

CORRUPTION RISKS AND UN PEACE OPERATIONS

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ACRONYMS

A4P	Action for Peacekeeping	IAP	Integrated Assessment and Planning
ACABQ	Advisory Committee on Administrative and Budgetary Questions	JIU	Joint Investigations Unit
AU	African Union	KPK	Komisi Pemberantasan Korupsi (Corruption Eradication Commission)
BOA	Board of Auditors	MONUSCO	United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo
CAR	Central African Republic	OHCHR	Office of the High Commissioner for Human Rights
CDT	Conduct and Discipline Team	OIOS	Office of Internal Oversight Services
CICIG	International Commission against Immunity in Guatemala	SEA	Sexual Exploitation and Abuse
CJIATF	Combined Joint Inter-Agency Task Force Shafafiyat	SIGAR	Office of the Special Inspector General for Afghanistan Reconstruction
COE	Contingent-Owned Equipment	SIGIR	Office of the Special Inspector General for Iraq Reconstruction
DFS	Department of Field Support	SPM	Special Political Missions
DM	Department of Management	SRSG	Special Representative to the Secretary-General
DMSPC	Department of Management Strategy, Policy and Compliance	TI DS	Transparency International Defence and Security
DOS	Department of Operational Support	T/PCC	Troop/Police Contributing Country
DPKO	Department of Peace Operations	UN	United Nations
DPA	Department of Political Affairs	UNAMSIL	United Nations Mission in Sierra Leone
DPO	Department of Peace Operations	UNFICYP	United Nations Mission in Cyprus
DPPA	Department of Political and Peacebuilding Affairs	UNMIL	United Nations Mission in Liberia
DRC	Democratic Republic of the Congo	US	United States of America
DSRSG	Deputy Special Representative to the Secretary-General	USUN	United States Mission to the United Nations
ECOWAS	Economic Community of West African States		
HIPPO	High-Level Independent Panel on Peace Operations		

RESEARCH SUMMARY

United Nations (UN) peace operations have always faced complex challenges, and in the current international environment, these are set to increase. The process of designing and delivering a peace operation is exceptionally challenging and profoundly political – from the initial mandate design and approval, the involvement of multiple actors (both UN and non-UN), through to the management of personnel and equipment, successive mandate renewals and the transition and closure of missions.

As this complexity increases, peace operations also face growing threats to their legitimacy. The UN has done much to address the risks faced by missions, but scandals implicating peacekeepers can still cause enormous damage and need to be met by a robust response. Failure in this respect can be doubly damaging at time when critical voices are calling for budget reductions and a more effective use of resources in multilateral responses.¹ Corruption and poor governance, around and within peacekeeping missions, or the failure to understand how such issues may influence conditions in the mission area, will only exacerbate these challenges, undermining mission effectiveness and diminishing political and public trust in UN operations. Indeed, the UN's responsibility for the maintenance of peace and security – and by implication, to prevent human suffering – risks being frustrated if corruption is overlooked or facilitated through lack of awareness or inadequate oversight. Corruption, defined by Transparency International as “the abuse of entrusted power for private gain”, needs to be recognised as one of the principal challenges facing UN operations, and merits distinct treatment as a major strategic and operational risk.²

UN peace operations can be a highly cost-effective means of responding to urgent crises.³ Operations such as the UN Mission in Sierra Leone (UNAMSIL), and the UN Mission in Liberia (UNMIL) – which were withdrawn in 2006 and 2018 respectively – have been effective at bringing sustainable peace to previously conflict-ridden areas.⁴ Other missions, such as MONUSCO in the Democratic Republic of Congo

(DRC) for example, have been less successful and can result in protracted deployments that find it difficult to gain the full engagement of the host government; or end up legitimising the status quo interests of external actors, as in the UN Mission in Cyprus (UNFICYP).

A renewed effort to establish transparent and fully accountable practices at every stage of a mission – from the drafting of the mandate, to transition and closure – will increase the chances of mission success, while at the same time addressing public criticism and helping to build trust within the international community more widely. Where intervention forces continue to lack awareness of the issues at stake, oversight and control will be less than adequate, the chances of mission failure will rise and the UN's ability to respond to future crises will suffer.

Transparency International Defence and Security (TI DS) welcomes Secretary-General António Guterres' leadership in instigating institutional reform, together with an explicit commitment to improving accountability.⁵ This reform period has also seen the launch of Action for Peacekeeping (A4P), a roadmap for peacekeeping reform. In January 2019, key UN Secretariat departments engaged in peace and security were reorganised and renamed, with the intention of improving peacekeeping effectiveness.⁶ Such reforms are an essential step toward strengthening the ability to conduct effective peace operations and it is essential that they are accompanied by measures to overcome the many obstacles that can frustrate the achievement of the objective. In this respect, Guterres's acknowledgement that corruption is a problem for the UN is a welcome step, though it is still too early to determine how this will impact the planning and conduct of operations.⁷ That corruption risks be recognised, assessed and included in the preparation and practice of peacekeeping missions – especially at the operational/



¹ United Nations, “Rising Nationalism Threatens Multilateralism's 70-Year “Proven Track Record” of Saving Lives, Preventing Wars, Secretary-General Tells Security Council”, SC/13570, 9 November 2018, <https://bit.ly/2YcFC1o>

² Corruption can be classified as grand, petty or political in nature. More information is available in the Anti-Corruption Glossary, Transparency International, <https://www.transparency.org/glossary>

³ Fred Carver, “Peacekeeping Budget Approval and Cuts Leave Fundamental Questions Unaddressed”, IPI Global Institute, 14 September 2018, <https://bit.ly/2Xpfsf1>
Government Accountability Office, “UN Peacekeeping: Cost Estimate for Hypothetical U.S. Operation Exceeds Actual Costs for Comparable UN Operation”, 6 February 2018, <https://bit.ly/2nlgaB0>
Barbara F. Walter, *Committing to Peace: The Successful Settlement of Civil Wars* (Princeton: Princeton University Press, 2002) pp. 105 & passim;
Michael W. Doyle and Nicholas Sambanis, *Making War & Building Peace: United Nations Peace Operations* (Princeton University Press: Oxford, 2006).

