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MAKING PEACE: PREVENTING AND RESPONDING TO SEXUAL EXPLOITATION BY UNITED NATIONS PEACEKEEPERS

Sarah W. Spencer

To help establish and maintain peace and security around the world, the UN is currently managing sixteen peacekeeping missions. Instead of affording protection to civilians impacted by armed conflict, however, some UN peacekeepers use their positions of power to sexually exploit and abuse women and children. This article examines current UN policies and procedures to address sexual exploitation perpetrated by UN peacekeepers in sub-Saharan African peacekeeping missions. Ending sexual exploitation requires leadership at all levels and a serious commitment of financial and human resources. UN policies and procedures must be drastically improved if they are to adequately address and eradicate sexual exploitation within peacekeeping missions.

"If I go and see the soldiers at night and sleep with them then they sometimes give me food, maybe a banana or a cake. I have to do it with them because there is nobody to care, nobody else to protect Joseph except me. He is all I have and I must look after him."

13-year-old internally displaced girl in Bunia, Democratic Republic of the Congo (Holt 2004)

The Belgians [in MONUC] won't touch anything over 14."

Former MONUC employee (2004)

Armed conflict is currently devastating more than twenty-five countries around the world. To help to “alleviate human suffering, and create conditions and build institutions for self-sustaining peace,” the United Nations Department of Peacekeeping Operations (DPKO) directs UN peacekeeping operations around the world mandated by the UN Security Council (United Nations Department of Public Information 2005). UN Member States have contributed troops to peacekeeping missions in places such as Liberia, Sierra Leone, and Democratic Republic of the Congo (DRC). Instead of providing security and protection to civilians impacted by armed conflict, however, some peacekeepers use their positions of power to sexually exploit and abuse women and children.

This paper seeks to analyze and make recommendations for the improvement of current UN policies and procedures to address sexual exploitation perpetrated by UN peacekeepers in sub-Saharan African peacekeeping missions. Though exploitation is committed by a wide variety of humanitarian aid workers, including UN civilian staff, non-governmental organization (NGO) workers, and others in positions of power, this paper focuses primarily on military troops within UN peacekeeping missions, particularly those in sub-Saharan Africa, as most human and material resources are dedicated to peacekeeping missions there. Currently, the UN manages sixteen peacekeeping missions around the world; the seven missions in sub-Saharan Africa account for over 75 percent of the military strength of the world’s peacekeeping force and nearly 74 percent of the total approved budget for peacekeeping from July 2004 through June 2005.¹ In addition, military personnel are held to different standards and codes of conduct than the civilian personnel employed by missions, and thus historically have been held less accountable in cases of exploitation.

FRAMING THE ISSUE

This analysis relies on the definition of sexual exploitation outlined by the UN Secretary-General’s Bulletin, *Special Measures for Protection from Sexual Exploitation and Sexual Abuse* (ST/SGB/2003/13): “Any actual or attempted abuse of a position 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” under the age of eighteen and the exchange of goods or services for sexual acts, both of which are strictly prohibited conduct for UN personnel. Consensual sexual relationships with members of a beneficiary community are generally discouraged, given the asymmetric power dynamic between community members and peacekeepers. Rape and non-consenting sexual acts are always

prohibited, regardless of the age of the survivor or the relationship between the perpetrator and survivor (United Nations Secretariat 2003, 1).

Accurate rates of sexual exploitation by peacekeepers are unknown due to underreporting and inadequate documentation. Among reported incidents, abuses range from mundane to appalling. Based on the author's discussions with Sierra Leonean women and girls living around UN Mission in Sierra Leone (UNAMSIL) bases in Kono and Kailahun districts, sexual contact with peacekeeping troops was viewed as commonplace and a good source of support for many impoverished women, though most felt it was unacceptable behavior for UN staff.² Earlier this year, ABC News reported that a senior member of the UN Organization Mission in the DRC (MONUC) systematically made pornographic films of himself engaging in sexual acts with refugee and displaced women and girls (Ross, Scott, and Schwartz 2005). In another case, a UN investigation found that a high-ranking officer within MONUC had been regularly sexually abusing a young male member of his staff and had asked for male staff members under the age of eighteen since his arrival (Holt and Hughes 2004).

