

**Presentation on United Nations efforts to address sexual exploitation and abuse
in peacekeeping missions**

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- When I received the invitation for this conference, it reminded me of the first time I was presented with the issue of trafficking of human beings. At that time, I was working on secondment with the OSCE mission in Kosovo. We were asked to identify what measures were in place to address this issue. It must have been in 2001 or 2002 and, if I recall correctly, not much was in place then. The situation has changed since and I am pleased to have the opportunity to speak to you today on the important topic of the protection from sexual exploitation and abuse by United Nations personnel and **efforts deployed by the United Nations** in that respect, over the last 10 years.
- **International Organisations, including the United Nations have a critical role** to play in addressing trafficking of human beings, including on the ground, in our peacekeeping missions. While the specific role of the United Nations will vary from mission to mission according to the mandate, this role will often involve **directly protecting civilians**, including from conflict-related sexual violence and trafficking. In some situations, the United Nations was specifically mandated to serve as interim police, performing executive policing roles, such as in Haiti, Kosovo and Timor Leste.
- The United Nations is also often providing **operational support** to host-State authorities, which can include **capacity building** to address sexual violence and trafficking by supporting host nations' efforts in that respect, in particular with assistance to victims.
- For such mandates to be effectively implemented, there is however a key requirement that our **peacekeepers maintain the highest standards of conduct**. This is particularly important when such conduct may affect the very population we are mandated to serve, as is the case with sexual exploitation and abuse of the host population or of persons who were trafficked.
- Let me recall that the United Nations has a **zero tolerance policy** with respect to sexual exploitation and abuse. Former Secretary-General Kofi Annan clearly enunciated the UN's 'zero tolerance' policy against sexual exploitation and abuse in a Letter to the President of the Security Council in February 2005: "We cannot tolerate even one instance of a United Nations peacekeeper victimizing the most vulnerable among us ... such behaviour violates the fundamental 'duty of care' that United Nations peacekeepers owe to the very peoples they are sent to protect and serve." Mr. Annan declared: "The basic policy is clear: zero tolerance of sexual exploitation and abuse of any kind."

- A **comprehensive strategy to eliminate future sexual exploitation and abuse** in United Nations Peacekeeping operations, contained in a report prepared by Prince Zeid, was released in March 2005, providing a comprehensive and innovative package of reforms for both the UN Secretariat and member States. It was debated in the General Assembly in April 2005 and led to the adoption of several measures, initially targeted towards addressing sexual exploitation and abuse but immediately extended to address all forms of misconduct.
- One of the first steps taken, in November 2005, was to create Conduct and Discipline Teams in field missions as well as at UN Headquarters. The field-based Conduct and Discipline Teams implement a **three-pronged strategy** to address misconduct, through prevention, enforcement and remedial action.
- In terms of **prevention**, extensive training materials have been developed at headquarters for delivery in field missions or prior to deployments of troops. These initiatives are complemented at the mission-level with a wide range of awareness-raising measures including poster campaigns, induction briefings, intranet websites, newsletters, brochures, radio broadcasts and mission-specific codes of conduct. Since mid-2005, training on preventing sexual exploitation and abuse has been mandatory for all personnel on arrival in a United Nations peacekeeping mission. Since then, additional training material was developed to address other forms of misconduct and conduct and discipline more broadly. Several missions also conduct outreach activities towards the local communities, to inform the host State population of the United Nations standards of conduct, means of reporting misconduct and the availability of victim assistance.
- At the mission level, risks of misconduct and in particular sexual exploitation and abuse are identified and a number of policies have been put in place to enforce compliance with the United Nations standards of conduct, including respect for local laws. They range from establishing curfews, to requiring soldiers to wear uniforms outside of the barracks, to designating places as off-limits, to increased patrols around high risk areas and decentralization of Conduct and Discipline Team's personnel into locations with a potentially high risk of misconduct.
- Concerning **enforcement**, guidance has been provided for reporting allegations and investigating misconduct, resulting in more professional and consistent handling of such allegations. Missions have put in place a range of mechanisms for confidential reporting, including through regional focal points and cooperation with local organizations and field missions' UN-NGO network. The United Nations 'whistleblower' policy (ST/SGB/2005/21) protects individuals who report misconduct.

