

# Dealing with Disgrace: Addressing Sexual Exploitation and Abuse in UN Peacekeeping

PROVIDING FOR PEACEKEEPING NO. 15

JENI WHALAN



**Cover Photo:** Peacekeepers from the UN Operation in Côte d'Ivoire (UNOCI) participate in a sexual exploitation awareness training in Bondoukou, July 22, 2005. UN Photo/Ky Chung.

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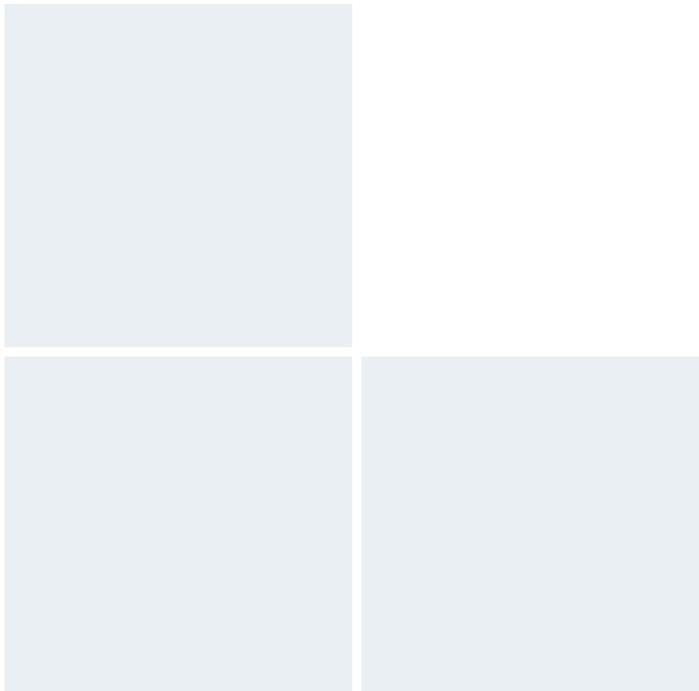
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# CONTENTS

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Executive Summary .....	1
Introduction .....	2
The Genesis of Resolution 2272 .....	3
THE CRISIS IN THE CENTRAL AFRICAN REPUBLIC	
MOMENTUM TOWARD SECURITY COUNCIL ACTION	
Resolution 2272's Approach to Prevention and Accountability .....	8
Debates, Gaps, and Controversies .....	9
PROBLEMS OF DEFINITION AND CRITERIA	
OPERATIONAL PROBLEMS	
LEGITIMACY OF THE APPROACH TO MEMBER-STATE ACCOUNTABILITY	
GAPS IN RESOLUTION 2272	
Recommendations .....	18
LEGITIMIZE THE SECRETARY-GENERAL'S DISCRETIONARY AUTHORITY	
ENSURE THAT DETERRENDS ARE CREDIBLE	
ENABLE MEMBER STATES TO ADOPT THEIR OWN ACCOUNTABILITY MEASURES	
MAKE INVESTIGATIONS AND RESPONSES TRAUMA-SENSITIVE	
PROVIDE TIMELY AND ADEQUATE MEDICAL AND PSYCHOLOGICAL SUPPORT TO SURVIVORS OF ABUSE	
INCENTIVIZE STRONGER ACCOUNTABILITY IN NON-UN OPERATIONS	
STRENGTHEN ACCOUNTABILITY FOR CIVILIAN PERPETRATORS	
ADDRESS UNDERREPORTING AND IMPROVE MONITORING	
CREATE THE CONDITIONS TO ENABLE REFORM	
Annex: Chronology of Key Reports, Reforms, and Related Events .....	23



## Executive Summary

UN peacekeeping has survived many crises throughout its history, but none has provoked such distinctive disgrace as peacekeepers committing sexual violence against those they are meant to protect.

Two decades of incremental reform within the UN system have produced a plethora of policy shifts and structural changes. Advocacy reports have revealed the scope of the problem and progressively elevated its moral and political significance. Investigations and reviews have identified causes, risk factors, and—repeatedly—institutional failings on the part of the UN system. In debates and resolutions, UN member states have affirmed their commitment to reforms. Management reforms at UN headquarters and in the field have sought to clarify policies, introduce and strengthen response protocols, create new organizational architectures and responsibilities, and allocate resources accordingly.

But these reforms have not stopped sexual abuse by peacekeepers—both UN personnel and non-UN forces operating under a Security Council mandate. Determined rhetoric has not translated into effective action, a reality laid bare by the sexual abuse crisis in the Central African Republic, where allegations of egregious abuse and their gross mishandling by UN staff demonstrated the urgent need for transformative action across the UN system. These allegations coincided with a major review of UN peace operations by the High-Level Independent Panel on Peace Operations (HIPPO), which dedicated a section of its report and seven discrete recommendations to addressing sexual abuse and enhancing accountability.

Against this backdrop, on March 11, 2016, the UN Security Council adopted Resolution 2272. This resolution recognized that sexual violence by peacekeepers not only inflicts unconscionable harm on individual victims but also undermines the effectiveness of peacekeeping missions and the moral authority of the entire United Nations. It also directed the secretary-general to replace all military or police units from any contributing country that had failed to hold perpetrators accountable.

Resolution 2272's approach makes three notable contributions to the UN's system-wide reform

efforts:

1. It clarifies and reinforces the secretary-general's authority to repatriate and replace an entire national contingent from a peacekeeping operation if there are sufficient indications of a pattern of sexual exploitation and abuse by members of that contingent.
2. It targets the part of the accountability chain that the Secretariat cannot: the obligations of UN member states to investigate and report on allegations of sexual exploitation and abuse, to hold perpetrators accountable, and to inform the secretary-general of the progress of investigations and actions taken.
3. It adds new impetus and political support to the UN's ongoing agenda of administrative reforms, including by prioritizing the needs of survivors in UN responses and emphasizing the need for expanded vetting of personnel for past sexual abuse and for broader human rights screening.

Important questions remain, however, about how to interpret the resolution's ambiguous language and how to operationalize its prescriptions. At the most practical level, serious doubts remain about the resolution's feasibility. Given the perpetual undersupply of UN peacekeepers, can a large national contingent ever really be subject to repatriation without endangering the entire mission?

In June 2017 the Republic of Congo withdrew its military peacekeepers from the Central African Republic, prompted by a UN review that found allegations of sexual exploitation and abuse against its personnel indicated systemic problems in command and control. The repatriation of over 600 peacekeepers represents a clear case of Resolution 2272 in action. But lengthy delays in removing this notorious contingent from the field, despite much earlier credible evidence implicating that nation's troops in systemic abuse, cast damning light on the UN's inability to take swift, decisive, and necessary action to protect civilians from predatory peacekeepers or deliver justice to survivors of abuse.

This report analyzes Resolution 2272's approach to preventing sexual exploitation and abuse in UN peacekeeping and examines the key debates and controversies that have accompanied it. It identifies nine implementation requirements flowing from

the resolution and makes twenty-one recommendations for delivering them, including:

- Appointing an independent, impartial ombuds-person with a mandate to review and oversee UN actions on sexual exploitation and abuse in peacekeeping;
- Streamlining the UN's cumbersome reporting processes and resourcing to enable easier reporting and more timely action;
- Improving the trauma-sensitivity of investigations and responses to sexual exploitation and abuse, including through training, creating a standing roster of specialist investigators for rapid deployment, improving cooperation with and resourcing of local support groups and services, and brokering new cooperative models of shared investigations between contributing countries and the UN in order to minimize the trauma of repeat investigations;
- Addressing underreporting and institutional opacity by substantially strengthening whistleblower protections and establishing partnerships with local and international civil society organizations to promote systematic monitoring of sexual exploitation and abuse in peacekeeping; and
- Requesting reporting on allegations of sexual exploitation and abuse against non-UN forces operating under a Security Council mandate.

The broader implementation of Resolution 2272 must be supported by champions of change. In 2017 the secretary-general outlined an ambitious new approach to preventing and responding to sexual exploitation and abuse across the UN system. Ensuring that Resolution 2272 is comprehensively implemented will be one important component of realizing the transformative potential of that broader strategy. Within and outside the UN system, individuals, organizations, and member states must continue to contribute political capital, moral leadership, innovative thinking, collaborative partnerships, and tangible resources to the task of preventing sexual violence by peacekeepers and improving accountability

when it occurs. Patient, persistent effort is needed to shift the complex organizational dynamics that have enabled sexual exploitation and abuse to blight the UN system.

## Introduction

Peacekeeping is an essential tool of international peace and security. It is also exceedingly difficult to implement, highly compromised in its design, and too often deeply flawed in practice. Nevertheless, peacekeeping has proved to be a remarkably resilient practice. Throughout its history, UN peacekeeping has continuously evolved to fit the changing nature of armed conflicts and meet the escalating demands of UN member states. Near-constant reform efforts have helped to reset and re-legitimize peacekeeping after even its most notorious failures.

But of peacekeeping's many crises, none has provoked such disgrace as peacekeepers committing sexual violence against those they are sent to protect.

After two decades of reforms to address sexual exploitation and abuse by peacekeepers, the UN Security Council adopted Resolution 2272 on March 11, 2016. The resolution recognized that sexual violence by peacekeepers not only inflicts unconscionable harm on individual victims but also damages the effectiveness of peacekeeping operations and undermines the moral authority of the entire United Nations. It also directed the secretary-general to replace all military or police units from any contributing country that had failed to hold perpetrators accountable.

Described variously as “ground-breaking”<sup>1</sup> and “a significant step”<sup>2</sup> offering “hope that survivors of such abuse will receive the support they need,”<sup>3</sup> Resolution 2272 marks a point of departure from the Security Council's relative silence on the issue. But the resolution must also be understood as just one among many interventions aiming to improve the UN system's ability to prevent sexual abuse by peacekeepers and strengthen accountability when it occurs.

1 Kelly Neudorfer, “UNSC Resolution 2272: Progress against Sexual Abuse in UN Peacekeeping?” *E-International Relations*, April 21, 2016, available at [www.e-ir.info/2016/04/21/unsc-resolution-2272-progress-against-sexual-abuse-in-un-peacekeeping/](http://www.e-ir.info/2016/04/21/unsc-resolution-2272-progress-against-sexual-abuse-in-un-peacekeeping/).

2 UN Secretary-General, “Secretary-General Hails Adoption of Resolution 2272 (2016) as ‘Significant Step’ in Efforts to Combat Sexual Exploitation, Abuse by United Nations Peacekeepers,” Press Statement, UN Doc. SG/SM/17589-SC/12278-HR/5294, March 11, 2016, available at [www.un.org/press/en/2016/sgsm17589.doc.htm](http://www.un.org/press/en/2016/sgsm17589.doc.htm).

3 Annerieke Smaak, “Holding Abusive UN Peacekeepers to Account,” Human Rights Watch, June 8, 2015, available at [www.hrw.org/news/2016/06/08/holding-abusive-un-peacekeepers-account-0](http://www.hrw.org/news/2016/06/08/holding-abusive-un-peacekeepers-account-0).

That the Security Council chose to adopt a binding resolution on sexual exploitation and abuse in peacekeeping is significant in itself. Nevertheless, like the various technical and management reforms on the issue underway within the UN system, Resolution 2272 largely accepts the existing political and legal constraints that compromise peacekeepers' accountability. To that extent, the resolution falls well short of the transformative changes sought by many advocates of stronger justice for victims.

