

Forum: General Assembly First Committee
Issue: Addressing the misconduct of UN peacekeepers
Student Officer: Mina Xiao
Position: Chair of General assembly

Introduction

UN peacekeeping has been devoted to ensuring peace in international countries for over 70 years; 70 years of service and sacrifice in the UN peacekeeping program has allowed many less fortunate countries such as Haiti and South Sudan to become prosperous. At the center of all this is the peacekeeping force. The UN peacekeeping program's framework is like so: the UN council and General assembly make jurisdictions and decide on laws and regulations, and how to help certain countries in need, while the Peacekeepers are expected to proceed with these plans Actions to preserve and advocate these rights for the minority and most vulnerable people in the world. They have been very beneficial to the greater good for the past few years, however, the power and authority in the hands of these peacekeeping individuals may be hard to manage and contain and such power is often misused or overused as it is very hard to resist such temptations.

The UN currently deploys more than 100,000 peacekeepers from 123 different countries to 16 peacekeeping operations around the world. These missions have been internationally acknowledged as a very important contribution from the UN, in order to ensure peace and security. In spite of that, inappropriate conduct displayed by many peacekeepers in the past few years has interfered with the UN's calling and purpose, which is to facilitate peace and well-being. With specific examples, such as ruthless acts of violence. For instance, in Somalia, a US-led UN humanitarian operation developed into a violent battle against a powerful warlord. Moreover, there has been discrimination due to cultural differences and beliefs, especially in India and Nigeria, where the UN peacekeepers simply dismiss the importance of respecting diversity. Another example; sexual violence. A UN mission head was fired in August after Amnesty International publicized a claim of rape made against a peacekeeper by a 12-year-old girl in Bangui, Central African Republic. Such incidents allegedly happened very frequently in continuously in missions around that time. The last type of misconduct; crimes targeted at children. Instances of abuse in Cambodia caused widespread outrage after many of the abused women and girls also ended up contracting HIV/AIDS and other diseases that were not prevalent among the local population.

Peacekeeper misconduct has been worsening throughout the decade. Although it has been brought to the public eye, not information is provided and not enough misconduct have been properly reprimanded and punished due to an insufficient amount of factual detail and information of assaults and incidents that were truly publicized. The United Nations is now collaborating with Non-Governmental Organisations (NGOs), local governments of host countries, and the Sustainable Development Goals research and management team to preserve the human rights of the vulnerable civilians and to address the issue of UN peacekeeper misconduct. Despite such attempts, however, huge issues and flaws, such as the reliability of higher ranking officers in the UN peacekeeping program and fluency of communication between the UN and host countries, still remain.

Definition of Key Terms

Peacekeeping

UN Peacekeeping helps countries navigate the difficult path from conflict to peace. Especially referring to the active maintenance of a truce between nations or communities by the UN military force made up by UN peacekeepers, their jobs entail daily training, examinations, travelling, and a lot of interacting with international citizens.

Peacekeepers

UN peacekeepers, also called blue helmets, are officers that work within the UN peacekeeping program. They are provided by different member states such as India and the United States, and assessed by higher ranking responsible UN and governmental personnel regarding their behavior, training, test scores, strength and fitness, overall knowledge of peacekeeping, and passion for global peace and well-being. The discrepancy in quality is usually due to the varying type of training they receive, sometimes specialized for the missions they have been dispatched to or their specialties.

Misconduct

Unacceptable or improper behavior, especially by an employee or professional person. This includes cultural discrimination, sexual abuse, abuse of minorities, and ruthless acts of violence.

Sexual violence

Any sexual abuse or harassment in any form (physical or lingual) towards a person without their consent or agreement, such as peacekeepers conducting sexual harassment against citizens in the regions they are deployed to.

Prosecution

The institution and conducting of legal proceedings against someone in respect of a criminal charge. Such as legal proceedings against a UN peacekeeper due to their misconduct in the field.

Jurisdiction

The official power and politically ensured the right to make legal decisions and judgments. Meaning the jurisdiction belongs to host country governments and the UN,

General Overview

Causes of misconduct

Causes for peacekeeper misconduct are often officially and publically identified as abuse and misuse of power or authority over those who are vulnerable. However, the different specific causes of why they do this must be perceived, understood, and properly analyzed in order to solve this issue in a long-term and efficient. Following are some possible causes of peacekeeper misconduct.

