

CONDUCT & DISCIPLINE TEAM NEWSLETTER

Introduction

The purpose of our **CDT Newsletter** is to provide clarity and an update on the mandate and activities of MINUSCA's Conduct and Discipline Team (CDT), and to reinforce CDT's role as the central repository for all misconduct and sexual exploitation and abuse (SEA) allegations. The main focus of this second issue is on the release of the report by OIOS on the investigations of SEA in Dekoa and its implications for ongoing activities.

Newsletter No 2 consists of (1) an overview of the OIOS report on Dekoa, followed by (2) a presentation of two of CDT's central initiatives: the development of an SEA Action Plan for MINUSCA, and the rolling out, with some of our key partners, of an assistance mechanism for victims of SEA, (3) a reminder on how to properly report allegations of SEA and misconduct and (4) a Facts & Figures section providing updates on SEA and misconduct statistics, as well as CDT-led prevention and training activities over the past two months. This newsletter can be read in conjunction with the updated CDT's FAQs, now available on the MINUSCA website in [French](#) and [English](#).

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Release of the Investigation Report on Dekoa

On 1 December 2016, OIOS submitted two investigation reports regarding the multiple allegations of sexual abuse and exploitation implicating members of the Gabonese and Burundian military contingents deployed to Dekoa (CAR) in 2014 and 2015.

OIOS commenced its investigations in April 2016 within a few days of the allegations having been brought to the attention of the United Nations. Jointly led by OIOS and National Investigation Officers from the concerned Member States, these investigations lasted over four months, in part because of the complexity of the situation and difficulties of being able to gather pertinent information. The majority of the allegations reported referred to incidents that took place a year ago or earlier; therefore no medical, forensic or any other physical evidence was available. Those military contingent members present in CAR at the time of the incidents had all been rotated out of the country, and could not be interviewed by OIOS. Investigators therefore relied primarily on the testimony of alleged victims and witnesses.

Findings: The report indicates that 16 members of the Gabonese military contingent and 25 members of the Burundian military contingent were identified by alleged victims as suspected perpetrators. Relevant information was provided with respect to 5 more unidentified individuals, of which 2 will be further investigated by the Gabonese authorities, and 3 by the Burundian authorities. None of the identified members of the military contingents, nor any of the Commanders in the case of Burundi, will be allowed to work in any current or future (*continued on following page*)

ACRONYMS

CDT Conduct and Discipline Team

DFS Department of Field Support

MILOB International Military Observer

MINUSCA United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic

NIO National Investigating Officer

OIOS Office of Internal Oversight Services

SEA Sexual Exploitation & Abuse

UNCT United Nations Country Team

UNFPA United Nations Population Fund

UNICEF United Nations Children's Fund

UNPOL United Nations Police

UNV United Nations Volunteer

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!

What can CDT do for you?

The **Conduct and Discipline Team (CDT)** advises and assists both the Head of Mission and other members of the mission leadership in addressing conduct and discipline issues relating to all categories of UN Peacekeeping personnel. CDT is also the primary recipient of misconduct allegations, which are assessed, and referred to the appropriate investigation body, and then reported on and analysed. Where misconduct has occurred, CDT ensures remedial actions by coordinating the mission's response to victims.

- Are you a **civilian supervisor** or **military or police commander**? You can ask us to brief your personnel on UN standards of conduct and disciplinary rules and regulations.
- Are you a **staff member, contractor, UNV, MILOB, Corrections Officer**, or **UNPOL**? You can ask us for information on conduct and discipline related issues, including administrative and disciplinary matters. If you want to be briefed on specific disciplinary topics, we can do that too.
- Do you feel that you are **victim of a prohibited conduct** (harassment, discrimination, abuse of authority)? Report it to the CDT officer in your area.
- Are you a **victim or do you have knowledge of an incident of SEA** committed by a UN or MINUSCA personnel? Report the allegation.

As mission personnel, you are duty-bound to report any allegation of wrongdoing against you or brought to your attention.

Release of the Investigation Report on Dekoa (continued)

(continued from previous page) United Nations peacekeeping operation. Meanwhile, all alleged victims who came forward with claims, both minors and adults, were assisted by national and international partners.