This report analyzes Resolution 2272's approach to preventing sexual exploitation and abuse in UN peacekeeping and identifies the requirements for implementing it. First, it investigates the origins of Security Council action, particularly the political and institutional dynamics in the year preceding the resolution's adoption. Second, it outlines the preventive logic underpinning Resolution 2272 and analyzes its key provisions. Third, it examines the resolution's shortcomings and controversial

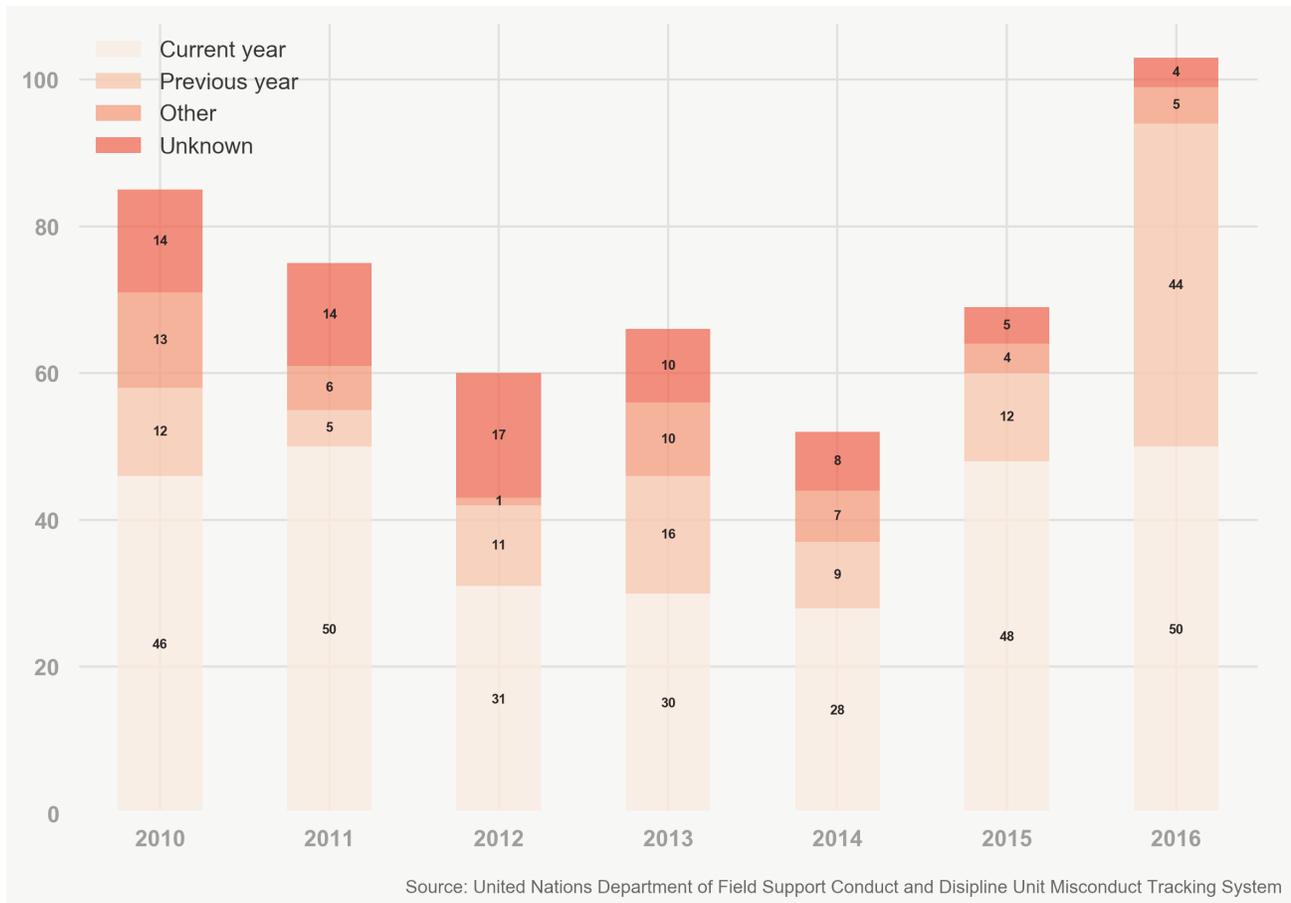
elements, each of which has significant implications for its effective implementation. Finally, it makes recommendations to aid the comprehensive implementation of Resolution 2272 and realize in full its promise for strengthening accountability and preventing sexual abuse by peacekeepers.

## The Genesis of Resolution 2272

Given the long history of sexual exploitation and abuse committed by peacekeepers against the vulnerable people they are meant to protect (see Figure 1), it is surprising that the Security Council did not act sooner to address the issue. After all, it is the Security Council that establishes peace operations, delegates authority to them, defines their scope, regularly renews their mandates, and determines when to end them.

But change tends to come slowly at the UN, and this—tragically—has been true of effective action

Figure 1. Allegations of sexual exploitation and abuse reported against UN peacekeepers by year



against sexual exploitation and abuse in peacekeeping. Reform efforts have been stymied by a familiar set of political obstacles. These include the well-documented accountability problems created by peacekeeping's particular legal structures, which give member states full jurisdictional authority over their military personnel.<sup>4</sup> More effective reform has also been slowed by tensions between different parts of the UN system over what drives sexual exploitation and abuse and who should manage and have responsibility for the issue. Part of the Security Council's apparent failure to act sooner, then, was a prevailing view that the issue of sexual exploitation and abuse should not be on its agenda, whether because it did not pass the threshold of being considered an issue of international peace and security or because it belonged to the more representative organs of the General Assembly.<sup>5</sup>

Two decades of incremental reform led by the secretary-general have produced a plethora of policy shifts and structural changes within the UN system both at headquarters and in the field (see Annex). Anyone doubting the extent of the normative change need only consider the infamous comments of the UN's head of mission in Cambodia Yasushi Akashi twenty-five years ago that "18-year old hot-blooded soldiers enduring the rigours of Cambodia had the right to enjoy themselves, drink a few beers and chase beautiful young beings of the opposite sex," which would be unimaginable today.<sup>6</sup>

Nevertheless, ongoing reform efforts have not stopped sexual abuse in peacekeeping, and determined rhetoric has not translated into effective action. Symbolic gestures have outpaced serious change, a reality laid bare by the sexual abuse crisis in the Central African Republic.

## THE CRISIS IN THE CENTRAL AFRICAN REPUBLIC

In 2015 reports emerged publicly of galling sexual violence committed by peacekeepers—both UN personnel and non-UN forces operating under a Security Council mandate—in the Central African Republic. Attracting widespread international media attention and coinciding with a major review of UN peacekeeping by the High-Level Independent Panel on Peace Operations (HIPPO), the allegations of egregious abuse and their gross mishandling by UN staff demonstrated the urgent need for transformative action across the UN system.

The initial allegations concerned the abuse of children by French troops serving under the UN-authorized but French-commanded Operation Sangaris. The Independent Review Panel that UN Secretary-General Ban Ki-moon appointed in 2015 to investigate the abuses described them as "heinous violations of the human rights of some of the most vulnerable people on earth—children in a displaced persons camp in the midst of an armed conflict and humanitarian crisis—by those mandated to protect them."<sup>7</sup>

Besides the appalling nature of the abuse itself, the crisis highlighted serious failures in the UN's accountability systems. The Independent Review Panel found "a gross institutional failure" to respond meaningfully to these allegations, driven by fragmented responsibilities and a bureaucratic focus on protocols rather than the welfare of victims or accountability of perpetrators.<sup>8</sup> Specific failures included perceived complications related to the status of the French troops implicated, who were operating under UN authorization but not UN command;<sup>9</sup> the inadequacy of reporting, including the intentional obscuring and delaying of

4 For an overview of legal issues, see Terry D. Gill, "Legal Aspects of the Transfer of Authority in UN Peace Operations," *Netherlands Yearbook of International Law* 42 (2011). On jurisdictional issues, see Marco Odello and Róisín Burke, "Between Immunity and Impunity: Peacekeeping and Sexual Abuses and Violence," *International Journal of Human Rights* 20, no. 6 (2016).

5 The General Assembly has agreed several resolutions on the issue of sexual exploitation and abuse, including Resolutions 62/214 and 71/278. Taken on the basis of consensus, these resolutions are not legally binding.

6 Trevor Findlay, *Cambodia: The Legacy and Lessons of UNTAC*, Stockholm International Peace Research Institute (New York: Oxford University Press, 1995).

7 UN General Assembly, *Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic*, UN Doc. A/71/99, June 23, 2016, para. 45.

8 *Ibid.*, p. 5.

9 In that context, the panel found that "some UN staff take the view that the UN has no obligation, or indeed authority, to address the reported sexual violence," which is a "fundamental misperception" in the eyes of the panel. *Ibid.*, p. 4.

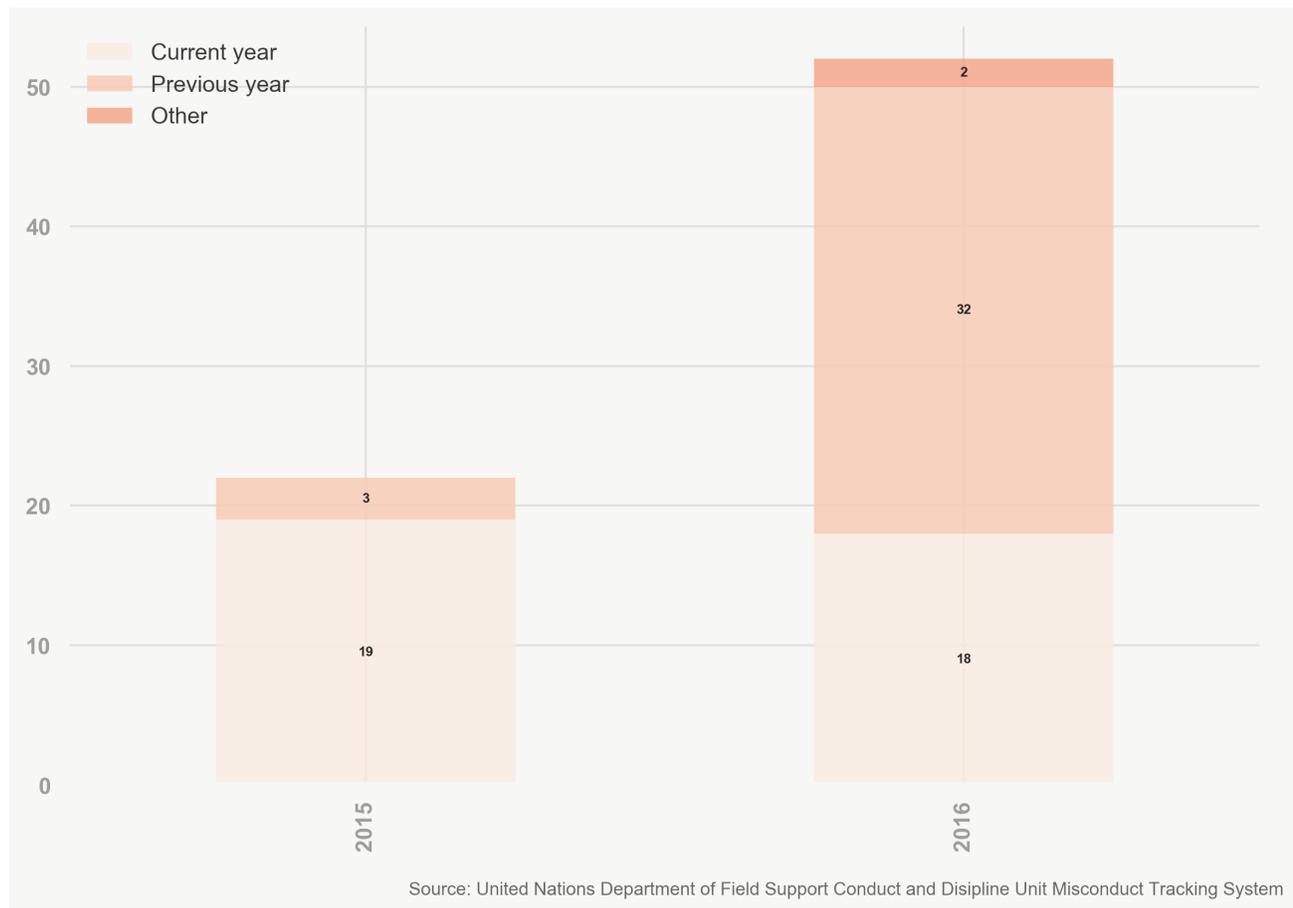
reports, driven by a fear of political sensitivity and retaliation by the troop-contributing country; the failure to conduct adequate investigations; the failure to protect victims; and the failure to take preventive steps and intervene to stop the abuses, which “exposed the children (and potentially other victims) to repeated assaults of the most egregious nature.” The cumulative effect was to “perpetuate a culture of impunity [which] undermined the integrity” of the peacekeeping mission in the Central African Republic.<sup>10</sup>

The UN has since recorded more than seventy allegations of sexual abuse and exploitation against

military personnel serving in the UN Multi-dimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), as well as a number of allegations against non-UN forces (see Figure 2).<sup>11</sup> Many involve multiple victims, and a majority involve children.

In addition to attracting widespread media attention, due in part to well-organized civil society advocacy,<sup>12</sup> the abuse scandal in the Central African Republic prompted two new administrative responses by the UN. First, in August 2015 the secretary-general effectively dismissed his special representative and head of mission in the Central

Figure 2. Allegations of sexual exploitation and abuse reported against MINUSCA peacekeepers by year



<sup>10</sup> Ibid., p. 8.

<sup>11</sup> Figures cover the period 2015 to May 2017. UN Peacekeeping, “Conduct in UN Field Missions: Sexual Exploitation and Abuse,” available at <https://conduct.unmissions.org/sea-overview>. The latest report from the secretary-general also shows that in 2016, forty-eight allegations implicated peacekeepers from twelve countries: Bangladesh, Burundi, Cameroon, the Republic of the Congo, the Democratic Republic of the Congo, Egypt, Gabon, Mauritania, Morocco, Niger, Pakistan, and Zambia. In another allegation, the nationality was unknown at the time of reporting. See UN Secretary-General, *Special Measures for Protection from Sexual Exploitation and Abuse: A New Approach*, UN Doc. A/71/818, February 28, 2017, p. 47.

<sup>12</sup> Since May 2015, AIDS-Free World’s Code Blue Campaign has provided a focal point and an unprecedented degree of leadership for advocacy for an end to immunity for sexual exploitation and abuse by UN peacekeepers.

