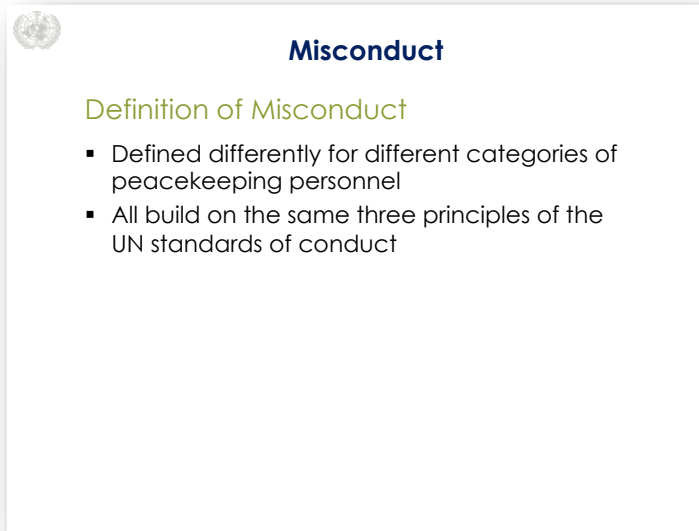
The UN expects all peacekeeping personnel to maintain the highest UN standards of conduct. No exceptions.

Immunities and privileges exist to enable civilian and police personnel as well as military observers to perform their functions. National contingent personnel have privileges and immunities to enable them to do their work through the Status of Force Agreement (SOFA). The UN holds ALL peacekeeping personnel accountable for the highest standards of conduct.

The Secretary-General has lifted immunities and privileges in interests of the UN. Sometimes immunity can prevent justice. In such cases, the Secretary-General has a duty to waive immunity of any official or expert without prejudice to the interests of the UN. For example, **individuals accused of crimes have been prosecuted under their country's laws.**

Misconduct

Slide 7



Key Message: The UN defines “misconduct” differently for different categories of peacekeeping personnel.

All build on three principles which underpin the UN standards of conduct:


1. Highest standards of efficiency, competence and integrity
2. Zero tolerance policy on sexual exploitation and abuse
3. Accountability of authorities who fail to enforce standards of conduct

The United Nations Staff Rules Rule 310.1 (ST/SGB/2008/3) define misconduct. The principles apply to all peacekeeping personnel.



Present the slide that is most appropriate to participants.

Slide 8



Definition of Misconduct

For Civilian Personnel


Failure by a staff member to:

- Comply with his/her obligations under UN Charter, Staff Regulations and Rules and relevant Administrative issuances
- Observe Standards of Conduct expected of an international civil servant

Reference: Staff Rule 310.1
Principles are also binding on other civilians in peacekeeping missions

Key Message: This is the definition of “misconduct” for civilians.

Slide 9



Definition of Misconduct


For Members of National Contingent and Military Staff Officers

- Misconduct means any act or omission that is a violation of UN standards of conduct, mission-specific rules and regulations or the obligations towards national and local laws and regulations in accordance with the status-of-forces agreement where the impact is outside the national contingent.
- Serious Misconduct is misconduct, including criminal acts, that results in, or is likely to result in serious loss, damage or injury to an individual or to a mission. Sexual exploitation and abuse constitute serious misconduct.

Reference: We are the UN Peacekeeping Personnel (lists specific instances)

Key Message: This is the definition of “misconduct” for uniformed personnel – specifically members of national contingents and Military Staff Officers.

Slide 10



Definition of Misconduct


For UN Police and Military Observers

- Minor Misconduct: any act, omission or negligence that is a violation of mission standard operating procedures (SOPs), directives or any other applicable rules, regulations or administrative instructions, but which does not result in or is not likely to result in major damage or injury to an individual or the mission.
- Serious Misconduct: any act, omission or negligence, including criminal acts, that is a violation of mission SOPs, directives or any other applicable rules, regulations or administrative instructions, that results in or is likely to result in serious damage or injury to an individual or to the mission.

Reference: Directives for Disciplinary Matters involving Civilian Police Officers and Military Observers (lists specific instances)

Key Message: This is the definition of “misconduct” for uniformed personnel – specifically UN Police and Military Observers.

Slide 11



Categories of Misconduct

Category I: Serious Misconduct includes:

- Sexual exploitation and abuse (SEA)
- Criminal activities, e.g. offences against the person, offences against property, including fraud

Category II: Misconduct includes:

- Simple theft and fraud
- Sexual or other work-related harassment
- Traffic-related incidents, e.g. speeding

Key Message: For administration and investigation, there are two main categories of misconduct: Category I (serious misconduct) and Category II (misconduct).

Category I – Serious Misconduct

Category I or serious misconduct offences are high risk, complex matters and serious criminal cases. They include:

- All SEA (e.g. rape), criminal activity (e.g. offences against the person and offences against property, including fraud)

Independent, professionally trained and experienced investigators best handle inquiries into Category I matters. For military contingents, their national authorities are responsible for handling investigations.

