

Exercise 4. What Type of Violations to Report to the UN?

Purpose

To practise deciding which violations can be handled by the commander and which cannot and have to be reported to the UN for possible investigation.

Participant learning outcomes

By the end of the session, learners will be able to assess when violations may have an impact outside of the contingent and therefore have to be reported to the UN for possible investigation by the troop-contributing country or by the UN.

Method

Group work, plenary discussion.

Instructions and time

Total time: 45 minutes.

The exercise instructions and timings are for an exercise that conducts group work using four groups (e.g. with five persons per group).

Before the exercise:

- Ask participants to do the pre-reading, which is to read the **Deployment Guide** (see '**Key Resources**').
- Prepare the training materials and supplies (see below).
- Decide how to divide the participants into groups.
- (Optional) Identify break-out rooms that two groups can use during the group work to keep noise levels down in the classroom and help groups focus.

| Exercise instructions | Time |
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| <p>Introduction</p> <p>Introduce the purpose and participant learning outcomes and explain how performance will be assessed (see the section Learning evaluation method below and the same section in the 'Instructor's Guide to Classroom-based Exercises').</p> <p>Give guidance on handling strong emotions and disagreements over values (see 'Instructor's Guide to Classroom-based Exercises').</p> <p>Divide participants into four groups.</p> | 2 minutes |
| <p>Group work</p> <p>Explain the exercise instructions:</p> <ul style="list-style-type: none"> • Each group will be given an envelope containing two headings and several statements with examples of violations that they are likely to face when deployed to a UN Field Mission. • Each group should open their envelope and place the two headings on the table in front of them. One heading says: 'Violations that have no impact outside of the contingent and can be handled by a commander'. The second heading says: 'Violations that have an impact outside of the contingent and as a result must be reported immediately to the UN for possible investigation by the troop-contributing country or the UN.' • Then, they need to read each statement containing an example of a violation and place it under the correct heading. • To help them decide where to place each violation, they should ask themselves: 'What type of violation has occurred?' 'Does the violation have an impact outside of the contingent?' <p>Remind them of these learning points:</p> <ul style="list-style-type: none"> • During their deployments, commanders are required to ensure that their personnel comply with the UN standards of conduct, with mission-specific rules and regulations and with local laws. • The general rule is that if the violation <u>has an impact outside of the contingent</u> then it has to be reported immediately to the UN for possible investigation. | 30 min. |

- 'Having an impact outside of the contingent' is interpreted broadly by the UN and includes:
 - Harm done to anyone outside of the contingent.
 - Damage to the image and reputation of the UN, troop-contributing country (TCC) or police-contributing country (PCC).
 - Impeding implementation of the UN Field Mission's mandate.
 - Eroding the trust of the population in the UN Field Mission.
 - Creating political tension between countries.
 - Creating security risks for the UN Field Mission, including contingent personnel.
 - Financial loss for the UN.

Distribute the pre-prepared envelopes to each group: one envelope per group (see **Training materials and supplies**).

Ask some of the groups to move to the break-out rooms (optional).

By the end of the exercise, each group should have sorted all violations and placed them under either of the two headings.

During the group work, trainers should listen to the group discussions and assess the quality of the discussions. Trainers should insert notes about each group's performance into the space provided in the solution key. At the end of the group work, trainers should also take a photo of each group's work to help assess the group's performance.

Self-correct

Explain that each group will self-correct using the handout provided. Distribute **Handout 1: What Type of Violations to Report to the UN?** to each group. Give groups 2-3 minutes to self-correct.

