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oversight and evaluation

Report on activities of the Inspector General's Office

Report by the Inspector General

I. INTRODUCTION

1. The Inspector General's Office (IGO) within the Office of the United Nations High Commissioner for Refugees has three core functions:

- inspections of the quality of management of UNHCR operations;
- investigations of allegations of misconduct by UNHCR personnel; and
- *ad hoc* inquiries into violent attacks on UNHCR personnel and operations as well as into other incidents causing major losses or damage to UNHCR's integrity, credibility or assets.

2. This report outlines activities undertaken since August 2006 by the Inspector General's Office.

II. INSPECTIONS

3. During the reporting period, the IGO undertook a full schedule of standard and *ad hoc* inspections.

4. In line with the decision taken at the Executive Committee's Fifty-sixth session on enhancing the independence of the Inspector General's Office, and further to measures already taken to increase transparency, the IGO has reinforced its ability to track and follow up on remedial actions emanating from inspections, thus enhancing also the quality and impact of its work.

5. The Inspection Unit of the IGO comprises a head of unit, four senior inspection officers, and an inspection assistant.

6. The IGO continued to refine its inspection methodology by drawing on expertise from national systems. While initial contacts with the School of Audit and Inspections of the United States Inspector General's Institute (USIGI) held promise as a means to ensure regular training of Inspection Unit staff, the closure of the USIGI meant that the scheduled cooperation was no longer possible. The IGO was nevertheless able to obtain the services of a former United States Deputy Inspector General to deliver a workshop and hold consultations with inspection staff. This workshop was useful in introducing inspection staff to alternative approaches for carrying out inspections. The ensuing consultations served to validate the methodology currently employed as well as to provide advice and guidance on enhancing the use of inspection tools in the inspection process.

7. The development of an automated survey instrument is on track; once finalized, this will improve the IGO's ability to administer part of its survey from Headquarters. More importantly, these tools will enable the IGO to provide empirical feedback to operations managers and their team prior to the IGO team's departure from the inspected operation. While this is already done to some extent for smaller offices, the analysis of surveys and questionnaires has become increasingly unwieldy in large regional (multi-office) operations. The enhancement of the IGO's ability to undertake these surveys will not only improve transparency in the results obtained, but will also facilitate the identification of trends in management that could benefit from policy review and/or development.

8. Since the last report, the IGO has conducted a total of 23 inspection missions. These include standard inspections of UNHCR's operations in Afghanistan; Angola; Australia and Papua New Guinea; the Democratic Republic of the Congo; India; Mexico; Moldova, Ukraine and Belarus; Morocco; Rwanda; Saudi Arabia, Kuwait and the United Arab Emirates; Switzerland; The former Yugoslav Republic of Macedonia; Turkmenistan; and Yemen. An *ad hoc* inspection of the Private Sector Fund Raising Unit was carried out at Headquarters. In addition, three compliance missions were sent to Botswana, Malawi and Sierra Leone in order to monitor implementation of the recommendations emanating from inspections undertaken in 2005. These reports, once finalized, are made available to Executive Committee members on

the password-protected portion of UNHCR's website and on the Intranet. For the remainder of 2007, standard inspection missions to Myanmar, Sri Lanka and the Sudan are foreseen, as well a compliance mission to Mozambique.

9. While publication of the full text of inspection reports has given effect to the High Commission's undertaking to improve transparency, implementation of this policy has continued to incur delays and lengthy exchanges with some offices whose preference would be to see mention of the changes implemented since the time of the inspection reflected in reports, rather than the situation which was observed at the time of the inspection. Efforts will continue to be made to reduce the length of the post-inspection process.

10. During the reporting period, the IGO continued to follow up the implementation of a total of 266 recommendations resulting from inspections of field operations and Headquarters Units. These recommendations cover a wide range of operational and office management issues. A review of the status of implementation of inspection recommendations reveals an overall compliance rate of 91 per cent, with no cases of serious non-compliance. This figure is expected to increase when the compliance reports of the outstanding recommendations are received from the Field.