UN toleration and actions in the past

During the occurrence of these series of events regarding peacekeeper misconduct in the past, especially in relation to sexual misconduct, the United Nations peacekeeping management unit has been turning a blind eye, especially before the zero-tolerance policy was publicized. This has caused many UN peacekeepers to think that it is acceptable or possible to violate conduct without being caught or prosecuted, causing the violation of conduct to occur more frequently.

Peacekeeper authority and victim vulnerability

As personnel who enforce global peace and security, UN peacekeepers must maintain a high standard of service under pressure, holding a position of great responsibility, usually identified as the root of this very issue. Peacekeepers are dispatched to regions of need, often dealing with humanitarian crises or civil conflict. This means that the community they come in contact with is usually in a less economically developed country. This indicates that they may be very poor or in bad health conditions or speak a foreign tongue. “Their malnourished bodies with no defense or understanding of what is about to happen to them...” Stated a CNN news article. That is true, the vulnerability of these civilians tempt the peacekeepers to violate conduct.

Proximity of victims

Usually, a peacekeeping mission lasts a few months. But sometimes, it holds the duration of a few weeks, or even years. The loss of their usual, comfortable living style or homes, they must seek comfort elsewhere, usually leading to misconduct, meaning that they seek places to relieve pressure and actually relax from this high pressure schedule of peacekeeping every day. Other than fellow peacekeepers and their co-workers, the only other human beings are the civilians from the region, making them accessible and usually the only people they can communicate with, when a peacekeeper is surrounded by difference and new things, they are excited and this is when the communicational inconvenience comes in, misconception and misunderstanding leading to misconduct.

Child abuse

Child abuse is a common form of power and authority abuse amongst peacekeepers. It has been a recurring issue that has gone without attention or punishment for many decades during different peacekeeping missions as there were rarely further investigations and most cases had insufficient reliable proof, causing it to be set aside and neglected by higher level individuals who wanted to preserve the reputation of peacekeepers. An example is a 2008 case in the mission in France where the mission commander said nothing in court when his fellow peacekeepers were accused of rape of underage minorities. In the 1996, a UN study: *The Impact of Armed Conflict on Children*, former first lady of Mozambique Graça Machel documented: “In 6 out of 12 country studies on sexual exploitation of children in situations of armed conflict prepared for the present report, the arrival of peacekeeping troops has been associated with a rapid rise in child prostitution.” After 1966, the United Nations finally started to look into child abuse specifically, holding more awareness regarding child abuse and offering support to families with victims of child abuse. The issue of Child abuse is also briefly touched upon in the Security Council Resolution 2272 on Sexual Exploitation and Abuse.

Underage sexual abuse

An Associated Press (AP) investigation revealed in 2017, that more than 100 United Nations (UN) peacekeepers ran a child sex ring in Haiti for over a 10-year period and none received any punishment due to the fact that no further investigation was conducted and there lacked enough valid and apparent evidence. The report further found that over the past 12 years, there have been almost 2,000 allegations of sexual abuse and exploitation by peacekeepers and other UN personnel around the world.

Accusations across the globe

Most recently, UN troops in Haiti and Sudan have been accused of sexual abuse of children. In 2015, a UN report interviewed over 200 Haitian women—a third of whom were minors—who told they were forced to have sex with UN soldiers in exchange for material aid. In the Central African Republic at least 98 girls said they had been sexually abused by international peacekeepers. UN identified 41 troops from Burundi and Gabon accused of sexual abuse and exploitation in the Central African Republic in 2014 and 2015. The identified troops have now left the country.

Sexual abuse

The use of force issue within UN peacekeeping forces has evolved into a much bigger issue of sexual assault, as allegations of sexual assault have become more common than claims of unjustified force. A UN report says there were 69 allegations of sexual exploitation and abuse made against peacekeepers in 10 UN missions around the world last year, a "deeply worrisome" increase from the year before and the most since 2011. The United Nations has even developed a name for the accidental children birthed from pregnancy after sexual abuse by UN troops; this issue has been so widespread and frequent of occurring that it became a new phenomenon in which they call them "peacekeeper babies."