African Republic, Babacar Gaye, noting that this “very strong action” was designed to “show a strong example and message to all the international community.”<sup>13</sup> Second, alerted to new allegations of sexual abuse by peacekeepers in the Central African Republic by mission personnel and Human Rights Watch, in February 2016 the UN repatriated contingents from the Republic of the Congo and the Democratic Republic of the Congo.<sup>14</sup> This use of the secretary-general’s existing authority to repatriate peacekeepers was subsequently endorsed by, and became a centerpiece of, Resolution 2272.

With the legitimacy of peacekeeping facing another crisis, amplified by international media attention, the secretary-general launched a range of other measures to visibly address the scourge of sexual exploitation and abuse across the UN system. These included identifying for the first time the nationalities of alleged perpetrators<sup>15</sup> and appointing a special coordinator for improving the UN response to sexual exploitation and abuse. The special coordinator’s appointment was explicitly tied to the recommendations of the Independent Review Panel, as was her mandate to review existing procedures and develop a new approach to addressing sexual exploitation and abuse throughout the organization.<sup>16</sup>

#### MOMENTUM TOWARD SECURITY COUNCIL ACTION

Meanwhile, a series of other events built momentum toward the Security Council’s adoption of Resolution 2272. In June 2015 the High-Level Independent Panel on Peace Operations (HIPPO), appointed by the secretary-general in late 2014 to conduct a wide-ranging review of peacekeeping operations, returned its report.<sup>17</sup> The report condemned the persistence of “serious deficiencies” in the UN’s approach to

sexual exploitation and abuse by peacekeepers, among them that:

- Local communities are frequently uninformed about how to report abuse;
- The responsibilities for prevention and enforcement are dispersed within missions, at headquarters, and in national capitals;
- The Secretariat’s follow-up on member states’ disciplinary or legal action is weak, and its requests often remain unanswered, or insufficiently answered, by member states;
- Internal investigations of UN civilian staff are lengthy, averaging sixteen months between 2008 and 2013; and
- There is no adequate program to assist individual victims or children born as a result of sexual abuse and exploitation by peacekeepers.

In addition to supporting a range of measures already advocated by the secretary-general, the HIPPO report recommended that the secretary-general’s reporting should “name and shame” member states who fail to investigate allegations or report on those investigations adequately and in a timely manner. The report also prompted the secretary-general to call specifically for action by the Security Council to “signal the importance that it assigns to high standards of accountability.”<sup>18</sup> He argued that “if the Security Council demonstrates that it will remain engaged in the conduct of a mission and actions by its personnel, that can be a powerful performance incentive.”<sup>19</sup>

In October 2015 Security Council Resolution 2242 on women, peace, and security expressed “deep concern over continuing allegations of sexual exploitation and abuse” in peacekeeping. It particularly urged police- and troop-contributing countries to fulfill their responsibilities to train, vet,

13 UN News Centre, “Central African Republic: Ban Vows ‘Decisive Action’ on Allegations of Sexual Abuse by UN peacekeepers,” August 12, 2015, available at [www.un.org/apps/news/story.asp?NewsID=51618#.WRj6HxN97Vo](http://www.un.org/apps/news/story.asp?NewsID=51618#.WRj6HxN97Vo).

14 UN News Centre, “New Allegations of Sexual Abuse Emerge against UN Peacekeepers in Central African Republic,” February 4, 2016, available at [www.un.org/apps/news/story.asp?NewsID=53163#.WT8ktxOGPVo](http://www.un.org/apps/news/story.asp?NewsID=53163#.WT8ktxOGPVo).

15 UN Secretary-General, *Special Measures for Protection from Sexual Exploitation and Abuse*, UN Doc. A/70/729, February 16, 2016, p. 33.

16 UN News Centre, “Seasoned Official Appointed to Coordinate UN Efforts to Curb Sexual Abuse by Peacekeepers,” February 8, 2016, available at [www.un.org/apps/news/story.asp?NewsID=53185#.WT8owBN97Vo](http://www.un.org/apps/news/story.asp?NewsID=53185#.WT8owBN97Vo).

17 United Nations, *Report of the High-Level Independent Panel on Peace Operations—Uniting Our Strengths for Peace: Politics, Partnership and People*, UN Doc. A/70/95-S/2015/446, June 17, 2015.

18 UN Secretary-General, *The Future of United Nations Peace Operations: Implementation of the Recommendations of the High-Level Independent Panel on Peace Operations*, UN Doc. A/70/357-S/2015/682, September 2, 2015, p. 7.

19 UN Security Council, *7564<sup>th</sup> Meeting*, UN Doc. S/PV/7564, November 20, 2015, p. 3.

and investigate their personnel.<sup>20</sup>

In November 2015 a Security Council presidential statement affirmed that “proper conduct by, and discipline over, all personnel deployed in United Nations peace operations are crucial to their effectiveness” and underscored “that sexual exploitation and abuse by United Nations peacekeepers is unacceptable.”<sup>21</sup> This was followed in December by a presidential statement recognizing the need for effective three-way consultations between the council, troop- and police-contributing countries, and the Secretariat, including on allegations of sexual exploitation and abuse by peacekeepers.<sup>22</sup>

By the time of the March 2016 debate on sexual exploitation and abuse, then, the issue had already received substantial attention in the Security Council. Implicit in the council’s adoption of Resolution 2272 was also the recognition that, though the Secretariat’s administrative reforms had been important, they had patently failed to prevent sexual abuse in peacekeeping or to ensure adequate accountability when it occurs. In particular, there are inevitable limits to the extent to which administrative reform can hold member states accountable. It is against this backdrop that the Security Council’s adoption of Resolution 2272 should be cast: it builds on, responds to, and addresses gaps in the UN’s ongoing reform agenda, adding to it the unique authority and symbolic weight of the Security Council.

Not only does sexual abuse by peacekeepers inflict unconscionable harm on individual victims, but it also damages the moral authority of the entire UN system. This framing—of the UN’s credibility undermined, reputation tarnished, and integrity questioned—has increasingly characterized discussion of sexual exploitation and abuse throughout the UN. Given the profound importance of legitimacy to the Security Council’s influence, it is not surprising that council members became increasingly concerned about the delegitimizing effects of continuing sexual abuse in peacekeeping.

In the debate preceding Resolution 2272’s adoption,<sup>23</sup> there was widespread recognition of this legitimacy crisis. While all Security Council members condemned the scourge of sexual exploitation and abuse, many also explicitly connected it to problems for the UN’s overarching moral authority. China noted that sexual exploitation and abuse undermines the reputation of peacekeeping operations and their basic purpose and “seriously tarnishes the overall image of the United Nations.” Calling sexual abuse “the worst abuse of trust imaginable... a horrifying betrayal of the faith placed in the United Nations... [and] a cancer in our system,” the United Kingdom declared that “the world is watching... The reputation of peacekeepers, of the Security Council and of the United Nations is at stake.” Uruguay warned of “the systemic damage that such cases cause for United Nations peacekeeping efforts”; Malaysia cautioned that sexual exploitation and abuse threaten “to cast a long, dark shadow on the Organization’s reputation”; Venezuela noted that “such actions contradict and undermine the spirit of the United Nations and the very purpose for which its missions are created”; and Senegal, Japan, and Spain all recognized the damaging effects of sexual abuse by peacekeeping for the image and credibility of the UN. New Zealand emphasized the practical effects of this credibility crisis, recognizing that both “the reputation and effectiveness of the Organization are being damaged. These allegations... represent a systemic failure that all of us—the Secretariat, contributing countries and Council members—have a responsibility to fix.”

Sponsoring the resolution, the United States offered the most comprehensive account of the multiple levels at which sexual exploitation and abuse damage the United Nations and its effectiveness in the world:

In addition to being a heinous abuse, sexual exploitation and abuse erode the discipline of military and police units and undermine the confidence of local communities in peacekeepers, both of which are critical to fulfilling Security Council mandates. More broadly, when those entrusted with being protectors

20 UN Security Council Resolution 2242 (October 13, 2015), UN Doc. S/RES/2242, para. 9. Sexual exploitation and abuse by peacekeepers had also been mentioned in a number of previous resolutions, including Resolutions 2106, 1960, 1888, and 1820, and frequently raised in statements in the Security Council, especially around the thematic open debates on women, peace, and security, sexual violence in conflict, and children in armed conflict.

21 UN Security Council, *Statement by the President of the Security Council*, UN Doc. S/PRST/2015/22, November 25, 2015.

22 UN Security Council, *Statement by the President of the Security Council*, UN Doc. S/PRST/2015/26, December 31, 2015, para. 2.

23 Over the course of the meetings on March 10 and 11, 2016.

become perpetrators, it undermines the credibility of peacekeeping missions everywhere, as well as the legitimacy of the United Nations writ large. And along with that, it undermines our ability to address effectively the serious threats of our time.<sup>24</sup>

The successful vote itself was a surprise to many observers. The think tank Security Council Report, for example, wrote a day prior to the debate that “it seemed that not enough progress had been made in the negotiations for the draft text to be adopted at tomorrow’s meeting.”<sup>25</sup> Intense negotiations over the preceding week appeared not to have bridged the gap between council members that believed the resolution went too far and those that believed it did not go far enough. There was even a dramatic amendment proposed by Egypt minutes before the resolution was to be adopted, which triggered a procedural vote on an amendment for the first time in twenty-five years.<sup>26</sup> Nevertheless, the unaltered resolution finally passed with fourteen votes in favor and one abstention (Egypt).

## Resolution 2272’s Approach to Prevention and Accountability

Explaining their support for Resolution 2272, Security Council members attached both moral and instrumental importance to improving the UN’s measures for preventing sexual exploitation and abuse in peacekeeping and to strengthening accountability when it occurs. Resolution 2272’s approach makes three particularly notable contributions to the UN’s efforts at system-wide reform.

First, Resolution 2272 clarifies and reinforces the secretary-general’s authority to repatriate and replace an entire national contingent from a peacekeeping operation if there are sufficient indications of a pattern of sexual exploitation and abuse by members of that contingent. Specifically, it:

*Endorses* the decision of the Secretary-General to

repatriate a particular military unit or formed police unit of a contingent when there is credible evidence of widespread or systemic sexual exploitation and abuse by that unit and *requests* the Secretary-General to give immediate and ongoing effect to this decision, including by urgently finalising his guidance to United Nations peacekeeping operations to implement this decision.<sup>27</sup>

Second, Resolution 2272 targets the part of the accountability chain that the Secretariat cannot enforce: the obligations of UN member states to investigate and report on allegations of sexual exploitation and abuse, to hold perpetrators accountable, and to inform the secretary-general of the progress of investigations and actions taken. When a member state has not met these obligations, Resolution 2272 directs the secretary-general to repatriate and replace the entire national contingent. Specifically, the resolution:

*Requests* the Secretary-General, when a particular troop-contributing country whose personnel are the subject of an allegation or allegations of sexual exploitation and abuse has not taken appropriate steps to investigate the allegation and/or when the particular troop- or police-contributing country has not held the perpetrators accountable or informed the Secretary-General of the progress of its investigations and/or actions taken, to replace all military units and/or formed police units of the troop- or police-contributing country in the United Nations peacekeeping operation where the allegation or allegations arose with uniformed personnel from a different troop- or police-contributing country.<sup>28</sup>

Furthermore, the resolution requests the secretary-general to take into account the accountability record of member states when considering whether to accept their contributions of uniformed personnel to peacekeeping operations. Specifically, Resolution 2272:

*Requests* the Secretary-General to assess whether a Member State has taken the appropriate steps to investigate, hold accountable and inform him of the progress of its investigations when determining whether that Member State should participate in

24 UN Security Council, 7642<sup>nd</sup> Meeting, UN Doc. S/PV.7642, March 10, 2016, p. 4.

25 Security Council Report, “Briefing and Draft Resolution on Sexual Exploitation and Abuse by UN Peacekeepers,” March 9, 2016, available at [www.whatsinblue.org/2016/03/briefing-and-draft-resolution-on-sexual-exploitation-and-abuse-by-un-peacekeepers.php](http://www.whatsinblue.org/2016/03/briefing-and-draft-resolution-on-sexual-exploitation-and-abuse-by-un-peacekeepers.php).

26 See Lorraine Sievers and Sam Daws, “The Procedure of the UN Security Council,” 4<sup>th</sup> ed., updated March 20, 2016, available at [www.sprocedure.org/chapter-6-section-5](http://www.sprocedure.org/chapter-6-section-5).