11. As part of its efforts to ensure that inspection recommendations are implemented in a timely manner, and in line with its enhanced compliance monitoring capacity, the IGO has, throughout the reporting period, systematically followed up all inspection recommendations until such time as they are deemed to have been fully complied with. Six inspections were closed during this reporting period, leaving a total of 22 still open and under active follow-up by the Inspection Unit through the use of its database.

12. In selecting operations for the conduct of a compliance mission, the IGO developed an initial set of risk-based criteria. With the further introduction of a risk-based approach to identifying inspections later this year, these criteria will be validated and/or revised. The criteria used for scheduling compliance missions were, essentially, where failure to implement critical recommendations emanating from the inspection would: have a negative impact on the rights and/or welfare of refugees and other persons of concern; jeopardize the Office's relations with the host Government; have an adverse effect on or seriously damage UNHCR's image; or have a negative impact on human and/or material resources.

13. On the basis of these criteria, the IGO has undertaken compliance missions to Botswana, Malawi and Sierra Leone. Major findings of the three compliance missions can be summarized as follows:

A. Botswana

14. The compliance mission noted significant progress in the implementation of inspection recommendations. Administrative, financial and human resources management continue to be a major challenge for the office, due to lack of adequate capacity to deal effectively with operational and administrative demands. Previous difficulties in UNHCR's relations with the Government had all but disappeared.

B. Malawi

15. Overall improvements in the internal management of the office in general, and protection management in particular, were noted. However, the delay in implementing certain inspection recommendations reduced the impact of the office's efforts to bring its practice into line with administrative rules and regulations. The office continued to face internal management challenges, which pose risks for the operation, and additional efforts are needed to mitigate their potential impact, not only in relation to persons of concern, but also to the operation.

C. Sierra Leone

16. A compliance mission was undertaken to, inter alia, verify the absence of feedback on inspection recommendations. The inspection found that the handover of outstanding issues from one Representative to another was not comprehensive and as a result, timely action was not taken in relation to the inspection recommendations. The new senior management had implemented a number of recommendations and was making every effort to implement the outstanding ones.

Implementation of Recommendations

Bureau/Country	Number of Recommendations	Number of Recommendations In Progress	Implemented Recommendations	Percentage (In Progress/ Implemented)
<i>Headquarters</i>				
Private Sector Fund Raising Unit	12	***/	***/	***/
Sub-total Headquarters	12			
<i>Africa</i>				
Angola	23	10	12	95%
Benin/Togo	16	4	11	93%
Mozambique	21	8	11	90%
Senegal/Gambia/Mali	39	***/	***/	***/
Sub-total Africa	99	22	34	
<i>Asia and Pacific</i>				
Australia & Papua New Guinea	23	17	3	87%
Sub-total Asia	23	17	3	
<i>CASWANAME</i>				
Iraq	36	13	19	89%
Morocco	27	*/	*/	*/
Afghanistan	50	22	22	88%
Sub-total CASWANAME	113	35	41	

Implementation of Recommendations (cont'd)

Europe				
Sweden & Nordic Countries	19	<u>*/</u>	<u>*/</u>	<u>*/</u>
Sub-total Europe	19			
				91% (Average Percentage of Implementation)

*/ Implementation report not yet due

**/ Inspection report pending

***/ No Implementation report received

17. Considerable progress has been achieved in many areas and efforts continue to strengthen the concept of institutional and personal accountability. Inspection findings continue, nevertheless, to highlight persistent weaknesses in certain areas of management and to highlight the need for continued action to ensure that the organization has in place a comprehensive and enforceable system of accountability.

III. OVERALL MANAGEMENT

A. External relations

18. A number of country offices made progress in developing strong working relations with locally-based donors and in keeping them well-informed about UNHCR's operations. In those countries where regular donor briefings take place, UNHCR was commended for the quality of information provided. In countries with smaller operations, UNHCR bulletins, information notes and periodic meetings with key embassy personnel were found to be working well in highlighting key achievements and challenges. In many instances this has resulted in additional local funding to the operations. A few offices, however, continue to lag behind in exploring and making use of such funding sources.

B. Implementing partners

19. The participatory approach to planning is employed in most offices. It has provided an important tool through which to reinforce dialogue and interaction between UNHCR and its partners. Nevertheless, some non-governmental organizations (NGOs), particularly those dependent on UNHCR funding, complain that they are not treated as equal partners but more as mere contractors. In general, there is still a need for continued efforts to strengthen indigenous NGOs to enable them to function as genuine partners.