Category I cases include:

- Serious or complex fraud
- SEA
- Other serious criminal act or activity
- Conflict of interest
- Gross mismanagement
- Waste of substantial resources
- All cases involving risk of loss of life to staff or to others, including witnesses
- Substantial violation of UN regulations, rules or administrative issuances

Category II – Misconduct

Category II or misconduct offences are lower risk cases. These include:

- Minor theft and traffic offences (e.g. speeding)
- Sexual and other work related harassment

Discrimination, harassment (including sexual harassment) and abuse of authority are category II misconduct. The classification does not reflect the extreme distress such misconduct causes to victims.

Mission structures usually handle inquiries into Category II matters. Specific guidelines detail how to deal with discrimination, harassment - including sexual harassment - and abuse of authority.


The Office of Internal Oversight Services (OIOS) classifies cases of lower risk as Category II.

Category II cases include:

- Traffic related inquiries
- Simple thefts
- Contract disputes
- Office management disputes
- Basic misuse of equipment or staff
- Basic mismanagement issues
- Infractions of regulations, rules or administrative issuances
- Simple entitlement fraud

Consequences of Misconduct


Slide 12



Consequences of Misconduct

For the Victim

- Violates victim's human rights

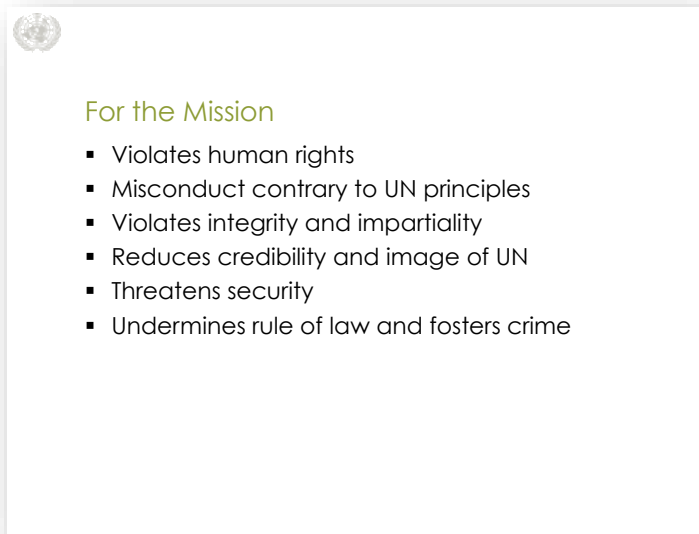


Key Message: Misconduct has serious consequences. It violates rights of victims and causes distress.

It may result in other consequences are equally negative.

Misconduct does not only affect the victim, but also family members. Where the victim is a citizen of the host country, local communities are affected also.

Slide 13



Key Message: Misconduct affects the reputation of the UN and the country contributing peacekeeping personnel. Reputation is affected in the international arena as well as in the host country.

Misconduct is contrary to UN principles and calls into doubt the duty of care of peacekeeping personnel.

Acts of misconduct seriously damage the image and credibility of a mission. They can negatively affect the mission's ability to implement its mandate. SEA and criminal acts are the worst.

Misconduct may also put the security of peacekeeping personnel at risk. SEA, for example, could result in violent retaliation against perpetrators, a contingent or even the mission.

Slide 14



Key Message: Misconduct results in disciplinary and criminal action against peacekeeping personnel.

Disciplinary action follows when an investigation confirms misconduct. The UN takes this action against civilian staff, for example, summary dismissal. For uniformed personnel, Member States are responsible for taking disciplinary and/or criminal action. The UN can only take limited action against uniformed personnel (e.g. repatriation and barring from future service).

Consequences are also determined by the privileges and immunities peacekeeping personnel enjoy. Uniformed personnel remain liable to disciplinary action and even **criminal proceedings** for violations of their national code of conduct, which amounts to criminal acts.

When peacekeeping personnel are alleged to have committed a crime, such as rape, the UN will do a preliminary assessment before referring the matter to the appropriate Member State for criminal investigation. This is because UN investigations are administrative in nature.

Examples of disciplinary action include written censure, demotion or a fine. *Peacekeeping personnel may face financial liability in cases of theft or misappropriation.*

Information on consequences of misconduct are in the:

- Revised draft model Memorandum of Understanding between the UN and Troop Contributing Countries
- General Assembly Resolution on Criminal accountability of United Nations officials and experts on mission (A/RES/62/63)

Reporting and Investigating Misconduct

Slide 15



Key Message: Key entities to address conduct and discipline issues include the:

- Conduct and Discipline Unit
- OIOS
- Ethics Office
- UN Ombudsman

When allegations of misconduct are made they should either be brought to the attention of the:

- Conduct and Discipline Teams (CDTs) in mission, or
- Directly to OIOS

The mission's CDT is the primary body which receives reports of alleged misconduct. The CDT also supports mechanisms for dealing with misconduct.

Others who receive reports of alleged misconduct are:

- Head of Mission (HoM)
- Head of the Military Component (HoMC) or Head of Police Component (HoPC)
- OIOS
- Ethics Office
- UN Ombudsman

Uniformed personnel report misconduct through their chain of command, whereas civilian staff members can report directly to the CDT and other reporting bodies.

