

## INDIA

# ARBITRARY DEDUCTION OF COE REIMBURSEMENTS BY MISSION COE TEAMS

### 1. Issue Paper Theme: Self-Sustainment

### 2. Summary/Background.

(a) COE is deployed by the TCC as per MoUs/ UN Manuals such as COE Manual 2020, UNMAM 2020 etc. Equipment deployed is periodically inspected by the mission COE teams as per standards defined in respective manuals and reimbursements are paid to the TCC. However, there are instances wherein no specific scales have been defined in the UN manuals and therefore TCC deploys requisite equipment as per prevailing national scales. Reimbursements are paid for these till such time a COE inspection team decides to stop the same applying a scale as per their own understanding or interpretation wherein no clear scales were prescribed by the UN. This has resulted in major reimbursement losses to the TCC despite having deployed the requisite equipment as per the national scales. Thus, there is a need to institute a mechanism for allowing a transition period for deployment of equipment by TCC wherein no clear scales were prescribed by UN in the past and TCC has deployed equipment as per national scales.

### 3. Detailed Proposal.

(a) Loss of reimbursements is caused to TCC wherein TCC has deployed equipment as per national scales to meet MOU requirements in absence of unambiguous UN prescribed scales for such equipment. To reinforce the claim, following cases are highlighted: -

(i) VHF Radio Sets (RS) in UNMISS. TCC has deployed hand held and vehicle mounted versions of VHF RS with the Indian contingents deployed in UNMISS. No scales for different categories of VHF RS were prescribed in any UN manual and therefore these RS were deployed as per the scales prescribed for VHF RS in UNIBAM. However, even in UNIBAM there were no scales prescribed for manpack versions of VHF RS. COE team during their inspection objected to non-availability of manpack versions of VHF RS. It was highlighted to the COE Inspection Team that no scales for manpack versions have been prescribed in UN manuals and reimbursements under the VHF RS category of communication have

been accepted since the time these RS were deployed in UNMISS. However, the mission COE team implemented their own understanding of the VHF RS scales and stopped the reimbursements of the Indian contingents in UNMISS for VHF RS category in Apr 2019. This was despite reimbursements being received in the same category before that inspection. The matter was referred to the UN HQ and scales of communication for UNMISS clearly laying out scales for handheld, manpack and vehicle mounted versions of VHF RS were promulgated in Jan 2021. This has resulted in considerable loss of reimbursements to the TCC despite having deployed VHF RS as required by UN manuals as no transition time was accorded for seeking clarification on scales of communication, procurement of RS as per new scales and their subsequent deployment in UNMISS.

(ii) **Tear Gas Shells in MONUSCO**. TCC deployed Tear Gas Launchers as required in the MoU. However, no scales for tear gas shells are prescribed in UNMAM 2020 and therefore TCC has deployed tear gas shells as per the national scales used by the Indian Army. However, COE team in MONUSCO asked the TCC to deploy tear gas shells as per the scales of smoke launchers prescribed for PCC in UNMAM 2020. The COE team was apprised that tear gas launchers and smoke launchers are different weapon systems which serve different tactical purpose and that scales prescribed for smoke launchers in UNMAM 2020 are applicable to PCC which have different role than TCC. Despite the representations by the Indian contingents the COE team considered PCC scales for smoke launchers and made only half tear gas launchers serviceable thereby resulting in loss of reimbursements to the TCC.

(c) TCC is responsible for deploying COE as per scales/standards prescribed in various UN manuals. However, in case ambiguity arises in interpretation of the prescribed scales or relevant UN manuals have not prescribed specific scales for an equipment/category then sufficient transition time should be allowed for specific scales to be promulgated and subsequent procurement and deployment of such equipment as per revised scales by the TCC. Reimbursements should be allowed to the TCC for such transition time if TCC has deployed COE as per national scales in absence of specific scales laid down by the UN. COE Manual to include necessary provision for suitable transition period for cases where ambiguities exist in the prescribed scales/prescribed scales have not been promulgated and TCC has deployed equipment so that COE teams of missions don't impose their own interpretations when considering such cases and arbitrarily stops reimbursement to the TCC.

#### 4. **PROPOSED MANUAL TEXT.**

**PROPOSAL FOR INCLUSION OF PROVISION FOR ALLOWING REIMBURSEMENTS TO TCC/PCC IN CASE TCC/PCC HAS DEPLOYED EQUIPMENT AS PER NATIONAL SCALES WHEREIN NO CLEAR SCALES HAVE BEEN PRESCRIBED BY THE UNITED NATIONS (CHAPTER 3, PARA III GUIDING PRINCIPLES OF COE MANUAL 2023)**

*[Reimbursements shall be allowed where equipment has been deployed by TCC/PCC towards fulfilment of the memorandum of understanding as per national scales in absence of scales prescribed by the United Nations for such equipment till the time scales are prescribed by the United Nations and a suitable transition period is allowed for TCC/PCC to deploy such equipment as per newly prescribed scales by the United Nations for such equipment].*