

UN Peacekeeping: Responding to Sexual Exploitation and Abuse

The UN Department of Peacekeeping Operations (DPKO) currently is implementing 17 missions in an effort to restore peace and stability, protect civilians, and facilitate the enforcement of human rights and humanitarian standards in some of the planet's most dangerous places. Numbering over 100,000 troops and civilians, UN peacekeeping staff have been deployed to protect the most basic rights and freedoms of people traumatized by conflict.

The Problem:

In 2004, the media erupted with allegations of sexual exploitation and abuse (SEA) levied against UN uniformed and civilian peacekeepers based in Bunia, in the eastern Democratic Republic of Congo. Accusations of sex with minors, the bartering of food and protection for sex, as well as sex with prostitutes, rocked the international community, and brought the issue of SEA into sharp focus. In the three years that have passed since these reports first surfaced the UN has taken significant steps to address the problem, but reports of abuse and exploitation continue.

In many cases, however, the UN is helpless to respond. In cases where a well established allegation of SEA is levied against a member of a UN peacekeeping mission, civilian staff are fired and repatriated, and uniformed staff are sent home and barred from future service in UN missions. But military peacekeepers are not employed directly by the UN but rather seconded to peacekeeping service by UN member states called Troop Contributing Countries (TCCs), which retain jurisdiction over the discipline of their troops. Practically speaking, this means that a military peacekeeper found to have a credible charge against him can only be prosecuted and punished by his home government. The UN can do little more than repatriate staff found to have committed acts of abuse and exploitation, leaving victims without any knowledge of action taken against their assailants. This blow is compounded by the fact that the majority of troop contributing countries, many of which have weak to non-existent sexual assault laws themselves, rarely follow up with any legal action against accused troops.

Policy Recommendations

1. Leading members of the Security Council and donor governments put more public pressure on troop contributing countries to take seriously the responsibility to prosecute those accused of sexual exploitation and abuse, to broaden legal recourse and disciplinary action against those troops found guilty of the crime, and to make the prevention of SEA a standard issue to be addressed in the training of their armed personnel.
2. The Secretary General appoint a new Special Adviser on the Prevention of Sexual Exploitation and Abuse to maintain a high level of international attention to the issue, and to encourage a productive, results-driven dialogue within the international community.
3. In the considering the *Comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff or related personnel*, the General Assembly account for the cost of victim assistance and compensation programs, and ensure that an appropriate funding mechanism is approved alongside the programs themselves.

Positive steps taken by the UN to prevent and address SEA:

Since 2003 all UN peacekeeping staff have been bound to the *Special Measures for Protection from Sexual Exploitation and Abuse* (ST/SGB/2003/13). The existence of these guidelines, however, was not enough to stop abuses from happening. Following the scandal in Bunia, then Secretary General Kofi Annan appointed Prince Zeid Ra'ad Zeid al-Hussein of Jordan to be the first Adviser on Sexual Exploitation and Abuse by UN Peacekeepers. In March 2005 the *Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations* (A/59/710) --- known as the Zeid Report --- was presented to the General Assembly.

The report's recommendations resulted in a wide range of reforms, including mandatory pre-deployment training on UN codes of conduct and SEA, as well as in-country public information campaigns to counter it. The UN has established conduct and discipline teams in 11 of the 17 current peacekeeping operations, as well as all three political missions supported by DPKO. The UN has also established a headquarters-based Conduct and Discipline Unit in New York, resulting in more consistent, reliable record keeping, as well as reporting of allegations and of the status of investigations.

Most recently the General Assembly has received a revised *Standard Memorandum of Understanding* between Troop Contributing Countries and the Department of Peacekeeping Operations, granting the UN the right to start investigations into allegations of abuse and exploitation where the TCC is unable or unwilling to do so itself. In addition to preventative and punitive measures, the UN is also taking important steps to address the needs of the victims of abuse, and a *Comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff or related personnel* (A/60/817) is currently under consideration by member states.

What Remains to be Done:

The UN has come a long way in the standardization and professionalization of their reporting and investigation mechanisms with regards to the allegations of sexual exploitation and abuse. However, the continuing instances of SEA remind us that much remains to be done.

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