What comes next? Both governments of Gabon and Burundi are to urgently provide the UN Department for Field Support (DFS) with a copy of their final investigation report, and take appropriate judicial action to ensure criminal accountability for acts of SEA. This may involve the re-deployment of NIOs to the areas of alleged incidents. Depending on the outcome of these investigations, criminal sanctions may ensue, such as dismissal from the army and/or imprisonment. The governments have also been requested through their Permanent Missions in New York to designate focal points to receive and advise on outstanding paternity and child support claims.

HOW TO CONTACT US

CDT MINUSCA has four offices in Bangui, Bouar, Bambari and Bria.

CDT HQ Bangui

MINUSCA HQ Annex
minusca-demasea@un.org

CDT Field Office Bambari

Sector Centre
minusca-cdt-bambari@un.org

CDT Field Office Bouar

Sector West
minusca-cdt-bouar@un.org

CDT Field Office Bria

Sector East
minusca-cdt-bria@un.org

CDT also has a **hotline** (+236 7599 4445) 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**.

Actions against Perpetrators

Once a case of misconduct against an identified perpetrator is substantiated, sanctions are implemented depending on the seriousness of the misconduct. Below are a few examples of measures taken against In-Mission personnel from all categories, civilians, police and military:


- The use of abusive and threatening language, aggressive behaviour and theft, lead to **letters of warning** being issued to respective civilian and police personnel, stating that any recurrence of this type of behaviour would result in sterner sanctions.
- Non-compliance by a military contingent member of the Force Commander's non-fraternisation policy led to **45 days of suspension, including 15 days of imprisonment, in addition to repatriation on disciplinary grounds.**
- Allegations of transactional sex by a military contingent member were punished by **15 days of imprisonment, repatriation on disciplinary grounds, and a permanent ban from current and/or future UN missions.**
- Sexual activity with a minor by a military contingent member led to **45 days of arrest including a 30 day prison sentence, as well as repatriation on disciplinary grounds and the reimbursement of all payments provided by the UN to the Member State** in regard to this individual. Still, the UN did not deem the Member State's sanction to be sufficiently proportionate to the seriousness of the misconduct, and asked the Member State to reconsider the sanction against the perpetrator. The matter is still under review.

These are examples of measures taken against perpetrators where allegations were substantiated. **Some 55 allegations against MINUSCA personnel** are currently under investigation. This means that further measures will be taken if they are substantiated.

CDT's Ongoing Initiatives

SEA Action Plan: An innovative SEA Action Plan for the mission has been developed and is being rolled out by CDT. Its aim is to outline and detail the actions required by all mission actors involved in combatting SEA. Although the plan was developed by and at the initiative of CDT, it is a document for everyone and by everyone, as addressing SEA is everybody's business. The plan is divided into three sequential fields of activity: SEA Prevention, SEA Response and Capacity building. Within each field, a subset of activities is listed. SEA Response, for instance, includes how to report an allegation, how to investigate an allegation, or how to refer victims for assistance.

I. PREVENTION



All Tables of Content and in this document are interactive: pressing Ctrl + click on any chapter will take you to that chapter.

1. [ENFORCE GOOD RECRUITMENT PRACTICES](#)
2. [CONDUCT OUTREACH ACTIVITIES/RAISE AWARENESS ON SEA \(WITHIN THE MISSION\)](#)
3. [CONDUCT OUTREACH ACTIVITIES/RAISE AWARENESS ON SEA \(OUTSIDE OF THE MISSION\)](#)

The whole plan was bookmarked and hyperlinked to facilitate user navigation.

The process for developing this plan is for mission sections to review their respective roles and responsibilities outlined in the Plan, to determine the frequency of each action required, or detail the procedures and other actors that may be involved. This allows the Action Plan to evolve from a static summary of the mission's response to SEA to a tool that can be used and updated regularly by all sections. CDT will finalise this Action Plan in the coming weeks for wide circulation and implementation.

