Economic and Social Council

Research Report

The Question of:

Addressing sexual misconduct in LEDCs by the personnel of UNOs and NGOs

Introduction

Cases of sexual violation and misconduct by the United Nations peacekeepers and Non-Governmental organization (NGO) personnel have been occurring since the beginning of UN missions especially involving refugee agencies. Such cases only started to get reported since the 90s. It is an increasingly concerning issue in less economically developed countries (LEDCs) and war conflicted areas. Several cases that have been exposed have been getting attention in the international media.

The UN has several policies in place to tackle this issue like the zero tolerance policy and systems for victim support. Even though, there are such policies in place, sexual misconduct cases are still being reported. This council is committed to developing more thorough policies to resolve this horrifying issue.

The Committee

ECOSOC was established in 1946 by the UN Charter. It is the central mechanism for the UN system activities and its specialized agencies and supervises the subsidiary in the economic, social and economic fields.

The ECOSOC committee underwent reform in the last decade to strengthen the council and its working methods. It gave attention to the outcomes of all major UN conference summits related to environmental, social and economic fields.

Economic and Social council (ECOSOC) aims to achieve sustainable development goals. It follows the standard rules of procedures, which means it is *not* an ad-hoc debate. It related work of 15 UN specialized agencies, their functional commissions and five regional commissions. The ECOSOC has 54 members. The General Assembly selects 18 new members for ECOSOC each year for the term of 3 years with a provision that a retiring member can be re-elected. It holds one seven-week session each year in July. ("UN Economic")

Key Terms

UN- United Nations, an intergovernmental organization

NGO- Non-governmental organization, a non-profit organization that operates independently without any governmental interference.

Sexual misconduct- any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. ('Operational manual')

LEDC- Less economically developed countries

UN Peacekeepers- UN Peacekeeping helps countries navigate the difficult path from conflict to peace. They have unique strengths, including universally acknowledged legitimacy, burden sharing, and an ability to deploy troops and police from around the world, integrating them with civilian peacekeepers to address a range of mandates set by the UN Security Council and General Assembly.

Sexual violence- Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.

Rape- Rape is physically forcing an individual into a sexual intercourse. This action is known as gang rape when it is committed by more than one perpetrator.

TCC- Troop contributing countries

UNPBC- United nations peace building commission

ICRC- International committee of the Red Cross

OIOS- UN Office of Internal Oversight Services

General Overview

UN Peacekeepers are sent to conflicted areas to maintain the peace. Usually after a seize fire they are sent to make sure that it is upheld by both countries. The UN Peacekeepers do not only include military personnel, but also police and civilians. They also do humanitarian work in LEDCs and war-torn areas. Several local and international NGOs also go to help the citizens in these areas. Lately several reports and allegations have been surfacing against the UN and NGO personnel for sexual abuse and sexual misconduct. This is a deeply concerning issue as the victims, are already in a very vulnerable position, often unable to defend themselves, which puts the Peacekeepers in an all the more powerful and easy position to abuse and harass the very people they are supposed to be helping.

(Rettig, Michael D. "The Evolution of African Peacekeeping – Africa Center for Strategic Studies." *Africa Center for Strategic Studies*, 26 May 2016, africacenter.org/spotlight/evolution-african-peacekeeping/.)

From 2004 to 2016, an investigation by the Associated Press (AP), the UN has received almost 2000 allegations of sexual misconduct against UN peacekeepers.
After World War II, the UN peacekeepers were granted immunity from prosecution by the host state for any accusation of crimes committed while on a mission. This was established to avoid others sabotaging UNs efforts to uphold peace in post conflict zones. Instead, the peacekeepers are held accountable according to the TCC judicial system. However, years later several reports of sexual abuse by peacekeepers came to surface. ('Essa')

The field missions by the UN Peacekeepers were started in 1948. The social situation of women's rights was not in place. Hence, the occurrence of these cases were either not reported or did not get the media attention. The UN Peacekeepers also had the protection of the immunity they were granted. Hence, resulting in several crimes against women going unrecorded. These crimes started getting international attention in early 1990s.