Slide 16



Investigations

Category I: Investigation by OIOS

- Sexual exploitation and abuse (SEA)
- Criminal activities, e.g. offences against person or property, including fraud


Category II: Investigation by Responsible Official

- Simple theft and fraud
- Sexual or other work-related harassment
- Traffic-related incidents, e.g. speeding

Key Message: Investigation is carried out by:

- OIOS for Category I serious misconduct
- A responsible and designated official for Category II misconduct

Slide 17



Duties

- Report suspected misconduct
- Report in good faith supported by evidence
- Cooperate with UN investigations
- Make reports to UN officials, OIOS or to others in special circumstances
- Report misconduct directly to OIOS without a need for supervisory approval (ST/SGB/273, para 18)

Key Message: All UN personnel have a duty to report misconduct, cooperate in investigations and provide information in good faith.

This duty includes:

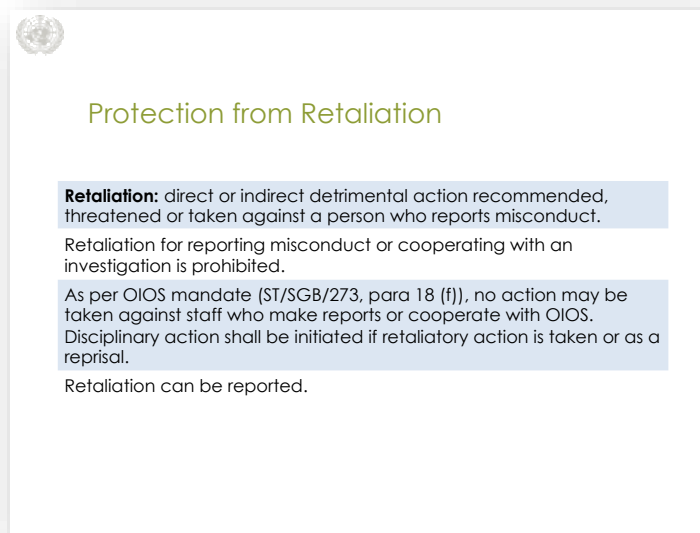
- Reporting any breach of UN rules and regulations
- Cooperating with authorized audits and investigations

Staff members who report alleged misconduct in good faith have the right to protection from retaliation.

The UN treats allegations made by staff members in bad faith and spreading unsubstantiated rumours as acts of misconduct.

In-mission and induction briefings will cover mission-specific misconduct reporting mechanisms.

Slide 18



Key Message: Retaliation is direct or indirect detrimental action – recommended, threatened or taken – against a person who reports misconduct.


Retaliation for reporting misconduct or cooperating with an investigation is prohibited.

As per OIOS mandate (ST/SGB/273, para 18 (f)), no action may be taken against staff who make reports or cooperate with OIOS. Disciplinary action shall be initiated if retaliatory action is taken or as a reprisal.

Retaliation can be reported.

Responsibility for Conduct


Slide 19



Who is Responsible?

Individual Responsibility

- Each peacekeeper is an ambassador
- Be familiar and comply with human rights, IHL and the specific rules, regulations and guidance provided by the UN guide to conduct
- You have a duty to report misconduct, cooperate in investigations and provide information in good faith



Key Message: It is an individual responsibility to be fully familiar with the specific rules, regulations and guidance provided by the UN to guide conduct. All UN personnel also have a duty to report misconduct, cooperate in investigations and provide information in good faith.


The UN expects all peacekeeping personnel to maintain the highest UN standards of conduct, regardless of level. This means supporting the leadership by always showing commitment for the UN's unique values and standards.

Misconduct by one peacekeeping personnel, or in one mission, has wide impact. It tarnishes all peacekeeping personnel and missions. It undermines UN credibility and legitimacy and the UN's image among local, national and international partners.




This part of the session outlines the duty of leadership to be accountable and responsible for maintaining the highest standard of conduct and preventing, monitoring and responding to misconduct. It relates to the third key principle underpinning UN standards of conduct: accountability of those in command who fail to enforce the standards of conduct.

Slide 20



Leadership and Accountability

- Maintain standards of conduct
- Prevent, monitor and respond to misconduct
- Ensure misconduct prevention training
- Conduct periodic misconduct risk assessments
- Report all misconduct to the Conduct and Discipline Team or OIOS



Key Message: The UN expects those in command to a) maintain standards of conduct and b) prevent, monitor and respond to misconduct.

Normally when misconduct takes place it raises issues of poor leadership and command and control.

Accountability and overall responsibilities on addressing misconduct direct leadership to:

- Set and implement prevention, enforcement and remedial policies
- Ensure training in misconduct prevention
- Conduct periodic misconduct risk assessments
- Address potential and actual violence
- Report all misconduct to the CDT or OIOS

Managers and commanders can do much to show real leadership on preventing and responding to misconduct.