These are just 2 out of the 150 cases of exploitation in MONUC that the United Nations Office of Internal Oversight (OIOS) investigated; countless other incidents occur regularly in peacekeeping missions around the world (UN News Service 2004). UN Secretary-General Kofi Annan and other UN authorities have demonstrated great leadership in addressing sexual exploitation, recognizing that these cases are not isolated events. Preventative and response measures must be *drastically* improved, however, if they are to adequately address and eradicate sexual exploitation within peacekeeping missions. In particular, reporting and investigation methods should be revised, communities should be involved in the prevention and response to exploitation, troop impunity must decrease and repatriated troops held accountable for their actions upon return to their home countries, and policies developed at UN Headquarters in New York need to have strong leadership to support their implementation and observance at the field level.

These recommendations are specifically intended for the Office of the Secretary-General, DPKO, civilian and military authorities within peacekeeping missions, and military leaders in troop-contributing countries. Providing economic opportunities for women, including market-led skills training courses, small grants, and education is *central* to preventing and eradicating sexual exploitation, as it empowers women and reduces their dependency on aid. These types of initiatives are, however, outside the mandate of the aforementioned actors and should be addressed by experts in humanitarian aid and sustainable development.

UNDERSTANDING SEXUAL EXPLOITATION

So What?

Some might find the claims levied against peacekeepers shocking. Others might see it as an inevitable consequence of military interactions with civilian populations—a “boys will be boys” explanation. Given widely differing opinions about commercial sex work, others might deem it standard operating procedure.

Properly addressing sexual exploitation requires understanding it as an integral part of peace and security.

A ‘peace’ that neglects the interests of much of the community, which supports, reconstructs, and in some cases strengthens the inequities in the power structure – relegating women to roles of subordination and inferiority – cannot truly be called a peace worth having. It is unlikely to be a sustainable peace (Mackay 2001, 3).

The Canadian International Development Agency (CIDA) (2004) notes that restoring civilian trust and faith in government security structures is one of the fundamental building blocks for establishing a lasting peace. A UN peacekeeping operation is often the first non-belligerent armed force present in regions emerging from conflict, and is thus tasked with the mission of restoring trust and faith in the community. Acts of sexual exploitation, however, perpetuate fear and mistrust of armed forces. These acts delay and, in some cases, impede the construction of enduring peace.

To improve their ability to develop and promote peace, the UN and its Member States should view peacekeeping force requirements set forth by the Security Council as more than the simple filling of a quota. Troops contributed to missions should be selected with discretion, drawing from a well-trained and elite corps of armed forces professionals.

In recent years, the role and strength of the United Nations has been called into question by influential Member States and as a result, the legitimacy of the institution has been somewhat diminished. Recent accounts of exploitation of women and children in the DRC by peacekeepers have called into question public support for the UN and its role in international diplomacy (Vigon 2004). Eradicating exploitation is crucial to maintaining support for the United Nations as a multilateral peace-building and foreign policy institution.

The Root Cause: Unequal Power Dynamics

In times of conflict, when resources are scarce, women and girls often use the last resource available to them to secure protection and assistance

for themselves and their families: their bodies. Women and children in conflict are often separated from their spouses and/or caregivers and thus vulnerable. Some have borne children as a consequence of rape and have become social outcasts (Holt 2004). Conflict destroys opportunities to earn a viable income, leaving many women and children completely reliant on outside assistance. This is particularly true for female- and child-headed households because reproductive work (caring for children and homes) limits their ability to secure gainful employment outside the home.

Exchanging sex or sexual acts to obtain protection, assistance, food, and non-food items is sometimes misunderstood as an expression of agency. These acts may appear to increase a woman's agency and her sense of control over her body as *she* is choosing to engage in sexual activity for some benefit. Given the distorted power dynamics present in conflict, however, these exploitative circumstances do not involve real choices. It is the eradication of sexual exploitation that empowers women and increases their agency. In this respect, punishment should never be directed towards relatively powerless women and children, but at perpetrators who have violated international law and standards of behavior.