27 UN Security Council Resolution 2272 (March 11, 2016), UN Doc. S/RES/2272.

28 Ibid.

other current or future United Nations peacekeeping operations.<sup>29</sup>

Third, Resolution 2272 adds new impetus and political support to the UN's ongoing agenda of administrative reforms. It particularly emphasizes the need to prioritize a survivor-centered approach. UN peacekeepers are notoriously unaccountable to local populations,<sup>30</sup> and the UN's responses to survivors of sexual abuse have been woefully inadequate. As the HIPPO report recognized:

There is no comprehensive, systematic and adequately resourced programme to provide assistance to individual victims or the children born as a result of sexual exploitation and abuse. All of these grave shortcomings severely impact the ability of victims to seek justice and to see it being done by the United Nations.<sup>31</sup>

Due in large part to determined and effective advocacy from civil society groups,<sup>32</sup> Resolution 2272 takes a significant step toward addressing this inadequate response to survivors. It directs the secretary-general to ensure that investigations occur “with due consideration for the safety, security and confidentiality of victims” and “to assist victims, including by maintaining confidentiality, helping to minimize trauma and facilitating access, as appropriate, to immediate care, medical and psychological support.”<sup>33</sup> Among its other provisions, the resolution also calls for better investigations and improved information sharing and system-wide reporting and encourages improved vetting and training of peacekeepers.

## Debates, Gaps, and Controversies

Resolution 2272 treads a fine line between demanding the game-changing reforms necessary to seriously address the challenges of sexual exploitation and abuse in peacekeeping, on the one hand, and the incrementalism and restraint needed

to bring along the UN's more cautious member states, on the other.

For some, the resolution goes too far, an example of Security Council overreach that unfairly demonizes troop-contributing countries and their peacekeepers for the crimes and ill-discipline of a few. For others, it does not go far enough: provisions to deal with sexual exploitation and abuse committed by UN civilian personnel are conspicuously absent; the resolution does little to strengthen the accountability of non-UN personnel operating under Security Council mandates; and it makes scant progress on justice for victims. Nor does it remove immunity for UN personnel, call for an independent international court to prosecute criminal abuses by peacekeepers, or seek to refer such matters to the International Criminal Court, as many advocates have recommended. The resolution is pragmatic in scope.

Important questions also remain about how to interpret the resolution's ambiguous language and how to operationalize its prescriptions. At the most practical level, serious doubts remain about the resolution's feasibility. Given the perpetual undersupply of UN peacekeepers, can a large national contingent ever really be subject to repatriation without endangering the entire mission?

This section examines four areas of controversy and debate surrounding Resolution 2272: definitional ambiguity; operational problems; the legitimacy of the approach; and gaps in the resolution.

### PROBLEMS OF DEFINITION AND CRITERIA

Resolution 2272 endorses the secretary-general's plan for repatriating a national contingent “when there is credible evidence of widespread or systemic sexual exploitation and abuse by that unit.”<sup>34</sup> As is common in council decisions, however, it leaves open the definition and interpretation of key terms.

The resolution's definitional ambiguity raises

<sup>29</sup> Ibid.

<sup>30</sup> See Jeni Whalan, “Strengthening the Local Accountability of UN Peacekeeping,” in *Strengthening the Rule of Law through the UN Security Council*, ed. Jeremy Farrall and Hilary Charlesworth (Abingdon: Routledge, 2016), p. 135.

<sup>31</sup> UN Security Council Resolution 2272, para. 260.

<sup>32</sup> Resolution 2272 adopted almost verbatim the recommendations of Human Rights Watch on supporting survivors. See Human Rights Watch, “UN: Stop Sexual Abuse by Peacekeepers: New Report Reveals Lack of Justice, Protection for Victims,” March 4, 2016, available at [www.hrw.org/news/2016/03/04/un-stop-sexual-abuse-peacekeepers](http://www.hrw.org/news/2016/03/04/un-stop-sexual-abuse-peacekeepers); and Smaak, “Holding Abusive UN Peacekeepers to Account,” 2015.

<sup>33</sup> UN Security Council Resolution 2272, para. 4.

<sup>34</sup> Ibid., para. 1.

two problems with implementing it. First, in order to determine whether repatriation is warranted, the secretary-general requires some decision-making thresholds. What does “credible evidence” mean in practice? Clearly the evidentiary standard will be lower than that required to substantiate allegations, which would necessitate lengthy investigations, since prompt action is necessary if further abuse is to be prevented by removing the individuals or contingents perpetrating abuse. Furthermore, it is highly likely that the individuals responsible would have concluded their rotation before allegations can be comprehensively substantiated.<sup>35</sup> The UN has developed internal operational guidance, including on how credible evidence can be established in a short timeframe and on what standards of fairness and due process the credibility of evidence should be determined. But considering the political stakes of this issue, this guidance should be transparent and openly accessible.

Determining whether sexual exploitation and abuse are sufficiently “widespread and systemic” to warrant action will require similar guidance. While discretionary flexibility is required, any decision will inevitably be informed by judgments about whether it is the absolute number of cases that matters or the proportion of a contingent implicated, given the wide variation in contingent size.

Resolution 2272 also directs the secretary-general to repatriate a national contingent if “the particular troop- or police-contributing country has not held the perpetrators accountable.”<sup>36</sup> Given the primacy of member-state jurisdiction and the likely variation in accountability measures among contributing countries, establishing standards for what “held accountable” means is both a crucial and politically difficult task. How rigorous and transparent does an investigation need to be? What happens if a process is followed, but the penalty applied is superficial? Finally, determining whether accountability standards have been met will take time, further obstructing the prompt action required.

The second problem concerns the legitimacy of the secretary-general’s discretion to resolve the resolution’s language ambiguity. The intent of

Resolution 2272 seems to have been to confirm that the secretary-general has authority to take action when clear cases of abuse come to light, as in the Central African Republic and subsequently in South Sudan. It logically follows that the secretary-general also has the authority to determine appropriate thresholds for “credible evidence” and “widespread and systemic” abuse. Nevertheless, because this is a discretionary power, there is space for resisting such determinations on the grounds that they are illegitimate. They could be perceived to be:

1. Biased, for example toward protecting the UN’s institutional interests;
2. Unfair, whether for being over- or under-reactions; or
3. Broadly inappropriate, for example in punishing whistle-blowers.

For Resolution 2272 to prevent sexual exploitation and abuse, the implementation of its provisions requires some minimum level of legitimacy.

Work is already underway within the Secretariat to develop operational guidance on these matters, which ought to resolve some of this ambiguity. Transparency and a pragmatic level of clarity around the interpretation of these thresholds by the secretary-general will help to assuage concerns about the extent of discretion. Nevertheless, as recommended below, additional measures may be required to reinforce the legitimacy of the secretary-general’s discretion to determine thresholds for “credible evidence,” “widespread and systemic,” and “held accountable.”

## OPERATIONAL PROBLEMS

### Operationalizing Repatriation

The most troubling operational challenge to Resolution 2272 goes to the heart of its ability to credibly deter sexual exploitation and abuse. Notwithstanding the substantial concerns about the appropriateness of collective repatriation (addressed in the next section), is the repatriation of a large national contingent feasible in practice, given the perennial difficulties of recruiting peacekeeping contributors?<sup>37</sup>

35 Neudorfer, “UNSC Resolution 2272.”

36 UN Security Council Resolution 2272, para. 2.

37 See Alex J. Bellamy and Paul D. Williams, “Broadening the Base of United Nations Troop- and Police-Contributing Countries,” International Peace Institute, August 2012, available at [www.ipinst.org/2012/08/broadening-the-base-of-united-nations-troop-and-police-contributing-countries](http://www.ipinst.org/2012/08/broadening-the-base-of-united-nations-troop-and-police-contributing-countries).

UN peace operations already regularly face substantial deployment gaps. In early 2017, for example, the number of military and police personnel actually deployed to the UN missions in South Sudan (UNMISS) and Lebanon (UNIFIL) was only around 70 percent of that authorized; for the missions in Mali (MINUSMA) and the Democratic Republic of the Congo (MONUSCO), the numbers were 80 and 85 percent, respectively.<sup>38</sup> Kenya's withdrawal of its peacekeepers from UNMISS in late 2016 illustrates the impact contingent repatriation under Resolution 2272 can have on the overall deployment profile of a mission. UNMISS has had persistent, significant shortfalls: it took more than two years to meet its original authorization in 2011 of 8,000 military and police troops; an increase to 14,000 in 2014 took well over two years to meet;<sup>39</sup> and in late 2016, no noticeable progress had been made toward meeting an increase to 17,000 authorized several months earlier. When Kenya's military contingent dropped from some 1,000 troops in October to less than 170 in December,<sup>40</sup> UNMISS's total number of military troops declined from about 71 percent of authorized levels to around 68 percent (see Figure 3).

The UN mission in the Central African Republic (MINUSCA), meanwhile, has operated closer to its full authorized strength: in February 2017, nearly 95 percent of the personnel authorized were deployed in the field. Further, some fifty UN member states contribute uniformed personnel (see Figure 4).<sup>41</sup> Taken together, these factors mitigate concerns about the impact of repatriation on the capacity of MINUSCA.

Numbers alone, of course, do not tell the full story. The impact of contingent repatriation on a mission's operational readiness depends more on the particular capabilities of that contingent than on its size. Repatriating a relatively small national

contingent that provided essential mission support or enablers such as helicopters or communications logistics may have a greater impact on the wider operation than the number of its personnel might suggest.

The prospect of repatriation under Resolution 2272 thus raises questions about the trade-off between the prevention of sexual exploitation and abuse—whether by directly removing the threat or indirectly deterring it—and the mission's ability to achieve its comprehensive mandate, particularly the broader protection of civilians. If credible evidence exists of widespread or systemic abuse, should repatriation occur immediately or be delayed until a replacement for that capability be found? Is it worse to leave a known gap in the mission or to leave (potential) abusers in place?

A short-term delay in repatriation may not adversely impact the effect of repatriation as an indirect deterrent: the relevant member state will still incur the associated reputational and financial penalties. Delaying repatriation until a replacement contingent can be found can enable mission-critical tasks to continue. Retaining an implicated contingent in the short term might even enable the continuation of some civilian protection activities that would otherwise be suspended.

But delaying repatriation even under such conditions is deeply compromising on ethical and instrumental grounds. It would continue to put civilians at risk of abuse and further undermine the UN's already toxic reputation on dealing with sexual exploitation and abuse. The report of the Independent Review Panel in the Central African Republic clearly demonstrates this, finding that “the failure to take preventative steps and to intervene to stop the abuses exposed the children (and potentially other victims) to repeated assaults of the most egregious nature.”<sup>42</sup> The longer the time

38 See UN Department of Peacekeeping Operations, *UN Missions Summary of Military and Police*, February 28, 2017, available at [www.un.org/en/peacekeeping/contributors/2017/feb17\\_6.pdf](http://www.un.org/en/peacekeeping/contributors/2017/feb17_6.pdf). Authorized numbers are from the relevant mission statistics page of the UN Department of Peacekeeping Operations, “Current Peacekeeping Operations.”

39 Derived from UN Department of Peacekeeping Operations, “Troop and Police Contributors,” available at [www.un.org/en/peacekeeping/resources/statistics/contributors.shtml](http://www.un.org/en/peacekeeping/resources/statistics/contributors.shtml); “Current Peacekeeping Operations,” available at [www.un.org/en/peacekeeping/operations/current.shtml](http://www.un.org/en/peacekeeping/operations/current.shtml). See also “Strategic Summary 2016: UN Peace Operations by the Numbers,” Global Peace Operations Review (see second graph under the subheading “Hurry Up and Wait”), available at <http://peaceoperationsreview.org/strategic-summary-2016-un-peace-operations-by-the-numbers/>.

40 There have also been shortfalls in the civilian police component; of the 2,000 authorized in late 2016, only about 70 percent were in place.

41 UN Department of Peacekeeping Operations, “UN Missions Summary of Military and Police,” February 28, 2017, available at [www.un.org/en/peacekeeping/contributors/2017/feb17\\_6.pdf](http://www.un.org/en/peacekeeping/contributors/2017/feb17_6.pdf). Authorized numbers are from the relevant mission statistics page of the UN Department of Peacekeeping Operations, “Current Peacekeeping Operations.”