Summary

The three key principles governing the conduct of peacekeeping personnel

- Highest standards of efficiency, competence and integrity
- Zero tolerance policy on SEA
- Accountability of those in command or authority who fail to enforce the standards of conduct

The categories of misconduct

- **Category I**, or serious misconduct offences, are high risk, complex matters and serious criminal cases. They include:
 - All SEA (e.g. rape), criminal activity (e.g. offences against the person, and offences against property, including fraud)
- **Category II**, or misconduct offences, are lower risk cases. These include:
 - Minor theft and traffic offences (e.g. speeding)
 - Sexual and other work related harassment

Consequences of misconduct for peacekeeping personnel, the host population and the mission

- There are serious consequences to all involved when it comes to misconduct. It violates the victim's human rights.
- The main consequences for **peacekeeping personnel** are:
 - Disciplinary action
 - Repatriation/barring from future service
 - Summary dismissal
 - Criminal proceedings
 - Financial liability
- Consequences of misconduct for the peacekeeping mission
 - Misconduct contrary to UN principles
 - Violates integrity and impartiality
 - Reduces credibility and image of UN
 - Threatens security
 - Undermines rule of law and fosters crime

Key Entities that address conduct and discipline issues

- Conduct and Discipline Team/Unit (CDT)
- Office of the Internal Oversight Services (OIOS)
- Ethics Office
- UN Ombudsman

Learning Activities

Detailed instructions for each learning activity may be found below. Here is an overview of learning activities for the instructor to choose from:

| Number | Name | Methods | Time |
|--------|--|------------------------|------------|
| 3.3.1 | Perceptions of UN Peacekeeping Personnel | Visuals, media reports | 10 minutes |
| 3.3.2 | Categories of Misconduct | Mix-and-match | 15 minutes |
| 3.3.3 | Consequences of Misconduct | Brainstorm | 10 minutes |

3.3.1 Perceptions of UN Peacekeeping Personnel

Method

Visuals, media reports

Purpose

To explore perceptions of UN peacekeepers through media visuals and reports

Time

10 minutes

Preparation

- Research media coverage of UN peacekeeping. Find examples that relate to conduct and discipline. Try to find some visuals as well as headlines and brief articles. Examples of headlines:
 - *UN peacekeepers sexually exploited hundreds of Haitian women to have sex with them in return for food and medicine". (A) report found exploitation is widespread, with a third of victims under-18 (Daily Mail, UK, June 2015)*
 - *U.N. Official to Visit Central African Republic Amid Scrutiny Over Peacekeepers. Zeid Ra'ad al-Hussein, the United Nations' top human rights official, is to meet with the new acting leader of the peacekeeping mission, which has been roiled by sexual abuse allegations (New York Times, August 2015)*
 - *UN peacekeepers 'traded gold and guns with Congolese rebels' (The Guardian, UK, 2008)*
- Prepare slides or handouts, or a "media board" with selected coverage.

Instructions

1. Introduce the activity. Positive media coverage supports a mission. Negative media coverage undermines legitimacy. Misconduct negatively affects legitimacy whether reported in mainstream media or not. Examples may be disturbing.
2. Show or hand out coverage you selected. What key points do the articles make? What impression does the coverage make on people?

Variations

- Get participants to research media coverage of UN peacekeeping. Ask them to look for articles with conduct and discipline implications, print and bring one article or image/cartoon. With the group, prepare a "media board", posting the articles. Group related ones together. Guide discussion

with questions above. Do they note any patterns across the collected coverage? What do they conclude?

3.3.2 Categories of Misconduct

Method

Mix and match

Purpose

To reinforce knowledge of types of misconduct with examples

Time

15 minutes

Introduction 2 minutes

Table groups 10 minutes

Close 3 minutes

Preparation

- Prepare sheets with types or categories of misconduct and examples. See support, below. You may want to reformat with a larger type-size.
- Confirm table groups. Provide flip-chart sheets for posting matched sets.

Instructions

1. Introduce the exercise. The UN has a strategy to address all forms of misconduct. It has three parts: a) prevention of misconduct, b) enforcement of UN standards of conduct, and c) remedial action. This exercise focuses on knowledge for prevention.
2. Hand out the sheets. Let people know they have about 10 minutes. Participants may want to post the matched papers on a flip-chart sheet.

Variations

- Do the activity with the group. Prepare two flip-chart sheets with headings Category I Misconduct, Category II Misconduct. Read out points. What type of misconduct? Tape the paper to the correct flip-chart sheet.

Support for Learning Activity 3.3.2 Categories of Misconduct

| | |
|----------------------------------|--|
| Category I Misconduct | High-risk matters |
| | Complex matters |
| | Serious criminal acts |
| | All sexual exploitation and abuse |
| | Offences against the person – e.g. rape |
| | Offences against property – serious fraud |
| | Conflict of interest |
| | Gross mismanagement |
| | Waste of substantial resources |
| | Loss of life to staff or others, e.g. witnesses |
| | Substantial violation of UN regulations, rules |

| | |
|-----------------------------------|---|
| Category II Misconduct | Minor offenses |
| | Minor theft |
| | Traffic offences – speeding |
| | Sexual harassment |
| | Work-related harassment |
| | Abuse of authority |
| | Contract disputes |
| | Basic misuse of equipment or staff |
| | Basic mismanagement issues |
| | Infractions of regulations, rules |
| | Simple entitlement fraud |

3.3.3 Consequences of Misconduct

Method

Brainstorm

Purpose

To establish consequences of misconduct

Time

10 minutes

Preparation

- Prepare flip-chart sheets with the following headings:
 - Victim, host population
 - Perpetrator/s, UN personnel
 - Peacekeeping mission, UN
- Refresh your knowledge on consequences of different types of misconduct.