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| <p>Plenary discussion and trainer feedback</p> <p>Encourage a short plenary discussion by asking the following questions:</p> <ol style="list-style-type: none"> 1. Which statements did you find hard to classify or mis-classified and why? 2. Did any of the statements touch on any grey areas? 3. For those with prior UN peacekeeping experience, what were examples of violations of UN standards of conduct, mission-specific rules and regulations or local laws that occurred during those deployments? 4. What are examples of violations of our country's internal rules and regulations that may happen during the upcoming deployment and can be handled internally by the contingent commander? <p>During the discussion, use Handout 2: Detailed Solution Key (What to Report to the UN?) to explain why violations that groups found hard to classify (e.g. the statements that touch on grey areas) or misclassified should be reported to the UN or not. Then use the remaining time to highlight additional points from the trainer's Solution Key: What to Report to the UN?</p> <p>During the discussion, trainers should assess the quality of inputs into the plenary discussion and insert notes about each group's performance into the space provided in the solution key.</p> <p>Once the exercise is finished, distribute Handout 2: Detailed Solution Key (What to Report to the UN?) and ask learners to use it during their upcoming deployments to help them decide what type of violations to report to the UN for possible investigation. In addition, distribute Infographic Misconduct Allegations (Military) or Infographic Misconduct Allegations (FPU) (see 'Key Resources') and ask learners to take it with them on their upcoming deployment. This infographic shows what happens to an allegation of misconduct involving a member of a military/FPU contingent after it is reported to the UN. It explains who does what when the allegation is reported and investigated as well as the consequences if misconduct did occur.</p> | <p>13 min.</p> |
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Training materials and supplies

The trainer should prepare the following handouts and other training materials:

- **Exercise instructions:** 1 copy per trainer.
- **Solution Key: What to Report to the UN?:** 1 copy per trainer.
- **Handout 1: What Type of Violations to Report to the UN?:** 1 copy per group printed single-sided (to insert into envelopes – see below), 1 copy per group printed double-sided (for the 'Plenary discussion and trainer debrief') + 1 copy per trainer.
- **Handout 2: Detailed Solution Key (What to Report to the UN?):** 1 copy per learner + 1 copy per trainer.
- **Infographic Misconduct Allegations (Military) or Infographic Misconduct Allegations (FPU):** 1 copy per learner + 1 copy per trainer (see 'Key Resources').
- **Glossary:** 1 copy per trainer (see 'Key Resources').
- **Envelopes:** 1 per group.

Preparing the envelopes. The exercise uses **Handout 1: What Type of Violations to Report to the UN?** Before the exercise, print one handout per group (single-sided). Cut out the statements containing examples of violations and their two headings. Mix up the statements and headings so that they are jumbled up. Place the jumbled-up statements and two headings into an envelope to give to each group.

Learning evaluation method

This exercise is assessed through trainer observation and a review of group work. In other words, trainers will collect evidence of the performance of learners through observing the quality of their inputs during the group work and plenary discussion and by reviewing the accuracy of each group's work captured on photos taken at the end of the group work session.

Solution Key: What to Report to the UN?

The statements in **Handout 1: What Type of Violations to Report to the UN?** are already placed under the correct headings. In addition, use **Handout 2: Detailed Solution Key (What to Report to the UN?)** to explain why a statement belongs under a particular heading.

Other learning points to highlight during the plenary discussion are:

| Tick | Learning Points |
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| | 1. Commanders are required to report allegations of misconduct immediately to the UN. This means commanders need to report allegations of misconduct through their UN chain of command <u>as well as</u> to the UN Field Mission's Conduct and Discipline Team or Focal Point. |
| | 2. To decide what to report to the UN, commanders need to ask themselves: 'Does the violation have an <u>impact outside of the contingent?</u> ' 3. If the answer is <u>yes</u> , the violation does have an 'impact outside of the contingent', then it has to be reported immediately to the UN for possible investigation by the troop-contributing country or by the UN. For example, violations that harm anyone outside of the contingent must be reported to the UN. 4. If the answer is <u>no</u> and the violation has no impact outside of the contingent, then the commander is allowed to handle the matter internally within the contingent and does not have to report it to the UN. For example, minor breaches to the contingent's internal rules should have no impact outside of the contingent and therefore do not have to be reported to the UN. |
| | 5. Having an 'impact outside of the contingent' is interpreted broadly by the UN. For example, it includes: <ul style="list-style-type: none"> ○ Harm done to anyone outside of the contingent. ○ Damage to the image and reputation of the UN, troop-contributing country or police-contributing country. ○ Impeding implementation of the UN Field Mission's mandate. ○ Eroding the trust of the population in the UN Field Mission. ○ Creating political tension between countries. ○ Creating security risks for the UN Field Mission, including contingent personnel. ○ Financial loss for the UN. |

