

Sexual Exploitation and Abuse by UN Peacekeepers

Suk Chun, *International Peace Research Institute, Oslo (PRIO)*

The involvement of UN peacekeepers in sexual exploitation and abuse (SEA) is one of the less-acknowledged negative consequences of UN peacekeeping operations, though such behaviour fundamentally undermines the very ethics of peacekeeping. Prevailing allegations of SEA risk jeopardizing the future of UN peacekeeping, as they can cause it to be viewed as an activity that does more harm than good. SEA can also have detrimental effects on two key aspects of post-conflict reconstruction: consolidating security and fostering development. In terms of security, links between SEA and human trafficking can significantly destabilise border security. Furthermore, peacekeepers' involvement in SEA can undermine the trust of countries hosting peacekeeping operations, on which the successful execution of such operations depends. With regards to development, the issue of SEA highlights the lack of economic opportunities for women in post-conflict societies, a situation that renders women and children easily exploitable targets of SEA. Over the past decade, as accusations of SEA committed by peacekeepers began to tarnish the prestige of both UN peacekeeping missions and individual troop-contributing countries, a gradual change has taken place within the UN in terms of attitude towards SEA. However, although the UN has been active in addressing SEA since 2005, the problem of SEA still persists.

What Is Sexual Exploitation and Abuse?

In October 2003, then UN secretary-general Kofi Annan issued a bulletin on 'Special Measures for Protection from Sexual Exploitation and Abuse', which contained a number of guidelines on the issue that were to be applicable to all UN staff, including the staff of separately administered organs and programmes. In this document, sexual exploitation was defined as 'any actual or attempted abuse of a posi-

tion of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another'. Sexual abuse was defined as 'the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions'. According to 'the Survey of Allegations of SEA' carried out by the Conduct and Disciplinary Unit (CDU) within the UN Department of Peacekeeping Operations (DPKO), alleged misconduct ranges from 'sex with minors, exploitative sexual relationships, and sex with prostitutes' to an unspecified other, such as 'videotaping sexual act or requesting sexual act in exchange for monetary/extra aid assistance'. The secretary-general's bulletin was the first time that the UN had publicly acknowledged the problem of SEA and sought to enforce system-wide measures to counter it. Its subsequent zero-tolerance policy towards SEA was officially introduced in 2005.

Who are the victims and the Perpetrators?

The victims of SEA involving UN personnel are members of local populations in countries hosting UN peacekeeping operations. Initially, young girls were identified as the most common victims. However, a number of recent NGO studies and UN investigations have suggested that the group that is most exposed to the risk of SEA is made up of children between the ages of 13 and 18 who have either been separated from their parents or displaced from their home communities, as well as those dependent on humanitarian assistance.

The perpetrators are generally UN military, police and civilian personnel engaged in peacekeeping operations, who are in the position to utilize humanitarian aid and services intended to benefit local populations as a tools of exploitation. The economic disparity between peacekeepers and local popula-

tions, coupled with the limited supply of basic goods and the lack of employment opportunities for local populations in societies hosting peacekeeping operations, have been identified as providing incentives for members of local populations to engage in sexual liaisons with UN peacekeepers.

The Scope of SEA

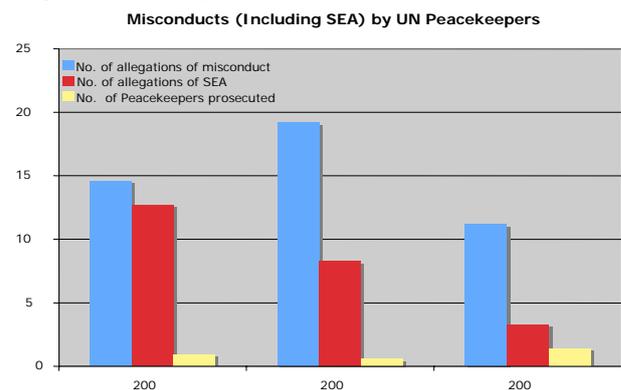
Although suggestions that UN peacekeeping personnel were involved in SEA and human trafficking began to surface as early as the 1990s in Cambodia, such claims were largely dismissed on the grounds of ‘insufficient evidence’. Ultimately, it was the widely publicized involvement of UN peacekeeping personnel in sexual abuse and human trafficking in Kosovo and Bosnia, together with the assessment reports on sexual violence and exploitation in Guinea, Liberia and Sierra-Leone - which were produced by the United Nations High Commissioner for Refugees (UNHCR) and Save the Children UK in 2001, and exposed frequent SEA committed by local NGO and UN agency workers – that prompted the UN to initiate its own investigation.