In July and September of 2017, out of 31 cases only 14 cases have been launched. Out of which, 12 involved military personnel of Central African Republic and Mali. Out of the 14 cases only one case has been proven. ('Campos')

These allegations are not limited UN peacekeepers. More than 20 employees of ICRC have left the organization over sexual misconduct since 2015. 21 members of staff resigned or were dismissed for

paying sexual services in previous years. Two members suspected of sexual misconduct did not get their contracts renewed for the Geneva-based organization. ('Greenfield')

According to official UN statistics there were 612 claims of women and children being the victim of abuse over the past 5 years. 353 separate claims involve the UN staff on peacekeeping operation alone. Many children and women claim that they have been abused more than one time by the perpetrator. In 131 cases, the victims state they are now pregnant as a result of the forced intercourse by their abuser. Several of these mothers are still children themselves. ('Johnston')

The UN has refused to disclose the number of cases dismissed but only 30 people have been jailed out the total 561 at the center of such cases. The UN refuses to disclose the files of such dismissed cases as it would endanger the reputation of the organization as well as the people involved especially, if the cases have been dismissed.

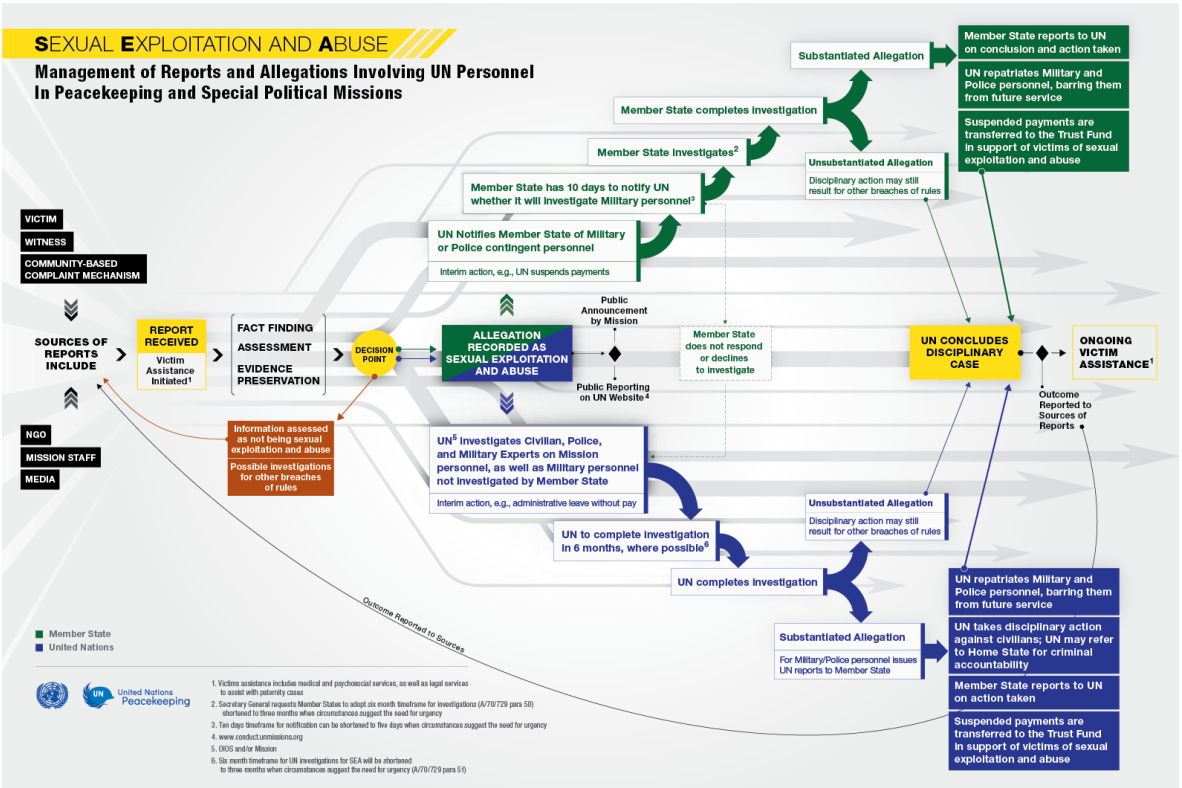
Several similar cases have been reported against UN peacekeepers and NGO staff. A lot of these cases occur due to differences in cultures, the problems that arise with having a multi-national force until a nationless flag and most importantly lack of local knowledge. The cultural difference is also the root of the problem. As the victims have to face more problems in their own community, as they might not be very accepting and supporting. They are in more vulnerable position due to the situation of their country.

Another reason is that the peacekeepers are provided immunity. Hence, they might think that their actions won't have solid consequences which leads them to commit such crimes. They are also aware of the vulnerable position the victims are in and that they might think that their crimes would go unreported because their victims need their help. As, they there to protect and help them and their victims have to one else to turn to for defense.

