

UNV Advisory Panel on Disciplinary Measures (APDM)

ANNUAL REPORT 2017

This document refers to cases closed in 2017 related to UN Volunteers



The United Nations Volunteers (UNV) programme is the UN organization that promotes volunteerism to support peace and development worldwide. Volunteerism can transform the pace and nature of development and it benefits both society at large and the individual volunteer. UNV contributes to peace and development by advocating for volunteerism globally, encouraging partners to integrate volunteerism into development programming, and mobilizing volunteers. In most cultures volunteerism is deeply embedded in long-established, ancient traditions of sharing and support within the communities. In this context, UN Volunteers take part in various forms of volunteerism and play a role in development and peace together with co-workers, host agencies and local communities. In all assignments, UN Volunteers promote volunteerism through their action and conduct. Engaging in volunteer activity can effectively and positively enrich their understanding of local and social realities, as well as create a bridge between themselves and the people in their host community. This will make the time they spend as UN Volunteers even more rewarding and productive.

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Overview

This report provides a summary of the activities carried out by the UNV Advisory Panel on Disciplinary Measures (APDM) during 2017. The mandate of the APDM is to advise the UNV Executive Coordinator (EC) on disciplinary matters involving UN Volunteers. The main functions are to provide an objective review of independently investigated allegations of misconduct involving UN Volunteers, and recommend to the EC appropriate disciplinary measures or exoneration of UN Volunteers from allegations of misconduct. The APDM further renders in-house advice, at the request of the EC and senior managers, concerning questions with potential disciplinary implications.

This report covers cases reviewed during 2017, including cases where UN Volunteers were exonerated and those that resulted in the imposition of disciplinary sanctions. It contains statistics for reference.

UN Volunteers are not subject to the disciplinary process provided in the UN Staff Regulations and Rules applicable to staff members of the United Nations. Instead, they are subject to disciplinary procedures under their own Conditions of Service.

Disciplinary proceedings within the UNV programme are strictly administrative in nature as part of the internal justice system for UN Volunteers. What is required is the identification of sufficient facts to permit a reasonable inference that a violation of the relevant Conditions of Service, including the Code of Conduct for UN Volunteers, has occurred. Throughout such proceedings, UN Volunteers have the right to due process. The disciplinary review is independent of managerial interference, and while UNV has no authority over host organizations/entities, they are expected to respect the nature and spirit of the UNV disciplinary process.

UNV does not conduct investigations on its own. Where the allegations concern UN Volunteers assigned to UNV or UNDP offices or projects, investigations are carried out by the UNDP Office of Audit and Investigations (OAI). For UN Volunteers assigned to other UN entities, investigations are conducted by the Office of Internal Oversight Services (OIOS) or the investigative arm of the relevant agency to whose project or programme the UN Volunteer in question is assigned. Based on the findings contained in the investigation materials provided by the duly authorized investigative body, the APDM makes a recommendation to the UNV Executive Coordinator as to the imposition of a disciplinary measure, or the exoneration of the international UN Volunteer.

Facts and figures

In 2017, the APDM reviewed and brought to closure 27 cases out of which:

- Nine (9) UN Volunteers were exonerated and their cases closed without the imposition of disciplinary sanctions;
- Five (5) UN Volunteers received a letter of censure;
- Four (4) UN Volunteers received the sanction of early separation;
- One (1) non extension of current contract and
- Eight (8) UN Volunteers received the sanction of summary dismissal due to serious misconduct.

The cases were addressed to the APDM for its review and recommendation to the EC, who makes the decision regarding any imposition of disciplinary sanctions.

The number of cases leading to disciplinary measures and to exonerations is reflected in the table below, which also includes the percentage of serving UN Volunteers receiving disciplinary sanctions.

Table 1: Number of disciplinary sanctions, exonerations and percentage of serving UN Volunteers by year

Year	No. of disciplinary sanctions	No. of exonerations	Percentage of UN Volunteers found guilty of misconduct
2017	18	9	0.30
2016	19	3	0.29
2015	41	1	0.60
2014	15	3	0.24
2013	7	3	0.11
2012	10	5	0.15
2011	10	1	0.14
2010	10	4	0.12
2009	7	6	0.09

- In 2017, 18 cases resulted in the imposition of a disciplinary sanction; those cases involved 17 male and 1 female UN Volunteers.
- The percentage of cases is calculated using a total number of UN Volunteer assignments equivalent to 6,501 in 2017.
- The statistics section of this report includes a description of the cases reviewed and closed in 2017 by type of misconduct, sanction and gender. There were no UN Volunteer appeals to the UNDP Administrator on the Executive Coordinator's decision.
- The APDM met 10 times in 2017, including online meetings, to review all the above mentioned cases. The disciplinary process continued to benefit from the support and advice of the UNDP Legal Office in New York upon request.
- The APDM continued to provide substantive support to Sections/Units at UNV HQ as well as to the UNV Field Units. It also conducted sessions on the management of disciplinary cases at the UNV Field Unit Induction Workshops, to brief participants on the management of disciplinary cases and clarify their own role in the process.
- UNV makes every effort to reinforce the code of conduct and to create opportunities that may increase UN Volunteers' awareness, including through trainings, in order for them to uphold and promote the highest standards of ethical and professional conduct.