The UN’s first investigation into allegations of SEA was conducted by the Office of Internal Oversight Services (OIOS) in late November 2001. The OIOS report reviewed allegations of sexual exploitation of female refugees by staff members of UN and non-governmental organizations and UN peacekeepers. It also examined the operation of refugee camps to identify possible environmental factors that made female refugees more susceptible to sexual exploitation. The recommendations of the OIOS report were adopted in UN General Assembly Resolution A/57/306 in 2003, which requested the UN secretary-general to implement preventative measures in subsequent humanitarian and peacekeeping operations.

However, the persistence of allegations that UN peacekeeping personnel continued to be involved in SEA prompted scepticism towards the effectiveness of the UN’s preventative measures. In response, the UN commissioned a second investigation into the problem of SEA involving UN personnel. The 2005 Zeid Report - formally known as ‘A Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations (A/59/710)’ - was the first comprehensive analysis that looked exclusively at the problem of SEA committed by UN peacekeepers. The Zeid Report recommended that the UN improve the organizational, managerial and disciplinary accountability of its personnel in relation to SEA. It also called for the establishment of a voluntary trust fund to provide assistance to victims of SEA committed

by UN peacekeepers. Later in 2005, on the basis of the Zeid Report’s recommendations, Secretary-General Kofi Annan introduced the organization’s policy of zero-tolerance towards the commission of any form of sexual misconduct by UN peacekeeping personnel.

However, despite of these efforts to address the issue of SEA, allegations continued to be levelled against UN peacekeeping personnel. Although statistics released by CDU suggest that the number of SEA allegations involving UN personnel has decreased annually since 2006, the fact that allegations continue to be made suggest that the preventative and punitive measures currently in place have been far from effective in eliminating the problem. Moreover, it is questionable whether UN data on sexual misconduct accurately reflect the actual extent of the problem in the countries hosting the 15 currently ongoing peacekeeping operations. NGOs operating in conflict zones have suggested that SEA is significantly underreported owing to victims’ lack of awareness of reporting mechanisms and fear of stigmatization by their own communities.



Source: UN Conduct and Discipline Unit and the Office of the Secretary-General, 2009. Graph compiled by Suk Chun.

Why should SEA be Eradicated?

Some key reasons for why SEA involving UN peacekeepers needs to be eradicated are set out below:

First, the commission of SEA by UN peacekeeping personnel undermines the very ethics of peacekeeping. Engaging in exploitative sexual relationships with members of a local population breaches a number of UN-sponsored conventions on the protection of civilians. It can also be interpreted as meaning that UN peacekeeping operations are not fulfilling their mandate they were given in various UN Security Council resolutions.

Second, the repeated negative media portrayal of UN peacekeepers as ‘trouble-makers’ undermines the morale of UN personnel, as well as exacerbat-

ing scepticism regarding UN peacekeeping operations within the international community.

Third, prostitution in conflict zones can undermine security and social developments in countries hosting peacekeeping operations, as:

- Prostitution is either legally or culturally forbidden in hosting countries.
- Owing to the lucrative nature of the sex industry, brothels are often operated by organized transnational criminal groups. They prey on young girls for the purpose of forced prostitution, which often involves human trafficking, as witnessed in the Balkans. The engagement of UN personnel with prostitutes thus sends out a message that criminality associated with trafficking is condoned.
- Cross-border smuggling of trafficked women by criminal groups undermines efforts to maintain robust border security.
- Long-term engagement in SEA can contribute to the emergence of a multi-million-dollar sex industry in the aftermath of peacekeeping operations. For example, in Cambodia it has been suggested that the widespread practice of SEA over a protracted period led to the economic institutionalisation of former mission areas into 'sex tourist' destinations.

Fourth, the involvement of peacekeepers in SEA undermines any efforts to garner the support of local populations, which is essential for successful implementation of an operation's mandate. Engagement in SEA by peacekeeping personnel may be perceived by local populations as an expression of disrespect and consequently discourage them from cooperating with the aims of the peacekeeping mission.

UN Efforts to Address SEA

Since 2005, the UN has introduced a two-pronged approach to combat SEA, involving both preventative and disciplinary measures. In terms of preventative measures, DPKO has introduced mandatory SEA awareness training as a part of its pre-deployment programme for peacekeeping personnel. In addition, within peacekeeping operations, Conduct and Discipline Teams (CDTs) conduct awareness-raising with local populations on how to report SEA cases.

These CDTs also monitor the application of SEA measures in the field. The tasks of CDTs include designing mission-specific SEA awareness-training

and maintaining a misconduct tracking system to prevent the re-employment of convicted personnel.