Handling allegations

The UN have developed a standard procedure for handling such allegations. There are three strategies to address all forms of misconduct that include sexual exploitation and abuse: prevention of misconduct, enforcement of UN standard of conduct and remedial action. The strategies used are- ('Standards of conduct')

- Training- Pre-deployment and in-mission training is compulsory for all peacekeepers and UN staff. TCC are responsible for the mandatory pre-deployment training of military and police personnel. Whereas, the department of UN conducts the training for civilian staff.
- Awareness raising campaigns- in host countries
- Code of personal conduct- standard of conduct introduced in 1998
- Investigations and disciplinary measures- The UN oversee investigations of its staff following a standard procedure. The disciplinary sanctions and any other judicial actions remain the responsibility of the national jurisdiction of the individual involved. Some troop-contributing countries opt to investigate allegations of sexual exploitation and abuse in collaboration with OIOS. If a troop contributing country does not opt to investigate allegations involving its personnel, the UN will conduct its own administrative investigation into the matter. ('Investigations')
- Assistance to victims of sexual misconduct by UN and NGO personnel. ('Standards of')



("Standards of Conduct Peacekeeping." *United Nations*, United Nations, peacekeeping.un.org/en/standards-of-conduct.)

Major Parties Involved

UNPBC
United Nations peace building commission are in charge of UN peacekeepers and there are several allegations against them.

UN Women

United Nations Entity for Gender Equality and the Empowerment of Women. UN Women was established a programme to accelerate progress on meeting women's needs worldwide. UN Women supports UN Member States as they set global standards for achieving gender equality, and works with governments and civil society to design laws, policies, programmed and services needed to ensure that the standards are effectively implemented and truly benefit women and girls worldwide. ('United Nations Entity')

Democratic republic of Congo, Mozambique and Somalia- These are some of the countries where the number of cases of alleged sexual abuse during UN peacekeeping missions have occurred in large numbers ('Essa')

Bosnia and Liberia- There have been several alleged reports of prostitution and trafficking

Guinea and Liberia- Reports of sexual abuse of refugees

Sierra Leone- Reports of abuse of minors have surfaced in Sierra Leone.

Central African Republic and Mali- 31 cases of abuse have been reported by the victims out of which 12 involve military personnel from UN Peacekeeping missions. ('Campos')

There are several other cases that have been recorded by the UN. All these cases came to attention after 1990s as it caught the attention of international media.

Timeline of Events

The timeline does not mention all the reported cases

When	**Event**
1948	Peacekeepers started field missions
1979	the General Assembly adopted the, Convention on the elimination of all Forms of Discrimination against Women (CEDAW) which is often described as an International Bill of Rights for Women.
1990	Sexual misconduct cases started getting international attention
1992	DPKO- Department of Peacekeeping operation was formed
1994	Graca Machel, the former lady of Mozambique was appointed by UN to investigate the effect of armed conflict on children.
August 1996	One of the first reports was released by Machel to raise the issue of sexual exploitation of children by peacekeepers. It also called for an end to impunity for perpetrators.
2001	The aid workers and UN peacekeepers had sexually abused refugees in Guinea, Liberia and Sierra Leone
2003	UN secretary general introduced zero tolerance policy and a mechanism for reporting sexual abuse and exploitation
2006	Peacekeepers in Liberia and Haiti were accused of forcing girls to perform sexual acts in return for food.
2015	Code Blue campaign introduced by the UN

Previous attempts to solve the issue ("Fact sheet")

Training Personnel
Sexual exploitation and abuse (SEA) training is compulsory for all individuals upon arriving in a peacekeeping mission. Also, a pre-deployment training is recommended by the UN to all TCCs using training material.

Vetting personnel
Misconduct tracking system is used by UN to vet the UN international staff that work on field missions with prior records of sexual misconduct against them. Similarly, the UN similarly also vets recruits from correction officers, military, police and UN volunteers. The vetting of military and police unit personnel with prior misconduct allegations is done through certification by the troops and police contributing countries.

Code Blue by UN
Code blue is a campaign launched in May 2015 by the UN. It had three mottos including, "Seek the **removal of any possibility of immunity** for the UN's own peacekeeping personnel—its non-military staff, including staff of UN funds and programmes involved with peacekeeping; its police; and its experts on mission—when they are accused of sexual exploitation or abuse. This will replace the double standard of giving immunity that might defend them against crimes instead of helping others, with a powerful, consistent message about zero tolerance to countries that supply military peacekeepers." ('Original campaign goals')

Victim support
In the General Assembly resolution 62/214 lays out the assistance and support provided to the victims by peacekeeping missions. It includes nationally/locally provided medical and physiological care as well as legal support for the pursuit of child support claims and paternity.