⁴ Amanda Lucey and Liezelle Kumalo, “Sustaining peace in practice: Liberia and Sierra Leone”, *Institute for Security Studies*, 2018, <https://bit.ly/2Y851c6>
Francis Mustapha Kaikai, “Carving a path to peace in Sierra Leone”, *UN Peacekeeping in Medium*, 14 December 2018, <https://bit.ly/2CdDdQ7>

⁵ The Secretary-General laid out his reform proposals, or ‘Action for Peacekeeping’ (A4P), in his introduction to the annual report on the Work of the Organization: A/72/1, <https://undocs.org/A/72/1>

⁶ The Action for Peacekeeping (A4P) and ensuing reforms have led to some of the following changes: the Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS) have become the Department of Peace Operations (DPO); the Department of Political Affairs (DPA) and Peacebuilding Support Office are now the Department of Political and Peacebuilding Affairs (DPPA). DPA and the former DPKO also “merged their previously parallel regional divisions to create a single structure to provide more coherent political analysis and strategic advice in the service of prevention, peacekeeping, and peacebuilding after conflict”. For simplicity and given that most of our research took place in 2018, this summary and the corresponding assessment will refer to the former departments and, where possible, to the new structure; our findings and recommendations remain relevant to the newly formed departments. See Political and Peacebuilding Affairs, “About Us”, January 2019, <https://dpa.un.org/en/about-us> and UN Peacekeeping, “Department of Peace Operations”, 2019, <https://bit.ly/2KAvhJF>

An updated UN system chart can be found on the United Nations website, <https://bit.ly/2NdYtZ1> an organigram presenting the division of labour between DPPA and DPO is available here: <https://bit.ly/2L9bksW>

⁷ António Guterres, “Secretary-General's remarks to the Security Council on Corruption in Conflict [as delivered]”, United Nations Secretary-General, 10 September 2018, <https://bit.ly/2oXtSA2>

» mission-level – is vital for the effectiveness and legitimacy of those missions. If peace operations are to establish the conditions that support sustainable peace, corruption must be prevented and all personnel aware of their responsibilities and held accountable for their actions.

This report, and the anti-corruption assessment on which it is based, offer a framework to further strengthen anti-corruption measures in peace operations, and ensure that these reforms lead to concrete change. The findings show that the UN struggles to approach corruption risks as a systemic threat to the success and legitimacy of its peacekeeping operations, at either the strategic or mission levels, and currently lacks the capacity and focus to address the problem comprehensively. The following themes arose throughout the assessment:

- Despite improvements in the effectiveness of bodies charged with oversight, such as the Office of Internal Oversight Services (OIOS), the research indicates a lack of effective, specialist, well-resourced and fully independent oversight on systemic corruption issues. Greater specialised investigative capacity, and the ability and resources to apply this in mission environments, is needed.
- Corruption is increasingly acknowledged as a problem within host countries – indeed, it is frequently one of the key drivers of the original conflict the UN is seeking to address – but the potential role of UN operations in either fuelling or perpetuating such corruption is given relatively little consideration. Whether simply overlooked, or actually perpetrated by, or even supported by UN actors, corruption has the potential to undermine the trust in, and impact of, a mission. There have been cases of UN personnel being involved in smuggling and trafficking, and some interviewees revealed fearing reprisal if they reported such cases. It is therefore essential that these risks be considered and mitigated from the outset.
- The UN's natural interlocutors in a mission environment are host nation governments. But not all governments operate in ways that serve the interests of their populations. Where the UN's role is designed to consolidate state authority, it can have the unintended consequence of sustaining kleptocratic government and entrenching the abuse of state power. Mandates based around the extension of state services and/or good governance, should help guard against this and aim to enable the UN to both maintain host nation consent and ensure that host nation populations are protected. It is important that peacekeeping operations are then planned and implemented in a way that adequately balances these priorities.

- A commonly cited problem was the lack of clear lines of accountability between Troop and Police Contributing Countries (T/PCCs) and the UN. The UN lacks the authority (and therefore the mechanisms) to hold members of T/PCCs to account for violations, meaning that in many cases individuals or contingents are simply repatriated. Without such authority, or the willingness of Member States, the UN can find it extremely difficult to ensure that individuals who have violated rights, or take part in corruption and other forms of criminal behaviour, have been held accountable and that disciplinary or administrative action has been taken at national level.
- The lack of individual accountability, particularly of uniformed personnel, was repeatedly raised, with interviewees citing the failure of the system to prevent corruption, or punish individuals for it, and noting that there are therefore few disincentives for malfeasance. Without clear forms of individual accountability and strong sanctions for corrupt actions, corruption can and will continue unchecked, undermining the chances of mission success, as well as further denting UN's credibility in the eyes of its critics.
- Political lobbying was mentioned by some interviewees as a persistent problem in combating corruption. While the UN is quite clearly a political organisation, the issues raised with us – ranging from hindering meaningful oversight by the OIOS, to failing to hold T/PCCs to account where violations occur, and seeing senior appointments as being 'owned' by particular countries – give cause for concern. Further oversight, better controls and more transparent decision-making would help make it clearer when politics has played an unhelpful or even blatantly negative role.

RECOMMENDATIONS

The UN Secretary-General, departments and Member States should consider corruption risk as a threat to the success and legitimacy of their peacekeeping operations, at both the strategic and mission levels, and take the following steps to address the overarching risks highlighted in the report:

1. The Secretary-General should prioritise tackling corruption risks and taking clear steps to mainstream anti-corruption work, especially in the context of peace operations. We recommend that he mandate an independent review – possibly performed by a separate task force with the necessary mandate, expertise and capacity – to consider ways of identifying and reducing corruption risks and building integrity in peace operations within the UN's structures, budgets, processes and capabilities. We believe that the best approaches to tackling systemic risks of this kind are those that seek to mainstream anti-corruption policies and procedures.

The review could consider ways of safeguarding operations from corruption risks by adapting mandate design at the strategic level, incorporating corruption-related concerns in operational planning and procurement procedures, reviewing anti-smuggling mechanisms and conflicts of interest regulations, and addressing other common areas of corruption risk identified through this research.⁸ One outcome of the review could be to recommend a homogenous approach aimed at mainstreaming anti-corruption to ensure a coherent application of anti-corruption policies, procedures and investigations across peace operations. It should also consider ways in which its conclusions could be operationalised, including the requirement for specialist expertise and specific resources. Overall, the review would contribute to strengthening the UN's on-going reform agenda, reducing the impact of corruption on peace operations, and building trust in the UN and its accountability systems. The review could draw on good practice and the experiences of existing and past anti-corruption approaches and mechanisms, such as the Combined Joint Inter-Agency Task Force (CJIATF) Shafafiyat – a mixed civilian-military body attempting to coordinate the management of corruption risks exacerbated by international operations in Afghanistan –, the Corruption Eradication Commission (KPK) in Indonesia, or the International Commission against Impunity (CICIG) in Guatemala. Establishing a specific review process and/or appointing a task force would bring together the mandate, expertise and experience needed to promote a shared 'all sources' understanding of the features and consequences of corruption both within the conflict environment and at the strategic and operational levels within the UN.

⁸ Anti-smuggling mechanisms should take into account the potential link or dangers of involvement with organised crime more broadly.

2. New mandates, and those due for renewal, should be reviewed to ensure they take account of corruption risks inherent in the mission. A key aim should be to ensure missions do not inadvertently reinforce kleptocratic behaviours, or corrupt networks and practices. They should also take into account the interests of host populations.

The UN's Integrated Assessment and Planning (IAP) system is designed to ensure an integrated approach throughout the life of a mission and places significant emphasis on comprehensive risk analysis. It provides the vehicle for the interests of all stakeholders to be considered prior to a mandate being given by the Security Council and if conducted thoroughly, should include an analysis of the dynamics of corruption, its risks, corrupt networks and potential abuses of power. Mechanisms to minimise these risks should be considered at every stage and the findings of the Strategic Assessment should be refined by the Technical Assessment Mission, which provides the opportunity for engagement with stakeholders in-country, including with civil society. With this kind of constant focus on corruption risks throughout the mandate design and renewal process, corruption risk can be reduced more effectively, helping to ensure legitimacy and bolstering the effectiveness of peacekeeping missions.