International Standards and Norms

Acts of sexual exploitation are violations of international humanitarian law. Many analysts interpret article three of the fourth Geneva Convention as prohibiting sexual violence:

Persons taking no active part in the hostilities ... shall in all circumstances be treated humanely, without any adverse distinction. To this end the following acts are ... prohibited...: (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; ... (c) outrages upon personal dignity, in particular humiliating and degrading treatment (United Nations Treaty Series 1949).

Most missions clearly reiterate this principle in their mandates. The UN Mission in Liberia (UNMIL) states that the mission will "contribute towards international efforts to protect and promote human rights in Liberia, with particular attention to vulnerable groups including refugees, returning refugees and internally displaced persons, women, children, and demobilized child soldiers" (United Nations Security Council 2003, 4). MONUC's mandate is also clear about its role in protection, stating that it will "facilitate humanitarian assistance and human rights monitoring, with particular attention to vulnerable groups including women [and] children" (United Nations Security Council 2000, 4).

Sexual exploitation is also a clear violation of UN Staff Regulations and Rules. The *Secretary-General's Bulletin: Special Measure for Protection from Sexual Exploitation and Sexual Abuse* states that exploitation “violates universally recognized international legal norms and standards and have always been unacceptable behavior and prohibited conduct for United Nations staff” (United Nations Secretariat 2003, 2).

Despite clear UN policies and procedures and international legal obligations, sexual exploitation persists, not for lack of policy but for lack of implementation. An international tribunal or war crimes court is unlikely to try perpetrators of sexual exploitation. Nor will Secretary-General's Bulletins take legal precedence over the criminal and statutory law of a person's nation of origin. Solutions to eradicate sexual exploitation lie not in the law, but in field-level implementation of monitoring, reporting, and investigative structures, interagency and inter-department coordination and communication, and the creation and maintenance of a trusting and communicative relationship between the mission and local communities.

WHAT WORKS: RECOMMENDATIONS FOR ACTION

In February 2002, UNHCR and Save the Children UK (2002) released a report accusing more than forty humanitarian aid agencies of sexually exploiting refugees in West Africa. The release of the report triggered immediate action from the UN and humanitarian aid agencies; this international attention helped garner support for new policies and stricter standards of behavior.

Particularly advantageous has been strong, high-level leadership that has been invested in ending sexual exploitation. Secretary-General Annan and various Heads of Mission have established a zero-tolerance policy towards exploitation (United Nations 2004).³ The United Nations Operation in Burundi (ONUB) recently appointed a Code of Conduct Officer in Bujumbura to “oversee and develop a strategy for the mission in relation to behavior and conduct” (Integrated Regional Information Networks 2004).

Interagency coordination with NGOs and intra-mission has also improved. Sierra Leone's Coordination Committee to Prevent Sexual Exploitation and Abuse (CCSEA) convenes members of the Government of Sierra Leone, local and international NGOs, and UN staff to help improve prevention and response techniques in the country to better address sexual exploitation (IASC Task Force Mission Report 2002, 1). The availability of training material on gender and sexual exploitation has increased, as has distribution and training on the UN Code of Conduct for peacekeepers.⁴

Despite these improvements, further reforms are needed.

As previously noted, one of the most critical ways to eliminate sexual exploitation is by reducing women's dependency on humanitarian aid and protection. Providing women with jobs, loans to start small businesses, education, and market-led, income-generating skills training programs promotes self-sufficiency. From an economic perspective, women's empowerment reduces the supply of sexual services for troops (or conversely, the demand by women for aid and support). These programs, coupled with stricter controls on the demand for sexual services as outlined below, may drastically minimize the incidence of exploitation.

Though many international and indigenous aid organizations in post-conflict communities have introduced projects similar to those listed above, women and girls continue to have markedly less access to independent income and education than men. Micro-finance and education programs for women and girls are not a panacea, but rather part of a larger movement to redress gender inequities. Positive changes in widely accepted societal beliefs and attitudes about the role of women are needed to further reduce inequities. Such changes are not made overnight, however, and require strong political leadership and long-term commitment from the highest authorities.