Instructions

1. Introduce the activity and its focus on consequences of misconduct.
2. Ask anyone to start. Invite people to refer to specifics from the previous exercise. What are consequences of each misconduct type? On the flip-chart sheets, note Category I and Category II misconduct separately (on the top and bottom of the sheet, or using different colours).
3. Reinforce key points. All misconduct has a negative impact on the victim and the peacekeeping mission. The degree of impact varies, but even Category II misconduct has long-term negative effects.
4. Close the exercise. Reinforce the core message that the UN expects the highest standards of behaviour from all peacekeepers.

Variations

- Media coverage from 3.3.1 Perceptions of UN Peacekeepers may include real examples. Probe the impact on victims, perpetrators and missions with those stories.

Evaluation

Notes on Use: The types of learning evaluation questions is:

- 1) Narrative
- 2) True-False

Combine in different ways for pre-assessment and post-assessment. Each evaluation type covers different content. No sub-set covers all learning outcomes. Make sure you include learning evaluation questions for each learning outcome when you combine them.

Three main uses of evaluation questions are: a) informally ask the whole group, b) semi-formally assign to small groups or c) formally give to individuals for written responses.

Other suggestions for evaluating learning follow the table.

| Evaluation Questions for Lesson 3.3 | |
|---|--|
| Questions | Answers |
| Narrative <i>Note: Frame narrative evaluations as questions, requests or directions</i> | |
| 1. Explain why peacekeepers need to know codes and conduct and discipline measures. | <ul style="list-style-type: none"> • protect themselves • protect your colleagues • protect the mission |
| 2. What three principles underpin UN standards of conduct? | <ol style="list-style-type: none"> 1. highest standards of efficiency, competence and integrity 2. zero tolerance policy on sexual exploitation and abuse 3. accountability of authorities for enforcing standards of conduct – and failing to do so |
| 3. How are peacekeepers ambassadors? | <ul style="list-style-type: none"> • ambassadors of the United Nations and its values • ambassadors of their own nation and its government <p>As ambassadors, the UN requires the highest standards of behaviour and integrity. Peacekeepers are not allowed to violate human rights or international humanitarian law in any way.</p> |
| 4. Explain how the UN defines misconduct for a) civilians and b) members of national | <p>Civilians: misconduct is failure by a staff member to</p> <ol style="list-style-type: none"> 1) comply with obligations under |

| | |
|--|--|
| <p>contingents and military staff officers.</p> | <p>UN Charter, Staff Regulations, rules, administrative directives</p> <p>2) observe Standards of Conduct expects of an international civil servant</p> <p>Military: misconduct is</p> <p>1) any act, omission that violates:</p> <ul style="list-style-type: none"> • UN standards of conduct • mission specific rules and regulations • obligations to national and local laws <p>2) in accordance with the status-of-force agreement (SOFA), where impact is outside the national contingent</p> |
| <p>5. Define and give examples of minor and serious misconduct for UN police and military observers.</p> | <p>Difference is degree of damage and injury to a person or UN.</p> <p>Minor misconduct: Category 2</p> <ul style="list-style-type: none"> • any act, omission, negligence that violates standard operating procedures (SOPs), directives, applicable rules, regulations, administrative instructions • DOES NOT RESULT, or is not likely to result, in major damage or injury to person or mission • EXAMPLES: simple theft and fraud, sexual and other work-related harassment, traffic-related incidents e.g. speeding; contract disputes, office management disputes, basic misuse of equipment or staff, basic mismanagement issues, infractions of rules, regulations, administrative directives, simple entitlement fraud • minor offenses <p>Major misconduct: Category 1</p> <ul style="list-style-type: none"> • any act, omission, negligence including criminal acts that violate SOPs, directives, applicable rules, regulations, |

| | |
|--|---|
| | <p>administrative instructions,</p> <ul style="list-style-type: none"> • RESULTS IN or is likely to result in serious damage, injury to a person or the mission • EXAMPLES: sexual exploitation and abuse (SEA), serious or complex fraud, conflict of interest, gross mismanagement, waste of substantial resources, all cases involve risk or loss of life, substantial violation of UN regulations, rules, administrative directives • criminal offences – offences against the person, e.g. rape; offences against property e.g. fraud • serious, high-risk, complex |
| 6. Detail the consequences of misconduct when proven. Include for victims, the community, mission, peacekeeper, and national colleagues. | <p>Victims:</p> <ul style="list-style-type: none"> • violates rights • causes distress • can affect lives long term <p>Community:</p> <ul style="list-style-type: none"> • loss of faith, trust and confidence in the mission • resentment, anger <p>Mission:</p> <ul style="list-style-type: none"> • reduced legitimacy • compromised safety and security • reduced scope to conduct mandated work • violates human rights • misconduct against UN principles • undermines rule of law and fosters crime <p>Peacekeeper:</p> <ul style="list-style-type: none"> • disciplinary action • repatriation/barring from future service • summary dismissal • criminal proceedings • financial liability |