3. The Secretary-General should issue a direction providing greater clarity on the respective responsibilities and expectations of Troop and Police Contributing Countries and the parts of the Secretariat responsible for operational missions.

This should expand on existing mechanisms and set out the standards that T/PCCs should meet, including the appropriateness of contingent-owned equipment, pre-deployment training, capabilities and standards expected of troops and police; and commitments to ensure that personnel who have been involved in crimes are not sent into the field. The document should be available publicly.

4. The UN should hold to account individuals who have been found to engage in corruption. In order to deter the corrupt and shift the institutional culture, the Secretary-General should take action against officials whenever allegations of corruption or misuse of power are substantiated.

Though important steps have been taken in terms of strengthening processes, those processes must be effective and properly targeted. TI DS welcomes the Secretary-General's initiative to cascade awareness of corruption and corruption risks through the UN management structure. However, continued and radical change is required. Based on our research, we believe that more could be done



» to encourage whistleblowers to come forward and then protect them when they do so. Recognition of the important role whistleblowers can play as the watchdogs of an organisation's standards, its encouragement and the provision of the support that should come with it, is vital if a culture of accountability is to take root. In addition, OIOS should be empowered to increase its focus on investigating instances of corruption on missions. Whilst remaining cognisant of the nature of the relationship between the UN and T/PCCs, the results of the OIOS's investigations and its recommendations should be published and whenever possible made public (in whole or in part). Only where a culture of clear and certain sanctions exists, can corruption be prevented and its impact on the effectiveness and legitimacy of peacekeeping operations eliminated.

5. As part of the review process recommended above, ways to improve the openness and transparency of the senior appointments process should also be considered.

TI DS believes that a more open selection procedure should be put in place for all senior mission-related appointments, such as the Special Representative to the Secretary-General (SRSG), Deputy Special Representative to the Secretary-General (DSRSG) and Force Commander. One option might be to build on the current arrangements for identifying a pool of potential SRSGs and Deputies. Genuine transparency with regard to senior appointees will improve public trust in, and therefore the perceived legitimacy of, these important operations, better enabling them to deliver on their mission objectives and, when required, defend them more robustly.

Technical reform efforts could significantly reduce corruption risks, for example by providing greater transparency in procurement and budgeting; these are set out in more detail in the full assessment.

This research aims to support the UN's reform efforts. The questions and model answers used in the assessment provide guidance on good practice in building integrity within international organisations, and an analysis of the UN's strengths and weaknesses that can be used to prioritise and guide reform efforts.

METHODOLOGY

This assessment of corruption risks within UN peace operations analyses the oversight, control and anti-corruption processes governing UN peace operations. Whilst our focus has been on UN peace operations, our analysis also includes Special Political Missions (SPM).

The assessment uses a methodology developed by TI DS to help international organisations conducting peace or military operations assess their vulnerability to corruption.⁹ It is based on the Government Defence Anti-Corruption Index model, which TI DS has applied to the national defence institutions of over 100 countries since 2013. Our aim is to help institutions strengthen themselves against corruption risks through increased awareness and greater understanding, improve their effectiveness, and ensure their operations are in the best interests both of those directly affected by them, and of the global public. The methodology sets out good practice for accountability, good governance, and effective oversight of peace or military operations conducted by international organisations.

This report summarises key findings drawn from an in-depth desk-based review of UN documents as well as secondary literature, along with approximately 50 key informant interviews with a range of former and current UN officials, Member State officials, academics and members of civil society, each with experience of specific aspects of UN peace operations.¹⁰ The interviews were semi-structured and conducted on condition of anonymity to elicit open and honest dialogue. Evidence was collected across 77 indicators grouped around five key risk areas: political, financial, personnel, operations, and procurement. The complete findings upon which we based our recommendations are available in the full assessment.

⁹ Transparency International Defence & Security, "Reducing Corruption on Operations: A Tool for International Organisations", June 2018, <https://bit.ly/2xdGKpQ>

¹⁰ Interviews took place between April and September 2018, and do not include the new department denominations.

KEY FINDINGS

1 Building a robust oversight system

Building integrity and countering corruption risks involves many UN departments, but they are generally under-resourced, lack specific anti-corruption expertise, and are inevitably subject to some political influence. Similar issues apply to deployed UN missions. Given the number of bodies within the organisation that have a part to play in countering corruption and building integrity – each with a different function, remit and focus – it is extremely difficult to generate an integrated and comprehensive approach to tackling a pervasive, complex and systemic level risk like corruption. The Office for Internal Oversight Services (OIOS), for example, is key to providing oversight critical to increasing UN resilience to corruption risks in missions. While The UN Ethics Office has an important role providing guidance and protection for whistleblowers. When taken together however, oversight processes lack consistency in their quality and rigour, particularly in identifying risks and dealing with incidents of corruption in the field.

UN peace operations are managed operationally by the relevant organs of the Secretariat and take policy guidance from the Security Council or General Assembly, depending on the issue involved. Each part of the Secretariat carries responsibility for maintaining oversight of its own activities, and has the ability to share necessary information with those mandated with independent and external oversight responsibilities. OIOS was set up as an operationally independent body with prime responsibility for providing internal oversight, audit, investigation, and evaluation across the spectrum of UN missions. OIOS's Investigation Division investigates all aspects relating to resources, staff, and their conduct in UN peace operations, and includes these cases in its annual activity reports for the General Assembly,¹¹ as well as in OIOS Audit Division reports.¹² Following a string of scandals related to the Sexual Exploitation and Abuse (SEA) of vulnerable populations by peacekeepers, the Investigations Division has prioritised SEA, human rights violations, and

whistleblower retaliation.¹³ This led interviewees to highlight the lack of capacity to respond to the volume of investigations raised and the lack of specific anti-corruption expertise, limiting OIOS's capacity to fulfil its mandate in this area.¹⁴ More fundamentally, several interviewees questioned the office's ability to act truly independently, as it is considered susceptible to political pressure from across the organisation and Member States – questions regarding the independence of oversight agencies have also been highlighted in reviews such as the Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic in 2015.¹⁵

Aside from an important focus on risks associated with SEA, Conduct and Discipline Teams (CDTs) reporting to the Head of Mission, also have a responsibility for preventing corruption within missions. However, and as evidenced in our report, these CDTs often have very limited operational capacity. In one example, one CDT staff member covered four offices, each of which covered a battalion of over 800 soldiers, plus civilian staff. In working closely with Member States, CDTs are at risk of compromising their effectiveness, coming under “external pressure to abort investigations”, owing to the suspected influence of governments.¹⁶

Alongside OIOS, the Board of Auditors (BOA) carries out performance and financial audit functions, and reports on peacekeeping annually, identifying useful and compelling evidence for improvements. The Joint Inspection Unit (JIU) produces system-wide investigations into crosscutting themes, which can include matters relating to peacekeeping and political missions. Both of these are external and independent bodies, and generally perform well, albeit within a more limited scope than that which OIOS is mandated to provide. Interviewees within the UN, Member State missions, and external missions, rated the BOA as credible and effective. In particular, the BOA performs effective general



¹³ Record keeping and data tracking of allegations of misconduct started in 2006, and DFS launched the Misconduct Tracking System (MTS) in 2008. See for example United Nations, “Conduct in UN Field Missions: Sexual Exploitation and Abuse”, <https://bit.ly/2zcgM9G> As of January 2019, 290 allegations of sexual exploitation and abuse had been levelled against peacekeeping personnel since 2015. By contrast, the UN website indicates that only 7 allegations of bribery/corruption have been made against peacekeeping personnel in past or current peacekeeping operations, <https://bit.ly/2IHqK5S>. Note that while OIOS may investigate cases, authority to prosecute peacekeepers for misconduct ultimately lies with their governments – see section 5 below.