Accusations across the globe

Since the 1990s, sexual exploitation and abuse by UN peacekeepers and personnel have been reported from peacekeeping missions in Bosnia and Herzegovina, Cambodia, the Democratic Republic of the Congo, East Timor, Haiti, Liberia, Sierra Leone, and South Sudan, although this list is not exclusive. This includes sexual violence, inappropriate sexual harassment, unconsented sexual intercourse, and more. Troops implicated in the abuse have been from Pakistan, Bangladesh, Sri Lanka, Uganda, Burundi, the Republic of Congo, the Democratic Republic of the Congo, and more. Many missions in these victimized countries have been cancelled and significantly reduced as these Peacekeeping troops are quickly losing trustworthiness and reliability.

Case study

One example is the Kosovo War, one of the missions with the highest rate of misconduct, here is an analysis of its causes and the case as a whole. The United Nations Interim Administration Mission in Kosovo (UNMIK) is the officially mandated mission of the United Nations in Kosovo. Currently, UNMIK describes its mandate as being to "help the Security Council achieve an overall objective, namely, to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo and advance regional stability in the western Balkans." UNMIK was established pursuant to Security Council Resolution 1244, which was passed on 10 June 1999.

The UNMIK has been criticized for failing to achieve many of its stated objectives and is widely and sadly resented by both Kosovo Serbs and Kosovo Albanians after seven years of work (as of 2006). Other than the massive amounts of reports of alleged sexual abuse and murder by peacekeepers, there have also been allegations that the presence of UN/NATO peacekeeping troops helps "fuel the sex trafficking trade." According to Amnesty International, most of the women are trafficked from Moldova, Romania, Bulgaria and Ukraine. Furthermore, on 10 February 2007, UN peacekeepers fired rubber bullets at unarmed demonstrators in Pristina, killing two and injuring 82. The Chief Constable resigned; however, the police

unit that fired the rubber bullets returned to Romania, where it has not been investigated. Incidents like this one pile up and cost UN peacekeeping a lot of its prestige and reputation.

Use of force

The Security Council authorizes the use of force by member states. But in the post-Cold War era, the use of force with or without Security Council authorization became more prevalent. Some UN member states do not support the use of any force by peacekeepers, some think that peacekeepers should use most types of force, and others fall somewhere in the middle. For instance, recently the overuse of force by UN peacekeepers on certain missions in Somalia caused significant backlash, especially when a US-led UN humanitarian operation developed into a gory battle against a powerful warlord. Causing general civil conflict, turmoil and panic, and preventable casualties in the local population.

UN Involvement, Relevant Resolutions, Treaties and Events

The Peacekeeping program was started by, and still belongs to the United Nations. They enlist and hire hundreds of thousands of officers, or “Blue Helmets,” each year, distributing them to places where they are needed, to maintain peace and justice, on a fair and objective standpoint. The United Nations has been active in preventing such cases from reoccurring, promoting human rights and even campaigns blatantly against UN peacekeeper misconduct. Most importantly, they have in fact passed resolutions in the General Assembly and a resolution in the security council regarding the issue at hand. 2005-2008 was a crucial period of time where the UN became more active in solving the issue at hand. There was a resolution adopted by the General Assembly regarding a comprehensive review of a strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations and passed a resolution adopted by the General Assembly regarding criminal accountability of United Nations officials and experts on missions. Conduct and discipline teams were actually established in field missions to prevent misconduct in any possible way, which has been proven to be effective considering a slight reduction in allegations. Another example is the resolution adopted by the General Assembly regarding the United Nations’ action on sexual exploitation and abuse on March, 2016. There has been slight controversy regarding whether the execution of the resolution afterwards was effective or successful. However, within the past few years, the UN has indeed been ambitious with their goal of reforming peacekeeping.