Trainings

Though training of peacekeepers has improved in recent years, further progress is needed to ensure that all peacekeepers receive appropriate information on sexual exploitation. The Standard Generic Training Modules (SGTM), a training package developed by the UN and its partners, compiles guidelines for training peacekeepers. Though its stated intent is to "provide training guidelines on all aspects identified as 'basic universal training requirements'" for peacekeepers, SGTM hardly mentions sexual exploitation except in the context of larger issues, such as human rights and the UN code of conduct. Exploitation is discussed as a personal "integrity" issue and not as a rights violation (Department of Peacekeeping Operations 2003).

As a complement to SGTM, all peacekeepers preparing for deployment should receive a standardized training on sexual exploitation that increases their understanding of the scope and root cause of the problem, as well as the UN's policies and procedures related to exploitation. Many NGOs and UN agencies have developed similar trainings for their personnel, with the understanding that it is unreasonable to hold staff accountable to a code of conduct on sexual exploitation if they do not properly understand the

issue. Such trainings should be delivered by a higher-ranking soldier in a language that is understood by all participants before troops are deployed. While deployed on mission, troops should receive refresher trainings once every six months throughout the length of their deployment.

Existing training materials might also be revised to incorporate more material on human rights and sexual exploitation, preferably with assistance from the UN Inter-Agency Standing Committee (IASC), a group charged with “formulating humanitarian policy to ensure coordinated and effective humanitarian response to both complex emergencies and to natural disasters” (Inter-Agency Standing Committee 2005). The IASC could appropriately collect, synthesize, and incorporate input from UN agencies and NGOs into the formulation of new training material, thereby minimizing the tensions or potential conflicts between groups, both civilian and military and UN and non-UN.

Middle Management and Leadership

Though senior leaders in the UN have given notable attention to exploitation, force commanders, base commanders, and other officers within peacekeeping missions must increase their leadership on this issue. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, has made the eradication of sexual exploitation within missions a priority, yet there is no mention of sexual exploitation in the 2003 Plans and Goals of the Military Division within DPKO (United Nations Department of Public Information 2003). Allegations made against MONUC troops last year, “including reports of child pornography, organized sex shows and the rape of babies, [were] later dropped because of a lack of evidence and support from the military contingent commanders” (UN Foundation and National Journal Group Inc. 2004). Furthermore, recent reports on the investigations of sexual exploitation allegations against MONUC troops revealed that peacekeepers orchestrated attempts to obstruct OIOS staff and prevent investigations (Lacey 2004). In order to be most effective, the fight against sexual exploitation must be led from both civilian and military fronts.

Five of the current seven missions in sub-Saharan Africa—MONUC, ONUB, UNOCI, UNMIL and UNAMSIL—currently have a gender advisor or team working within the mission (Women’s International League for Peace and Freedom 2005). Though this in itself is a *tremendous* step forward, Heads of Mission should introduce additional mechanisms to ensure that these advisors are fully integrated into the work of the mission and not just housed in the same compound. Civilian staff working

on human rights issues such as child protection and gender tends to be sidelined or ostracized by the military division of the mission. This phenomenon highlights a historical divide between civilian entities and the military, exacerbated by misconceptions and distrust from both sides. Such a division, however, defeats any hopes for a truly integrated mission and thus an effective system to prevent, monitor, and respond to sexual exploitation perpetrated by UN peacekeepers.

To this end, Code of Conduct units should be established within each mission base, with at least three professionals per base office who can appropriately integrate sexual exploitation prevention measures into all aspects of the mission. Staff in this office should include at least one woman, one military officer, and one member of the local community, preferably trained as a social worker. Staff duties should include training UN mission staff, monitoring adherence to the code of conduct, coordinating public information about sexual exploitation, receiving and acting on confidential reports of exploitation, and coordinating multi-sectoral efforts to address sexual exploitation.

These units require an extraordinary measure of human and financial resources, which poses a particularly difficult problem for already cash-strapped missions. The experience of the last two years, however, reveals that policies on sexual exploitation become empty rhetoric if they are not accompanied by adequate implementation and enforcement mechanisms. If the UN is serious about eliminating exploitation within its missions, donor countries should be prepared to contribute additional funds to the missions, since increasing staffing capacity and training opportunities will come with a steep price tag. To this end, individual mission budgets might, in some cases, be restructured to reduce excessive expenditures, such as above-standard salaries, housing, and transportation for staff.