Victim Assistance: Progress has been made in regard to Victim Assistance over the past months, at both global and national level. The SEA Working Group, under the aegis of the Office of the SEA Coordinator at New York HQ, has developed a draft Victim Assistance Protocol. This process was led by UNICEF HQ. The Protocol outlines the shared roles and responsibilities of the UN system, including the UN Country Team, in the provision of assistance to victims of SEA. It will be presented to the SEA High Level Steering Group in New York on 16 December 2016. Meanwhile, a Victim Assistance Trust Fund has been established at UNHQ; its purpose is to address gaps in the provision of services for victim assistance, but it will not provide individual reparations or compensation. This Trust Fund will be piloted in CAR in 2017.

In CAR, the CDT has developed a Victim Assistance Data Collection Document. Its aim is to improve the mission's tracking of victim assistance and help identify gaps. A template of the document has been shared and discussed with implementing partners UNICEF and UNFPA. Over the past few weeks, additional meetings have taken place to share, consolidate, and populate the document with accurate data on assistance provided to victims of SEA. Once the document has been fully populated, and a mechanism put in place to ensure its regular update, CDT will be able to provide an accurate overview on victim assistance. This will allow for a better tracking of what MINUSCA and partners have done and identify issues and areas that require support.

Reminder on How to Report Allegations

As the lead UN-system entity for allegations of SEA and other forms of serious misconduct by UN personnel, CDT must be informed, **in the first instance and never beyond 72 hours**, of **EVERY** allegation of SEA and misconduct against UN personnel and non-UN International Security Forces. The prompt reporting of allegations of SEA is vital. This can be done by email, phone and/or in person to any CDT staff (see "How to contact us"). Reporting has to be done responsibly. The information required to lodge an allegation is the following, as far as circumstances allow:

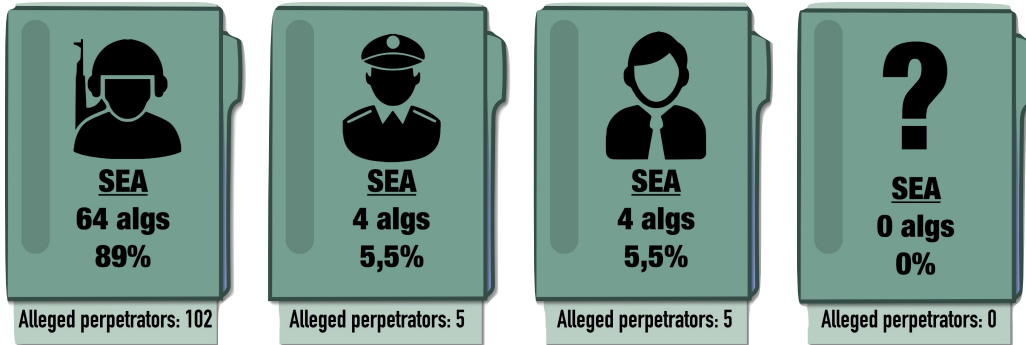
- | | |
|---|---|
| <input checked="" type="checkbox"/> Who is the alleged victim | <input checked="" type="checkbox"/> What is the nature of the incident? |
| <input checked="" type="checkbox"/> Who is the alleged perpetrator | <input checked="" type="checkbox"/> When did the alleged incident take place? |
| <input checked="" type="checkbox"/> Who reported the allegation | <input checked="" type="checkbox"/> Where did the alleged incident take place? |

In assembling this information, **every effort should be made to respect the dignity of the victim**. Except to establish the basic facts, unnecessary and repeated interviews with the alleged victim must be avoided, especially if the victim is a minor. **Confidentiality is paramount:** the confidentiality of the alleged victim, perpetrator and of the person lodging the allegation must be respected at every stage.

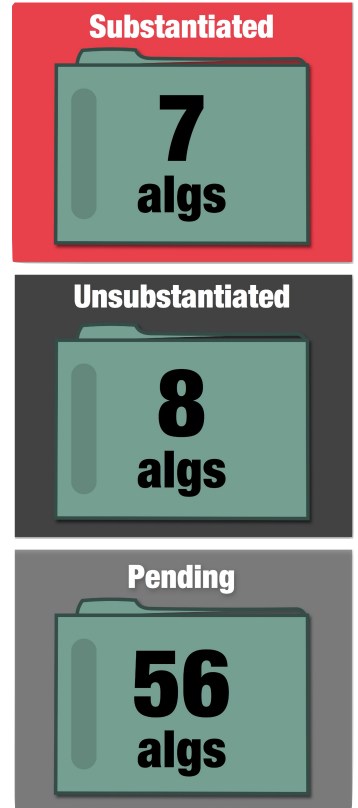
Upon receipt of an allegation, CDT will assess the case as to credible and/or *prima facie* evidence; initiate an initial assessment of the factual basis of the allegation, including to ensure the immediate preservation of available evidence through the Immediate Response Team; and assess possible victim assistance and protection needs.