¹⁴ Interviews (1) (6) (9), with UN Officials, March 2018.

¹⁵ Marie Deschamps, Hassan B. Jallow, Yasmin Sooka, “Taking Action on Sexual Exploitation and Abuse by Peacekeepers: Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic”, 17 December 2015, <https://bit.ly/2NbZnFD>

¹⁶ Interview (38) with Former UN Mission staff member, July 2018.

¹¹ For example, see the “Report on the activities of the Office of Internal Oversight Services for the period from 1 July 2015 to 30 June 2016”, A/71/337 (part I)/Add.1/Rev.1, United Nations General Assembly, 16 September 2016, <https://bit.ly/2IE4Hd>

¹² “Audit of local procurement in the United Nations Multidimensional Stabilization Mission in the Central African Republic”, Report 2016/050, Office of Internal Oversight Services, 19 May 2016, <https://bit.ly/2REPQFC>

- » external audit functions, which complement OIOS's internal audit activities, and give a largely complete picture of financial and budgetary aspects of peacekeeping operations. These are made public through several websites.

The Secretariat should build its credibility in providing independent oversight of peace operations by increasing OIOS's capacity and expertise to investigate corruption risks and instances within missions. OIOS should be staffed with experts in anti-corruption investigations who are empowered to proactively investigate instances of corruption on operations, to publicly report on these, to develop recommendations for changes to policy and practices based on the findings of their investigations, and to monitor whether those recommendations are adopted. This kind of expert oversight will reduce corruption risks and increase the effectiveness and legitimacy of UN peacekeeping missions.

2 Corruption as a strategic imperative in peace operations

The UN acknowledges corruption in several publicly available documents and the Secretariat has made strides to build integrity and strengthen accountability. But the organisation continues to approach corruption as a tactical, rather than a mission-level, or even strategic threat in peace operations. While pre-deployment training covers corruption threats, these threats are not included in mandate planning or as part of the Strategic Assessment. As the UN improves its risk analysis and management of peace operations, it should include a more systematic consideration of, and response to, corruption, and understand in what way corruption presents strategic, mission-level and political risks to peace operations.

A number of publicly available UN documents address corruption.¹⁷ The Anti-Fraud and Anti-Corruption Framework adopted in 2016, for example, is robust in wording and tone. This framework aims to support the Secretariat in promoting a culture of integrity and honesty “by providing guidance and information to staff members and other Secretariat personnel on how the Secretariat acts to prevent, detect, deter, respond to and report on fraud and corruption.”¹⁸ The framework defines fraudulent acts as “any act or omission whereby an individual or entity knowingly misrepresents or conceals a material fact

in order to obtain an undue benefit or advantage for himself, herself, itself or a third party, or to cause another to act to his or her detriment.”¹⁹ It defines Corruption as “any act or omission that misuses official authority in order to obtain an undue benefit for oneself or a third party.”²⁰ The framework also notes that staff members are “expected to be aware” that fraudulent acts are contrary to the standards expected of international civil servants.²¹

In practice however, the Security Council (during mandate negotiations), Secretariat, and the missions themselves, due to numerous competing priorities, rarely if ever give sufficient emphasis to corruption threats as a strategic issue in peace operations and political missions. Where risks connected with corruption are considered in peace operations, it is as they relate to other areas of mission effectiveness and how they affect other priorities, rather than as a crosscutting dynamic with potentially mission-level consequences. The ongoing development of Enterprise Risk Management tools, designed to capture crosscutting issues arising across all missions, could offer an opportunity to think more strategically about corruption risks in peace operations, as could the Secretariat-wide adoption of the Fraud and Corruption Risk Register, developed and introduced in 2018 with input from DFS and field operations. Alongside these new measures, the UN should consider incorporating corruption within their risk assessments and ongoing activities at mission level.

¹⁷ For a comprehensive list, see UNODC: <https://bit.ly/2x9QMZ2>

¹⁸ “Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat”, ST/IC/2016/25, United Nations Secretariat, 9 September 2016, <https://bit.ly/2lGxzVw>

¹⁹ Ibid, para. 5.

²⁰ Ibid.

²¹ Ibid, para. 8 (c).

The view of the (former) Department of Peacekeeping Operations (DPKO) was that corruption risks need not be considered under a standalone 'corruption' heading as part of its analysis, mandate planning and training; a similar approach is likely to be adopted by the newly formed DPO.²² According to several interviewees, corruption risks are not correctly addressed at the right level (i.e. strategic or operational/mission-level) at the beginning of an operation. Instead, corruption-related issues are generally covered at the tactical level as part of Core Pre-Deployment Training – a T/PCC responsibility –, which relies upon self-certification, rather than monitoring, by the Secretariat. The number and breadth of training modules, of which corruption-related training is only a small part, calls the effectiveness of this training into question. Training should take place at an appropriate level and for an adequate duration.

The UN should address corruption risks for peace operations at the strategic, operational/mission, and tactical levels, in a way that leads to a comprehensive understanding of the corruption dynamic and its risks within a host state, as well as the unique roles that international actors can play. Corruption should be included as a strategic issue within UN doctrine and individual mandates, mission planning, and risk assessments. The UN should acknowledge the unintended risk of an international presence heightening corruption through a large influx of funds, resources and personnel into a host nation. The doctrine should focus on support for political actors, contracting, interactions with local populations, partnering with local forces, and security sector reform in operational contexts. It should be made publicly available, and detail the practicalities of implementation, and ways in which peacekeepers can identify and mitigate corruption risks throughout operations. It is not until SRSGs, Force Commanders, officials, advisers and planning staffs routinely include corruption from the outset (i.e. as part of their analysis and planning process), that the UN can hope to mitigate those risks meaningfully and prevent the damage corruption can do to the strategic objectives of peace operations.

²² Interview (13) with two UN Officials, April 2018

3 Clear mandates that reflect the interests of local populations

Mandates are necessarily political processes, designed after negotiations in the Security Council featuring input from the Secretary-General and the Secretariat, the host government and others. As a consequence, they can be unrealistic, contradictory, or fail to address deep-seated issues, such as corruption and its associated risks. T/PCCs have historically complained about their lack of involvement in the process too. Despite some efforts to engage them, civil society groups and civilians affected by the crisis also lack representation. The UN should seek to take more account of civil society views when developing and implementing mandates, and to strengthen its sensitivity to local needs.