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| | 6. Still unsure? If in doubt, report it! Failure to report misconduct itself amounts to misconduct, and may result in commanders being repatriated and barred from future deployments with the UN. |
| | 7. <u>Are there any grey areas?</u> Like all general rules, there are grey areas. There are some violations that happen within the contingent that don't have an impact outside of the contingent but they should still be reported to the UN. These are violations between contingent members that result in serious injury as well as cases of sexual harassment and other types of sexual misconduct. In such situations, the matter will be handled by the contingent's national authorities. However, the UN will need information on action taken by the TCC-PCC in this case, for instance, to determine if individuals involved should be barred from future service with the UN. |
| | 8. Commanders should keep an eye on minor violations as these could be warning signs of more serious misconduct taking place. <u>Why should you monitor minor violations?</u> For example, if a group of contingent personnel are caught violating the curfew while out of uniform and with an unauthorised passenger in their vehicle, this could be a warning sign of personnel engaging in more serious forms of misconduct such as illegal trade or even sexual exploitation and abuse. In the past, as a precautionary measure, commanders have repatriated contingent members for repeated lower-level violations of good order and discipline. |

Additional information:What are UN rules on driving under the influence of alcohol or other substances?

Commanders should check the mission-specific rules to understand the legal limits for drinking and driving in the mission area. Some UN Field Missions allow a small amount of alcohol while driving and others allow none at all. Uniformed personnel are expected to abide by local laws and mission-specific rules and regulations on driving under the influence of alcohol or other substances such as marijuana.

How does the UN handle road traffic accidents?

When a road traffic accident happens, it is not yet known if misconduct occurred. In road traffic accidents, the UN Field Mission will conduct initial fact-finding activities to preserve evidence. If misconduct is suspected (for example, there is a suspicion of speeding or drunk driving), a separate investigation is launched into this alleged misconduct. The UN will then hand over any evidence gathered through initial fact-finding activities to the investigators.

How do contingent personnel report a road traffic accident to the UN?

- On arrival, the UN Field Mission will tell you who to contact in case of a road traffic accident. For example, it may be the UN Field Mission's security unit or UN Military Police.
- Road traffic accidents must be reported to the UN without delay (e.g., within 24 hours of the accident).
- UN personnel should not leave the scene of an accident until the UN initial fact-finding activities are finished, unless there are compelling reasons to do so (e.g., their personal safety is threatened).

| | Trainer Notes on Group/Learner Performance |
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| Group 1 | |
| Group 2 | |
| Group 3 | |
| Group 4 | |

| | Names of Learners |
|---------|-------------------|
| Group 1 | |
| Group 2 | |
| Group 3 | |
| Group 4 | |

Handout 1: What Type of Violations to Report to the UN?

Violations that have no impact outside of the contingent and can be handled by the commander.

One of your contingent members has stolen \$100 from another member in your contingent.

One of your contingent members has stolen a phone owned by another member of your contingent.

Two of your contingent members get into a fight in the contingent's mess and punch each other, leaving one of them with a broken nose.

Several of your contingent members bought alcohol at the UN duty-free shop (the 'PX') and drank it in their barracks while off-duty. The contingent has a no alcohol policy while on deployment with the UN.

One of your junior officers complains that his commanding officer is constantly demeaning him in front of the other contingent members.

The contingent has set its own curfew for 11 pm. One of your officers eats at a restaurant and comes back to the camp after the contingent's 11 pm curfew.

A contingent member refuses to follow his superior officer's orders and is disrespectful towards her.

The contingent has a rule that its contingent members must always wear their uniform when outside the camp. A contingent member is seen out of uniform shopping for toiletries at a local market.

Violations that have an impact outside of the contingent and as a result must be reported immediately to the UN for possible investigation by the troop-contributing country or the UN.

The driver of the contingent's vehicle has deliberately falsified the fuel records for the vehicle.

Shortly before the contingent is about to rotate out of the mission, the contingent's cook sells unused UN food rations allocated to the contingent to a local trader as the contingent will be unable to use them before departing. The cook intends to donate the money to a local charity.

An officer in the contingent repeatedly texts a female UN Military Observer/UN Police Officer, asking her to go out with him, even though she has told him several times to stop. This UN Military Observer/UN Police Officer is of the same nationality as the contingent.