| | |
|---|--|
| | <ul style="list-style-type: none"> shame <p>National colleagues:</p> <ul style="list-style-type: none"> shame and embarrassment collective guilt stereotyping and bias by other peacekeepers and local people |
| 7. Name the four key entities in the UN that address conduct and discipline issues. | <ol style="list-style-type: none"> Conduct and Discipline unit in mission Office of the Internal Oversight Services, OIOS Ethics Office UN Ombudsman |
| 8. What are the two main routes for allegations of misconduct in a peacekeeping mission, for civilians? | <p>Bring to attention of</p> <ol style="list-style-type: none"> Conduct and Discipline Team in mission Office of the Internal Oversight Services – OIOS <p>Uniformed personnel report misconduct through their chain of command; civilian staff members can report directly to the CDT or other reporting bodies.</p> |
| 9. What duties and responsibilities do all UN peacekeepers share for misconduct? | <ul style="list-style-type: none"> don't do it – keep high standards know human rights and international humanitarian law basics, follow them know the UN rules, regulations and guidance report misconduct cooperate in investigations and audits provide all information in good faith |
| 10. Describe UN expectations of those in command regarding misconduct. | <ol style="list-style-type: none"> maintain standards of conduct prevent, monitor and respond to misconduct <p>Leaders have to lead.</p> <ul style="list-style-type: none"> ensure misconduct prevention training conduct period misconduct risk assessments report all misconduct to CDT or OIOS |
| True-False | |
| 1. UN standards of conduct only | False. UN standards of conduct apply |

| | |
|---|--|
| apply to military peacekeepers. | to all peacekeepers, all levels, always. |
| 2. Your conduct in your private life is your business – UN standards of conduct only apply when you are on-the-job. | <p>False. Peacekeepers and all UN staff are responsible for upholding standards of conduct in personal, private, public and professional life.</p> <p>Being deployed as a peacekeeper is different from normal work. There is no “time off” from high standards of conduct.</p> |
| 3. Misconduct can be a safety and security risk. | <p>True. Reactions of local people against misconduct can put the offender and other peacekeepers at risk. Even the perception of misconduct or harm can trigger backlash.</p> |

More ways to evaluate learning

Evaluation of Learning, Code of Conduct for Peacekeepers

- Refer participants to distributed copies of the Code of Conduct for Peacekeepers. Give them time to read over the code again.
- Assign table teams to discuss the Code of Conduct.
 - What parts strike different people as being most important?
 - Any surprises – in content, or what people may think is missing?
 - Put essential messages from the code of conduct into their own words.
 - What does it mean to them? How do they see it influencing their behaviour in mission? Can those with peacekeeping experience help with examples that clarify any points?
- Invite table teams to prepare brief statements to share their thoughts with other participants.
- No right or wrong answers: reinforce these points:
 - All parts of peacekeeping Code of Conduct for Peacekeepers are important . Different ones resonate more with different people for various reasons.
 - All parts of the Code of Conduct connect. They are more than individual statements. Together, they are a commitment to be a better person.

Commonly Asked Questions and Key Words

Key Words or phrases for this lesson:

| Key Word or Phrase | Definition |
|--|---|
| UN standards of conduct | <p>The UN standards of conduct are principles for all peacekeeping personnel. Three principles underpin UN standards of conduct:</p> <ol style="list-style-type: none"> 1. Highest standards of efficiency, competence and integrity; 2. Zero tolerance policy on sexual exploitation and abuse; 3. Accountability of those in command or authority who fail to enforce standards of conduct. |
| Category I – Serious Misconduct | <p>Category I or serious misconduct offences are high risk, complex matters and serious criminal cases. They include:</p> <ul style="list-style-type: none"> • all sexual exploitation and abuse (SEA) – for example, rape criminal activity – for example, offences against the person and • offences against property, including fraud <p>Category I cases include:</p> <ul style="list-style-type: none"> • Serious or complex fraud • Sexual exploitation and abuse (SEA) • Other serious criminal act or activity • Conflict of interest • Gross mismanagement • Waste of substantial resources • All cases involving risk of loss of life to staff or to others, including witnesses • Substantial violation of United Nations regulations, rules or administrative issuances |
| Category II – Misconduct | <p>Category II or misconduct offences are lower risk cases. These include:</p> <ul style="list-style-type: none"> • minor theft and traffic offences – for example, speeding) • sexual and other work related harassment <p>Category II cases include:</p> <ul style="list-style-type: none"> • Traffic related inquiries • Simple thefts |

| | |
|--------------------|--|
| | <ul style="list-style-type: none"> • Contract disputes • Office management disputes • Basic misuse of equipment or staff • Basic mismanagement issues • Infractions of regulations, rules or administrative issuances • Simple entitlement fraud |
| Retaliation | <p>Retaliation is direct or indirect detrimental action – recommended, threatened or taken – against a person who reports misconduct.</p> <p>Retaliation for reporting misconduct or cooperating with an investigation is prohibited.</p> |