Handling allegations
There are standardized procedures followed when sexual misconduct is reported. There are three strategies to address all forms of misconduct that include sexual exploitation and abuse: prevention of misconduct, enforcement of UN standard of conduct and remedial action. ('Standards of conduct')

Zero tolerance policy
The UN follows a zero-tolerance policy that was released in a bulletin on October 2003 by the Secretary General of the UN. It was on Special measures for protection from sexual exploitation and abuse (ST/SGB/2003/13). It outlines the standard conduct to be followed by the UN personnel. ('Fact sheet')

The Future

The issue sexual misconduct in LEDCs by the personnel of UNOs and NGOs is highly concerning. The cases have been increasing over the years putting the safety of several people in danger. It is awful for the victims and it is important that we solve and work towards fixing this issue.
If action to resolve the issue is not taken, the cases would just keep on increasing in numbers. It is not only unsafe for the people but also for the entire organization. It can put the whole UN Peacekeepers operations in jeopardy. It could result in citizens of several countries not trusting the UN Peacekeepers to be let into their countries. It would also put the reputation of the UN organization at stake. It could discredit the whole organization which in result could also discredit other efforts made by the organization.
The cases could keep on increasing putting the local people at risk. They are already in a very vulnerable situation. The increasing number of these cases would make them feel even more unsafe. So, it is important for the sake of several victims, the reputation of the organization and several other reasons. It is important for the committee to think about the future and solve this issue.

Important Decisions a Resolution Must Take

Several questions can be taken in the future to solve and avoid this issue, such as:

Women in reporting line
One decision this resolution should consider is the amount of women in the operations. Should there be more women in the operations led by the United Nations? That could be helpful as most of the victims in LEDSs are women. They would feel more safe and comfortable if there are more women in a peacekeeping mission. However, like most of the solutions there are drawbacks to this approach. People participating in peacekeeping operations often come from neighboring countries. In many of those countries, women aren't allowed to join those forces, or, in other cases, it might an extra risk to involve women in these operations too. How will the resolution deal with that?
Furthermore, what if a man is more qualified for a mission? Besides, how can we make sure more women sign up for those missions?

Victim support
How could the victim support system be improved? While keeping in mind that a system is already in place. What is the best way to provide mental and legal support is provided to the victims? Even though, this is already in place it could be improved to ensure that all victims are getting the help they deserve. What are the reasons so many cases are going unreported? Is it related to the community and cultural influence? Or is it because they do not trust the organization to report the crimes anymore? In a lot of cases the victim might not want to report the crime as they fear their community would not accept them. It is important for them to feel secure especially if they want to maintain their anonymity. In several of the communities the victims might also be blamed for their situation. The issue has raised not only moral concern but also triggered a discussion about consent. Hence, the awareness from the community is also important to solve this issue.
They should be provided with the support and protection deserved. A lot of victims might not want to go report to the same organization whose personnel abused them. Hence, it could also be suggested to have separate organization where they could report the crimes.

Handling complaints
How to make it easier for victims to lodge their complaints? In most of these LEDCs there is no way for the victim to lodge a complaint against the peacekeepers or NGO personnel's, as they are there to

help them. In some situation it is highly likely that the victims are blamed for their situation which could be the reason a lot of cases go unreported. The victims might not want to come forward from the fear that they might be shamed in the community and might even be disowned by their families. What are the conditions of the countries in which UN missions happen? Are these countries in a state to handle cases and situations like these especially if it is war torn area? Such countries have several urgent matters in hands and handling cases and collecting evidence might not work effectively. So, organizations like the IRCR, human rights organization, local and international NGO's should be involved more so that the victim can their voice heard. This will allow them to get the help they deserve and require. How could the process of handling complaints affect the victims? The procedure of handling complaints might be really long and might not show effective and immediate results for the victims. How can it be improved?

Long term solutions
What can be the long term solutions for this issue? Could raising awareness and educating people in these areas could be one of the solutions? To what extent does the living situation impact the long term situation? Considering the people living in these conflicted areas are usually vulnerable and not in the position to report crimes against the people in power or the people that are supposed to be helping them. If they are more aware of the options they have and of their power to report such crimes. They are more likely to get help and defend themselves despite their situations because they understand their rights.
This issue also raises a moral concern and the issue of consent. How important is it for the peacekeepers to understand the cultures of the local community? Considering a lot of the issues might also be caused to the cultural difference. Solving such issues and heling the victims might not be the priority for several communities as they are in a war torn state and face several other issues.