C. In-country management and supervision

20. Inspection missions revealed a wide range of difficulties faced in the management of staff. Inspections noted in particular that managers continue to face considerable difficulties in addressing conflicts - particularly those of an inter-personal type - within their respective offices. The IGO noted instances where such conflicts have led to a significant breakdown in team spirit and work. The failure of managers to tackle these situations has ultimately affected the proper functioning of the offices concerned. While for some of these challenges, administrative rules and procedures provide managers with a remedy, in other instances they do not provide the means to address situations which, though serious, fall short of misconduct. Procedures that balance the rights and interests of staff against the needs and smooth running of country operations and the wider organization are clearly needed.

21. In a number of operations, particularly following the closure of offices and a reduction in staffing, the remaining staff are expected to assume combined responsibilities. Inspection missions found that often job descriptions and reporting lines are either amended or defined with insufficient clarity for staff to be clear as to their duties and responsibilities.

D. Staff welfare

22. In a number of operations inspected, disagreements with staff members were being dealt with by the Mediator and the Staff Welfare Officer, culminating at times in follow-up missions. Recourse to these two resources is found to be quite regular, indicating an enhanced understanding by senior managers and staff of the value of these functions.

23. In yet other operations, inspection missions were confronted with individual staff members who, while carrying out their duties, were at the same time facing a number of medical or psychosocial problems. While these were known to the Office there seemed to be no clear understanding as to the administrative steps required to ensure adequate support and assistance to the staff members concerned. These situations, though few in number, highlight the need for the development of a protocol and procedures to address situations where staff face serious medical or psychological difficulties. Managers do not generally have the competencies required to address such situations, and delays in providing a solution can aggravate the problem for the staff member concerned, as well as for the office in general.

E. Code of Conduct

24. Extensive efforts have been made by offices to disseminate the Code of Conduct and to ensure that all staff are familiar with the application of its provisions. Nevertheless, the IGO continues to identify cases of recently recruited staff who have limited knowledge of the Code, and in some case have even not signed it. There is a clear need for offices to remind themselves that the process is an ongoing one, requiring constant vigilance, particularly in the case of newly-recruited staff.

F. Staff relations and the consultative mechanisms

25. The IGO continues to find that while staff associations exist in almost all country offices with varying effectiveness, there seems to have been little effort made to ensure that these associations exist in all field locations, particularly in remote places. Staff in these locations often felt marginalized with little opportunity to provide their comments and perspectives, or otherwise participate in the consultative process. In those cases where staff associations were found to be absent, this was due to the fact that managers were unaware of their duty to encourage the establishment of this mechanism.

G. Security

26. Staff security continues to be a major priority and in all countries inspected, managers have made concerted efforts in conjunction with the Field Safety Section to enhance the security of staff and assets within the operation. Minimum Operating Security Standards (MOSS) compliance was found to be good in almost all locations and staff training and awareness on security matters was being undertaken regularly. When compared to a number of United Nations agencies in the field, UNHCR's security measures were found to be comparable or even better, and UNHCR's contribution to in-country discussions on security matters was highly respected by United Nations country teams.

IV. PROTECTION MANAGEMENT

A. The age, gender and diversity mainstreaming process

27. Inspection missions revealed that the age, gender and diversity mainstreaming (AGDM) participatory assessment process has been successful in bringing new perspectives to a range of issues, and has significantly contributed to the improvement of collaboration between implementing partners, refugees and UNHCR. Many partners cited this approach as a very useful one, which enhanced their awareness and understanding of the problems faced by the refugees and how they would like to see these problems tackled. However, inspection findings reveal that a number of offices have been slow to incorporate the results of this process into the country operations plans for more effective planning and, in turn, into their day-to-day work. Furthermore, in a few of the operations visited, the multifunctional teams established for the purpose have not continued to function in line with the AGDM approach. While the timing of the actual roll-out may have prevented them from reaping the full benefits of the approach, it is expected that the feedback received on AGDM will reveal which offices are facing particular challenges.