Commonly asked questions from participants:

| Possible Questions | Possible Responses |
|---|---|
| How is misconduct linked to the domestic jurisdiction of the host country and the home country of the staff member? | The presence of UN personnel in the host country gives that country the jurisdiction over UN personnel, other than members of national contingents, for misconduct that amounts to breaches of the law in that host country, subject to lifting of the UN privileges and immunities. For members of national contingents, they remain subjected to the laws of their own country. UN personnel, other than members of national contingents, could also be prosecuted for breaches to the national laws of their own country even if those breaches are committed outside of their own country. |
| Where can I find the 10 Rules/Code of Personal Conduct for Blue Helmets “We are United Nations Peacekeepers”? | <p>The annex of the Revised Model MOU between the United Nations and Troop Contributing Countries (A/61/19/REV.1(SUPP)) contains the 10 Rules/Code of Personal Conduct for Blue Helmets “We are the United Nations Peacekeepers” from the UN General Assembly Report of the Special Committee on Peacekeeping Operations and its Working Group on the 2007 Resumed Session (A/61/19 Part III).</p> <p>Please see: http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/372/78/PDF/N0837278.pdf?OpenElement</p> <p>The 10 Rules/Code of Personal Conduct for Blue Helmets “We are United Nations Peacekeepers” 1998 are also attached as a handout below.</p> |

Reference Materials

Below are materials which are a) referenced in this lesson, and b) required reading for instructor preparations:

- Charter of the United Nations (articles 100 and 101 (3) – and with regard to the meaning of terms such as integrity, efficiency and competence)
- United Nations Peacekeeping Operations Principles and Guidelines (also known as the Capstone Doctrine)
- International Bill of Human Rights
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>
- 1946 Convention on the Privileges and Immunities of the United Nations
<http://www.un.org/en/ethics/pdf/convention.pdf>
- Model Memorandum of Understanding (MOU) between the United Nations and Troop Contributing Countries (A/C.5/60/26)
http://www.un.org/en/ga/search/view_doc.asp?symbol=A/C.5/60/26
- Subsequent amendments to the Model MOU between the United Nations and Troop Contributing Countries (A/61/19/REV.1(SUPP))
(annex contains 10 Rules/Code of Personal Conduct for Blue Helmets “We are the United Nations Peacekeepers” from the UN General Assembly Report of the Special Committee on Peacekeeping Operations and its Working Group on the 2007 Resumed Session (A/61/19 Part III))
<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/372/78/PDF/N0837278.pdf?OpenElement>
(Guidance on disciplinary matters is in the revised model Memorandum of Understanding, (A/61/19 part III).).
- 10 Rules/Code of Personal Conduct for Blue Helmets “We are United Nations Peacekeepers” 1998 (attached as a handout below)
- Model status-of-forces agreement for peacekeeping operations, 9 October 1990 (A/45/594)
- UN Staff Regulations (ST/SGB/2012/1)
- UN Staff Regulations and Rules (ST/SGB/2011/1)
- Status, basic rights and duties (ST/SGB/2002/13)
- Standards of Conduct for the International Civil Service (A/67/30 Annex IV)
- Revised Disciplinary Measures and Procedures (ST/AI/371)
- Reporting of suspected misconduct (ST/IC/2005/19)
- United Nations Financial Regulations and Rules (ST/SGB/2003/7)
- Secretary General's Bulletin on “Special measures for protection from sexual exploitation and sexual abuse” (ST/SGB/2003/13) 9 October 2003
- Secretary General's Bulletin on “Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations” (ST/SGB/2005/21) 19 December 2005

- Secretary General's Bulletin on "Status basic rights and duties of United National staff members" (ST/SGB/2002/13) 1 November 2002
- Secretary General's Bulletin on "Status, basic rights and duties of officials other than Secretariat and experts on mission" (ST/SGB/2002/9) 18 June 2002
- Secretary General's Bulletin on "Observance by United Nations forces of International Humanitarian law" (ST/SGB/1999/13)
- Secretary General's Bulletin on "Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority" (ST/SGB/2008/5)
- Secretary General's Bulletin on "Use of Information and Communication Technology Resources and Data" (ST/SGB/2004/15) 29 November 2004
- Directives for Disciplinary Matters involving Civilian Police Officers and Military Observers (DPKO/MD/03/00994)
- General Assembly Resolution on Criminal accountability of United Nations officials and experts on mission (A/RES/62/63)
- Recommendations of the Special Committee on Peacekeeping Operations (A/59/19/Rev.1) adopted by the General Assembly (RES/59/300)

Civilians:

- Regulations on Status, Basic Rights and Duties of Officials other than Secretariat Officials and Experts on Mission (ST/SGB/2002/9)