Improving
What policies are already in place and how can they be improved? Suggestions to improve the implementation of these policies could also be included. For example, even though there is a zero tolerance policy UN personnel with previous allegations against them still go on field missions. This shows the failure of implementing zero tolerance policy.

The delegates do not need to be limited these suggestions. The delegates should also be aware that there are always drawbacks to any solution suggested. There cannot be one easy solution of this issue. The delegates need to be aware of how the solution they suggest have drawbacks or can cause problem while implementing them. Delegates should also keep in mind that the sexual misconduct is not limited to UN personnel but there are also several reports of sexual misconduct against several NGO's. Please note that the areas where solutions can be sought put forward in this report merely function as a starting point for your individual research. Feel free to use them as a framework, but feel inclined to expand on them

Further Reading

For delegates, it is really useful if they have a few websites where they can read more about your issue. You can refer to useful websites here.

Code blue campaign: UN- http://www.codebluecampaign.com

ICRC- https://www.icrc.org/en

UN Peacekeeping- https://peacekeeping.un.org/en/standards-of-conduct

UN website- http://www.un.org/en/index.html

cases about sexual misconduct-
https://www.theguardian.com/world/2018/feb/24/red-cross-21-staff-members-left-due-to-sexual-misconduct-in-past-three-years
https://www.independent.co.uk/news/world/united-nations-personnel-sexual-abuse-allegations-31-three-months-a8036781.html

Bibliography

- Rettig, Michael D. "The Evolution of African Peacekeeping – Africa Center for Strategic Studies." Africa Center for Strategic Studies, 26 May 2016, africacenter.org/spotlight/evolution-african-peacekeeping/.
- Campos, Rodrigo. "Dozens of Sexual Abuse Allegations Filed against UN Personnel." The Independent, Independent Digital News and Media, 4 Nov. 2017, www.independent.co.uk/news/world/united-nations-personnel-sexual-abuse-allegations-31-three-months-a8036781.html.
- "UN Economic and Social Council; Resolutions; Decisions." United Nations, United Nations, www.un.org/en/ecosoc/about/.
- "Operations Manual." Definitions and Examples of Sexual Misconduct | Operations Manual, opsmanual.uiowa.edu/students/sexual-misconduct-datingdomestic-violence-or-stalking-involving-students/definitions-and-1.
- Essa, Azad. "Why Do Some UN Peacekeepers Rape?" Israeli–Palestinian Conflict | Al Jazeera, Al Jazeera, 4 Aug. 2017, www.aljazeera.com/indepth/features/2017/07/peacekeepers-rape-170730075455216.html.
- Johnston, Lucy. "Now UN Peacekeepers Stand Accused after 612 Cases of Sex Abuse." Express.co.uk, Express.co.uk, 18 Feb. 2018, www.express.co.uk/news/world/920390/Sexual-abuse-UN-peacekeeper-accused-612-cases.
- Greenfield, Patrick. "Red Cross Finds 21 Cases of Sexual Misconduct in Last Three Years." The Guardian, Guardian News and Media, 24 Feb. 2018, www.theguardian.com/world/2018/feb/24/red-cross-21-staff-members-left-due-to-sexual-misconduct-in-past-three-years.
- "Central African Republic: UN Completes Investigations into Allegations of Sexual Abuse by Peacekeepers | UN News." United Nations, United Nations, news.un.org/en/story/2016/12/547012-central-african-republic-un-completes-investigations-allegations-sexual-abuse.
- "Standards of Conduct Peacekeeping." United Nations, United Nations, peacekeeping.un.org/en/standards-of-conduct.
- "Fact Sheet on Sexual Exploitation and Abuse." Code Blue, United Nations, 3 Sept. 2015, www.un.org/en/peacekeeping/documents/2015factsheet.pdf.
- "Original Campaign Goals." Code Blue: www.codebluecampaign.com/about-the-campaign.
- "The Problem." Code Blue: www.codebluecampaign.com/the-problem.
- "United Nations Entity for Gender Equality and the Empowerment of Women." UN Women, www.unwomen.org/en.
- "Investigations." Conduct in UN Field Missions, 8 Mar. 2017, conduct.unmissions.org/enforcement-investigations.