Table 2. Special situation concerning the evolution of allegations of Sexual Exploitation and Abuse over the last 10 years (2008-2017)

Year of review	No of disciplinary sanctions	No of exonerations	Total Nb. of cases reviewed
2017	2	2	4
2016	3	4	7
2015	4	2	6
2014	-	-	-
2013	-	-	-
2012	1	2	3
2011	-	-	-
2010	3	2	5
2009	4	1	5
2008	2	4	6
Grand Total	19	17	36

DESCRIPTION OF CASES

1. CASES THAT RESULTED IN THE IMPOSITION OF A DISCIPLINARY MEASURE

1.1. Forgery/alteration of official document (2)

Detail case: Two international UN Volunteers serving with two UN Missions submitted false documents.

Sanctions: Early separation.

1.2. Bribery (2)

Detail case: An international UN Volunteer serving with a UN Mission was involved in bribery activities. Another one witnessed and failed to report on time action related to bribery.

Sanctions: Non-extension of current contract and a letter of censure respectively.

1.3. Cigna Fraud (3)

Detail case: Two international UN Volunteers serving with UN agencies and another one serving with a UN Mission submitted medical bills for reimbursement. The invoices submitted were found not to be genuine.

Sanctions: Summary dismissal.

1.4. Fraud (2)

Detail case: Two international UN Volunteers serving with UN Missions were alleged of fraud. One of the cases was substantiated and the second one was not substantiated.

Sanction: Early separation and letter of censure.

1.5. Entitlement fraud

Detail case: An international UN Volunteer serving with a UN Mission was alleged of entitlement fraud through the United Nations Field Support Suite (FSS) system with an underlying financial fraud on three occasions.

Sanction: Summary dismissal.

1.6. Dissemination of child pornography

Detail case: An international UN Volunteer serving with a UN Mission shared child pornography with a colleague, pretending that it was for public information and awareness raising.

Sanction: Summary dismissal.

1.7. Driving under the influence of alcohol causing traffic accident (2)

Detail case: Two international UN Volunteers serving with a UN Mission were involved in traffic accidents. One of them was driving while impaired and the other one was suspected of possible intoxication with alcohol.

Sanction: Early separation for the first case and Letter of Censure for the second one.

1.8. Theft and embezzlement, and misuse of official property

Detail case: Two international UN Volunteers serving with UN Missions colluded to fraudulently displace UN property.

Sanction: Summary dismissal.

1.9. Sexual exploitation and abuse (2)

Detail case: Two international UN Volunteers serving with a UN Mission were involved in SEA activities.

Sanction: Summary dismissal.

1.10. Verbal Abuse

Detail case: An international UN Volunteer serving with a UN agency used insulting gestures and words against another UN personnel.

Sanction: Letter of Censure.

1.11. Loss of UN Property

Detail case: A former international UN Volunteer who served with a UN agency was alleged of theft of UN property which was unsubstantiated. However, the negligence led to the loss of UN property.

Sanction: Letter of Censure

2. CASES THAT DID NOT RESULT IN THE IMPOSITION OF A DISCIPLINARY MEASURE

Nine cases presented to the APDM resulted in exoneration. The nine cases concerned UN Volunteers serving in UN missions against whom allegations were raised on the following:

- One case of allegation of misconduct by intimidation.
- Two cases of SEA allegations.
- One case concerning paternity claim and non-compliance with child support obligations.
- Other types of allegations.

STATISTICS

1. Disciplinary cases by type of allegations (2017)

Type of allegations	Number
Allegation of forgery/alteration of official document	1
Bribery	2
Cigna fraud	3
Dissemination of child pornography	1
Driving while Impaired	1
Entitlement fraud through the United Nations Field Support Suite (FSS) system	1
Entitlements Fraud, Theft and Embezzlement, and Misuse of Official Property	1
Forgery	1
Fraud	2
Loss of UN property	1
Misconduct causing traffic accident	1
Sexual Exploitation and Abuse	1
Sexual Exploitation and Abuse on a minor	1
Verbal Abuse	1
Grand Total	18

2. Disciplinary cases by gender

Gender	Number of cases
F	1
M	17
Grand Total	18

3. Disciplinary cases by sanctions

Type of sanctions	Number of cases
Early Separation	3
Early Separation and loss of entitlement 2017	1
Letter of Censure	5
Non-Extension of current contract	1
Summary Dismissal	8
Grand Total	18

4. Distribution of type of misconduct by type of sanction

Type of misconduct	Type of sanctions					Grand Total
	Early Separation	Early Separation and loss of entitlements	Letter of Censure	Non-Extension of current contract	Summary Dismissal	
Allegation of forgery/alteration of official document	1					1
Bribery			1	1		2
Cigna fraud					3	3
Dissemination of child pornography					1	1
Driving while Impaired	1					1
Entitlement fraud through the United Nations Field Support Suite (FSS) system					1	1
Entitlements Fraud, Theft and Embezzlement & Misuse of Official Property					1	1
Forgery		1				1
Fraud	1		1			2
Negligence that led to loss of UN property			1			1
Misconduct causing traffic accident			1			1
Sexual Exploitation and Abuse (SEA)					1	1
Sexual Exploitation and Abuse on a minor					1	1
Verbal Abuse			1			1
Grand Total	3	1	5	1	8	18

- The above-mentioned numbers show that cases related to Cigna or other frauds remain an area that requires full attention from UNV.
- Taking into account the seriousness of allegations of sexual exploitation and abuse (SEA), UNV applies “ a zero tolerance” policy in its review process. Accordingly, as per the EC’s memo of 23 February 2018, all volunteers candidates are requested to take the relevant online course before their deployment.