Even if they are properly staffed and funded, however, these units might prove ineffective in other ways. As complaints against peacekeepers are filed and investigated, tensions between the civilian and military branches of the mission may increase. Some peacekeepers might obstruct investigations or make it difficult for the units to operate effectively, as they did when OIOS investigators arrived in DRC to investigate allegations of sexual exploitation. Building and maintaining trust within the base is crucial to the success of Code of Conduct units and may help encourage the flow of information and reduce resistance to investigations. Such trust may be encouraged if the base commander and force commander lead by example, sanctioning the activities of the unit and encouraging peacekeepers to work cooperatively.

Community Participation

Community participation in the prevention of and response to sexual exploitation is key if changes are to be sustainable. Based on the UN Charter and the mandates of the missions, the UN should also ensure the protection and well being of local populations during investigations. Many survivors are never notified of the outcome of their cases. Additionally, investigations seem to have been more focused on clearing the UN of wrongdoing than increasing protection for vulnerable populations. In response to the 2002 UNHCR/Save the Children report, a UN Spokesman stated, "We feel the consultants' report unfairly tarnished the reputation and credibility of a large majority of UN aid workers and peacekeepers in the field" (Bramford 2002). Of the forty-three cases OIOS examined, however, ten were substantiated (Integrated Regional Information Networks 2004).

To give them cultural relevance and increased local visibility, codes of conduct and reporting pathways should be developed with local populations to work within existing traditional protection frameworks. For example, UNAMSIL might improve reporting by training Mammy Queens, the highest-ranking traditional female community leaders, to serve as focal points for dealing with sexual exploitation within the community. In addition to receiving reports of sexual exploitation, Mammy Queens could also monitor the protection of women. Not only would this arrangement improve a community's ability to report acts of abuse, but it would also empower community members to contribute to sustainable peace and development in their country.

Some might argue that community members would be more susceptible to bribes, given the impoverished situations in which they live. However, they are no more at risk than officers and staff within the mission. In many cases, community-based focal points may be less susceptible to corruption, as they have a stronger interest in the protection and development of their communities than contracted UN staff. Checks and balances to curb corruption and abuse of power should nonetheless be established and adhered to.

Reporting

Reporting procedures in the UN are complicated and often unclear to those living in post-conflict areas. In most peacekeeping missions, few if any community members know how to report an act of sexual exploitation. A survey of local and international women's groups, UN agencies, and UNMIL staff in Liberia found that none knew how to report an incident of sexual exploitation by a peacekeeper (Refugees International 2004). In

addition, security guards at the gates of most mission bases are strict and often suspicious of local community members, making it difficult for locals to seek or share information.

The volume and timeliness of incident reports is not likely to increase unless community members are fully aware of the reporting pathway. Information can be disseminated in local languages by radio on both UN-sponsored stations and local commercial stations, and by training and working with community focal points.

Investigations

Many women and children do not report incidents of exploitation because they fear negative repercussions. To increase the effectiveness of investigations, the United Nations should decentralize and accelerate the process, and increase the confidentiality of information concerning the complainant and perpetrator. Highly trained UN investigation teams should be stationed in regional and local offices, prepared to deploy within 24 hours to investigate any allegations of abuse. Investigators should always wear plain clothes and minimize attention to themselves, for example by using non-UN vehicles and visiting complainants during the evening or arranging private meetings at discreet locations. Establishing a trusting relationship with the community and increasing the use of community focal points will improve the amount and quality of information necessary for investigations, improving the UN's response to sexual exploitation.

Punishment

Unlike civilian personnel, peacekeeping troops “function under the exclusive jurisdiction of their nation of origin” and are not technically subject to UN regulations.⁵ In fact, the most severe punishment a peacekeeper will face if found guilty of exploitation is repatriation, leaving his punishment, if any, to be determined by his own country (Minnesota Advocates for Human Rights 2005).