T/PCCs have historically felt that they had a negligible role in setting up mandates, due to the weight accorded to the Security Council's views in these matters and to gaps in communication between Security Council members and major T/PCCs. The Working Group on Peacekeeping Operations aims to support consultation and dialogue between the Security Council and T/PCCs. The Security Council further reiterated its commitment to strengthening cooperation and consultation with T/PCCs in 2013 with the adoption of Resolution 2086, which sought to reduce the gap between the Security Council, which decides on the mandates of peace operations, and those who deploy troops and police.²³ Despite these efforts, however, the Security Council's new methods have varied only slightly from their



²³ "Security Council Endorses Importance of "Multidimensional" Approach to Peacekeeping Aimed at Facilitating Peacebuilding, Preventing Relapse into Conflict", United Nations, 21 January 2013, <https://bit.ly/2YcfMuc>

old ones.²⁴ In 2017, two years after the Independent High-Level Panel on Peace Operations (HIPPO) report called for several essential shifts in the establishment of peacekeeping operations,²⁵ and four years after the adoption of Resolution 2086, the Secretary-General was still calling for “clear, realistic, and up-to-date mandates from the Council, with well-identified priorities, adequate sequencing and the flexibility to evolve over time.”²⁶

Additionally, there are questions as to T/PCCs’ roles in, and commitment to, the success of a mission, in particular if peacekeepers are deployed from neighbouring/contiguous countries or from states with strong regional interests – an issue DPKO/DPO continues to grapple with, in particular in cases where a mission transitions from another organisation. For example, in the case of one UN mission, one interviewee asked:

“ How can a country support the mandate of a mission, but on the other hand be working against the mandate with their own political influence and intelligence capability? In some cases, we see the pen holder both support the mission, but also supporting ‘spoilers’. Their support may run counter to the stated aim of the mandate. But there is little in place to ensure that these decisions are overseen or controlled, and few mechanisms to hold them to account for this if it goes outside of the mandate.²⁷

Host nation consent is quite properly an integral pillar of UN peacekeeping. However, there are examples of some Security Council members using the concept to limit United Nations involvement in other countries’ affairs.²⁸ In 2016, the Venezuelan representative to the UN said that the “fundamental role of peacekeeping must be to support the host government”.²⁹ The primacy of the host nation has practical implications, as the host government has the power to refuse visas, limit access, and request the withdrawal of peacekeeping troops.³⁰ Indeed, host nation government

leaders may benefit from instability and the corruption that it facilitates, and in fact stand in the way of the successful fulfilment of a mandate.

Another point of tension includes situations where the state causes immediate harm to its citizens, in the form of human rights violations for example, or where the population perceives the state as being particularly corrupt or untrustworthy. In contexts where a host nation government acts outside of the interests of the population or of peace, there is a question as to how peace forces can effectively protect the population, particularly if they are also mandated to support contentious state actors. For example, in the case of MONUSCO in the DRC, peacekeepers are mandated both to support the authorities of the DRC and to protect civilians at threat from violence.³¹ It is possible that these demands are sometimes incompatible.³²

Ultimately, citizens, civil society, and those affected by a conflict or crisis often have very little input into the mandates that relate to them. Expectations of what a mission granted limited resources and juggling several stakeholders’ interests can achieve are also often unrealistic. Taken together these factors can have direct and damaging effects on the implementation of the operation and undermine its effectiveness. The HIPPO report suggested engagement with local communities is necessary for peacekeeping operations to achieve sustainable outcomes. In reality, there is little scope for meaningful civil society involvement or contributions in the Security Council mandate negotiations; that in turn can undermine the success of the missions themselves.

Peacekeeping mandates should be clear, unambiguous, and established in consultation with Member States, T/PCC’s, civil society, and other international actors – as well as with those primarily affected by the crisis to which the mission is responding to. Missions should be designed to take a holistic view of the crisis they seek to quell, including by furthering the HIPPO panel’s recommendation for a field-oriented and people-centred approach. By focusing on those affected by the crisis in designing the peacekeeping mandate to address it, the legitimacy and effectiveness of UN peacekeeping operations can be enhanced.

²⁴ Rob de Rave, Rianne Siebenga, “Progress on UN peacekeeping reform: HIPPO and beyond”, Clingendael, October 2017, <https://bit.ly/2N6Dqr9>

²⁵ “Uniting our Strengths for Peace – Politics, Partnership, and People: Report of the High-Level Independent Panel on United Nations Peace Operations”, United Nations, 16 June 2015, <https://bit.ly/2ILFH7J>

²⁶ António Guterres, “Remarks to the Security Council Thematic Debate entitled Peacekeeping Operations Review”, United Nations, 6 April 2017, <https://bit.ly/2h4m2VJ>

²⁷ Interview (38, 39) with former UN staff member, July 2018.

²⁸ Somini Sengupta, “U.N. Peacekeeping Faces Overhaul as U.S. Threatens to Cut Funding”, New York Times, 24 March 2017, <https://nyti.ms/2n0eznn>

²⁹ Fourth Committee, “Attempts Made to Alter Mandates without Consulting Host States, Says Delegate, as Fourth Committee Continues Review of United Nations Peacekeeping”, United Nations General Assembly, 21 October 2016: <https://bit.ly/2exY2WS>

³⁰ Adam Day, “To Build Consent in Peacekeeping, Turn Mandates Upside Down”, United Nations University, 19 January 2017, <https://bit.ly/2Fw7x5g>

³¹ UN Security Council Resolution 2409 (2018) adopted by the Security Council at its 8216th meeting, S/RES/2409 (2018), 27 March 2018, <https://bit.ly/2LJ8Pfe>

³² Interview (8) with UN Official, March 2018.

4 Providing close scrutiny and transparency of peacekeeping budgets and their negotiation

The General Assembly is responsible for approving peacekeeping and political mission expenditure, following scrutiny by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions (ACABQ). Member States can scrutinise annual audit reports. ACABQ, while providing independent advice to the Fifth Committee, does not have the resources to conduct the breadth and depth of analysis required to scrutinise peacekeeping spending thoroughly. The peacekeeping budget is generally published in disaggregated form for each mission, though there are some omissions, such as salaries and allowances, procurement, asset disposal, and the amount troops are paid by T/PCCs.³³

Detailed budget proposals are generally made available in a timely fashion. For instance, the draft budget for 1 July 2017 to 30 June 2018 was initially distributed on 22 February 2017.³⁴ The 2018 process suffered from more delays than in prior years, in part due to the Secretary-General's reform proposals.³⁵ The Fifth Committee ordinarily meets in May for a month to review the budget proposals for each peacekeeping operation. However, for the 2018 budget process, many Secretariat documents integral to the peacekeeping reform process arrived late.³⁶ Some observers describe the Fifth Committee process as obscure and non-transparent, giving Member States cover to cut parts of the budget and potentially undermine areas of peacekeeping activity, for example approaches to human rights.³⁷

Peacekeeping budgets are generally published in disaggregated form per mission including, among other items, information on military and personnel costs, civilian

personnel costs, and operational requirements.³⁸ The UN also provides information on the framework for reimbursing troops and police contributed to the UN by Member States, as well as contingent-owned equipment.³⁹ Due to the nature of the operations, there are some omissions, relating for instance to procurement, asset disposal, and the amount troops are paid by T/PCCs. A lack of transparency on the part of troop contributors regarding this latter point can have significant implications in the field. For example, one interviewee with experience in UN missions recounted that, "While the T/PCC receives US\$1,410 [US\$1,428 from July 2018] per peacekeeper, the amount that the individual actually receives may be much lower than this, even as low as US\$200 dollars. Peacekeepers I spoke to from one T/PCC were happy with the amount they received, whilst others were a lot less happy."⁴⁰ The lack of consistency and transparency in the budget, especially over how T/PCCs manage their troops, can pose serious challenges, particularly in the absence of transparent and well-understood justification. Such challenges can result in tensions between peacekeeping contingents receiving varying levels of pay, or the temptation for those who do not feel they are adequately paid, to engage in corrupt practices.