A local police officer insults one of your contingent members. Both end up punching each other.

The driver of your contingent's armoured personnel carrier is in a road traffic accident. The driver was drunk at the time. Luckily none of the personnel in the vehicle and no locals were injured in the crash.

An officer in the contingent pays to have sex with an adult sex worker. Prostitution is legal in the country.

A 23-year-old contingent member falls in love with a local girl who is 17 and start a sexual relationship with her. He intends to marry her and bring her to his home country.

Contingent members are seen at the local market buying ivory bracelets. Trade in ivory is banned under local laws.

Contingent members have bought a small amount of marijuana in the local market. They smoke it while off-duty in camp. Possessing small amounts of marijuana for personal use is legal in the home country of the contingent, but illegal in the country where they are deployed.

Contingent members bought alcohol at the UN duty-free shop (the 'PX') and sold it at a higher price to local traders.

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| One of your contingent members was stopped by airport security with a small bag of unprocessed diamonds in his luggage. The UN Field Mission is in a country that prohibits the export of diamonds. |
| A contingent member is on his way back home. Airport security arrest him after finding a single bullet in his rucksack. The contingent member calls you and tells you it was an honest mistake and he forgot to check his luggage before travel. |
| One of your officers shares a confidential UN document with the local press. |
| One of your contingent members visited a bar that is on the UN Field Mission's list of premises that are off-limits to UN personnel. |
| One of your male contingent members is seen at a restaurant having a meal with a local woman at 11 pm at night. There is no official reason for his presence there. The mission has non-fraternisation rules in place for uniformed personnel. |
| Several contingent members get into a fight in the contingent's accommodation block. The fight leaves one of them with a severe injury to one eye, which may result in permanent damage to his eyesight. |
| An officer texts pornographic images to a female officer from the same contingent without being asked to do so. |

Handout 2 : Detailed Solution Key (What to Report to the UN?)

| Violations that have <u>no</u> impact outside of the contingent and can be handled by the commander. | What type of violations may have occurred? Why does it have <u>no</u> impact outside of the contingent? |
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| One of your contingent members has stolen \$100 from another member in your contingent. | This is an example of a criminal act (theft). However, it has no impact outside of the contingent as both the perpetrator and victim are contingent members. |
| One of your contingent members has stolen a phone owned by another member of your contingent. | This is an example of a criminal act (theft). However, it has no impact outside of the contingent as both the perpetrator and victim are contingent members. |
| Two of your contingent members get into a fight in the contingent's mess and punch each other, leaving one of them with a broken nose. | This is an example of a criminal act (physical assault). However, it has no impact outside of the contingent as both the perpetrator and victim are contingent members. |
| Several of your contingent members bought alcohol at the UN duty-free shop (the 'PX') and drank it in their barracks while off-duty. The contingent has a no alcohol policy while on deployment with the UN. | The contingent members violated a policy of the troop/police-contributing country (TCC/PCC). No UN rule was violated. However, note that UN Field Missions will have different mission-specific rules on alcohol. |
| One of your junior officers complains that his commanding officer is constantly demeaning him in front of the other contingent members. | This is a possible case of workplace harassment or abuse of authority between contingent members. However, it has no impact outside of the contingent as it does not involve anyone from outside of the contingent. |
| The contingent has set its own curfew for 11 pm. One of your officers eats at a restaurant and comes back to the camp after the contingent's 11 pm curfew. | The contingent member violated a policy of the TCC/PCC. No UN rule was violated. However, note that UN Field Missions will have different mission-specific rules on curfews. If a contingent members violates the UN Field Mission's curfew, this has to be reported to the UN. |

| Violations that have <u>no</u> impact outside of the contingent and can be handled by the commander | What type of violations may have occurred? Why does it have <u>no</u> impact outside of the contingent? |
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| A contingent member refuses to follow his superior officer's orders and is disrespectful towards her. | This may be a case of insubordination and a breach of the contingent's own rules. However, no UN rule has been breached and the act has no impact outside of the contingent. |
| The contingent has a rule that its contingent members must always wear their uniform when outside the camp. A contingent member is seen out of uniform shopping for toiletries at a local market. | The contingent member violated a policy of the TCC/PCC. No UN rule was violated. However, note that UN Field Missions will have different mission-specific rules on wearing of uniforms when outside the camp. |

