

## Why do some UN peacekeepers rape?

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UN peacekeepers are sent to the most war-ravaged countries on Earth, ostensibly to help them transition to peace.

But some stand accused of committing crimes against the very people they are supposed to protect.

According to a recent investigation by the Associated Press (AP), between 2004 and 2016, the United Nations received almost 2,000 allegations of sexual exploitation and abuse against its peacekeepers.

The UN says it has a zero-tolerance policy on sexual exploitation and abuse, but survivors, activists, lawyers and human rights organisations say such crimes have been allowed to continue with impunity.

Through conversations with UN peacekeepers and officials, gender experts, academics, researchers and activists, as well as through an investigation of UN data, in this four-part series, we try to navigate these competing accounts to answer the question: How did some peacekeepers become predators?

In part one, we examine the history of accusations against the UN.

### **A history of immunity?**

When, at the end of World War II, the UN conceived of peacekeepers it made them immune from prosecution by the host state for any alleged crimes committed while on mission. This was considered necessary to stop others sabotaging their efforts to assist in post-conflict environments.

Instead, they would be held accountable by their own government or judicial system.

Decades later, however, it became apparent that some peacekeepers were abusing this privileged position.

According to Fiona Tate, a PhD candidate studying law at Queen Mary University of London in the UK, it was part of a problem with much deeper roots.

When the UN first started deploying peacekeepers in 1948, it didn't consider the rights of women and children in the militarised environments in which the peacekeepers would be operating.

"As a result of this exclusion, crimes committed against [women] would go largely unrecorded," explains Tate.

But in the early 1990s, these crimes started to come to international attention.

There have since been reports rape in the Democratic Republic of Congo, Mozambique, Eritrea and Somalia, of prostitution and trafficking in Bosnia and Liberia and of abuse of minors in Sierra Leone.

In 1992, the Department of Peacekeeping Operations (DPKO) was set up.

In 1994, the UN appointed Graca Machel, the former first lady of Mozambique, to investigate the effect of armed conflict on children. Her landmark report, released in August 1996, was one of the first to raise the issue of the sexual exploitation of children by peacekeepers and to call for an end to impunity for the perpetrators.

In 2001, it was discovered that aid workers and UN peacekeepers had sexually abused refugees in Guinea, Liberia and Sierra Leone.

In 2003, the then UN Secretary-General Kofi Annan introduced a zero tolerance policy on sexual abuse and exploitation as well as a special mechanism for reporting it.

He also "discouraged" peacekeepers from engaging in sexual relations with beneficiaries of assistance "since they are based on inherently unequal power dynamics, [and] undermine the credibility and integrity of the work of the United Nations."

In his letter to the UN Security Council, Annan wrote: "We cannot tolerate even one instance of a UN peacekeeper victimising the most vulnerable among us."

But the abuse didn't end.

"Often [accused] peacekeepers were just moved out of their mission, deployed elsewhere or sent home," explains Paul Higate, a lecturer at the school of sociology, politics and international studies at the University of Bristol in the UK.

The AP's investigation revealed that few of the accusations levelled against UN peacekeepers led to prosecutions by member states. And when peacekeepers did end up in court, it was often on reduced charges.

"It was not envisioned that immunity would become so problematic," says Tate.

### **'Worst kept secret'?**

In 1999, an American hired as a UN police investigator by the British subsidiary of the American security firm DynCorp International was fired. Her name was Kathryn Bolkovac and, following reports of sexual abuse and forced prostitution that implicated UN personnel in Bosnia, she had been tasked with investigating the alleged crimes.

But when she submitted a report to her superiors detailing a sex trafficking ring among UN police officers, including Ukrainians, Pakistanis, Romanians, Germans and Americans working in conjunction with local criminal gangs, she was fired.

Bolkovac became a campaigner for women's rights in conflict zones.

"I have spoken on this issue for the past 15 years ... there has been little progress," she says.

Bolkovac believes the UN is fraught with misreporting, concealment and a lack of accountability. She describes sexual abuse by its peacekeepers as the organisation's "worst kept secret".

"The UN will never promptly report allegations to troop-contributing countries to avoid publicity and to give them time to cover up," Bolkovac says.

Ismini Palla, deputy chief of public affairs at the UN Departments of Peacekeeping and Field Support, disputes Bolkovac's view. "The UN notifies the concerned member state on every allegation of sexual exploitation and abuse within days of the receipt of the allegation and makes the information concurrently publicly available on the conduct and discipline unit website," she explains.

"The secretary-general has also requested member states to finalise investigations within a six-month timeframe."