Member States should take into account mission mandates and limitations while negotiating funding. The Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions (ACABQ) should be given the resources and expertise to conduct the breadth and depth of analysis required to limit the risk of corruption and misappropriation. By limiting that risk, the Fifth Committee and ACABQ will be helping to ensure the effectiveness of UN peacekeeping operations.

³³ See, for instance, UN General Assembly, "Approved resources for peacekeeping operations for the period from 1 July 2018 to 30 June 2019", A/C.5/72/25, 5 July 2019, <https://bit.ly/2YaR0jh>

³⁴ "Report of the Secretary-General: Overview of the financing of the United Nations peacekeeping operations: budget performance for the period from 1 July 2015 to 30 June 2016 and budget for the period from 1 July 2017 to 30 June 2018", United Nations General Assembly, 22 February 2017, <https://bit.ly/2FwQ9NF>

³⁵ Susan Manuel, "UN Budget Committee O.K.'s Major Reform of the UN, as Peacekeeping is Squeezed", Pass Blue, 1 July 2018.

³⁶ Ibid.

³⁷ Alison Giffen and Samuli Harju, "Follow the Money: Financing UN Peacekeeping Operations", Center for Civilians in Conflict, 20 June 2018, <https://bit.ly/2WgEkBa>
Susan Manuel, "UN Budget Committee O.K.'s Major Reform of the UN, as Peacekeeping Is Squeezed", Pass Blue, 1 July 2018.

³⁸ The figures for 2018-2019 are available at UN General Assembly, "Approved resources for peacekeeping operations for the period from 1 July 2018 to 30 June 2019", A/C.5/72/25, 5 July 2019, <https://bit.ly/2YaR0jh>

³⁹ "Deployment and Reimbursement", United Nations Peacekeeping, <https://bit.ly/2LexZnK>

⁴⁰ Interview (38) with Former UN Mission Staff Member, July 2018.

5 Creating clear lines of accountability between the UN and T/PCCs

The division of responsibilities between the UN and T/PCCs with regard to peace operations is generally clear. However, structures within peace operations can lead to a lack of clarity regarding responsibility for operational outcomes and responses to corruption, which can cause ambiguity in the accountability process.

Once the Security Council has adopted a mandate, the UN begins the implementation process. This involves engaging T/PCCs in identifying their available assets and capabilities and matching them with the requirements of the operation. Neither the detailed needs nor the requirements assessments are publicly available, making it difficult to judge how suited troops are to the tasks required of them. Recent incidences of 're-hatting', where troop contingents are transferred rapidly into UN peacekeeping operations from non-UN missions – for instance in Mali and the Central African Republic (CAR), where troops were re-hatted from ECOWAS and African Union missions – have posed additional challenges relating to predeployment training, vetting, and the use and quality of equipment. Failings in all these areas can increase corruption risks and lead to other forms of criminality.

'Command & Control' structures within missions can be complicated, sometimes by necessity, but they can also lead to ambiguity and ineffectiveness. This is exacerbated when T/PCCs insist on maintaining control through national caveats, which can diminish a Force Commander's freedom of action and in some cases even justify inaction. One interviewee noted that T/PCCs varied considerably in their willingness to accept responsibility for the fulfilment of a mandate and for the management of corruption risks.⁴¹ On an individual level, the SRSG heading up a peacekeeping or Special Political Mission, and the Force Commander or Military Adviser serving under them, have autonomy to implement the mission mandate. Though this has benefits, former UN officials and UN experts interviewed also cited how this can lead to divergent courses of action and contradictory, inefficient planning.⁴²

In far too many cases, UN peace operations personnel have engaged in natural resource smuggling. The problem has affected a significant number of operations. In the DRC (MONUSCO), there have been incidents of unauthorised private enterprises by peace operations personnel. In one instance, UN troops were found to have traded gold, ivory and weapons with rebel troops in eastern DRC; in another, in 2011, a MONUSCO staff member was caught attempting to smuggle one tonne of cassiterite ore into Rwanda using a UN vehicle.⁴³

The shared nature of responsibility for conduct within missions between the UN and Member States raises additional challenges in ensuring credible allegations of malpractice are investigated and the appropriate action taken. Both OIOS and the T/PCC have the authority to investigate allegations; however, in practice, OIOS and the UN have no authority to prosecute uniformed personnel. The response to substantiated allegations can largely depend on which T/PCC the individual is from. Personnel can be repatriated for trial in their home country, but while some are prosecuted, there are many instances where this has not been the case.⁴⁴ In one instance, according to an internal UN report obtained as part of an Associated Press investigation, at least 134 Sri Lankan peacekeepers exploited nine children in a sex ring in Haiti from 2004 to 2007, and while 114 peacekeepers were sent home, not one was ever imprisoned.⁴⁵

⁴¹ Interview (16) with Permanent Mission Official, April 2018.

⁴² Interview (31) with UN Expert, May 2018.

⁴³ "Investigation launched into reported attempt to smuggle Cassiterite ore by MONUSCO staff member", United Nations Organization Mission in the DR Congo, 22 August 2011, <https://bit.ly/2X6UFgP> Roxanne Escobales, "UN peacekeepers 'traded gold and guns with Congolese rebels'", The Guardian, 28 April 2008, <https://bit.ly/2FthcJO>

⁴⁴ Interviews with peacekeeping experts at permanent missions. See also Paisley Dodds, "UN peacekeepers in Haiti implicated in child sex ring", The Independent, 14 April 2017, <https://bit.ly/2X2y9k6> Katy Daigle and Paisley Dodds, "UN Peacekeepers: How a Haiti child sex ring was whitewashed", Associated Press, 26 May 2017, <https://bit.ly/2NbfXPt>

⁴⁵ Paisley Dodds, "UN peacekeepers in Haiti implicated in child sex ring", The Independent, 14 April 2017.

The UN's engagement with T/PCCs relies on self-certification processes in a number of areas. This approach raised concerns within DPKO/DFS in the context of both training and equipment, and at the time of research, the agencies were taking active steps to strengthen the system of pre-deployment visits to check preparations, prioritised based on needs in terms of risk and suitability for mandate fulfilment. However, these visits are expensive, and training funds have been halved since 2013.⁴⁶ It is unclear exactly what progress there has been.