DPKO has called for increased efforts to recruit women to peacekeeping operations, as increasing numbers of UN peacekeeping operations have been mandated to assist victims of gender-based violence. It is generally thought that women and children victims of such violence find it easier to report details of their ordeals to female officers. Moreover, the inclusion of female personnel in peacekeeping operations is believed to encourage male personnel to maintain "good behaviour".

DPKO has also introduced gender advisers or gender focal points in all its recent peacekeeping missions to ensure and support the incorporation of a gender perspective into the policymaking and operational activities of those missions.

In terms of disciplinary measures, OIOS has classified misconduct into two main categories. Category I includes all SEA-related offences, along with illegal arms trading and serious fraud, while category II includes all forms of discrimination and harassment, as well as simple fraud. OIOS investigates all Category I allegations, except for allegations against military contingents. Category II may be investigated by any of the Special Investigation Unit (SIU) within UN, Military Police, UN police or ad-hoc panels. In cases where allegations of SEA involving civilian personnel are substantiated, the Office of Human Resources Management within the Department of Management is responsible for disciplining offending personnel. However, in cases where allegations of SEA involving military and police personnel are substantiated, the UN repatriates the individuals concerned and bans them from participation in future peacekeeping operations. Responsibility for the prosecution of military and police personnel in such cases rests with their home countries.

Finally, in UN Security Council 1888, adopted on 30 September 2009, the Council expressed its commitment to strengthening the organization's policy of zero-tolerance towards SEA and to ensuring that personnel involved in the commission of SEA are held accountable for their actions.

What More can be Done?

- Although the number of allegations of SEA involving UN personnel appears to have decreased since 2006, more work needs to be done to eliminate SEA completely from the peacekeeping environment. To achieve this, the following issues need to be addressed by the UN Secretariat and the member-states:

- *Redefining SEA clearly as a threat to 'security and development'*: Although the current definition of SEA contained the Secretary-General's Bulletin on 'Special Measures for Protection from Sexual Exploitation and Sexual Abuse' defines the scope of the application and definition of SEA, it does not give reasons for stringent reinforcement of the policy of zero tolerance towards SEA. Given that distribution of this document to peacekeeping personnel prior to their deployment represents one of the primary measures in efforts to counter SEA, it is important that the document clearly sets out additional reasons for the blanket ban on SEA other than the desire to protect female members of local populations. Thus, the UN Secretary-General's Bulletin should be revised to specifically cite the impediments that SEA represents for achieving progress in security and development in peacekeeping operations.
- *Strengthening personnel accountability*: Diplomatic immunity is provided to all personnel serving in UN peacekeeping missions. This exempts any indicted UN personnel from local prosecution, on the assumption that troop-contributing countries will exercise their national criminal jurisdiction upon the repatriation of offending personnel. However, only a small number of troop-contributing countries have extended their national criminal jurisdictions to prosecute repatriated UN military and police personnel. Concurrently, the UN has no legal authority to take away diplomatic immunity from indicted personnel. The continuing lack of punitive measures to hold personnel accountable for their actions means that peacekeeping personnel have less incentive to maintain good behaviour – a fact that may go some way towards explain the continuing allegations of misconduct involving UN personnel. Hence, it is crucial that both the UN and individual troop-contributing countries work towards reinstating criminal accountability of UN personnel in a timely fashion.
- *Strengthening reporting and investigation mechanisms for SEA*: Lack of awareness of mechanisms for reporting SEA among local populations and their reluctance to utilize such mechanisms to report sexual abuse are among the fundamental factors that obstruct efforts to identify the full extent and prevalence of SEA involving UN personnel. Moreover, the incompetence shown in the conduct of investigations into allegations of SEA and the collecting of related evidence were contributing factors in the unsuccessful prosecution of indicted personnel. Thus, in cooperation with civil society groups, the UN should consider introducing independent investigation units under the aegis of the new Under Secretary General (USG) for Women, Peace and Security. The USG's office should place particular emphasis on verifying allegations of SEA and gathering relevant evidence.

Useful documents and publications

- United Nations Secretariat, 2003. 'Secretary-General's Bulletin: Special Measures For Protection From Sexual Exploitation and Sexual Abuse', ST/SGB/2003/13.
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- United Nations General Assembly, 2008. 'United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel', A/RES/62/214. New York: United Nations
- UN Security Council Resolutions 1325, 1612, 1820, and 1888.
- Csàky, Corinna, 2008. *No One to Turn To: The Under-Reporting of Child Sexual Exploitation and Abuse by Aid Workers and Peacekeepers*. London: Save the Children Fund.
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International Peace Research Institute, Oslo
 Institutt for fredsforskning

International Peace Research Institute, Oslo (PRIO)
 Hausmanns gate 7
 NO 0186 Oslo
 Norway
 E-mail: info@prio.no
www.prio.no