- Record-keeping and data tracking have also improved with the launch, in July 2008, of the Misconduct Tracking System (MTS), a global database and tracking system for all allegations of misconduct, also used in vetting personnel to ensure that they have not been found to have engaged in misconduct during prior deployments with the United Nations.
- The United Nations will investigate allegations of misconduct involving its staff members and those personnel deployed with the status of experts on mission, essentially police personnel and military observers. Where an investigation substantiates misconduct, the United Nations takes disciplinary action against its staff members and refers matter for disciplinary actions by member States in substantiated instances involving experts on mission. If an allegation is made against a member of a national military contingent, under the provisions of the model Memorandum of Understanding between troop contributing countries and the United Nations, member States will have the primary authority to investigate allegations involving such personnel and to take disciplinary actions, when warranted. In all instances involving personnel that are not staff members, the United Nations can take only limited action against such personnel (e.g. repatriation and barring from future missions) and must rely on the member State to take disciplinary and/or criminal actions.
- For **remedial action**, in the implementation of the *Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel*, Conduct and Discipline Teams engage with interagency partners towards having formalized victim assistance mechanisms, including reporting mechanisms and referral pathways. Conduct and Discipline Teams have also developed an adaptable template for monitoring and tracking services provided as part of the victim assistance mechanism, which should serve persons victimized by sexual exploitation and abuse to access the services they need as a result of these acts. These services include but are not limited to medical, legal, psychological and social services.
- The assistance being provided to complainant or victims does not replace or negate the responsibility of perpetrators of acts of sexual exploitation and sexual abuse. However, the provision of assistance is not an acknowledgment of the validity of the claims, a form of compensation or an indication of acceptance of responsibility by the alleged perpetrator.

- Perhaps the most visible achievement that can be associated with these measures is the **overall decline of the number of allegations** of all forms of misconduct reported in peacekeeping and special political missions, over the last nine years, but in particular of sexual exploitation and abuse, from 340 in 2005 and 357 in 2006 to 60 in 2012 and 66 in 2013. However, this positive element is tinted by the fact that allegations concerning **the most serious forms of sexual exploitation and abuse**, namely sexual activities with minors and non-consensual sex, continue to represent 50 per cent of all reported allegations; a figure that has remained fairly constant over the years.
- Completed investigations substantiating allegations of misconduct continue to be referred for actions by entities within the United Nations or member states. In respect of the latter, there continues to be an **increase in the response rate from member states** in terms of notification to the Secretariat of disciplinary measures or other sanctions taken by national authorities. This is very positive.
- **Looking forward**, critical to **prevention** are the efforts for intensified outreach, training and programme coordination activities at the country level among components in field missions and inter-agency and non-governmental partners, with increased involvement of local communities. Also critical are risk identification, assessment and monitoring activities, which must be made more efficient and pursued in a concerted manner. A risk management framework on sexual exploitation and abuse has been developed to assist conduct and discipline practitioners in making assessments, identifying and monitoring targeted preventive measures.
- In relation to **enforcement**, we are putting in place strengthened indicators of performance as regards referral of complaints for investigations, follow up and timely completion of investigations and review of investigation reports for a determination of appropriate subsequent actions. We are also vigorously following-up with troop contributing countries about the outcome of investigations carried out by them. The assistance of member States is crucial, in particular in holding individuals accountable for the most serious forms of misconduct, including sexual related misconduct that amounts to a crime under national jurisdictions.
- Concerning **remedial action**, attention should be given to issues of compensation, when justified, and in particular the determination of paternity claims and resulting measures for child support. These are issues of national competences, however. Facilitating the provision of such support to victims would therefore again warrant action by member States.
- Our common efforts have had an impact. However, it is important to bear in mind that addressing misconduct and sexual exploitation and abuse in particular, is not a time-bound activity and that it requires the **continuous commitment and engagement of all**.

- In my opinion, large deployments of personnel in field missions do require dedicated resources to address the conduct and discipline of those personnel, in particular the protection from sexual exploitation and abuse. The **experience of the United Nations** in that respect can assist other International Organisations in doing the same. We are already assisting the African Union in establishing a similar conduct and discipline structure for its field missions and the European Commission has been in contact with us to the same end. I therefore look forward to further discussing what can be done in the context of OSCE deployments.