The UN has also published infographics, newsletters, and several reports in response to the allegations of sexual assault in different time periods. For example, when Antonio Guterres was named the new Secretary-General, he published a report which outlines his strategy for preventing and responding to sexual exploitation and assault carried out in UN-mandated peacekeeping missions. Shortly after, the UN General Assembly adopts a resolution committing to a zero-tolerance policy on sexual exploitation and abuse. The resolution emphasizes how vital it is to maintain jurisdiction and hold the perpetrators responsible.

Past solutions

Despite viewing this issue as a severe and deteriorating one, their forces are doing little to prevent such events from happening, although laws have been strengthened and conduct has been enforced, it still has been proven to be ineffective, as such tragedies and allegations keep flooding into the local UN directed complaints box and local reflective interviews, particularly oral surveys, according to UN and governmental researchers and investigations.

Below are some examples of actions the United Nations have previously already taken in an attempt to address this issue in a more serious and crucial manner:

Training

Conduct and discipline issues are an essential component of pre-deployment and in-mission induction training, mandatory for all civilian, military and police peacekeeping personnel. The UN has continued intensifying training for such positions, especially with the addition of multiple examinations throughout the working year and right before deployment to areas of need.

Awareness-raising campaigns in the host country

The UN has attempted to ensure the awareness of such an issue in the host countries by increasing the number of media presence to reduce the likelihood of these terrible incidents by communicating with high frequency with host countries with logistics of such events and measures to take in case of such incidents. Many campaigns were started on social media platforms regarding addressing UN peacekeeper misconduct, successfully spreading awareness.

Clear standards of conduct

such as 'The Ten Rules: Code of Personal Conduct' for Blue Helmets introduced in 1998. Which clearly states the consequences of violating such codes of conduct and remind the peacekeepers of the utmost honor in their duty and the importance of their responsibilities. Such as rule number one: "Dress, think, talk, act and behave in a manner befitting the dignity of a disciplined, caring, considerate, mature, respected and trusted soldier, displaying the highest integrity and impartiality. Have pride in your position as a peacekeeper and do not abuse or misuse your authority." And rule 2: "Respect the law of the land of the host country, their local culture, traditions, customs and practices."

Investigations and disciplinary measures

The UN investigates its own staff, conducting general survey responses from host countries, sending UN and government investigators and research teams. When allegations of misconduct involving military and police personnel are substantiated, the UN may repatriate the individuals concerned and ban them from future peacekeeping operations. The disciplinary sanctions and any other judicial actions remain the responsibility of the national jurisdiction of the individual involved. This has proven to be quite effective as just around the end of 2017 and start off 2018, the UN has begun mass sessions of adopting new regulations, replacing misbehaving and misconducting staff with new peacekeepers. For example, the UN-led investigation on allegations of sexual exploitation and abuse within the Central African Republic in December 2016 identified 41 alleged perpetrators among troops from Gabon and Burundi. There are 100 alleged victims, of which 25 are children.

Timeline of Events

These are all the resolutions previously proposed in the United Nations meeting, all accessible publicly on the United Nations Peacekeeping official website.

Date	Description of event
-------------	-----------------------------

May, 2003	A resolution on the investigation into sexual exploitation of refugees by aid workers in West Africa is adopted by the UN General Assembly.
February, 2004	An investigation into numerous alleged cases of abuse by personnel of the UN Mission in the Democratic Republic of the Congo takes place.
May, 2005	the UN Security Council issues a presidential statement on sexual exploitation and abuse in peacekeeping.
June 30th, 2005	Security Council Resolution 2272 on Sexual Exploitation and Abuse
November, 2005	Conduct and Discipline Teams established in field missions by the Department of Peacekeeping Operations.
August 24th, 2007	Resolution adopted by the General Assembly. Comprehensive review of a strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations
January 8th, 2008	Resolution adopted by the General Assembly. Criminal accountability of United Nations officials and experts on missions.
2008	Accusations of the sexual abuse of children are made against UN peacekeepers in Cote d'Ivoire, Southern Sudan and Haiti.
March 7th, 2008	Resolution adopted by the General Assembly. United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel.
March, 2012	Pakistani UN peacekeepers are found guilty of sexual abuse in Haiti by a Pakistani military court and are ordered repatriated and jailed.
April, 2015	Leaked UN document reveals alleged sexual exploitation of children in the Central African Republic, primarily by French peacekeeping troops.
February, 2016	120 peacekeepers from the Republic of Congo and the Democratic Republic of the Congo are expelled from the Central African Republic after new accusations of sexual abuse are made. Jane Holl Lute is appointed by the Secretary-General as Special Coordinator on improving the United Nations response to sexual exploitation and abuse.
March 11th, 2016	Resolution adopted by the General Assembly. United Nations action on sexual exploitation and abuse.
March 20th, 2017	Resolution adopted by the General Assembly. A comprehensive review of a strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations.
April, 2017	Associated Press reviews 12 years of UN data on sexual misconduct and exploitation and finds approximately 2,000 allegations against peacekeepers and personnel. More than 300 of these allegations concern children, but only a fraction of alleged perpetrators served jail time. UN announces the withdrawal of over 600 Democratic Republic of the Congo troops from
June, 2017	the Central African Republic after claims of sexual abuse.

