

Final - Check Against Delivery

Presentation by H.R.H. Prince Zeid Ra'ad Zeid Al Hussein, Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations, to the Security Council

31 May 2005

Madame President,

May I congratulate you Madame President and the distinguished members of the Security Council for preparing an excellent draft presidential statement on the subject of sexual exploitation and abuse (SEA) in UN peacekeeping operations. And I am most grateful to the Council for having organized this briefing and for having invited me to participate. This is the first time in its history the Council has ever had a public meeting of this sort devoted exclusively to SEA in UN peacekeeping operations generally.

Over the past several months, and in reaction to first reports from the Democratic Republic of the Congo, some members of the Council were of the opinion that an immediate and open discussion by the Council on SEA was merited, and the argument for it was indeed strong. After some reflection, however, these distinguished members deferred to the General Assembly, so that a broad strategy for dealing with SEA could be put into place; a strategy based on consultations between all the major troop and equipment contributing countries (TCCs), the Secretary-General, the Department of Peacekeeping Operations (the DPKO) and the Office of Legal Affairs. It is the contributions of all these separate components, together with the opinions offered by our UN colleagues in the field, that enabled my team and I to respond promptly to the Secretary-General's request just over two months ago, for a report, which we entitled: "a comprehensive strategy toward the elimination of sexual exploitation and abuse in peacekeeping operations." Before I turn briefly to the most recent developments, where the work of the General Assembly is concerned, and what lies ahead of us, I would like, with your permission Madame President, to offer just a few observations I believe deserve specific mention.

When we first began to take a close look at SEA, what became obvious to us was that sexual exploitation -- predominantly prostitution -- in at least some UN operations appeared to be widespread. The scale of sexual abuse -- i.e. when the exploitation becomes criminal -- was somewhat more difficult to gauge. We inferred, however, that given the apparent prevalent nature of the exploitation, both by civilian as well as by military personnel, the levels of abuse were probably more serious than was previously thought. Some of the possible

reasons for why this has been so were enumerated in detail in the report itself, and so I will not repeat them here.

In reviewing all the information gathered for the report, we also began to grasp the complexity of the attendant legal questions; so much so, that we were concerned at how certain UN civilian personnel could enjoy, by virtue of a specific set of circumstances -- unforeseen at the time the UN was created -- complete impunity, even when committing frightful offenses, such as murder. We also realized that, in the event we could create the right administrative and legal framework for addressing this issue, not only would we solve many of the problems associated with SEA specifically, but also for other forms of misconduct.

Our growing understanding of SEA led us also to ask the obvious question: why had we left this and other similar issues unresolved for so long. It was well known to many in the secretariat in the early 1960s that ONUC faced difficulties relating to the ill-discipline of some of its personnel, and ever since UNTAG was mounted in 1989, a steady stream of similar reports have surfaced in relation to practically every subsequent mission, and were brought to our notice by the secretariat, humanitarian non-governmental organizations and the press.

What must be emphasized, and is emphasized in the Council's draft presidential statement, is the context into which we place all our words. UN peacekeeping, in almost all theatres, is dangerous, no matter how benign and peaceful conditions may appear to be at certain times. It takes courage for member states to send their personnel to participate in such an undertaking, and even greater courage for the men and women nominated, military or civilian, to actually go and serve. And we can rightly be proud of what UN peacekeepers have accomplished through the years. Moreover, in most instances, whatever the abuses of UN peacekeepers, they cannot compare to the viciousness the parties to the conflict would often invite on one another -- but that can hardly be the point. It would be offensive for me to suggest that the UN should hold itself to anything but the highest standards of ethical conduct, and certainly we should never measure the UN against those who would treat civilian populations maliciously.

For a peacekeeper to exploit the vulnerabilities of a wounded population, already the victim of all that is tragic and cruel in war, is really no different than a physician who would violate the patient entrusted to their care, or the life guard who drowns the very people in need of rescue. Actions of this sort puncture, violently, the hope embodied by the very presence of the person who is there to help those in need. However rare they may be, abuses by peacekeepers are therefore not only repugnant to us, but strike at the very credibility of both the operation in question and this organization as a whole.

