

CONDUCT & DISCIPLINE TEAM NEWSLETTER

Introduction

Misconduct is everybody's business! The purpose of this 3rd Newsletter is to continue to disseminating information on activities carried out by MINUSCA's Conduct and Discipline Team (CDT).

This Newsletter contains the following :

(1) a presentation of initiatives launched on victim assistance; (2) a useful reminder concerning the status of UN staff and the conduct of personal activities, and a Facts & Figures section providing; (3) CDT-led prevention and training activities over the past months with its illustrations ■

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ACRONYMS

CDT Conduct and Discipline Team

SEA Sexual Exploitation and Abuse

UNDT United Nations Dispute Tribunal

UNAT United Nations Appeals Tribunal

FPU Formed Police Unit

UNHCR Office of the United Nations High Commissioner for Refugees

Initiatives Related to Victims Assistance Launched in 2017

Victim's assistance remain a priority for CDT. Although CDT does not yet provide direct assistance, it ensures that assistance is provided through partners (UNICEF/UNFPA) and their possible relays on the ground; whenever a victim expresses his or her will to get an assistance.

During the last months, an emphasis was put on initiatives to enable better assistance to victims, including:

The drafting of a **Victim Assistance Protocol** – under the sponsorship of the Office of the SEA Coordinator at United Nations Head Quarters (UNHQ) in New York and led by UNICEF, outlining the shared roles and responsibilities of the UN system, including the UN Country Team, in the provision of assistance to victims of SEA.

A **Victim Assistance Data Collection Document** - , with UNICEF and UNFPA as implementing partners, aiming at improving the Mission's tracking of victim assistance and help identify gaps. This will allow for a better tracking of what MINUSCA and partners have done and identify issues/gaps and areas that require support. With this mechanism, CDT will be able to provide an accurate overview on victim's assistance.

In addition, 2017 saw the creation of a **Victim Assistance Trust Fund** that has been established at UNHQ with the contributions of 4 countries: India, Cyprus, Norway and Japan. Its purpose is to address gaps in the provision of services for victim's assistance. These funds will be used in CAR, in the support of previously identified projects ■

Did you miss our last newsletter? You can find it on the MINUSCA website in both French and English. Do you have a question or concern that you would like to see here? Send us an e-mail by writing to minusca-demasea@un.org, and we will respond in our next issue!

This newsletter can be read in conjunction with the updated CDT's FAQs, both of which are now available on the MINUSCA website in both French and English.

USEFUL REMINDER: UN STAFF AND THE CONDUCT OF PERSONAL ACTIVITIES

As United Nations personnel, we do enjoy our freedom of expression, religious and political freedoms as well as our rights to privacy. However, the exercise and enjoyment of these rights shall neither violate the principles of integrity, independence and impartiality as enshrined in the Staff Rules, nor undermine values enshrined in the Charter of the United Nations namely, the respect of fundamental human rights, dignity and equality which we are called to respect and uphold.

It is obvious that rules to which we subscribe to as international staff are applicable to our private lives and our behaviour; even in our individual capacity, as it is likely to have an impact on the image and mission of the Organization. Thus, UN personnel must always bear in mind that their personal behaviour and actions, displayed or carried out of their professional activities or official duties, might jeopardize the image and interest of the Organization and could be considered as a misconduct.

What does it mean concretely? What can we do and what we can't do?

Social and Welfare Activities : as United Nations personnel, we can take part without any restrictions in local community activities including, civic, charity and social activities, as these activities are not linked to our usual official duties within the Organization. Our participation to non-professional activities must never be conducted as representative of the Organization.

Political Activities : as citizens, we can vote and belong to a political party. However, we shall abstain from carrying out political related activities or expressing political opinions which might jeopardize the fulfillment of our professional duties and responsibilities towards

the Organization. In addition, both political candidacy and political office are not compatible with the status of international civil servant.