42 UN General Assembly, *Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic*, p. 8.

Figure 3. Troop and police contributions to UNMISS

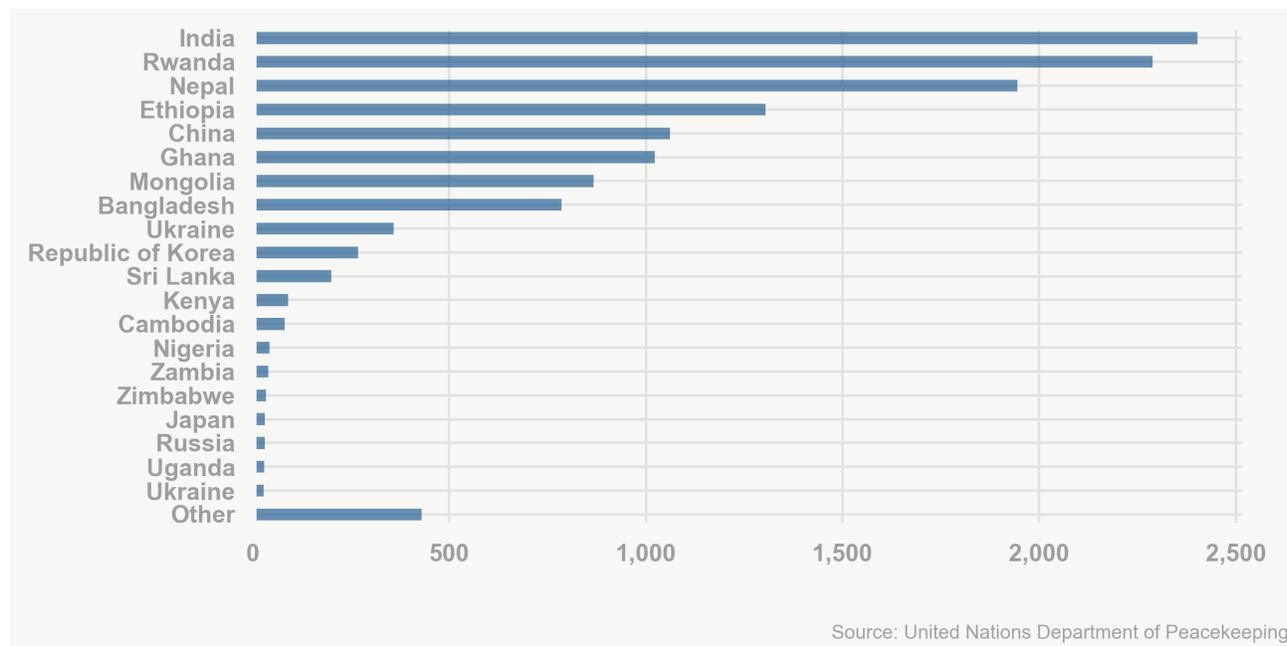
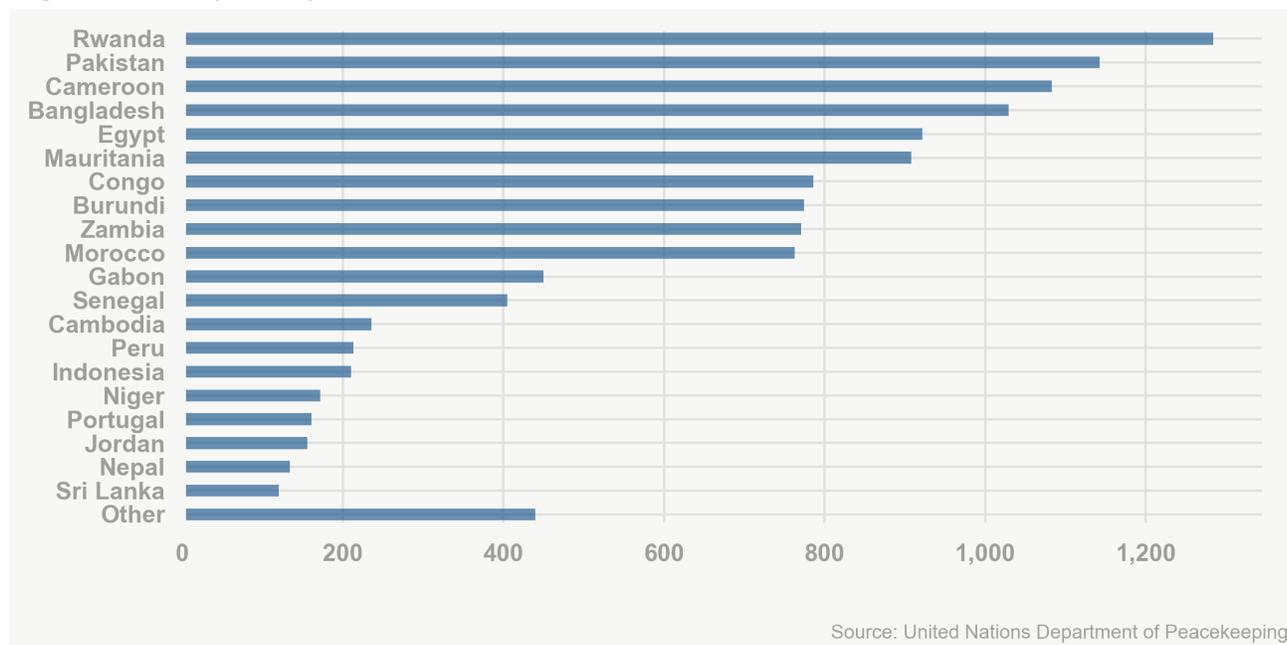


Figure 4. Troop and police contributions to MINUSCA



that implicated personnel are allowed to remain in the field, the more the UN is complicit in, and even ultimately responsible for, any continuing abuse. Ethically, such a delay would in effect accept that “doing harm” in the form of sexual abuse is acceptable if it is traded off against other mission benefits. It would also contradict the UN’s zero-tolerance policy and its Human Rights Up Front framework.

Navigating these fraught dynamics will require deep pragmatism. Of course, the reality is that repatriation should be considered a last resort, invoked only when other preventive and disciplinary measures have patently failed. Regardless of the specific thresholds established, credible evidence of abuse will be collected over time, during which leadership both in the mission and at

headquarters can develop contingency plans for replacing an implicated contingent. In other words, decision making must be contextual: the appropriate course of action will by necessity be specific to the particular mission, its priorities, and its operating environment. But in order to establish and safeguard their legitimacy, decisions regarding the scope and timing of repatriation must be clearly and publicly justified.

In June 2017 the Republic of the Congo withdrew its military peacekeepers from the Central African Republic, prompted by a UN review finding that allegations of sexual exploitation and abuse against its personnel “point to systemic problems in command and control.”<sup>43</sup> The repatriation of over 600 peacekeepers represents a clear case of Resolution 2272 in action. But lengthy delays in removing this notorious contingent from the field, despite much earlier credible evidence implicating that nation’s troops in systemic abuse, cast damning light on the UN’s ability to take swift, decisive, and necessary action to protect civilians from predatory peacekeepers.<sup>44</sup>

A further operational problem of repatriation relates to its effect on investigations. In the presence of credible evidence of widespread and systemic abuse, the imperative of immediate repatriation—of removing perpetrators from the field—seems clear. But at the same time, repatriation before an investigation is complete is likely to obstruct the ability of investigators to properly and thoroughly investigate. In many cases, the absence of alleged perpetrators and other members of their national contingent (who may have witnessed or been implicated in the abuse) may be fatal to an investigation. Even for the most well-intentioned member state, the logistical difficulties of cross-border investigations complicate the task of holding perpetrators to account.

### Operationalizing Victim Support

The UN has been slow to orient its efforts on sexual abuse toward the people peacekeepers are meant to serve. Resolution 2272 offers little to advance the

larger cause of justice for victims, whether through legal means, reparations, or improved measures to address paternity claims. But it does make notable progress on victim support, building on previous UN reforms,<sup>45</sup> by including provisions to consider “the safety, security and confidentiality of victims” and “to assist victims, including by maintaining confidentiality, helping to minimize trauma and facilitating access, as appropriate, to immediate care, medical and psychological support.”<sup>46</sup>

Operationalizing this focus on survivors of abuse is not easy, particularly for a peacekeeping system that has not traditionally been adept at people-centric approaches. Thoroughly implementing Resolution 2272 will require the UN to find better ways of protecting survivors during investigations, including from the re-traumatizing effects of repeat interviews through multiple investigations. It is essential to ensure that the needs of survivors are not overshadowed by the demands for accountability.

To this end, the secretary-general’s report on special measures for protection from sexual exploitation and abuse recommends significant institutional changes intended to cut across the UN system.<sup>47</sup> The creation of a victims’ rights advocate at the level of assistant secretary-general demonstrates the seriousness with which these issues are being considered. The implementation of Resolution 2272’s provisions on victim assistance would need a direct interface with that office.

Operationally, while there has been some recent progress in equipping missions to provide support services,<sup>48</sup> full implementation of Resolution 2272 requires more. Facilitating access to immediate care and medical and psychological support, as called for in the resolution, first requires the availability of adequate, time-sensitive services.

The failure of support services in the Central African Republic again illustrates the challenges the UN must overcome: it is not enough for a peacekeeping mission simply to refer victims to humanitarian agencies, or for those humanitarian agencies to refer them to local organizations. Given

43 UN Secretary-General, “Note to Correspondents on MINUSCA,” June 21, 2017.

44 See Paula Donovan and Stephen Lewis, “Code Blue Statement on Withdrawal of Congo/Brazzaville Battalion from CAR,” Code Blue Campaign, June 20, 2017, available at [www.codebluecampaign.com/press-releases/2017/6/20](http://www.codebluecampaign.com/press-releases/2017/6/20).

45 See, for example, General Assembly Resolution 62/214 (December 21, 2007).

46 UN Security Council Resolution 2272.

47 UN Secretary-General, *Special Measures for Protection from Sexual Exploitation and Abuse: A New Approach*, UN Doc. A/71/818, February 28, 2017.

48 Ibid., Annex III.

the wider likelihood of sexual violence in the conflict environments to which peacekeepers deploy, building adequate support services should be a priority integrated into the peacebuilding mandates of missions. In the Central African Republic, sexual violence, including the systematic targeting of women and girls, has been a tactic used by all conflict parties “to subjugate and humiliate opponents,” including through “rape perpetrated to terrorize civilians, with many victims being assaulted in their homes, during door-to-door searches and while sheltering in fields or the bush.”<sup>49</sup> The inadequacy, and in many areas complete lack, of basic medical services for survivors of sexual violence was well-known early in MINUSCA’s deployment.<sup>50</sup>

It is important to acknowledge that this recommendation to transform access to medical and psychological support services is one more priority in the ever-expanding scope of UN peace operations. Implementing it will require not only budgetary resources but also human resources of the kind often difficult to embed in peacekeeping operations. Peacekeeping operations have been repeatedly constrained by a lack of funding to support gender-related activities in particular, which limits the effectiveness of their engagement with local women and girls.<sup>51</sup> At a time of unprecedented demand for international humanitarian funding, adequately resourcing medical and psychological services for survivors of conflict-related sexual violence will remain a challenge.

Yet these services are essential not only for the fulfillment of the broader civilian protection mandates of peacekeeping operations; they are also necessary for the implementation of Resolution 2272’s directive to assist victims.<sup>52</sup> Establishing good working relationships between a mission and community support groups should also be prioritized as a matter of course. Importantly, such outreach should not wait for cases of sexual exploitation and abuse to be reported, as these groups will be crucial interlocutors for the mission

in identifying abuse and facilitating investigations. When local support services are insufficient, missions could rapidly deploy services by using a standing roster or sharing services with other missions in the region.

Prioritizing support to these survivors will face the same challenges that have stymied the broader people-centric agenda in peacekeeping. Comprehensively implementing Resolution 2272 will both depend upon and contribute to the more profound reorientation of peacekeeping missions away from the political and bureaucratic dynamics of the UN and toward the people they are designed to protect and serve. As the HIPPO report puts it, UN peace operations must become more people-centered,<sup>53</sup> a goal that will require widespread transformation of the culture, values, and practices of peace operations. At the same time, looking at that goal through the lens of sexual abuse demonstrates its fraught implications, as efforts to prevent this abuse aim to limit contact between peacekeepers and local populations.

#### LEGITIMACY OF THE APPROACH TO MEMBER-STATE ACCOUNTABILITY

If there was any doubt that sexual abuse in peacekeeping posed a grave challenge to the UN’s broader legitimacy, it was dispelled by the global media response to the scandals in the Central African Republic. While many dynamics were at play, the outcome of Resolution 2272 cannot be understood without reference to broader efforts to defend the UN’s legitimacy following the widely publicized Central African crisis.

But the legitimacy of Resolution 2272’s approach—to prevent sexual exploitation and abuse by strengthening member states’ accountability for abuse perpetrated by their nationals—has itself come under fire. For some UN member states, particularly many large troop- and police-contributing countries, the resolution overreaches. For example, speaking in opposition to the resolution during the Security Council debate, Egypt

49 UN Secretary-General, *Conflict-Related Sexual Violence*, UN Doc. S/2015/203, March 23, 2015, p. 5.

50 For example, “There are almost no protection mechanisms in place and basic services such as medical assistance and counselling are limited in the spontaneous sites where displaced women and girls have gathered.” See “Little Help for CAR Rape Survivors,” IRIN, July 15, 2014, available at [www.irinnews.org/news/2014/07/15/little-help-car-rape-survivors](http://www.irinnews.org/news/2014/07/15/little-help-car-rape-survivors).

51 UN General Assembly and Security Council, *Uniting Our Strengths for Peace*.

52 Security Council Resolution 2272.

53 UN General Assembly and Security Council, *Uniting Our Strengths for Peace*.

emphasized that the appropriate response would treat cases of sexual exploitation and abuse as individual and isolated. It also warned that the occurrence of sexual abuse “should not be used as a tool to attack troop-contributing countries or their reputation, or to undermine the significant sacrifice they are undertaking to re-establish peace and security for civilians.”<sup>54</sup> Other UN member states have made similar arguments against Resolution 2272’s approach of collective punishment.<sup>55</sup>

It is important to note the extensive qualifiers included in Resolution 2272’s endorsement of collective repatriation. Repatriation of a contingent rather than just individuals who were specifically implicated occurs only when the problem is, by definition, larger than those individuals. It occurs either when the abuse in question is widespread or systemic—that is, when there is credible evidence that the abuse is not individual and isolated—or when the particular police- or troop-contributing country has failed to meet its obligations for holding perpetrators accountable. Notwithstanding the lack of definitional clarity previously discussed, this suggests that collective repatriation is intended to be a last resort.