And we, the member states, have refrained, Madame President, from opening up this subject to public discourse over the last sixty years because of what: because sentiments of pride, mixed in with a deep sense of embarrassment, have often produced in us only outright denials. And yet almost all countries that have participated in UN peacekeeping operations have, at one stage or another, had some reason to feel deeply ashamed over the activities of some of their peacekeepers. If all of us are therefore guilty, so to speak, should it not then be easier for us, each member state, to visit the transgressions of its own personnel openly, with some measure of honesty and humility? Surely, we owe this to the victims of our abuse. And, naturally, if one is to propose such a change, to the manner by which we confront this problem, then one is obligated also to set a good example.

Madame President, I once served as a UN peacekeeper. I have worked in the field with my compatriots, military and police peacekeepers alike, and know what good they do. I have seen them perform extraordinary feats of courage and kindness, often in the most trying conditions, and they, like many others, have done so with an unswerving sense of dedication to this world organization. But I also recognize, and now do so publicly in the Security Council, that on occasion my government has had to confront some appalling cases of criminal conduct by a few of our own peacekeepers, including a brutal rape of a local woman by a Jordanian in what was then East Timor a few years ago, and more recently in Kosovo, when a Jordanian civilian police officer murdered a fellow officer. While these are two of the worst cases, sadly there have been other allegations, and for these reasons, the Jordanian government and Jordan's military and police authorities are completely committed to seeing an end to this.

Again Madame President, if we are to overcome these difficulties we, the member states, must resolve ourselves, as best we can, to recognize the truth openly and be closer friends to it, however painful that may be sometimes.

Madame President,

Only days ago, the Fifth Committee examined and adopted a significant number of the recommendations put forward by the ACABQ for the posts submitted by the secretariat relating to SEA, following on from the adoption by the Special Committee on Peacekeeping Operations (the C-34) of the first set of recommendations contained in the comprehensive report. This is all very encouraging. We expect the Secretary-General to announce soon the appointment of a group of experts required, *inter alia*, by the C-34: "To provide advice on the best way to proceed so as to ensure that the original intent of the Charter can be achieved, namely that UN staff and experts on mission would never be effectively exempt from the consequences of criminal acts committed at their duty station, nor unjustly penalized in accordance with due process." The expert group is invited to make available its views to the General Assembly at the sixtieth session.

In the meantime, Jean-Marie Guehenno and Jane Holl Lute have worked with extraordinary determination over many months to resolve the difficulties on the ground; actions for which they must be commended thoroughly. However, I would wish to repeat what both of them have already said previously: that despite the progress we have seen, it would be prudent of us to expect that further allegations will emerge over the next year and beyond, due to the secretariat's strengthening of the systems by which complaints can be lodged in UN operations.

Madame President,

As the weeks ahead of us unfold, we can also expect that the DPKO and the Office of Internal Oversight Services (the OIOS) will continue to coordinate smoothly on developing a standing procedure for how investigations are to be launched and, in due course, the relationship between the OIOS and the TCCs on investigations will also need further refinement. Similarly, my hope is that the C-34 will next year take up those recommendations and ideas found in the comprehensive report which were not addressed in the committee's April session, either for lack of time or because it was more appropriate for us to visit those items at a later date. In this context, I intend to propose again the holding of in-mission court-martials for the worst offenses, and will argue before the committee that we at the very least should encourage those countries that can do so, to in fact do so.

In conclusion, Madame President, we will only eliminate SEA from UN peacekeeping operations, once we have put into effect most, if not all, the recommendations, contained in the comprehensive report, over the next two years. However, that will not be possible, so long as there are colleagues, both in the general membership as well as in the secretariat, who would have us believe that the furore regarding SEA is an over-exaggeration, a media-inspired public-relations issue, and nothing more – one that will surely soon lapse into the past. In adopting this draft presidential statement, and the measures contained in it, the Council's position will be read as being equally clear: such an opinion is profoundly mistaken. SEA in peacekeeping operations is a most serious and tragic issue, especially for the victims, many of whom are young women living in the most difficult conditions. And SEA carries with it the most serious consequences for the future of peacekeeping if we were to prove ourselves incapable of solving this problem. I therefore applaud you Madame President, and the Council, for taking this decisive action today, for you have brought us that much closer toward removing this dreadful stain on the reputation of UN generally, and on UN peacekeeping in particular.