B. Sexual and gender-based violence

28. In the area of sexual and gender based violence (SGBV), verification of full implementation of UNHCR's SGBV Guidelines, including the structures established for a coordinated SGBV referral and response, are a routine part of inspections. In the majority of operations, standard operating procedures on SGBV have been formally introduced, while in a number of other operations these are still in draft form.

29. Accessibility of legal response for SGBV survivors remains a major challenge in many operations. Lengthy procedures and institutional reluctance by law enforcement and judicial administration bodies continue to constitute major obstacles to the provision of legal support to SGBV survivors. Moreover, in many refugee communities, traditional administration of justice systems, which are at odds with international standards, are primarily used to address SGBV-related offences. In some country operations with mass-information programmes, SGBV messages are not systematically included.

C. Remote protection monitoring

30. In a number of inspections undertaken in recent years UNHCR is obliged – for security or other reasons – to carry out protection monitoring through implementing partners. While protection staff have exercised considerable creativity in this regard, and while it is clear that these situations differ in terms of the types of challenges which are faced by the different offices, inspection missions identified the need for standardized guidelines to ensure greater accuracy in the collection and analysis of data.

V. PROGRAMME MANAGEMENT

31. Dwindling budgets and limited resources have had a significant impact on the quality of service provided to refugees in a number of the operations inspected. Many operations still struggle to provide the full range of activities required to address the myriad needs of the refugees. Offices feel compelled to spread themselves thinly in a number of areas often at the expense of overall quality and impact, and often drawing criticism about the effectiveness of UNHCR's response. In only some situations were offices courageous enough to prioritize and communicate to Headquarters and donors what they could do, and do well, within their envelope.

32. In some operations, the use and understanding of Standards and Indicators (S&I) was found to be uneven. There was sometimes a vast difference between what was presented on paper in terms of S&I and the facts obtained on the ground. While acknowledging that regular training of UNHCR staff and partners has been undertaken, inspections revealed that more targeted training is required. There was an apparent unevenness in the presentation of standards and indicators between partners, and there is a need for such knowledge to be constantly and consistently imparted to implementing partners who have a relatively high turnover. In many instances, UNHCR local staff are highly competent in programme and financial management. It is conceivable that many will be lost to the expanding private sector in those economies that are experiencing rapid growth.

VI. BEST PRACTICES

33. The IGO seeks to ensure, through its reports, that good practices and innovative approaches are given equal prominence alongside recurring weaknesses in the management of operations. As with the latter, the objective is to provide examples of improvements which may be replicated in other UNHCR operations.

34. In the Democratic Republic of the Congo, the Code of Conduct was painted on a wall at the entrance of the office in Aru. The very bold and durable manner of publicizing the Code ensured that no staff member or visitor to the office could fail to take note of it.

35. In India, the Women's Protection Clinic developed by UNHCR is an innovative approach to creating a safe space for women in an urban setting to receive legal advice on issues related to their status, as well as on other issues such as SGBV. The Centre has facilitated accurate identification of women at risk to be channelled into resettlement programmes that provide them with a durable solution. The balanced approach used by the office in Delhi has eliminated the initial reticence of refugee men in the refugee community, while increasing acceptance of the centre by the host community.

36. Also in India, the consolidation of assistance in one location has resulted in a "one stop assistance mall" where refugees and asylum-seekers can meet with implementing partners under one roof and receive appropriate counselling, legal advice and assistance. The location of all partners under the same roof ensures a holistic approach to the provision of assistance, facilitates monitoring and provides refugees and asylum-seekers with a location where they can meet their compatriots, thus reducing feelings of isolation and helplessness.

37. In Afghanistan, the decision to provide cash grants to returning refugees was found to greatly empower them while at the same time obviating the need for a large logistical operation, as would otherwise have been the case.

38. In Turkmenistan, collaboration between UNHCR and a Turkmen cell-phone operator resulted in the transmission of SMS text messages to all subscribers on World Refugee Day 2007.