But it is also important to note the particular context of accountability in UN peacekeeping. Collective repatriation is a measure that responds to the legal framework and political reality that gives a police- or troop-contributing country full jurisdiction over its personnel, and thus primary responsibility for holding perpetrators to account. The deterrent mechanism in Resolution 2272 is thus not so much punishing the many for the crimes of the few as providing clear and targeted incentives for member states to strengthen their role as crucial links in the peacekeeping accountability chain.

The Security Council has also been criticized for overreaching from its appropriate role in passing

Resolution 2272 and encroaching on the role of the General Assembly’s Fifth Committee and Special Committee on Peacekeeping Operations (C-34). Resolution 2272 has further fueled longstanding concerns by police- and troop-contributing countries that, because the Security Council is unrepresentative, its decisions will not adequately reflect their views.<sup>56</sup> For example, during the council debate, Pakistan’s representative—participating under Rule 37 of the council’s provisional rules of procedure—stated that “we firmly believe that the Special Committee on Peacekeeping Operations of the General Assembly...is the forum in which to discuss issues relating to the conduct and discipline of peacekeepers.”<sup>57</sup> As the sponsor of the draft resolution, the United States addressed these concerns but rejected their implication, instead justifying the council’s legitimate role on such matters:

We would welcome constructive action by the General Assembly, but the General Assembly has had 11 years since our last open security meeting on this topic (see S/PV.5191) to take more aggressive and constructive steps that might have made more of a dent in this problem. What we in the General Assembly have done has not yet worked.... We, the Security Council, see ourselves as responsible when non-State actors and militias rape women and kids, or men, for that matter. Again, we see ourselves as responsible when terrorists, who pose a grave threat to international peace and security, rape women and kids. How is it possible that we can argue that when our own peacekeepers, the people we have sent into the field, rape women and children, the Security Council does not have responsibility? How can we say that? This is our problem, our responsibility.<sup>58</sup>

Similarly, while New Zealand expressed respect for the competence and role of the C-34 and Fifth Committee, it noted that “we strongly disagree with the suggestion that the Council is not responsible for the consequences of the mandate it approves or for the actions of personnel it deploys.”<sup>59</sup>

54 Egypt abstained from voting on the resolution, which was adopted with fourteen votes in favor. UN Security Council, *7642<sup>nd</sup> Meeting*, statement of Egypt (p. 1).

55 For example, see UN General Assembly *70<sup>th</sup> Session, 115<sup>th</sup> Plenary Meeting*, UN Doc. A/70/PV.155, September 7, 2016, statements of Bangladesh (p. 30), Morocco (p. 6), and Pakistan (p. 8).

56 It is nevertheless worth noting that all but two of the council’s fifteen members were active contributors of uniformed personnel at the time of debate and that the council included three of the top fifteen contributors (Senegal, ranked seventh; China, ranked eighth; and Egypt, ranked thirteenth). Taken collectively, council members contributed 14 percent of total UN peacekeeping forces in March 2016. See UN Department of Peacekeeping Operations, “Ranking of Military and Police Contributions to UN Operations,” March 31, 2016, available at [www.un.org/en/peacekeeping/contributors/2016/mar16\\_2.pdf](http://www.un.org/en/peacekeeping/contributors/2016/mar16_2.pdf).

57 UN Security Council, *7642<sup>nd</sup> Meeting*, p. 25.

58 *Ibid.*, p. 23.

59 *Ibid.*, p. 19.

Amid this contestation, which arguably reflects much broader struggles within the UN membership about the legitimate authority of the institution's different fora,<sup>60</sup> it is important to note that there is little in Resolution 2272 that does not accord with the standards previously agreed to or acknowledged by the C-34 and Fifth Committee.<sup>61</sup> Indeed, the adoption of Resolution 2272 is unthinkable without the progressively more substantive measures considered in these fora on protection from sexual exploitation and abuse.

## GAPS IN RESOLUTION 2272

### Non-UN Forces

A grey area across much of peacekeeping policy is the extent to which UN doctrine and guidance applies to non-UN forces operating under a UN mandate. The problem of sexual abuse committed by non-UN forces was plainly evident as the scandal in the Central African Republic unfolded: among the most controversial dimensions of the UN's mishandling of the crisis—and one of the most disturbing cases of abuse—involved French troops in Operation Sangaris, a Security Council-authorized French mission deployed alongside the UN operation MINUSCA.

The principal distinction between UN peacekeeping missions and non-UN forces operating under a Security Council mandate is that they are authorized under different parts of the UN Charter. UN missions are conventionally understood to be authorized by the Security Council using its wide-ranging powers under Article 29, which allow the council to “establish such subsidiary organs as it deems necessary for the performance of its functions.” UN responsibility is extended to these subsidiary organs, which include

Security Council committees, courts and tribunals, and peacekeeping missions.<sup>62</sup> Other arrangements are approved under Article 52(1) in Chapter VIII, which allows for regional arrangements provided that “their activities are consistent with the Purposes and Principles of the United Nations.”<sup>63</sup> Whereas forces authorized as subsidiary organs are presumed to be under at least some degree of UN control and therefore subject to UN policies and regulations, those authorized under regional arrangements are not under UN control.<sup>64</sup>

Regardless of their particular institutional character and authorization mechanisms, however, the UN's human rights mandate arguably gives the organization broader responsibility to address sexual exploitation and abuse by UN and non-UN peacekeepers alike. This was among the most significant conclusions of the Independent Review Panel in the Central African Republic, which concluded in its report that “the UN must recognize that sexual violence by peacekeepers triggers its human rights mandate to protect victims, investigate, report and follow up on human rights violations, and to take measures to hold perpetrators accountable.”<sup>65</sup>

Early drafts of Resolution 2272 did not make reference to non-UN forces operating under Security Council authorization.<sup>66</sup> It appears that the resolution's approach to this issue was substantively shaped through consultation prior to the council vote. As a result, Resolution 2272 recognizes the problem of non-UN forces, urging “all non-United Nations forces authorised under a Security Council mandate to take adequate measures to prevent and combat impunity for sexual exploitation and abuse by their personnel.”<sup>67</sup> That is, it calls on UN member states to repatriate

60 Since the adoption of Resolution 2272, debate has continued on the transparency and inclusiveness of member states' initiatives to address sexual exploitation and abuse, as well as on which UN forum is the most appropriate for dealing with it. See, for example, General Assembly Resolution 71/278 (March 20, 2017), on United Nations action on sexual exploitation and abuse, and UN General Assembly, 71<sup>st</sup> Session, 71<sup>st</sup> Plenary Meeting, UN Doc. A/71/PV.71, March 10, 2017.

61 See, for example, UN General Assembly Resolution 70/286 on crosscutting issues (June 17, 2016); UN General Assembly, 71<sup>st</sup> Session, 71<sup>st</sup> Plenary Meeting, UN Doc. A/71/PV.71, March 10, 2017; UN General Assembly, *Administrative and Budgetary Aspects of the Financing of the United Nations Peacekeeping Operations: Report of the Fifth Committee*, UN Doc. A/70/943, June 14, 2016.

62 See Bruno Simma, Daniel-Erasmus Khan, Georg Nolte, and Andreas Paulus, eds., *The Charter of the United Nations: A Commentary*, 3<sup>rd</sup> ed. (Oxford: Oxford University Press, 2012), vol. 1, p. 1,012; United Nations, “Subsidiary Organs: Overview,” in *Repertoire of the Practice of the Security Council*, available at [www.un.org/en/sc/repertoire/subsidiary\\_organs/overview.shtml](http://www.un.org/en/sc/repertoire/subsidiary_organs/overview.shtml).

63 Simma et al., eds., *The Charter of the United Nations*, vol. 2, p. 1,446.

64 Article 52(1) simply recognizes that the operation is not incompatible with the UN Charter. See, for example, UN Secretary-General, *Administrative and Budgetary Aspects of the Financing of the United Nations Peacekeeping Operations*, UN Doc. A/51/389, September 20, 1996, p. 4; Terry D. Gill and Dieter Fleck, *The Handbook of the International Law of Military Operations* (Oxford: Oxford University Press, 2015), p. 126.

65 UN General Assembly, *Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic*, p. 3.

66 See Security Council Report, “Briefing and Draft Resolution on Sexual Exploitation and Abuse by UN Peacekeepers.”

67 Security Council Resolution 2272.

their own units from non-UN missions, on their own initiative, when there is credible evidence of widespread or systemic sexual exploitation or abuse by those units. It also calls on contributors to non-UN mission to appropriately investigate allegations of sexual exploitation and abuse and to hold perpetrators accountable.

Nevertheless, accountability measures for these missions are substantially weaker than for UN missions. Unlike in the UN forces that Resolution 2272 primarily addressed, personnel or contingents in non-UN forces do not face compulsory repatriation, their repatriation is not directed by the secretary-general or even the Security Council, and they face no penalties regarding future participation in such forces for inadequate investigations or accountability measures. Resolution 2272 merely “urges” non-UN forces, in effect, to hold themselves accountable.

But there are other means by which the UN system can strengthen the accountability of non-UN forces. One is to increase transparency by reporting sexual exploitation and abuse allegations involving non-UN personnel serving under a Security Council mandate. The General Assembly has already requested such reporting from the secretary-general in Resolution 70/286. As a result, data relating to non-UN forces is included in the secretary-general’s 2017 report on sexual exploitation and abuse.

The Security Council also has more scope to act. When there is credible evidence of widespread or systemic abuse on which non-UN forces have failed to act appropriately, the Security Council could revoke its authorization of those forces. Indeed, Russia suggested as much in the council debate: impunity for non-UN forces would ultimately mean that “the Security Council will sooner or later have to consider the issue of withdrawing such authority from them.”<sup>68</sup> This has symbolic and operational implications, since such action could mean the complete withdrawal of UN legitimacy from an operation previously deemed necessary for the maintenance of international

peace and security. But revoking authorization is available to the Security Council as a preventive mechanism in the case of egregious violations of standards that apply to UN operations.

### CIVILIAN PERPETRATORS

Attention to the problem of sexual abuse in peacekeeping—whether from media, scholars, or within the UN system—has overwhelmingly focused on uniformed personnel as its perpetrators. Sexual exploitation and abuse committed by UN civilian personnel have received far less attention. Yet civilian personnel were implicated in 32 percent of allegations recorded between 2007 and 2016, compared to 50 percent for military personnel and 15 percent for police.<sup>69</sup>

While its preamble expresses concern about abuse perpetrated by civilians as well as military and police personnel, Resolution 2272’s accountability provisions primarily focus on uniformed personnel and the particular accountability obligations of police- and troop-contributing countries. In other words, the resolution’s gap vis-a-vis civilian personnel reveals where it sits in the broader spectrum of measures to address sexual exploitation and abuse throughout the UN system.

The need for better measures to prevent and respond to allegations of sexual abuse by UN civilian personnel is on the broader UN agenda. For example, the secretary-general’s 2017 report *Special Measures for Protection from Sexual Exploitation and Abuse: A New Approach* refers throughout to “both civilian and uniformed personnel” and emphasizes the need for a system-wide approach that unifies and standardizes efforts across not only peace operations but also UN programs and agencies.<sup>70</sup> Indeed, Resolution 2272 requested the secretary-general, “where applicable, to continue to take steps to enhance measures in United Nations peace operations against all forms of abuse and exploitation of civilians by *any member* of the United Nations peace operation” (emphasis added).<sup>71</sup>

Yet as the Security Council debate on the draft

68 UN Security Council, 7642<sup>nd</sup> Meeting, p. 9.

69 In 3 percent of recorded cases the category of implicated personnel was unknown. See UN Peacekeeping, “Conduct in UN Field Missions: Sexual Exploitation and Abuse,” available at <https://conduct.unmissions.org/sea-subjects>.

70 UN Secretary-General, *Special Measures for Protection from Sexual Exploitation and Abuse: A New Approach*, UN Doc. A/71/818, February 28, 2017.

71 UN Security Council Resolution 2272.

resolution reflects, its focus on uniformed personnel to the near-exclusion of civilian personnel was not lost on member states. Venezuela, for example, referred to the proportion of allegations concerning non-uniformed personnel to note that “those numbers should tell the United Nations, and the Security Council specifically, that any binding action that could be taken should involve sanctions and action to combat impunity for all categories of personnel, whether civilian, military, volunteers, police or support staff.”<sup>72</sup>

In addition to excluding a large number of peacekeepers serving with Security Council authorization from accountability measures, perceptions of selectivity and inconsistency between categories of peacekeeping personnel threaten to undermine the resolution’s legitimacy.<sup>73</sup> It appears that this was recognized with regard to non-UN forces, which makes the omission of more specific reference to civilian perpetrators a surprising oversight. As the resolution’s sponsor, the United States explained that the Security Council was the appropriate UN forum to pursue such action because “it is the Council that sends peacekeepers into conflict areas.... We deem it our responsibility as a Council to oversee every part of their missions.”<sup>74</sup> Since this is as true for civilian peacekeepers as for uniformed personnel, it is curious that the resolution does not, for example, direct the secretary-general to strengthen accountability measures for responding to allegations against civilian staff of UN missions.

