

Inject 5. Cooperating with an Investigation (FPU)

Purpose

To test how the commander of a formed police unit (FPU) cooperates with a UN investigation into an allegation of sexual exploitation and abuse (SEA) involving a contingent member.

Participant learning outcomes

By the end of the session, learners will have:

- Identified specific actions to take to support a UN investigation into an allegation of SEA involving a contingent member.
- Responded to enquiries about the allegation without breaching UN rules on confidentiality.

Time

With a group: This inject takes 1 hour, including the debriefing by the trainer.

With an individual: This inject takes 35 minutes, including the debriefing by the trainer.

Method

Scenario with questions to the learner(s).

Inject instructions

Before the inject, print the following training materials:

- **Inject instructions:** 1 copy per trainer.
- **Handouts – Inject 5:** 1 copy per learner + 1 copy per trainer. Cut the two information cards out along the dotted lines.
- **Solution Key for Inject 5:** 1 copy per trainer.
- **Infographics Misconduct Allegations (FPU):** 1 copy per learner + 1 copy per trainer (see '**Key Resources**')
- **Glossary:** 1 copy per trainer (see '**Key Resources**').

When running the inject with a group of learners, please use these instructions:

Inject instructions (with a group of learners)	Time
<p>Introduction.</p> <p>Explain the purpose of the inject and that the performance of groups will be assessed through the group presentations.</p> <p>Give guidance on handling strong emotions and disagreements over values (see 'Instructor's Guide to Injects').</p>	2 min.
<p>Group work (Activity 1: How to cooperate with investigations)</p> <p>Divide learners into small groups (e.g. four groups of 5 learners).</p> <p>Explain that groups will be given a scenario with two questions, which they have to discuss and answer as a group. Explain that all groups have the same scenario with the same two questions. Ask groups to be ready to present their group's answers to the two questions in plenary.</p> <p>Distribute the scenario with questions to all groups (Handouts – Inject 5, Activity 1).</p>	10 min.
<p>Group presentations (Activity 1: How to cooperate with investigations)</p> <p>Ask each group to present their responses to questions 1 and 2.</p> <p>Tip - If this is too repetitive, trainers may ask two groups to present their answers and the other two groups to only add any new/additional points.</p> <p>While the groups are presenting, one of the trainers should assess the performance of each group against the 'observed behaviours' for the inject listed in the Solution Key for Inject 5. The trainer should also use the solution key to record their notes on the performance of each group.</p>	10 min.
<p>Trainer debriefing (Activity 1: How to cooperate with investigations)</p> <p>Once all four groups have finished presenting, the lead trainer should use the guidance in the Solution Key for Inject 5 under 'expected actions' to provide feedback to all groups about the content of their presentations. When providing feedback, the trainer should highlight which points are correct, and which points are incorrect or are missing.</p>	8 min.

<p>Group work (Activity 2: Handling confidential information)</p> <p>Explain that each group will be given a second scenario and must work as a group to prepare a response to the task. The task is: 'Respond to the local NGO leader's question but <u>do not disclose information that should be kept confidential</u> according to UN rules.'</p> <p>Distribute the scenario with the task to all groups (Handouts – Inject 5, Activity 2).</p>	10 min.
<p>Group presentations (Activity 2: Handling confidential information)</p> <p>Ask each group to present their responses to the task.</p> <p>Tip - If this is too repetitive, trainers may ask two groups to present their responses and the other two groups to only add any new/additional points.</p> <p>While the groups are presenting, one of the trainers should assess the performance of each group against the 'observed behaviours' for this part of the inject listed in the Solution Key for Inject 5. The trainer should also use the solution key to record their notes on the performance of each group.</p>	10 min.
<p>Trainer debriefing (Activity 2: Handling confidential information)</p> <p>The lead trainer should use the guidance in the Solution Key for Inject 5 under 'expected actions' to provide feedback to each group in turn about the content of their presentations. When providing feedback, the trainer should highlight which points are correct, and which points are incorrect or are missing.</p> <p>Distribute Infographic Misconduct Allegations (FPU) and encourage learners to take it with them on their upcoming deployment. This infographic shows what happens to an allegation of misconduct involving a member of an FPU 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>	10 min.

When running the inject for an individual learner, please use the instructions below.