| Violations that <u>have an impact outside of the contingent</u> and as a result must be reported immediately to the UN for possible investigation by the troop-contributing country or the UN. | What type of violations may have occurred? How does it <u>have an impact outside of the contingent</u> ? |
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| The driver of the contingent's vehicle has deliberately falsified the fuel records for the vehicle. | This is an example of UN fuel theft, which is a breach of UN rules and regulations. Theft of UN assets, property and equipment results in a financial loss for the UN as well as damage to the image and reputation of the UN and TCC/PCC. In countries where there are fuel shortages, these incidents can rapidly take on political dimensions and be used by spoilers to undermine the UN Field Mission. |
| Shortly before the contingent is about to rotate out of the mission, the contingent's cook sells unused UN food rations allocated to the contingent to a local trader as the contingent will be unable to use them before departing. The cook intends to donate the money to a local charity. | Selling of UN rations is a breach of UN rules and regulations. It results in a financial loss for the UN and damages the image and reputation of the UN and TCC/PCC. The fact that the cook intended to donate the money to a local charity is no excuse. A breach of UN rules and regulations has occurred and must be reported to the UN. |
| An officer in the contingent repeatedly texts a female UN Military Observer/UN Police Officer, asking her to go out with him, even though she has told him several times to stop. This UN Military Observer/UN Police Officer is of the same nationality as the contingent. | Sexual harassment is prohibited under UN standards of conduct. This act has an impact outside of the contingent as there is harm to a person outside of the contingent. These incidents also damage the image and reputation of the TCC/PCC. The fact that the contingent member and the UN Military Observer/UN Police Officer are of the same nationality is not relevant. Since harm has been done to someone outside of the contingent, the incident must be reported to the UN. |
| A local police officer insults one of your contingent members. Both end up punching each other. | This is an example of a criminal act (physical assault). It has an impact outside of the contingent as there is harm to a person outside of the contingent and the incident damages the image and reputation of the UN and TCC/PCC. |

| Violations that <u>have an impact outside of the contingent</u> and as a result must be reported immediately to the UN for possible investigation by the troop-contributing country or the UN. | What type of violations may have occurred? How does it <u>have an impact outside of the contingent</u> ? |
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| <p>The driver of your contingent's armoured personnel carrier is in a road traffic accident. The driver was drunk at the time. Luckily none of the personnel in the vehicle and no locals were injured in the crash.</p> | <p>Drunk driving is a violation of UN rules. It has an impact outside of the contingent since the incident happened outside of the camp on local roads. It also caused a significant risk of harm to people and property outside of the contingent. Drunk driving incidents also damages the image and reputation of the UN and TCC/PCC.</p> |
| <p>An officer in the contingent pays to have sex with an adult sex worker. Prostitution is legal in the country.</p> | <p>This is an example of sexual exploitation and abuse (SEA). SEA is prohibited under UN standards of conduct, even in countries where prostitution is legal or tolerated. Acts of SEA have an impact outside of the contingent as they result in harm to someone outside of the contingent, and damage the image and reputation of the UN and TCC/PCC. Such acts also erode the trust of the population in the UN Field Mission, create political tensions between the host government and the UN/TCC/PCC and create security risks for the UN Field Mission, including contingent personnel.</p> |
| <p>A 23-year-old contingent member falls in love with a local girl who is 17 and start a sexual relationship with her. He intends to marry her and bring her to his home country.</p> | <p>This is an example of sexual exploitation and abuse (SEA). Sexual relationships with a child (under the age of 18) are prohibited under UN standards of conduct, regardless of the local age of consent. Acts of SEA have an impact outside of the contingent as they result in harm to someone outside of the contingent, and damage the image and reputation of the UN and TCC/PCC. Such acts also erode the trust of the population in the UN Field Mission, create political tensions between the host government and the UN/TCC/PCC and create security risks for the UN Field Mission, including contingent personnel.</p> |