## Recommendations

Twenty years of UN reforms have seen the organization pursue numerous approaches to preventing sexual exploitation and abuse in peacekeeping. Awareness-raising advocacy reports have revealed the scope of the problem and progressively elevated its moral and political significance. Investigations and reviews have identified causes, risk factors, and—repeatedly—institutional failings within the

UN system. In debates and resolutions, UN member states have affirmed their commitment to reforms. Management reforms at UN headquarters and in the field have sought to clarify policies, introduce and strengthen response protocols, create new organizational architectures and responsibilities, and allocate resources accordingly.

Of these reforms, two preventive measures have been particularly embraced: vetting and training. Vetting would-be peacekeepers for past human rights abuses, including sexual abuse, however, is problematic: while there is scant justification not to have a single comprehensive system that keeps known perpetrators from being deployed, the experience of sexual abuse prevention in other institutional contexts suggests that pre-screening is not as effective as widely believed.<sup>75</sup>

Improvements to universal training for peacekeepers on sexual exploitation and abuse have been among the most widely embraced and comprehensively implemented UN reforms. While training may be the low-hanging fruit of peacekeeping reform, it is undoubtedly an important instrument of prevention, an essential transmitter of organizational culture and values, and a means for clarifying the policies on and individual responsibilities for sexual exploitation and abuse. In particular, effective training can strengthen the vigilance of all peacekeepers to recognize the risks and occurrence of sexual abuse and take appropriate action.

Important as those reforms are, such preventive measures must be embedded in a broader functional system of accountability. Speaking in the Security Council before the resolution’s adoption, US Ambassador Samantha Power clarified the logic of its key provisions: “We have long known that one of the most effective ways to prevent sexual exploitation and abuse is to send a clear message that perpetrators will be held accountable.”<sup>76</sup>

It is this task of strengthening accountability that Resolution 2272 primarily aims to fulfill. This final

72 UN Security Council, *7642<sup>nd</sup> Meeting*, p. 15.

73 In the council debate, Russia noted that “the draft resolution that has been circulated is far from ideal. It proposes a selective approach by excluding from the proposed measures both United Nations civilian personnel and non-United Nations personnel.” *Ibid.*, p. 9.

74 *Ibid.*, p. 4.

75 Keith Kaufman and Marcus Erooga, “Risk Profiles for Institutional Child Sexual Abuse: A Literature Review,” Royal Commission into Institutional Responses to Child Sexual Abuse, October 2016, available at [www.childabuseroyalcommission.gov.au/getattachment/22087ecf-373b-4de4-b134-5c9633e5430b/Risk-profiles-for-institutional-child-sexual-abuse](http://www.childabuseroyalcommission.gov.au/getattachment/22087ecf-373b-4de4-b134-5c9633e5430b/Risk-profiles-for-institutional-child-sexual-abuse).

76 UN Security Council, *7642<sup>nd</sup> Meeting*.

section identifies nine requirements for implementing the resolution and makes twenty-one recommendations for delivering on them. Combined, they outline the measures required to implement Resolution 2272 so that it fulfills its promise to strengthen accountability for sexual exploitation and abuse perpetrated by peacekeepers and thereby prevent the continuing abuse of vulnerable people.

### LEGITIMIZE THE SECRETARY-GENERAL'S DISCRETIONARY AUTHORITY

Decisions about whether to repatriate national contingents or decline peacekeeping contributions from certain member states in accordance with Resolution 2272 require operationalizing the resolution's ambiguous language. Specifically, any such decision will be based on determining what constitutes "credible evidence," the threshold for "widespread or systemic" abuse, and the standards by which member states will be deemed to have "held accountable" perpetrators of abuse. Operational guidance to this end has already been developed within the UN, but it is not yet publicly available.

While any such determinations must ultimately be context-specific and pragmatic, not formulaic, reliance on the secretary-general's ad hoc discretion for each case creates its own accountability problem. In order to build and safeguard the legitimacy of the secretary-general's discretionary authority, minimum levels of clarity on rules and transparency will be required. More importantly, decisions taken under Resolution 2272 should be subject to the appropriate checks and balances.

1. The secretary-general should issue transparent, publicly available guidance clarifying how he will interpret the ambiguous language of Resolution 2272.
2. The secretary-general should ensure that he exercises discretionary authority transparently by publicly justifying decisions to repatriate certain national contingents or to allow them to participate in missions.
3. The Security Council should direct the secretary-general to appoint an independent

and impartial ombudsperson with a mandate to review and oversee UN actions on sexual exploitation and abuse in peacekeeping. The ombudsperson should assist the secretary-general by making independent, timely recommendations on specific cases, including by clarifying decision-making thresholds and reviewing the appropriateness of actions taken.

### ENSURE THAT DETERRENTS ARE CREDIBLE

Given long-standing deployment gaps in peacekeeping, the credibility of Resolution 2272's deterrence—whether through repatriating national contingents or declining peacekeeping contributions—largely depends on the availability of replacement forces. Even a hint that some contingents may be too mission-critical to repatriate in full will directly undermine the logic behind the resolution's approach to accountability. Continued force-generation efforts will strengthen the secretary-general's ability to respond promptly and decisively when repatriation thresholds are met.

4. UN member states should continue efforts to broaden the base of UN troop- and police-contributing countries, subject to human rights screening, including vetting for past sexual exploitation and abuse.

### ENABLE MEMBER STATES TO ADOPT THEIR OWN ACCOUNTABILITY MEASURES

The particular value added by Resolution 2272 to the UN system's wider reforms on sexual exploitation and abuse is to incentivize member states to put in place stronger accountability measures. The resolution imposes penalties on member states that fail not only to hold their personnel accountable but also to adequately report on the progress of investigations and accountability measures. Implementing this provision of Resolution 2272 will require substantial improvements to the receipt and processing of reports by the UN Secretariat.<sup>77</sup>

5. The UN Secretariat should streamline member states' cumbersome reporting processes to the UN to make it easier for them to fulfill their obligations and for the secretary-general to

<sup>77</sup> On the long and complex reporting chain, see [www.un.org/en/peacekeeping/images/SEA\\_infographic\\_v10-02.jpg](http://www.un.org/en/peacekeeping/images/SEA_infographic_v10-02.jpg).

identify member states that have failed to do so.

6. The UN should adequately resource a single reporting point in the Secretariat to ensure that reporting is processed quickly and made publicly accessible in a timely manner.

#### MAKE INVESTIGATIONS AND RESPONSES TRAUMA-SENSITIVE

Resolution 2272 directs the secretary-general to ensure that investigations of and responses to allegations of sexual exploitation and abuse prioritize the needs of survivors. But operationalizing this much-needed provision will require peacekeeping operations to significantly shift their ways of doing business. It implies new talent requirements for peacekeeping missions, as well as the need for better relations with local support groups and stronger, more trusting cooperation between investigations by police- and troop-contributing countries and the UN system.

7. Specialist training in trauma-sensitive methods for taking reports of sexual exploitation and abuse should be mandatory for all peacekeepers.
8. The leadership of peacekeeping operations should be able to draw on expert investigators specializing in sexual violence, especially in cases of widespread or particularly egregious abuse. These capabilities should be embedded in missions where the risk of sexual exploitation and abuse is high, shared among regional operations, or be rapidly deployable through a standing roster of specialist investigators.
9. Peacekeeping operations should establish early cooperation with and resourcing for local support groups, including women's groups and trauma- and abuse-survivor networks, recognizing their importance as interlocutors for investigations, as sites of ongoing support, and often as the first point of contact for victims reporting abuse.
10. UN member states, ideally through the General Assembly and in conjunction with the Secretariat, should broker new cooperative models of shared investigations to minimize the trauma associated with repeat investigations.

#### PROVIDE TIMELY AND ADEQUATE MEDICAL AND PSYCHOLOGICAL SUPPORT TO SURVIVORS OF ABUSE

Although it falls well short of calls to make the UN and its peacekeepers accountable to survivors of sexual exploitation and abuse and their broader community, Resolution 2272 nevertheless makes welcome progress by directing the secretary-general to prioritize the needs of, and support for, survivors of such abuse. Importantly, peacekeeping operations cannot take for granted the availability or adequacy of such medical and psychological services; support for survivors of sexual violence is likely to be woefully inadequate. Nor can the UN wait for allegations of sexual exploitation and abuse to emerge before investing in support services. Investing in medical and psychological services in order to ensure that Resolution 2272 can be implemented will also improve the ability of UN peacekeeping operations to fulfill their broader protection mandates, given the likelihood that abuses by peacekeepers will occur in the context of more widespread conflict-related sexual violence. An integrated approach that connects the protection mandates of peacekeeping with the humanitarian and peacebuilding mandates of UN agencies is needed.

11. In coordination with peacebuilding partners, peacekeeping operations should prioritize efforts to work with, support, or establish organizations that can provide adequate medical and psychological services for survivors of sexual exploitation and abuse.
12. In coordination with humanitarian agencies, the UN should establish rapidly deployable support services when local services are not yet able to cope with demand, especially in cases of widespread abuse.

#### INCENTIVIZE STRONGER ACCOUNTABILITY IN NON-UN OPERATIONS

While Resolution 2272 recognizes the need for more accountability from non-UN forces operating under Security Council authorization, it does little to create the conditions or incentives to make such forces more attuned to prevention or more accountable for abuse when it occurs.

13. The UN Security Council should request reporting from the secretary-general on allegations of sexual exploitation and abuse against non-UN forces operating under a Security Council mandate.
14. The Security Council should signal its willingness to revoke authorization for non-UN forces as a last resort where there is credible evidence of widespread or systemic abuse, or where contributing countries have failed to fulfill expectations to adequately investigate abuses and hold perpetrators accountable.

### STRENGTHEN ACCOUNTABILITY FOR CIVILIAN PERPETRATORS

Although Resolution 2272 largely overlooks the need for stronger accountability in the case of sexual exploitation and abuse committed by UN civilians in peacekeeping operations, it does request the secretary-general to continue efforts to improve responses to abuse by all peacekeeping personnel. Nevertheless, as with non-UN forces, there is a discernible gap in Resolution 2272 when it comes to holding UN civilian staff accountable for sexual exploitation and abuse. The inconsistency and selectivity of this oversight undermines the legitimacy of the resolution's broader approach. Comprehensive implementation of Resolution 2272 requires further action on civilian perpetrators of sexual violence in peacekeeping.

15. The secretary-general should continue efforts to unify and coordinate reporting of and approaches to sexual exploitation and abuse across the UN system, in accordance with his 2017 report on special measures for protection from sexual exploitation and abuse.
16. The secretary-general should be required to notify a UN member state whose civilian national is implicated in allegations of sexual exploitation and abuse and should request that the member state initiate criminal proceedings, as appropriate within national jurisdiction.

### ADDRESS UNDERREPORTING AND IMPROVE MONITORING

Sexual violence is notoriously underreported, no matter in what institution or geographical location it was committed. If the preventive effects of Resolution 2272's accountability measures are to be realized, its implementation needs to be accompanied by other game-changing reforms to improve

transparency throughout the UN peacekeeping system. In accordance with the UN's Human Rights Up Front initiative and the secretary-general's 2017 report on special measures for protection from sexual exploitation and abuse, these reforms need to enable all UN personnel to report not only sexual exploitation and abuse, but also shortcomings in the accountability process, including on the part of their superiors. Further, relying on an institution—even one as multifaceted as the UN—to monitor and report on itself is a flawed approach to accountability.

While more fundamental reform of the legal jurisdiction in which peacekeepers operate, as called for by many advocates for stronger accountability, is beyond the scope of Resolution 2272 and thus this report, there are other means to strengthen the resolution's provisions on accountability. Given the crucial role civil society organizations have historically played in bringing reports of sexual violence in peacekeeping to light, formalizing cooperation with relevant NGOs would go some way to addressing the opacity of field operations and help to give voice to those made most vulnerable by violent conflict.

17. The secretary-general should substantially strengthen whistle-blower protection beyond the January 2017 policy to ensure that bodies charged with investigation and review are genuinely independent from those they are supposed to hold to account.
18. Recognizing that even the most carefully designed internal reforms will have limits, the UN—aided by funding and support from UN member states—should build pragmatic partnerships with local and international civil society organizations, in the field and at headquarters, to promote systematic civil society monitoring of sexual exploitation and abuse in peacekeeping.

### CREATE THE CONDITIONS TO ENABLE REFORM

Additional measures to prevent and respond to sexual exploitation and abuse are likely to be imperfect, compromised, to some extent improvised, and undertaken amid a multitude of conflicting priorities and grave constraints on what can be accomplished. Peacekeeping operations today are constantly asked to do more—to

implement ever-more ambitious mandates in more dangerous environments and under greater scrutiny. Three further conditions are necessary to activate and enable the preceding recommendations.