Inject instructions (with an individual learner)	Time
Introduction. Explain the purpose of the inject and explain that the performance of the learner will be assessed through the quality of their responses.	1 min.
Individual work (Activity 1: How to cooperate with investigations) Ask the learner to read the scenario and prepare their response to questions 1 and 2 (Handouts – Inject 5, Activity 1).	9 min.
Individual presentation (Activity 1: How to cooperate with investigations) Ask the learner to provide their responses to questions 1 and 2 to the trainer. While the learner provides their response, the trainer should assess the performance of the learner against the 'observed behaviours' for the inject listed in the Solution Key for Inject 5 . The trainer should also use the solution key to record their notes on the performance of the learner.	5 min.
Trainer debriefing (Activity 1: How to cooperate with investigations) The trainer uses the guidance in the Solution Key for Inject 5 under 'expected actions' to provide feedback to the learner. When providing feedback, the trainer should highlight which points are correct, and which points are incorrect or are missing.	5 min.
Individual work (Activity 2: Handling confidential information) Ask the learner to read the second scenario and prepare their response to the task. The task is: 'Respond to the local NGO leader's question but <u>do not disclose information that should be kept confidential</u> according to UN rules.'	5 min.
Individual presentation (Activity 2: Handling confidential information) Ask the learner to provide their response to the task to the trainer. While the learner provides their response, the trainer should assess the performance of the learner against the 'observed behaviours' for that part of the inject listed in the Solution Key for Inject 5 . The trainer should also use the solution key to record their notes on the performance of the learner.	5 min.
Trainer debriefing (Activity 2: Handling confidential information) The trainer uses the guidance in the Solution Key for Inject 5 under 'expected actions' to provide feedback to the learner. When providing feedback, the trainer should highlight which points are correct, and which points are incorrect or are missing. Distribute Infographic Misconduct Allegations (FPU) and encourage the learner to take it with them on their upcoming deployment. This	5 min.

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Handouts – Inject 5

Activity 1: How to cooperate with investigations

Scenario 1

An allegation of sexual exploitation and abuse (SEA) has been made against one of your contingent members. The UN's Office of Internal Oversight Services (OIOS) has assigned one of its investigators on the ground to conduct the investigation together with a Security Officer from the UN Field Mission.

The Head of Office for your Sector called you yesterday to let you know that the two-person team of UN investigators is arriving at your camp in one week's time to conduct interviews with your contingent members and gather other information.

Question 1. Identify at least two actions that you can take to support the investigators before they arrive?

Question 2. Identify at least two actions that you can take to support the investigators once they arrive?

Activity 2: Handling confidential information

Scenario 2

Over the past two weeks, you have learnt that the allegation of sexual exploitation and abuse was made against one of your contingent members called Peter. He is alleged to have had sex with a 16 year-old-girl called Emily and to have gotten her pregnant. Emily lives in the nearby village, where everyone knows each other.

Two weeks after the investigation team has left, you are in a meeting with community representatives to discuss the security situation. At the meeting, a local NGO leader informs you that she has heard rumours about an allegation of misconduct involving the contingent. She knows that a team of investigators recently visited your camp. She is angry and asks for more details about the allegation.

Task: Respond to the local NGO leader's question but do not disclose information that should be kept confidential according to UN rules.

Solution Key for Inject 5

Activity 1: How to cooperate with investigations

Question 1. Identify at least two actions that you can take to support the investigators before they arrive?

Observed behaviours	Group 1	Group 2	Group 3	Group 4
A. Recognises that FPU commanders have an obligation to cooperate with UN investigations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Can give <u>at least 2 examples</u> of actions to take to support the investigators <u>before</u> they arrive	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tick	Expected actions
	The learner recognises that FPU commanders have an obligation to cooperate with UN investigations.
	<p>Examples of how to support the investigators <u>before</u> they arrive are provided below:</p> <ul style="list-style-type: none"> • Do preserve evidence. For example, put any evidence that the investigators may need such as entry/exit logs in a safe place until they arrive, to prevent tampering with evidence. • Don't interfere with the investigation. For example, do order the unit to refer anyone from the community who approaches them about the incident to the UN Field Mission's Conduct and Discipline Team and ensure that the unit has the contact details for the Conduct and Discipline Team. If you or your contingent try to speak to victims and witnesses, this can intimidate them and skew their testimony. The UN considers interfering in an investigation as misconduct, and it may also be considered a crime under national jurisdiction. • Don't redeploy or repatriate contingent members who are under investigation. If your entire contingent is due to rotate, do request permission from the UN Field Mission to repatriate anyone under investigation. <p>Other related dos on cooperating with investigations are:</p> <ul style="list-style-type: none"> • Do prevent further harm by the contingent member who is under investigation. For example, confine contingent members accused of misconduct to camp and remove access to firearms. • Do protect the safety and wellbeing of contingent members who are under investigation. For example, protect them from retaliation from the

	<p>community by confining them to camp and protect their wellbeing by providing access to exercise and regular contact with friends and family back home.</p> <ul style="list-style-type: none"> • Do prevent further acts of misconduct. For example, review the measures you have in place at the camp to prevent misconduct and decide whether any of these measures need to be strengthened.
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Question 2. Identify at least two actions that you can take to support the investigators once they arrive?