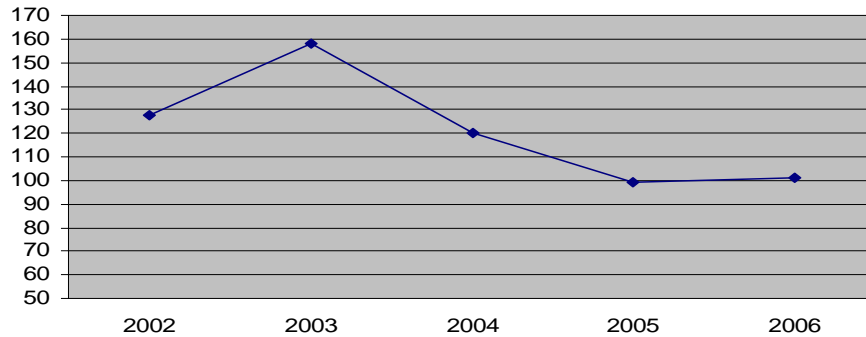
VII. INVESTIGATIONS

39. The Inspector General's Office continued to improve its capacity to investigate misconduct in UNHCR. In addition, the IGO has an increased organizational role in supporting policy measures to prevent fraud and address systemic weaknesses in control and accountability. This has the added benefit of raising awareness of the investigation function, thereby making it more accessible for the purpose of reporting possible misconduct.

40. The Investigation Unit of the IGO comprises a head of unit, four senior investigation officers, an investigation assistant and an investigation clerk. The investigation caseload for the period of August 2006 through June 2007 was comparable to prior years with, however, a general increase in productivity. A total of 101 cases were registered during the reporting period, while 111 cases, including some of those registered in prior years, were completed. A sustained effort over the last two years to clear pending cases has eliminated the backlog.¹ Consequently, a caseload balance of 30-35 open cases is generally maintained at any time with pending cases closed as new cases are received.

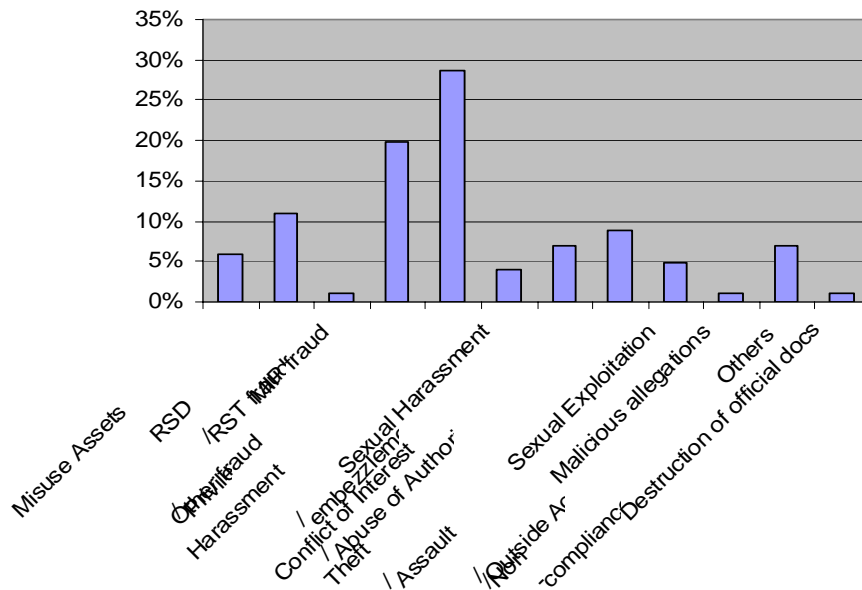
¹ One case from 2003 remains open due to ongoing criminal investigation/prosecution.

Case register per annum



41. In addition, the categories of possible misconduct reported remained generally consistent with previous years. As also noted in previous years, there is an apparent decline in chronic misconduct such as Medical Insurance Plan (MIP) Fraud, which now constitutes a small percentage of the cases.

Category of cases registered



42. Of the cases investigated, approximately one third were completed with a Preliminary Investigation Report sent to the Division of Human Resources Management (DHRM) for necessary administrative action. This administrative action ranges from closure of the case by DHRM to summary dismissal of the staff member implicated. For Preliminary Investigation Reports sent to DHRM in the reporting period, the status is as follows:

Pending w/DHRM	54%
Separation from UNHCR	24%
Reprimand	10%
Demotion	6%
Warning	3%
Closure by DHRM	3%

43. The remaining cases not submitted to DHRM were closed by the Inspector General after the investigation revealed a lack of evidence to support any conclusion of misconduct, while a very small number were closed after it was determined that the issue was not within the IGO's competence. This may occur, for example, when it is established that no UNHCR staff is involved with the matter reported.