First, Resolution 2272 asks more of field missions and their management structures in UN headquarters. This has resourcing implications that must be taken seriously. But while reforms carry costs, the persistent threats of defunding associated with sexual exploitation and abuse scandals means that insufficient action may cost more. Second, serious impact on preventing sexual violence by peacekeepers will require patient, persistent effort to shift the complex organizational dynamics that have enabled sexual exploitation and abuse to blight the UN system. Consistent leadership and advocacy of difficult reforms will be necessary. Third, as the secretary-general's 2017 report on sexual exploitation and abuse recognizes, it is critically important that more women be elevated into senior positions in UN peacekeeping, in both field missions and headquarters.

19. Recognizing that budgetary pressures will continue to compromise the UN's efforts to address the scourge of sexual violence committed by its personnel, UN member states must back their expressions of moral outrage and determination with tangible resourcing contributions.
20. Champions of change must support the

implementation of Resolution 2272. Within and outside the UN system, individuals, organizations, and member states must continue to contribute political capital, moral leadership, innovative thinking, collaborative partnerships, and tangible resources to the task of preventing sexual violence by peacekeepers and improving accountability when it occurs. At the field level, this must be embedded in the larger shift to truly integrated, people-centric missions that understand their approach to sexual exploitation and abuse (as well as human rights more broadly) not as peripheral but as central to peacekeeping's effectiveness. At headquarters, recognizing the long-term process of transformative reform required to meaningfully address the scourge of sexual exploitation and abuse, the secretary-general should institutionalize the position of the special coordinator for improving the organization's response to sexual exploitation and abuse, including to prioritize justice for survivors.

21. Member states, UN leaders, and civil society must actively support the secretary-general's objective of increasing the participation of women in peacekeeping, and specifically of elevating more women into senior leadership positions in peacekeeping, including by holding UN leaders to account for their performance on this measure.

## Annex: Chronology of Key Reports, Reforms, and Related Events

Year	UN	Report/reform	Reference
1996	Secretary-General	Links uniformed peacekeepers to child prostitution in Machel Report	<i>Promotion and Protection of the Rights of Children: Impact of Armed Conflict on Children</i> , UN Doc. A/51/306, August 26, 1996
1998	Department of Peacekeeping Operations	Institutes code of conduct for uniformed peacekeepers (Rule 4 on sexual exploitation and abuse)	<i>Ten Rules: Code of Personal Conduct for Blue Helmets</i>
2000	Security Council	Adopts focus on gender mainstreaming	Resolution 1325 (October 31, 2000)
2003	Security Council	Requests contributing countries to develop codes of conduct for peacekeeping personnel	Resolution 1460 (January 30, 2003)
	General Assembly	Requests secretary-general to issue bulletin on sexual exploitation and abuse and to maintain data on all investigations	Resolution 57/306 (May 22, 2003)
	Secretary-General	Issues bulletin	<i>Special Measures for Protection from Sexual Exploitation and Sexual Abuse</i> , UN Doc. ST/SGB/2003/13, October 9, 2003, p. 2
	Secretary-General	Issues first special report	<i>Special Measures for Protection from Sexual Exploitation and Sexual Abuse</i> , UN Doc. A/58/559, November 10, 2003
2004	Secretary-General	Inaugurates position of special adviser on sexual exploitation and abuse	Appointee: Prince Zeid Ra'ad Zeid al-Hussein of Jordan
2005	Secretary-General	Issues Zeid Report	<i>A Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations</i> , UN. Doc A/59/710, Addendum 1, March 25, 2005

Year	UN	Report/reform	Reference
	Security Council	Holds open meeting on Zeid Report	<i>5191<sup>st</sup> Meeting</i> , UN Doc S/PV.5191, May 31, 2005
	Security Council	Announces it will consider sexual exploitation and abuse provisions in mission mandates and requests regular reporting	<i>Statement by the President of the Security Council</i> , UN Doc S/PRST/2005/21, May 31, 2005
	General Assembly	Endorses Zeid Report	Resolution 59/300 (June 30, 2005)
	Secretary-General	Notes investigations of sexual exploitation and abuse in annual report	<i>Report of the Secretary-General on the Work of the Organization</i> , UN Doc. A/60/1, Supplement 1, August 5, 2005, p. 52
	Department of Peacekeeping Operations	Directs eight missions to create conduct and discipline units for prevention and compliance	“UN Establishes Peacekeeping Conduct and Discipline Units: Latest Move in Reforms to Tackle Sexual Exploitation, Abuse,” Press Release PKO/120, August 3, 2005
2006	Department of Peacekeeping Operations	Starts keeping records and tracking data on allegations of misconduct and subsequent actions	“Conduct in UN Field Missions: Sexual Exploitation and Abuse,” available at <a href="https://conduct.unmissions.org/sea-data-introduction">https://conduct.unmissions.org/sea-data-introduction</a>
2007	General Assembly	Includes new definitions of sexual exploitation and abuse in revised draft model memorandum of understanding	<i>Report of the Special Committee on Peacekeeping Operations and Its Working Group on the 2007 Resumed Session</i> , UN Doc. A/61/19, Part 3, June 12, 2007, p. 6
2008	Department of Peacekeeping Operations	Develops communication strategy for missions on sexual exploitation and abuse	“Conduct in UN Field Missions: Timeline on Conduct and Discipline,” January 2008, available at <a href="https://conduct.unmissions.org/timeline">https://conduct.unmissions.org/timeline</a>
	Secretary-General	Issues new model memorandum of understanding for troop contributions, requiring that all members of national contingents comply with UN conduct standards	<i>Comprehensive Report of Conduct and Discipline Including Full Justification of All Posts</i> , UN Doc. A/62/758, March 20, 2008, p. 6
	Department of Field Support	Launches misconduct tracking system	“Conduct in UN Field Missions: Sexual Exploitation and Abuse,” available at

Year	UN	Report/reform	Reference
2009	Department of Peacekeeping Operations	Includes module on prohibition of sexual exploitation and abuse in redeployment training materials	<a href="https://conduct.unmissions.org/sea-data-introduction">https://conduct.unmissions.org/sea-data-introduction</a>  “Conduct in UN Field Missions: Timeline on Conduct and Discipline,” January 2009, available at <a href="https://conduct.unmissions.org/timeline">https://conduct.unmissions.org/timeline</a>
	Department of Peacekeeping Operations	Includes conduct and discipline teams in most peacekeeping missions	<i>Special Measures for Protection from Sexual Exploitation and Sexual Abuse</i> , UN Doc. A/64/669, February 18, 2010
2012	Secretary-General	Moots concept for an integrated conduct and discipline framework	<i>Special Measures for Protection from Sexual Exploitation and Sexual Abuse</i> , UN Doc. A/66/699, February 17, 2012, p. 14
	General Assembly	Notes integrated framework	Resolution 66/264 (June 21, 2012), p. 49
	Department of Peacekeeping Operations	Begins deliberately promoting public awareness of UN conduct standards and increasing visibility of reporting mechanisms	“Conduct in UN Field Missions: Our Approach—Public Outreach and Awareness Raising,” available at <a href="https://conduct.unmissions.org/prevention-outreach">https://conduct.unmissions.org/prevention-outreach</a>
2014	Secretary-General	Appoints High-Level Independent Panel on Peace Operations (HIPPO) to conduct wide-ranging review of peacekeeping operations	“Secretary-General’s Statement on Appointment of High-Level Independent Panel on Peace Operations,” October 31, 2014
2015 March	Secretary-General	Notes sexual violence as a tactic in armed conflict	<i>Conflict-Related Sexual Violence</i> , UN Doc. S/2015/203, March 23, 2015
June	Secretary-General	Receives HIPPO report, which says “immunity must not mean impunity”	<i>Uniting Our Strengths for Peace: Politics, Partnership and People—Report of the High-Level Independent Panel on Peace Operations</i> , UN Doc. A/70/95-S/2015/446, June 17, 2015
	Secretary-General	Appoints external Independent Review Panel on UN response to allegations of sexual exploitation	“Statement Attributable to the Spokesman for the Secretary-General,” June 22, 2015, available

Year	UN	Report/reform	Reference
September	Secretary-General	and abuse in the Central African Republic  Responds to the HIPPO report, calling on the Security Council to send a signal about high standards of accountability	at <a href="http://www.un.org/sg/en/content/sg/statement/2015-06-22/statement-attributable-spokesman-secretary-general-appointment-panel">www.un.org/sg/en/content/sg/statement/2015-06-22/statement-attributable-spokesman-secretary-general-appointment-panel</a>  <i>The Future of United Nations Peace Operations: Implementation of the Recommendations of the High-Level Independent Panel on Peace Operations</i> , UN Doc. A/70/357-S/2015/682, September 2, 2015
October	Security Council	Passes resolution on women, peace, and security, urging “robust pre-deployment training on sexual exploitation and abuse and vetting of their peacekeeping personnel”	Resolution 2242 (October 13, 2015)
November	Security Council	Meets on HIPPO report	7564 <sup>th</sup> Meeting, UN Doc. S/PV.7564, November 20, 2015
	Security Council	Notes “sexual exploitation and abuse by United Nations peacekeepers is unacceptable”	<i>Statement by the President of the Security Council</i> , UN Doc. S/PRST/2015/22, November 25, 2015
December	Security Council	Notes HIPPO report	<i>Statement by the President of the Security Council</i> , UN Doc. S/PRST/2015/26, December 31, 2015
2016 February	Secretary-General	Inaugurates position of special coordinator on improving UN response to sexual exploitation and abuse	Appointee: Jane Holl Lute
	Secretary-General	For the first time, identifies nationalities of alleged perpetrators of sexual exploitation and abuse	<i>Special Measures for Protection from Sexual Exploitation and Sexual Abuse</i> , UN Doc. A/70/729, February 16, 2016, p. 33
March	Secretary-General	For the first time, repatriates an entire contingent for sexual exploitation and abuse	7642 <sup>nd</sup> Meeting, UN Doc. S/PV.7642, March 10, 2016

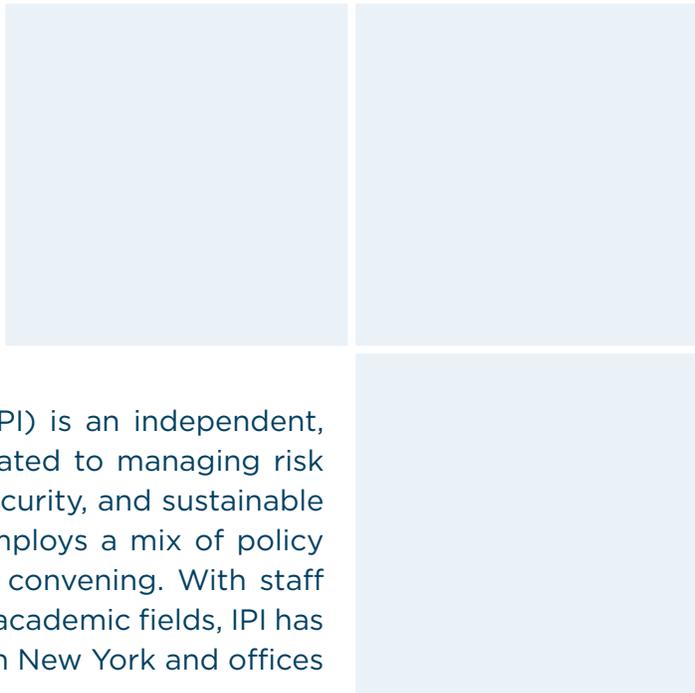
Year	UN	Report/reform	Reference
June	Security Council	Endorses secretary-general's plan to repatriate national contingents	Resolution 2272 (March 11, 2016)
	Secretary-General	Releases an external independent review on allegations of sexual exploitation and abuse in the Central African Republic recommending new measures to ensure prompt and effective investigation, prosecution, transparency, and screening of troops	<i>Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic</i> , UN Doc. A/71/99, June 23, 2016
2017 January	General Assembly	Issues general standards based on Fifth Committee report	Resolution 70/286 (June 17, 2016); <i>Administrative and Budgetary Aspects of the Financing of the United Nations Peacekeeping Operations</i> , UN Doc. A/70/943, June 14, 2016
	Secretary-General	Broadens remit for special coordinator to include convening a high-level task force	"The Secretary-General Announces Task Force on UN Response to Sexual Exploitation and Abuse," January 6, 2017, available at <a href="http://www.un.org/sg/en/content/sg/personnel-appointments/2017-01-06/secretary-general-announces-task-force-un-response">www.un.org/sg/en/content/sg/personnel-appointments/2017-01-06/secretary-general-announces-task-force-un-response</a>
February	Secretary-General	Identifies new initiatives on sexual exploitation and abuse, including on victim support and investigations	<i>Special Measures for Protection from Sexual Exploitation and Abuse: A New Approach</i> , UN Doc. A/71/818, February 28, 2017











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