To end troop impunity, changes should be made to the 1990 Secretary-General's Model for the Status of Mission Agreements (SOMA), which states: “Military members of the military component of the United Nations peacekeeping operation shall be subject to the exclusive jurisdiction of their respective participating states in respect of any criminal offences which may be committed by them in [the host country/ territory]” (United Nations General Assembly 1990, par 47 (b)). Peacekeepers could remain immune to certain legal proceedings, but would be protected in a similar manner to military observers and civilian police: subject to “local and civil

criminal jurisdiction for acts committed by them in the host country that do not form part of their official function” (Khaleeli 2004).

This change in policy may prove to be the most difficult to advance. If immunity laws are revised, some developed nations, particularly the United States, might threaten to pull their troops from peacekeeping missions as they have done in the past (The Partnership for Effective Peacekeeping 2005). Such a move would be primarily symbolic, as the United States only contributes 0.01 percent of the troops engaged in current peacekeeping operations (United Nations Department of Public Information 2004). Nevertheless, American withdrawal from UN peacekeeping operations might further weaken the already precarious role of the United Nations within the realm of international politics and diplomacy.

More practical, near-term reforms might include devising new measures to hold base commanders or commanding officers accountable for the actions of their troops. Penalties might include contract termination, suspension, or withholding pay. These punishments alone are not a panacea, but these reforms would contribute to efforts that may help decrease military impunity.

Consequences of Stricter Measures

Instituting stricter monitoring and accountability measures may reduce an already small pool of peacekeepers. Historically, the UN has had to beg Member States for troops and has thus tended to receive poorly trained troops and limited equipment (de Mistura 2004). Member States must do more than simply meet soldier quotas in order to simultaneously establish and maintain peace and security and do no harm. Peace should be established by forces that are trained in non-conventional subjects, such as humanitarian law, human rights, and encountering and disarming child combatants. Peacekeeping forces must be specially trained and highly skilled; this requires, however, a fundamental change in power dynamics between troop-contributing countries and the UN, a long-term goal at best.

Next Steps

Ending sexual exploitation requires leadership at all levels and a serious commitment of financial and human resources. Furthermore, response efforts must be coupled with preventative measures such as employment and education programs for women and adolescents. The UN and others working with UN missions should engage in additional research to determine trends in sexual exploitation, including differentials by troop rank or national origin. Determining the causes of these trends will increase

our understanding of exploitation and lead to more effective prevention strategies.

A peacekeeping mission is only as strong as its troops. Addressing exploitation strengthens UN peacekeeping missions abroad, and simultaneously increases the chances of creating sustainable peace by rebuilding trust between armed personnel and civilians in countries where that trust has been destroyed by armed conflict.

NOTES

- ¹ The seven peacekeeping missions in sub-Saharan Africa are located in Burundi (ONUB), Côte d'Ivoire (UNOCI), Democratic Republic of the Congo (MONUC), Ethiopia and Eritrea (UNMEE), Liberia (UNMIL), Sierra Leone (UNAMSIL), and Western Sahara (MINURSO). See United Nations Department of Public Information "Background Note: 1 November 2004," *Department of Peacekeeping Operations*, <http://www.un.org/Depts/dpko/dpko/bnote.htm> (accessed April 15, 2005).
- ² The author worked in Kono and Kailahun Districts in Sierra Leone from May 2003 through June 2004.
- ³ For information on UNMIL's Chief of Mission support for a zero-tolerance policy, see Refugees International "Sexual Exploitation in Liberia: Are the Conditions Ripe for Another Scandal?" *Refugees International*, April 20, 2004, <http://www.refugeesinternational.org/content/article/detail/9571> (accessed April 15, 2005).
- ⁴ See Department of Peacekeeping Operations. 2004. *Gender Resource Package for Peacekeeping Operations*. New York: United Nations.
- ⁵ See Minnesota Advocates for Human Rights, "UN Peacekeeping Mission Personnel and Trafficking in Women," *Stop Violence Against Women*, http://www.stopvaw.org/UN_Peacekeeping_Missions.html and Women's International League for Peace and Freedom, "Compilation of Guidance and Directives on Disciplinary Issues for All Categories of Personnel Serving in United Nations Peacekeeping and Other Field Missions," *PeaceWomen*, <http://www.peacewomen.org/un/pkwatch/discipline/DPKODirectivescompilation.html> (accessed April 15, 2005).

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