Palla says there have been improvements in the response of member states to accusations of sexual exploitation and abuse.

"In 2012, the average time to appoint a national investigation officer was two and a half months and in 2016 was only eight days. Similarly, in 2012, a national investigation would last 266 days but in 2015 the duration dropped to 185 days (six months)."

### **What happens when 'the secret' is exposed?**

But to illustrate her point, Bolkovac refers to the case of Anders Kompass, the man widely credited with exposing allegations of sexual abuse by around 16 troops - 11 from France, three from Chad and two from Equatorial Guinea - in the Central African Republic in 2015.

Although the French troops were not peacekeepers, they were sent by the UN Security Council to assist in restoring peace and stability following a coup in March 2013. The peacekeepers from Chad and Equatorial Guinea were part of the African Union.

Kompass, a former director of field operations at the UN human rights office in Geneva, submitted a report to his superiors detailing the abuses allegedly carried out by the French troops in CAR.

When the UN failed to act upon the report, Kompass leaked it to the French authorities in July 2014. It documented allegations of sexual abuse against 13 minors, including the sodomy of boys between the ages of nine and 13.



In March 2015, Kompass was denounced by the UN for violating protocol by sharing the report and was placed on internal investigation. He was exonerated nine months later, but subsequently **resigned**. He told Irin news that he refused to work for an organisation that lacked accountability.

An independent panel appointed to investigate this by then Secretary-General Ban Ki-moon described the UN's handling of allegations of sexual abuse and exploitation as a "gross institutional failure".

The independent panel's report noted the lack of respect, dignity and protection afforded to survivors and found that Babacar Gaye, the head of the UN mission in the Central African Republic, neither acted on the allegations, nor made any attempt to ensure that the child survivors received medical attention or humanitarian aid.

"The welfare of the survivors and the accountability of the perpetrators appeared to be an afterthought, if considered at all," the report stated. In August 2015, Gaye was forced to resign.

French prosecutors eventually dropped their case against six French troops in January 2017 over a lack of evidence.

But Lydie Koundja, a lawyer and chairperson of the Association des Femmes Juristes de Centrafrique (AJFC), an organisation that assists and represents survivors of sexual abuse in the Central African Republic, says her organisation has applied to the High Court in Bangui for the case against the French peacekeepers to be reopened. She's aware that it's a long shot.

"We have evidence, we have testimony, now we will see what the judge says," Koundja explains.

"There was data, testimony and even stories written all over the world. But in the end, the French prosecutors dropped the cases," she says.

### **'No transparency'**

Experts say that the UN's processes almost certainly shield the accused.

Carla Ferstman, the author of a 2013 report by the United States Institute of Peace called *Criminalising Sexual Exploitation and Abuse by Peacekeepers*, says there is "no transparency at any level of investigations [by the UN or the governments of the accused peacekeepers]".

Beatrice Lindstrom, a lawyer with the Institute for Justice and Democracy in Haiti (IJDH), a New York-based NGO that helps survivors of human rights violations pursue cases in national and international courts, describes the UN investigations system as "incredibly opaque".

"When it comes to the UN, justice is extremely rare," she adds.

"The UN's gut reaction is always to cover up, to handle in-house, to make the problem go away," Lindstrom says.

"Yes, of course, rape happens everywhere, but there is no system where you have this type of legal protection for such crimes. These are people being sent to protect others, after all."

But Stephane Dujarric, a spokesperson for the UN secretary-general, disagrees, saying: "I don't think anyone is trying to bury these cases and trying to make them go away."

The spokesperson for the UN's peacekeeping operations, Olivier Salgado, describes the fight against sexual exploitation and abuse as "a top priority of the secretary-general and the entire leadership of the organisation".

"Fighting sexual exploitation and abuse is a system-wide uphill battle and we will not let anyone cover up these crimes with the UN flag," Salgado tells Al Jazeera.

### **Bambari, Central African Republic**

In late 2015, Eunice Danpena\* heard a knock on the door of her hut at a displacement camp in Bambari, a town in the Ouaka prefecture in the Central African Republic.

It was a UN peacekeeper. She told him she was busy. But he let himself in and raped her. "He forced himself on me and as he was stronger I had no choice," she says.

*Source: HRW*

*\*Name changed to protect identity*

<http://www.aljazeera.com/indepth/features/2017/07/peacekeepers-rape-170730075455216.html>

*There are currently 12,870 peacekeepers in the Central African Republic. Since 2015, there have been 83 allegations of sexual exploitation and abuse in the country. The allegations concern some 177 UN peacekeepers and 255 survivors. To date, just five of the accused have been jailed.*