⁴⁶ Several interviewees highlighted this challenge.

Member States and T/PCCs should establish clear lines of responsibility, which should be made publicly available. Needs assessments and the requirements that flow from them should also be made public, within the limits of mission security. When troops are responsible for failures or misconduct, the Secretariat and T/PCCs should coordinate an investigation to identify failings and take action against individuals found to have engaged in corruption or other forms of illegal behaviour.

T/PCCs should hold their troops to account, and the UN should monitor the steps taken against those who have been repatriated for trial or investigation in their home country. Only where there are strict sanctions in place against corrupt behaviour (such as withholding individual reimbursement, or barring perpetrators from future UN missions), and clear channels of accountability, can the UN ensure the legitimacy and effectiveness of its peacekeeping missions.

6 Procurement – ensuring the best deal for the UN

Overall, improvements in procurement processes at the headquarters level have reduced the associated corruption risks. However, areas of concern remain: the process of identifying UN needs as part of acquisition planning is not transparent; significant challenges remain in terms of the oversight and management of procurement in the operational context, and with regard to subcontractors; and competition remains limited, with the rollout of Requests-for-Proposals (RFPs) still circumscribed. Political interests have also restricted efforts to hold individuals to account for corruption.

Political influence by some Member States has at times played an important role in limiting effective accountability for corruption in procurement. Following the 2008 demise of the UN Procurement Task Force, which identified more than US\$630 million worth of contract fraud, and led to disciplinary action against 17 UN staff, UN agencies have made significant efforts to improve procurement processes at the headquarters level. The procurement process has been formalised and published online, and policies and procedures clearly set out, particularly within the Procurement Manual. The UN Procurement Practitioner's Handbook presents guidance

on best procurement practice, and includes management processes for contracting, including appropriate approaches to ethical issues.⁴⁷

One important exception to this transparency is the assessment of needs, which occurs in the initial budget development assessment and process; there is no publicly available rationale for purchases. Invitations to tender are public; potential purchases are not. Purchase Order Awards are available to view, along with Contract Awards, though with a limited level of detail. Only Purchase Awards over US\$40,000 are included, and purchase awards against established contracts are not included.⁴⁸

The UN has sought to increase competition by increasing the number of potential vendors. One approach to this has been to move to a request for proposal (RFP) procurement method, rather than 'invitation to bid', which limits the market. The RFP approach was seen as yielding better value for the UN in a number of missions, but it has apparently not been replicated, in part due to the increase in required capacity and training.⁴⁹ >>

⁴⁷ UN Procurement Practitioner's Handbook, 2006 (rev. 2017), Chapter 7, <https://bit.ly/2XAqWwO>

⁴⁸ See UN Procurement Division Awards/Purchase Orders page, <https://bit.ly/2xc2zWX>

⁴⁹ Interview (15) with Member State Official, April 2018; Interview (6) with UN Official, March 2018; Interview (33) with UN Official, May 2018.

» The BOA reported that whilst agreement had been made to move towards RFP, in 2016 and 2017 only one out of 42 contracts up for renewal (two per cent) had been an RFP, the others being formal invitations to bid.⁵⁰

Internal oversight controls within the Department of Management (DM) (now the Department of Management Strategy, Policy and Compliance (DMSPC)) include ongoing procurement monitoring, in partnership with DFS (now the Department of Operational Support, or DOS) and mission personnel. The development of processes and tools such as the Umoja software have increased DMSPC's ability to monitor contracts, transactions, poor performance, supply chains, and other procurement related matters effectively.

However, corruption-related opportunities remain, particularly in the operational context. The BOA, for example, has called for better management and monitoring within the acquisition and procurement process, which interviewees within the UN admitted is not a strength despite the guidance and policies in place. A number of UN interviewees acknowledged that monitoring and evaluation of its own processes is often the last element to be funded by the UN, and the budget can be used instead to meet programming shortfalls.⁵¹ For example, in the context of procurement, collusion is subject to a 'zero-tolerance policy', yet preventing it appears to rely on ad hoc and informal methods of identifying possible collusive behaviour, and sanctions are difficult to ascertain.⁵²

The management of companies and suppliers on operations contains specific risks. Creating and maintaining effective oversight mechanisms in these situations is far more challenging, whether in terms of engaging local vendors and suppliers, or carrying out quick impact projects. Speed and adaptability are crucial, but come with significant difficulties in maintaining oversight, particularly when the resources for that oversight are limited.

Another area where oversight is lacking is subcontractors and third parties. The Supplier Code of Conduct stipulates that suppliers are required to establish and maintain appropriate management systems, and ensure that they align with the principles set out in the Code.⁵³ Anti-corruption requirements apply to all suppliers and their affiliated entities including subcontractors. The contractor is responsible for managing those risks, but there appear to be no formal sanctions for non-compliance with these regulations.

Interviewees within the UN system stressed the importance of vendor performance. In the context of the Cruz report, which highlighted the causes of fatalities amongst peacekeeping personnel and suggested modifications to improve peacekeeper protection and performance, many are mindful of the connections between the suitability/quality of goods and equipment (including that provided by the T/PCCs), and the risk to life.⁵⁴ However, there can be significant difficulty in finding alternative suppliers, meaning that in the short-term, there are downsides to sanctioning poor performance by suppliers. In one widely reported SEA case in the DRC, allegations were substantiated against a helicopter pilot. In response the pilot was repatriated and dismissed, but the contract with the supplier continued, albeit with strict monitoring and corrective actions overseen by a British legal firm. This arrangement remained in place for five years, with individuals on site to monitor progress. Interviewees noted that this was considered a pragmatic response given the lack of viable alternative suppliers.⁵⁵

⁵⁰ UN General Assembly, "Financial report and audited financial statements for the 12-month period from 1 July 2016 to 30 June 2017 and Report of the Board of Auditors Volume II United Nations peacekeeping operations", A/72/5 (Vol. II), 2018, <https://bit.ly/2Fyc5rP>

⁵¹ Interview (33) with UN Official, May 2018.

⁵² UN Procurement Practitioner's Handbook, <https://bit.ly/2XvMF8u>

⁵³ See UN Supplier Code of Conduct: <https://bit.ly/2X4kk4K>

⁵⁴ Lt. Gen. (Ret.) Carlos Alberto dos Santos Cruz, "Improving Security of United Nations Peacekeepers: We need to change the way we are doing business", 19 December 2017, <https://bit.ly/2FwQVu3>

⁵⁵ Interview (33) with UN Official, May 2018.

The system surrounding contingent-owned equipment (COE), whereby T/PCCs are reimbursed for the use of their equipment in peacekeeping operations, has become better regulated in recent years.⁵⁶ Interviewees cited the impact of COE verification units and the potential to withhold up to 10 per cent of reimbursement if equipment was below a (fairly low) ‘operable’ standard.⁵⁷ However, how this works in an operational context was questioned by one interviewee, who noted that “given that the UN pays to hire equipment from TCCs (cars, vehicles), some TCCs would send some faulty equipment that they don’t have use for in their countries in order to benefit from the rent that the UN would pay them for it”.⁵⁸

⁵⁶ Interview (3) with Member State Official, March 2018.