Expressing Opinions : As United Nations personnel, our ideas and opinions should neither adversely affect our official duties nor the interest of the United Nations. In this regard, we should avoid making any types of public statements that would negatively impact the principles of integrity, independence and impartiality, as required by our status of international civil servant. For instance, publicly taking position or speaking out on sensitive political issues, either on individual capacity or within a group, or publicly criticizing or attempting to discredit a Government, amounts to the violation of the principle of impartiality and independence.

There are two cumulative factors that may amount to misconduct :

- ***The public nature of the activity carried out or statements made, and***
- ***The nature of the activity or statements made.***

On the public nature:

Though not exhaustive, the following examples of activities may be considered as public:

- ***Taking part in a demonstration***
- ***Signing an online petition, especially when the list of signatories is accessible to everyone.***
- ***Activities on social networks (Facebook, Twitter, etc....) especially when these statements are disseminated or publicly accessible***
- ***An interview published in a newspaper.***

On the nature of activities or statements :

Activities and statements shall nei-

ther question principles promoted by the United Nations nor harm the Organization. For example, expressing opinions, whether oral or written, that infringe fundamental human rights, such as the dissemination of discriminatory or hate ideas, of extremist views, is a punishable misconduct.

We should fully respect our obligation in the principles of integrity, independence and impartiality in order to ensure that our activities or statements do not negatively impact on the reputation of the Organization.

We must always bear in mind that activities carried out or statements made, which are not linked to our professional duties within the Organization, will always be considered as being carried out or made

ILLUSTRATION - CASE FROM THE JURISPRUDENCE:

It is about a case of a UNHCR staff member holding a Senior Position of Secretary who went on private capacity in Syria with members of a the Turkish Organization « Women International Democratic Federation » (WIDF), where the staff member met the Syrian President and was taken a picture by the official photographer while giving him a flag mentioning in Turkish: « Do not yield ». The picture was published in the Turkish media mentioning only her name (the name of the Organization, UNHCR was not mentioned). UNHCR terminated her contract with compensation in lieu of the notice period. This sanction was upheld by the UNDT, on the grounds of the political nature of such action made in public and also its nature which was not compatible with the United Nations regulations and compromising for UNHCR. For further details on this case, please refer to the following: <http://www.un.org/en/oaj/files/undt/judgments/undt-2015-008.pdf> / Ruling #: UNDT/2015/008

in an individual capacity in order for them to be dissociated from the Organization.

Whenever an allegation of misconduct is made for which a fundamental right is at stake, an assessment on case by case basis will be carried out in terms of activities, stakes, accuracy of statements etc. If the facts are established, the sanction shall be proportional. Any sanction taken by the Organization can be appealed to the UNDT. The judgment of the UNDT can be appealed to the UNAT.

In case you are not sure if your activity is compatible with your status, seek a confidential advice from the Ethics Office or consult CDT.

Activities that require a written authorization from the Mission Chief of Staff, and **in fine** by the Head of Mission, approving your activities are: any additional remunerated professional activity and activities linked to the United Nations that would not be performed during the normal course of professional duties such as press statement, submission of articles or books publications ■

HOW TO CONTACT US

CDT also has a **hotline** (+236 21 61 33 44) and a **United Nations extension code (173-4445)**. All MINUSCA personnel are welcome to contact us. Consultations with CDT will always be treated with **utmost confidentiality**.

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PREVENTION ACTIVITIES : CDT TRAININGS

Between December 2016 and February 2017, CDT conducted **10 Joint Induction Trainings**, **4 CDT Induction Trainings**, **10 Refresher Courses**, **11 trainings on Conduct and Discipline** (including on SEA) and **5 trainings of trainers** (including SEA).

Combined, these trainings were dispensed to a total of **445 military personnel**, **262 police personnel** and **168 civilian personnel**.