FACTS & FIGURES

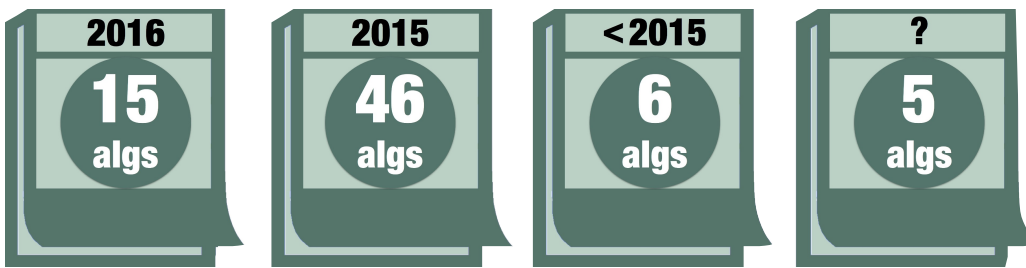
Extent of SEA Allegations across Categories of Personnel



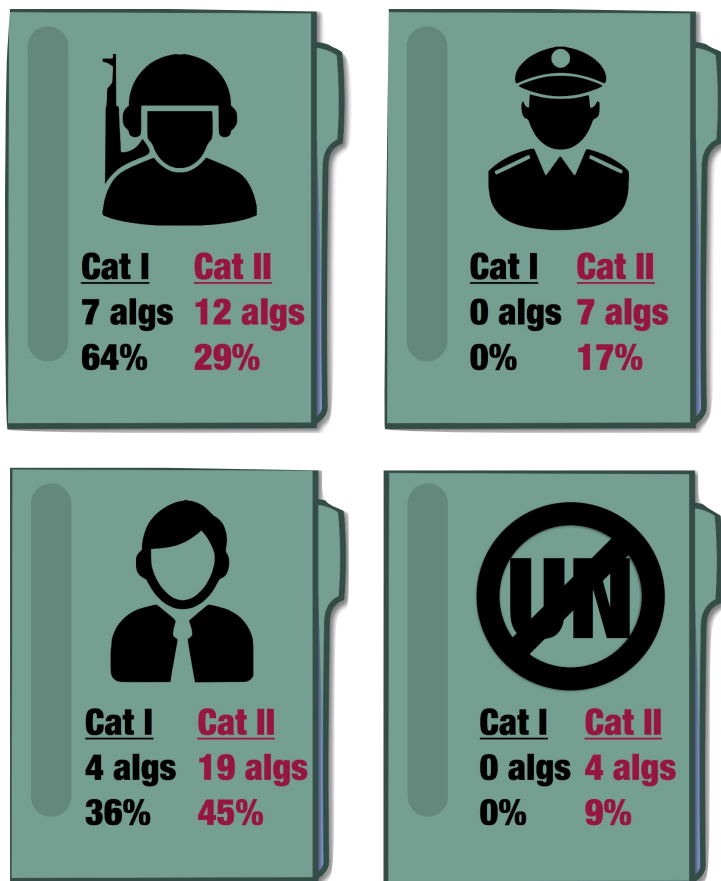
Allegation Outcomes



Extent of SEA Allegations across Year of Alleged Incidents



Extent of Misconduct Allegations across Categories of Personnel



Alleged Victims*



*In light of possible follow up by Troop-contributing countries, these figures may change.

Prevention Activities: CDT Trainings

In October and November, CDT conducted **10** Joint Induction Trainings, **9** CDT Induction Trainings, **8** Refresher Courses and **9** trainings on Conduct and Discipline (including on SEA). Combined, these trainings were dispensed to a total of **469** military personnel, **337** police personnel and **126** civilian personnel.