⁵⁷ Interview (5) with two UN Officials, March 2018 and Interview (3) with Member State Official, March 2018.

⁵⁸ Interview (38) with Former UN Mission Staff Member, July 2018.

Procurement oversight mechanisms should be an independent, formalised process. They should be fully funded and apolitical, and their activity consistent across changes in organisational leadership – Member States, T/PCCs and politically connected individuals should have no undue influence on their performance. Procurement oversight mechanisms should be highly active in summoning witnesses and documents, demanding explanations, issuing recommendations or conclusions to follow or implement, and they should have the authority to cancel projects if there are doubts regarding this implementation. Comprehensive evidence of activity (e.g. reports, announcements in the press of the cancellation of procurement programmes, the release of financial information) should be made available to the public. Through these kinds of robust and independent oversight mechanisms, corruption risks related to procurement can be significantly reduced, and the damage they cause to the strategic goals of peacekeeping missions therefore prevented.

7 Protecting Whistleblowers

Whistleblowers have faced retaliation or seen their careers stalled; some consider that they have been punished for being ‘disloyal’ when they have sought to raise legitimate concerns.

Though whistleblowing policies exist, the issue remains controversial within the UN.⁵⁹ UN officials who report misconduct have suffered as a result of their decision to report, and interviewees revealed that fear of reprisals is preventing others from coming forward. One whistleblower relayed that her life had “deteriorated” since reporting; another that she had been “ostracised” within the aid community.⁶⁰ A senior analyst at the Government Accountability Project described “evidence of retaliation against whistleblowers” at the UN as “persuasive, voluminous and current”.⁶¹ A former member of staff on UN missions said in an interview:

“ I raised concerns about [corruption related issues] to my senior on the mission, and was assured that the issue was known about and being dealt with at headquarters level in New York. There didn’t seem to be any other way for me to report these concerns independently other than through my manager, or to find out the results of any investigations that may or may not have taken place.”⁶²

The interviewee added that, “whistleblowing is not encouraged in the UN. Anyone who you talk to will tell you that the way to build a career in the UN is through loyalty.”⁶³

The case of Anders Kompass, the former director of field operations in the Office of the UN High Commissioner for Human Rights (OHCHR), also raises legitimate concerns for potential whistleblowers. Kompass was suspended and put under investigation after he passed reports to the T/PCC



⁵⁹ Eileen A. Cronin, Aicha Afifi, “Review of Whistle-blower Policies and Practices in United Nations System Organizations”, Joint Inspection Unit, JIU/REP/2018/4, 2018: <https://bit.ly/2xc37vZ>

⁶⁰ Sophie Edwards, “The high price of being a UN whistleblower”, Devex, 24 May 2018, <https://bit.ly/2Lgn5h8>

⁶¹ Ibid.

⁶² Interview (38) with Former UN Mission staff member, July 2018.

⁶³ Ibid.

about his concerns that peacekeepers were involved in SEA of children in CAR. After a long process he was exonerated, but ultimately resigned.⁶⁴

Discouraging reporting and whistleblowing raises significant corruption risks. Staff with tangible evidence of misconduct may be deterred from reporting it for fear that their reputations, careers, and livelihoods will be tarnished. The UN should seek to address these issues and establish clear protection mechanisms for whistleblowers. Effective protection is particularly important given how little information

⁶⁴ Sandra Laville, "Child sex abuse whistleblower resigns from UN", The Guardian, 7 January 2016, <https://bit.ly/2X88Ge3>

may reach headquarters from remote field locations where UN staff are the first obvious port of call for local populations who may be victims of corrupt or abusive practices.

Whistleblowing can significantly reduce corruption risks and should be encouraged. Staff wishing to report misconduct should always be provided with support, and protected from retaliation; their roles and careers within the UN system should be protected. Those that intimidate or otherwise limit the rights of whistleblowers should be held to account.

8 Ensuring fair and equitable UN decision-making

UN decision-making will always be political. Nevertheless, wrongly applied political influence can increase corruption risks and damage the reputation of UN peace operations, as well as their ability to deliver their mandates. Given the obvious wider political interests, the UN has been vulnerable in some areas to lobbying from Member States, in some cases leading peacekeeping operations to turn a blind eye to violations. This raises important questions about UN agencies' ability to avoid such influence, including financial influence.

The UN Security Council operates on the basis of negotiation between Member States, each representing their own national interest as well as wider, shared principles embodied in the UN Charter. This is a normal part of diplomatic activity; but sometimes that diplomatic activity can overstep the mark.

In some cases, Member States have used the withholding or disbursement of funds to influence the direction of the UN's peacekeeping operations. In one instance in 2015, having been exposed by leaked emails, a Member State lobbied the UN to 'turn a blind eye' to the humanitarian situation in Western Sahara. This included financial donations to OHCHR, in an attempt to influence the body to cancel human rights fact-finding missions and exclude human rights abuse monitoring from the peacekeeping mission.⁶⁵

The danger of blurring lines of acceptable behaviour needs to be recognised in the culture of the UN. Greater transparency is likely to help ensure fair decision-making – for example, making peace operations' needs assessments public before conducting procurement will reduce a single state's ability to influence the selection of items.

This is a particularly challenging area to address, as the UN – like all international organisations – is fundamentally a political body. Greater transparency will help, but leadership will be required from the Secretary-General, Heads of UN Organizations and key Member States. Increasing civil society involvement in discussions around mandate development for example, would provide balance against the exclusive influence of states. This kind of transparency coupled with a focus on genuinely cooperative and equitable decision-making in the UN, will reduce the corruption risks associated with the political influence of individual Member States, and therefore allow peacekeeping operations to more effectively fulfil their strategic goals.

⁶⁵ Joe Sandler Clarke and Katherine Purvis, "Leaked cables: Morocco lobbied UN to turn blind eye to Western Sahara in 'House of Cards' operation", The Guardian, 17 June 2015, <https://bit.ly/2Lo113d>

MOVING FORWARD AND RECOMMENDATIONS

UN peace operations remain a comparatively effective and indeed cost-effective, means of responding to conflicts and crises. Improving the effectiveness of peace operations will have a significant and very real impact on the lives of those affected by conflict, as well as helping improve both regional and global security and stability. It will also enhance the credibility of the UN itself. Seeing the need to address corruption for what it is – a strategic imperative – is an important part of that process of improvement.

In the context of the Secretary-General's United Nations-wide reform agenda and Member State-supported initiatives including A4P, the UN has presented itself with a window of opportunity to improve its anti-corruption practices. Taking on the challenge would lead to increased trust amongst those its operations aim to support. TI DS's assessment of anti-corruption mechanisms within the establishment and implementation of peace operations has led us to offer the recommendations included in this report, and the best practice guidance set out in the assessment.

TI DS's research seeks to support the UN's own reform efforts, and the questions and model answers used in the assessment provide guidance on good practice in tackling corruption and building integrity within international organisations. It is our hope that our analysis of the UN's strengths and weaknesses in this area can be used to prioritise and guide that reform.