ILLUSTRATIONS OF RECENT TRAININGS CONDUCTED BY CDT WITH THE POLICE COMPONENT OF MINUSCA:

▪ **ON 14TH AND 15TH FEBRUARY 2017**, CDT trained 16 Individual Police Officers (IPO) to be deployed in the sectors as Focal Points in the prevention and fight against SEA. They were sensitized on SEA and briefed on their roles as focal points. They reiterated their

commitments to this fight through training FPUs and reporting any information on SEA allegation. The closing ceremony was chaired by General Roland Zamora, Deputy Police Commissioner and by Ms. Carmen Perez-Salas from CDT Office ■

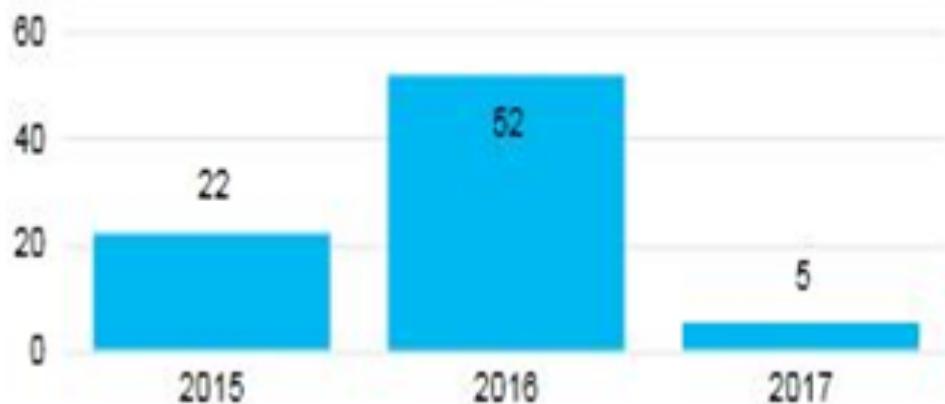


▪ **ON 21ST AND 22ND FEBRUARY 2017**, a workshop training for Focal points in the prevention and fight against SEA was organized in Bangui. The 16 trained SEA Focal points were drawn from Formed Police Units (FPU) deployed in Bangui and across the country. During these two days training, specialists from CDT reinforced the participants' capacities in terms of training, identification and reporting techniques of SEA allegations committed by Mission Personnel in their respective duty stations, including members of their own

contingents. A particular emphasis was put on the "zero tolerance policy from the former UN Secretary-General (UNSG) regarding misconduct and SEA. The Special Representative of the UNSG M. Parfait Onanga-Anyanga honored the first training day with his presence and emphasized the importance of Focal Points within the mission's fight, in terms of prevention and eradication of SEA, which he termed as «common enemies» ■

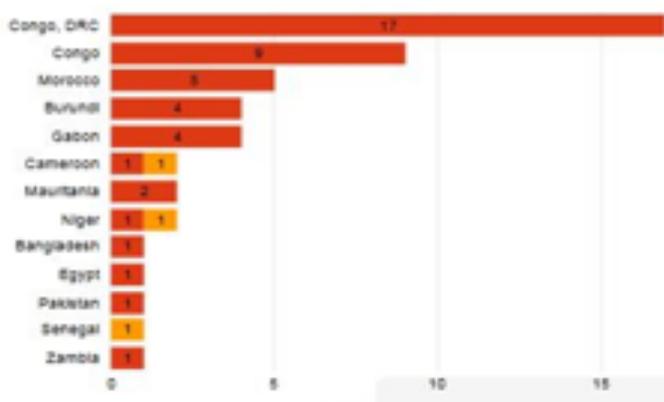
MINUSCA SEA allegations reported by year (2015 – 2016 – 2017)

TOTAL # OF ALLEGATIONS OVER TIME



Allegations by Nationality 2016 vs 2017

ALLEGATIONS BY NATIONALITY RECORDED IN 2016



ALLEGATIONS BY NATIONALITY RECORDED IN 2017

