

UNITED NATIONS



NATIONS UNIES

POSTAL ADDRESS—ADRESSE POSTALE: UNITED NATIONS, N. Y. 10017  
CABLE ADDRESS—ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

REFERENCE:

15 April 2008

Dear Mr. Oliver,

Thank you for the opportunity to respond to the allegations which will be raised in your upcoming BBC Panorama programme highlighting incidents of misbehaviour by UN personnel serving with MONUC, the United Nations Organization Mission in the Democratic Republic of the Congo.

The United Nations takes these issues very seriously and, as the Head of the UN Department of Peacekeeping Operations (DPKO), so do I. The United Nations now deploys over 110,000 total personnel to our peacekeeping operations in the field. With numbers this large it is impossible to have zero incidence of abuse. But we are committed to zero tolerance, which for us means zero complacency when confronted with credible allegations and zero impunity when incidents of serious misconduct are found to have occurred. It is simply unacceptable when UN personnel, sent into a fragile post-conflict situation, take advantage of their position for personal gain. Every incident of misconduct by the Blue Helmets diminishes public confidence in our work and weakens the institution of Peacekeeping. Our own internal disciplinary and administrative processes to deal with these allegations can be slow and frustrating. The investigations themselves are difficult to carry out in these environments and can take a long time to complete and we do not always receive timely responses detailing follow up actions from our troop and police contributing countries once repatriation has taken place.

Over the past several years, a number of measures have been put in place both at UNHQ and in the field to address these challenges directly. For example, our missions now have dedicated Conduct and Discipline Teams on the ground and last year the General Assembly passed a landmark victims' assistance policy which will help to ensure that the needs of the victims of sexual exploitation and abuse by UN peacekeepers are addressed comprehensively.

Mr. James Oliver  
BBC Producer Panorama  
Room 1134  
White City  
201 Wood Lane  
London W12 7TS



Our troop and police contributing countries are ultimately responsible for the good conduct, order and discipline of their personnel. But we are working closely with our donor countries to hold commanders accountable and to ensure that the blue helmets arrive on mission trained in international human rights norms and standards and that they understand the seriousness with which the UN takes issues of misconduct. I am glad to be able to say that we have made progress, but I am the first one to point out that much more needs to be done to confront this difficult and painful issue.

Let me now turn to the specific allegations of illegal gold trafficking and of re-arming a Militia group known as the *Front des nationalistes et intégrationnistes* (FNI) raised by your programme. The Office of Internal Oversight Services (OIOS) investigation into the matter did not find any evidence that the Pakistani Peacekeepers have been involved in supplying weapons or ammunitions to FNI (as you are aware, the OIOS is the independent watchdog agency that investigates allegations of serious misconduct by UN personnel). Their investigation did, however, establish that some Pakistani Peacekeepers, who could not be identified by OIOS, provided meals, transport and security to a group of Indo-Kenyan businessmen engaged in illegal trading of unwrought gold. In our 10 July 2007 Note Verbale to the Permanent Mission of Pakistan to the United Nations, we requested the Government of Pakistan to take appropriate action against the Officer commanding the Company whose members assisted the businessmen for failure to execute command responsibility. The UN Secretariat also indicated that this Officer will not be accepted in any current or future peacekeeping operations.

With regard to the allegations of obstructing the conduct of the OIOS investigation, the Board of Inquiry convened by MONUC established that five members of the Pakistani Contingent obstructed the investigation by not cooperating with the investigators. The Pakistani authorities were informed of the conclusions of the Board of Inquiry on 25 May 2007 through a Note Verbale to the Permanent Mission of Pakistan to the United Nations requesting that appropriate action be taken and indicating that those five Military Police Officers will likewise, not be accepted in any current or future peacekeeping operations.



While OIOS did not find grounds for further investigation, the Mission has looked at internal controls that would prevent further instances of this nature. The MONUC Force Commander has issued several directives on conduct and discipline to his troops and is regularly reminding his Contingent Commanders of the standards of conduct expected from peacekeeping personnel, complemented by training and briefing sessions at the various levels of command. We would, of course, appreciate receiving any further information BBC has concerning this case.

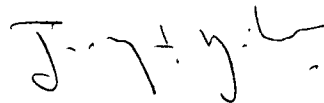
Your programme also raises the issue of allegations against MONUC's Indian Contingent in North Kivu. The Indian authorities were informed of these allegations in August 2007 by DPKO and were invited to participate in the full investigation--an invitation they accepted. In the meantime, OIOS carried out preliminary inquiries into the credibility of the allegations of misconduct against the Indian forces and the *Forces Démocratiques de Libération du Rwanda* (FDLR), allegations of illicit gold transactions and other allegations of general misconduct.

The preliminary findings determined that many of the allegations were not substantiated or supported by corroborated statements, but that there was nevertheless sufficient evidence to substantiate an allegation that some military personnel purchased counterfeit gold and unlawfully detained a local resident. The OIOS report was transmitted for further action to the Indian authorities on 13 March 2008 through a Note Verbale to the Permanent Mission of India to the UN.

In addition to the measures already in place with regard to conduct and discipline issues, as indicated above, and the regular meetings between the Force Commander and his Contingent Commanders, MONUC had also issued a specific instruction in March 2007 on prohibition on dealing, trafficking and/or trading of prohibited goods. The Department of Field Support has also followed up, both in writing and informally, with the Permanent Missions of Pakistan and India and we are waiting to hear formally what measures have been taken by the authorities with regard to the disposition of these cases.

The vast majority of UN Peacekeepers serve with honour and courage in difficult and frequently dangerous situations. Far from their homes and families, they work with the local community to help rebuild and to nurture a fragile peace. For millions, blue helmets are the last best chance for peace, or as Secretary-General Dag Hammarskjöld put it, “all that stands between them and hell.” It is thus imperative that the peacekeepers embrace and are accountable to the very highest standards of conduct. We are committed to working with our partners in the troop and police contributing communities, as well as with OIOS, to address incidents of misconduct when they do occur and to ensure that the unacceptable actions of a few do not undermine the good work being done by so many.

Yours sincerely,



Jean-Marie Guéhenno  
Under-Secretary-General  
for Peacekeeping Operations