Possible Solutions

Prioritize accountability of all Peacekeeping personnel.

This could be achieved in many ways, examinations, examinations could be customized to different missions. It could include factors such as geological information regarding the host countries, or regulations regarding the code of conduct. Monthly checkups could be suggested to different countries. There could be an increase in the severity of punishment and prosecution, strengthening the enforcement of the zero-tolerance policy. There could be a stronger establishment of proper performance standards, and increasing transparency by doing background checks. Furthermore, there could be more on-site visits conducted by government officials, reliable governmental teams and United Nations social coordinators to ensure the efficiency and accountability of the peacekeepers. However, these solutions could be insufficient to truly ensure accountability. For example, it is very difficult to conduct background checks considering the violation of personal privacy for peacekeepers, and the loss of the crucial integrity of the United Nations. Monthly checkups or site visits may be inconvenient, and sometimes even economically costly as it is hard to see the actual reflection of their daily behavior, there are many downsides for these solutions.

Disciplinary actions can be taken towards prosecution and punishment of Peacekeepers that violate the code of conduct.

There has been an increase in the severity of punishment towards peacekeeping personnel convicted of such crimes of misconduct, but it could be increased or the importance should be elaborated on, such as longer sentencing, fining, and more. Disciplinary actions should be clearly announced to UN peacekeepers when they are first hired so they may fully understand the consequences of their actions should they misconduct. This will not only probably reduce the frequency rate of the occurrences of peacekeeper misconduct, but also positively promote the United Nations concern and awareness towards this subject. Nevertheless, this solution also has disadvantages and issues. Seeing as the higher ranking UN officers are sometimes reluctant in punishing peacekeepers for their violation of conduct, it could be difficult to urge the enforcement of disciplinary actions. Also, it may not be very efficient, when finally taken into action, as time passes, the enforcement of these disciplinary actions may slowly deteriorate, and it is difficult to pertain and continue to carry out these proper procedures especially without supervision or proper legal jurisdiction. Quite the contrary, it could even discourage candidates from applying for such positions or peacekeepers from partaking with usual passion and motivation, so should this solution be carried out, it must be clarified and executed with absolute precision and meticulousness.

Training and examining Peacekeepers to ensure reliability and understanding of the appropriate conduct and responsibilities of being a Peacekeeper.

The training stage of peacekeeping personnel is definitely of utmost importance, this could be used to inform peacekeepers of the importance of preventing misconduct and of having appropriate behavior when on a mission in a foreign country and ensure that all deployed personnel are of absolute qualification and reliability. But the essence of peacekeeping training is for peacekeepers to empathize with the civilians in danger and the severity with the crises at hand, therefore, this solution should effectively reduce the amount of misconduct and help address the issue. Nevertheless, this solution does not lack downsides. It is extremely challenging to find the most efficient method of training that will not become too tedious for peacekeepers

and at the same time be a great learning experience that they will remember and put to use. Direct supervision and provision of facilities and resources are needed, and the degree of training must be handled meticulously.

Advertise and promoting a campaign to encourage victims of Peacekeeper misconduct to speak out.