| Violations that <u>have an impact outside of the contingent</u> and as a result must be reported immediately to the UN for possible investigation by the troop-contributing country or the UN. | What type of violations may have occurred? How does it <u>have an impact outside of the contingent</u> ? |
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| Contingent members are seen at the local market buying ivory bracelets. Trade in ivory is banned under local laws. | This is an example of illicit trade in protected fauna/flora and is a violation of local laws. There is an impact outside of the contingent as it damages the reputation and image of the UN and TCC/PCC. |
| Contingent members have bought a small amount of marijuana in the local market. They smoke it while off-duty in camp. Possessing small amounts of marijuana for personal use is legal in the home country of the contingent, but illegal in the country where they are deployed. | This is a violation of local laws. There is an impact outside of the contingent as it damages the reputation and image of the UN and TCC/PCC. |
| Contingent members bought alcohol at the UN duty-free shop (the 'PX') and sold it at a higher price to local traders. | This is an abuse of UN privileges. There is an impact outside of the contingent as it damages the reputation of the UN and TCC/PCC. |
| One of your contingent members was stopped by airport security with a small bag of unprocessed diamonds in his luggage. The UN Field Mission is in a country that prohibits the export of diamonds. | This is a violation of local laws. It has an impact outside of the contingent as the incident happened outside of the camp, and it damages the image and reputation of the UN and TCC/PCC. |
| A contingent member is on his way back home. Airport security arrest him after finding a single bullet in his rucksack. The contingent member calls you and tells you it was an honest mistake and he forgot to check his luggage before travel. | It has an impact outside of the contingent as the incident happened outside of the camp, and it damages the reputation and image of the UN and TCC/PCC. This is also often a violation of local laws and of mission-specific rules and regulations. |

| Violations that <u>have an impact outside of the contingent</u> and as a result must be reported immediately to the UN for possible investigation by the troop-contributing country or the UN. | What type of violations may have occurred? How does it <u>have an impact outside of the contingent</u> ? |
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| One of your officers shares a confidential UN document with the local press. | This is breach of UN confidentiality rules. It has an impact outside of the contingent as the document is given to someone outside the contingent. Depending on the content of the document and what is done with it, it may also damage the image and reputation of the UN/TCC/PCC, create security risks for the UN Field Mission, and create political tension between the UN Field Mission and governments. |
| One of your contingent members visited a bar that is on the UN Field Mission's list of premises that are off-limits to UN personnel. | This is a breach of mission-specific rules and regulations. It has an impact outside of the contingent as the incident took place outside of the camp and the incident also damages the image and reputation of the UN and TCC/PCC. |
| One of your male contingent members is seen at a restaurant having a meal with a local woman at 11 pm at night. There is no official reason for his presence there. The mission has non-fraternisation rules in place for uniformed personnel. | This is a breach of mission-specific rules on non-fraternisation that are aimed at reducing the risk of UN personnel engaging in sexual exploitation and abuse (SEA). It has an impact outside of the contingent as the incident took place outside the camp in a public place, and damages the image and reputation of the UN and TCC/PCC. |
| Several contingent members get into a fight in the contingent's accommodation block. The fight leaves one of them with a severe injury to one eye, which may result in permanent damage to his eyesight. | This is one of the 'grey area' situations. Although this case of physical assault doesn't have an impact outside of the contingent, it should still be reported to the UN as it involves serious injury. In this situation, the matter will be handled by the contingent's national authorities. However, the UN will need information on action taken by the TCC/PCC in this case, for instance, to determine if individuals involved should be barred from future service with the UN. |

| Violations that <u>have an impact outside of the contingent</u> and as a result must be reported immediately to the UN for possible investigation by the troop-contributing country or the UN. | What type of violations may have occurred? How does it <u>have an impact outside of the contingent</u> ? |
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| <p>An officer texts pornographic images to a female officer from the same contingent without being asked to do so.</p> | <p>This is one of the 'grey area' situations. Although this case of sexual harassment between members of the same contingent doesn't have an impact outside of the contingent, it should still be reported to the UN. In this situation, the matter will be handled by the contingent's national authorities. However, the UN will need information on action taken by the TCC/PCC in this case, for instance, to determine if the perpetrator should be barred from future service with the UN.</p> |