Members of Military Contingents and Military Staff Officers:

- Observance of International Humanitarian Law (ST/SGB/1999/13)
- Revised Model Memorandum of Understanding

UNPOL, FPU and MILOBS:

- Regulations on Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission, 18 June 2002 (ST/SGB/2002/9)
- Model Memorandum of Understanding between the United Nations and Police Contributing Countries for the deployment of Formed Police Units

Procedural and Other Matters:

- Practices of the SG in disciplinary matters (ST/IC/2010/26)
- Practices of the SG in disciplinary matters (ST/IC/2011/20)
- Practices of the SG in disciplinary matters (ST/IC/2012/19)
- Secretary-General Report on Practices in disciplinary matters (A/67/171)
- Definitions of categories of misconduct (ST/IC/1996/29)
- OIOS Investigation Manual (2009)
- Uniformed Guidelines for Investigations (A/58/708)

Additional Resources

UN Information

The website for UN peacekeeping: <http://www.un.org/en/peacekeeping/>

UN Documents

UN documents can be found on: <http://www.un.org/en/documents/index.html>
(Search by document symbol, e.g. A/63/100)

DPKO and DFS Guidance

The repository for all official DPKO and DFS guidance is the Policy and Practice Database: ppdb.un.org (only accessible from the UN network). Official peacekeeping guidance documents are also accessible through the Peacekeeping Resource Hub: <http://research.un.org/en/peacekeeping-community>

Instructors are encouraged to check for the latest guidance.

UN Films

UN films can be found on YouTube: <https://www.youtube.com/user/unitednations>

Additional Information

The PIP provides information on the mission and the local context:
<http://peacekeepingresourcehub.unlb.org>

Additional Training Resources

The Conduct and Discipline Unit at headquarters and Conduct and Discipline Teams (CDTs) in the mission provide additional information or support on issues covered in the lesson.

HANDOUT – The Code of Conduct for Peacekeepers

WE ARE UNITED NATIONS PEACEKEEPING PERSONNEL

The United Nations Organization embodies the aspirations of all the people of the world for peace. In this context the **United Nations Charter requires that all personnel must maintain the highest standards of integrity and conduct.**

We will comply with the Guidelines on International Humanitarian Law for Forces Undertaking United Nations Peacekeeping Operations and the applicable portions of the Universal Declaration of Human Rights as the fundamental basis of our standards.

We, as peace-keepers, represent the United Nations and are present in the country to help it recover from the trauma of a conflict. As a result we must consciously **be prepared to accept special constraints in our public and private lives in order to do the work and to pursue the ideals of the United Nations Organization.**

We will be accorded certain privileges and immunities arranged through agreements negotiated between the United Nations and the host country solely for the purpose of discharging our peacekeeping duties. Expectations of the world community and the local population will be high and our actions, behaviour and speech will be closely monitored.

We will always:

- Conduct ourselves in a professional and disciplined manner, at all times;
- Dedicate ourselves to achieving the goals of the United Nations;
- Understand the mandate and mission and comply with their provisions;
- Respect the environment of the host country;
- Respect local customs and practices through awareness and respect for the culture, religion, traditions and gender issues;
- Treat the inhabitants of the host country with respect, courtesy and consideration;
- Act with impartiality, integrity and tact;
- Support and aid the infirm, sick and weak;
- Obey our United Nations superiors/supervisors and respect the chain of command;
- Respect all other peacekeeping members of the mission regardless of status, rank, ethnic or national origin, race, gender, or creed;
- Support and encourage proper conduct among our fellow peacekeeping personnel;
- Report all acts involving sexual exploitation and abuse;
- Maintain proper dress and personal deportment at all times;
- Properly account for all money and property assigned to us as members of the mission; and
- Care for all United Nations equipment placed in our charge.

We will never:

- Bring discredit upon the United Nations, or our nations through improper personal conduct, failure to perform our duties or abuse of our positions as peacekeeping personnel;
- Take any action that might jeopardize the mission;
- Abuse alcohol, use or traffic in drugs;
- Make unauthorized communications to external agencies, including unauthorized press statements;
- Improperly disclose or use information gained through our employment;
- Use unnecessary violence or threaten anyone in custody;
- Commit any act that could result in physical, sexual or psychological harm or suffering to members of the local population, especially women and children;
- Commit any act involving sexual exploitation and abuse, sexual activity with children under 18, or exchange of money, employment, goods or services for sex;
- Become involved in sexual liaisons which could affect our impartiality, or the well-being of others;
- Be abusive or uncivil to any member of the public;
- Willfully damage or misuse any United Nations property or equipment;
- Use a vehicle improperly or without authorization;
- Collect unauthorized souvenirs;
- Participate in any illegal activities, corrupt or improper practices; or
- Attempt to use our positions for personal advantage, to make false claims or accept benefits to which we are not entitled.

We realize that the consequences of failure to act within these guidelines may:

- Erode confidence and trust in the United Nations;
- Jeopardize the achievement of the mission;
- Jeopardize our status and security as peacekeeping personnel; and
- Result in administrative, disciplinary or criminal action.