It is indeed crucial for there to be feedback upon the service of these peacekeepers and relevant officials and responsible personnel must be alerted and notified by either the victim or witnesses and local officials in case of peacekeeper misconduct incidents so it can be dealt with immediately and cause no further harm. This ensures the reinforcement of the “zero-tolerance policy” adopted by many countries recently. Furthermore, it could positively reinforce the effectiveness of UN actions and prosecution toward peacekeeper misconduct. The problem will become more publicly acknowledged and understood, applying pressure upon peacekeepers to be well conducted because social criticism from the community could be sometimes more powerful and intimidating. However, as much as this method could be used for effective motivation and discipline, there could possibly be an imbalance of the two. The public eye could be misled and is usually very unforgiving. The immense pressure of daily conduct being publicized could discourage or over-intimidate new recruits if not handled and prosecuted with absolute perfection.

Bibliography

“Standards of Conduct Peacekeeping.” United Nations, United Nations, peacekeeping.un.org/en/standards-of-conduct.

<https://peacekeeping.un.org/en>

Fortna, Virginia Page (2004). "Does Peacekeeping Keep Peace? International Intervention and the Duration of Peace After Civil War". *International Studies Quarterly*.

Goulding, Marrack (July 1993). "The Evolution of United Nations Peacekeeping". *International Affairs*. *International Affairs*, Vol. 69, No. 3. 69 (3): 451–64.

Pushkina, Darya (June 2006). "A Recipe for Success? Ingredients of a Successful Peacekeeping Mission". *International Peacekeeping*. 13 (2): 133–149.

Gross, Judah Ari, et al. “US Wants to Toughen UN Response to Peacekeeper Misconduct.” *The Times of Israel*,

www.timesofisrael.com/us-wants-to-toughen-un-response-to-peacekeeper-misconduct/

Bosco, Laura, et al. “Prioritizing UN Peacekeeper Accountability.” IPI Global Observatory, theglobalobservatory.org/2017/01/united-nations-peacekeeping-sexual-abuse-guterres/

Shortell, David, and Richard Roth. “U.N.: Allegations of Sexual Abuse against Peacekeepers.” CNN, Cable News Network, 5 Mar. 2016,

<https://edition.cnn.com/2016/03/04/world/un-peacekeepers-sexual-abuse/index.html>

“Child Sexual Abuse by UN Peacekeepers.” Wikipedia, Wikimedia Foundation, 29 July 2018, https://en.wikipedia.org/wiki/Child_sexual_abuse_by_UN_peacekeepers

Administrator. “Global Policy Forum.” How the Bush Administration's, www.globalpolicy.org/security-council/peacekeeping/analysis-and-articles-on-peacekeeping.html

Gaffey, Conor. "U.N. Sex Abuse Crisis Is 'Problem of Its Own Making,' Says Ex-U.N. Official." Newsweek, 12 May 2016, www.newsweek.com/un-peacekeeping-crisis-fresh-child-abuse-allegations-emerge-car-412302

Harris, Niamh. "UN Says More Child Sexual Abuse Cases By Peacekeepers Could Emerge." News Punch, News Punch, 13 Apr. 2016, newspunch.com/un-says-more-child-sexual-abuse-cases-by-peacekeepers-could-emerge/

Newman, Cathy. "The Vile Sex Abuse by UN Peacekeepers Is Leaving the United Nations in Tatters." The Telegraph, Telegraph Media Group, 14 Apr. 2016, www.telegraph.co.uk/women/politics/the-vile-sex-abuse-by-un-peacekeepers-is-leaving-the-united-nati/

Roser, Max, and Mohamed Nagdy. "Peacekeeping." Our World in Data, 31 Oct. 2018, ourworldindata.org/peacekeeping.

"UN Peacekeepers in CAR Hit by New Child Sexual Abuse Claims." ABC News, Australian Broadcasting Corporation, 6 Jan. 2016, www.abc.net.au/news/2016-01-06/un-peacekeepers-hit-by-new-child-sexual-abuse-claims/7070798

"United Nations Peacekeeping | Peacekeeping Missions ." Better World Campaign, betterworldcampaign.org/un-peacekeeping/