44. As in prior years, reports of possible misconduct affecting beneficiaries or beneficiary communities remain a priority. This includes the categories of Refugee Status Determination (RSD) and Resettlement (RST) Fraud and also Sexual Exploitation. A decline in RSD/RST Fraud cases was noted for the reporting period, although no particular significance can be ascribed to the lower number other than what is considered normal statistical fluctuation.

45. Two different investigations into possible misconduct categorized as RSD/RST Fraud resulted in the separation of four individuals. One investigation also revealed certain strengths and weaknesses in the refugee registration process, most notably the value of UNHCR's *proGres* registration system and the risks associated with inadequate implementation controls for system users.

46. In total, two investigation reports were issued on cases of sexual exploitation: although neither of these cases involved beneficiaries, in both instances the investigation related to allegations of relations with minor girls in the local community. As a result, two staff members were charged with misconduct.

47. The IGO also issues Management Implication Reports which address management issues revealed during investigations and cover topics that range from the use and security of assets to RSD procedures. Seventeen such reports were issued over the reporting period, representing an upward trend with an over 20 per cent increase since the previous period.

48. There has been a general increase in collaboration with other organizational units on matters related to investigations, including with DHRM and the Legal Affairs Section in order to facilitate the administration of justice. Particular efforts have been made to enhance cooperation with the Division of International Protection Services (DIPS). In this regard, significant investigation cases in two countries revealed the need for post-investigation "Protection Audits" to address potential risks in the protection process.

49. The Investigation Unit also worked closely with DIPS on the design and delivery of the Resettlement Anti-Fraud Workshop, including facilitation of regional workshops held in Turkey and India.

50. In more operational terms, the IGO initiated, together with the European Anti-Fraud Office, a collaborative assessment of NGO implementing activities separately funded from a variety of sources, including the European Commission and several United Nations agencies. The assessment included UNHCR, the European Commission and the United Nations Development Programme, and ultimately determined that UNHCR-funded activities were properly implemented, although the same was not true for other sources of funding.

51. Collaboration with law enforcement authorities in host countries continued, where necessary and appropriate. This presented some challenges, as demands to provide support for criminal investigations had an impact on resources, and UNHCR's investigation activities were deferred, in certain instances, pending resolution of criminal prosecution.

52. In 2006, in recognition of the UNHCR IGO's investigation expertise, the International Fund for Agricultural Development requested the Investigation Unit to review, together with an expert from the Inter-American Development Bank, its investigation and sanctions regime. The recommendations from that review were subsequently accepted and implemented in their entirety. The World Health Organization's Office for Internal Oversight also relied on the IGO's expertise when developing its own investigation capacity and substantially based its operating procedures on the Investigation Unit's advice and investigations guidelines. Finally, the Food and Agriculture Organization requested the IGO to conduct a particularly sensitive investigation on its behalf, given the Investigation Unit's particular skills in the matter under investigation.

VIII. INQUIRIES

53. The third part of the IGO's oversight portfolio involves *ad hoc* inquiries. These are conducted when an attack on UNHCR staff, operations or premises causes fatalities, serious injuries or large-scale damage to the office. Under this chapter, there is also provision for the High Commissioner to request the IGO to conduct an inquiry or review into other types of incidents if they pose a risk to the Office's mandated responsibilities, interests or operations.

54. During the reporting period two inquiries were conducted, which, at the time of reporting, were still ongoing. Further details will be shared with Executive Committee members in the statement of the Inspector General to the 58th plenary session of the Committee in October. The first inquiry involves the fatal shooting of a UNHCR staff member, while the second inquiry deals with the use of a European Commission Grant for a UNHCR voluntary repatriation programme.

55. Findings of *ad hoc* inquiries are contained in confidential reports submitted to the High Commissioner who then tasks concerned managers with appropriate follow-up.