Observed behaviours	Group 1	Group 2	Group 3	Group 4
C. Can give <u>at least 2 examples</u> of actions to take to support the investigators <u>once they arrive</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tick	Expected actions
	<p>Examples of actions to take to support the investigators once they arrive at the contingent's camp are provided below:</p> <ul style="list-style-type: none"> • Do allow the investigators to interview your contingent members. • Do allow the investigators to search the premises. • Do provide access to information and documentation that the investigators may require such as entry/exit logs.

Additional information:

If a learner ask what happens when a paternity claim is made against a contingent member after they have returned home, the trainer should explain that:

- The UN Secretariat and the police-contributing country (PCC) will collaborate to help the victim of sexual exploitation and abuse make a paternity claim and child support claim.
- All PCCs have undertaken to facilitate paternity claims against their contingent members. The trainer can refer to the relevant paragraph below from the generic model memorandum of understanding (MOU) between the UN and PCCs:

'7.24 The Government understands the importance of settling matters relating to paternity claims involving a member of its formed police unit. The Government will, to the extent of its national laws, seek to facilitate such claims provided to it by the United Nations to be forwarded to the appropriate national authorities. In the event that the Government's national law does not recognize the legal capacity of the United Nations to provide such claims, these shall be provided to the Government by the appropriate authorities of the host country, in accordance with applicable procedures. The United Nations must ensure that such claims are accompanied by the necessary conclusive evidence, such as a DNA sample from the child when prescribed by the

Government's national law.' Source: Chapter 9, generic model memorandum of understanding (MOU) for military contingents and generic model MOU for formed police units, A-75-121 of 31 August 2020.

Activity 2: Handling confidential information

Observed behaviours	Group 1	Group 2	Group 3	Group 4
D. When responding to enquiries about the allegation, the commander does not disclose confidential information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tick	Expected actions
	<p>The commander is allowed to disclose general information about the type of allegation <u>that does not reveal the identifies and nationalities of victims and others involved in the misconduct nor the specific details of the allegation.</u> For example, the commander is allowed to say: 'A UN investigation is on-going into an allegation of sexual exploitation and abuse made against one of my contingent members.'</p> <p>The commander is <u>not allowed to disclose</u> to the community representatives any information that could reveal the identities and nationalities of victims and others involved in misconduct as well as the details of the allegation because this information is confidential. This type of confidential information may only be disclosed to those authorised to handle an allegation (e.g. UN chain of command, UN Conduct and Discipline Team/Focal Point) and investigate it (e.g. a National Investigations Officer, the UN Office of Internal Oversight Services (OIOS) or an investigator appointed by the UN Field Mission). Examples of confidential information that the commander is <u>not allowed to disclose</u> are:</p> <ul style="list-style-type: none"> • Details that could enable the contingent member against whom the allegation has been made to be identified such as the contingent member's name or identification number. • Details that could enable the victim to be identified such as her name, age, where she lives, who her parents/relatives are. Since Emily lives in a small village where everyone knows each other, details such as the fact that the sexual exploitation and abuse allegation involved a young woman under the age of 18 and a paternity claim may be enough detail to enable the victim to be identified and may <u>not</u> be disclosed. • Details that could enable others involved to be identified such as witnesses. • The nationalities of the victim and your contingent member. [Note to the trainer: The victim may not always have the nationality of the host country. Similarly, in some contingents, the contingent member may not have the same nationality as the commander.] • Details about the allegation such as specific details about what happened, where and when and who was involved.

Additional information:

It would also be good practice for the commander to:

- Refer the NGO leader to the UN Field Mission's Conduct and Discipline Team/Focal Point for any further information about the allegation.
- Explain what happens to an allegation of misconduct after it is reported to the UN (see **Infographic Misconduct Allegations (FPU)**).
- Explain the need for the commander to keep information confidential to protect the victim, the victim's family and witnesses.
- Maintain a calm and respectful attitude when faced with angry questioning.

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

	Names of Learners
Group 1	
Group 2	
Group 3	
Group 4	