



Human rights violations committed by UN peacekeepers

Human Rights Council





Forum: Human Rights Council

Issue: Human rights violations committed by UN peacekeepers

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Introduction

The issue of the Human rights violations committed by UN peacekeepers is a complicated one, as many definitions and individual, complicated cases have to be taken into account. A number of these cases and their motivations and consequences will be shown and explained in this report. Please be aware that although this is a severe issue, which needs to be tackled acutely, it is not generally common among the UN peacekeeping forces to violate human rights, especially on large scales. That does not change the fact that violations of human rights are a real concern, which arises mostly due to the complicated nature of situations in which UN peacekeepers are deployed, in situations of conflict.

Definition of Key Terms

UN Peacekeeper/UN peacekeeping forces

UN peacekeepers are UN military forces, police forces, or civilians that provide security and the political and peacebuilding support to help countries make the difficult, early transition from conflict to peace.¹

SEA

SEA stands for sexual exploitation and abuse. Any form of sexual misconduct falls under this definition.

¹ <https://peacekeeping.un.org/en>



General Overview

Types of violations

There are many various types of human rights violations. Examples are SEA, excessive use of force, and discrimination. A common ground for all of these violations is the disproportionately poor monitoring of the UN peacekeepers, compared to the immense power and responsibility they have. For a soldier or policeman with a clear power position it will always be easy to make racist statements, or sexually harass inhabitants of a conflict zone. The only thing which makes these officers refrain is nothing but their human decency, as there are little to no consequences that could follow their inappropriate and often illegal behaviour.

Sexual misconduct

There are many reported incidents of sexual misconduct among UN peacekeepers. An example of such conduct is found in the Peacekeeping mission to the Democratic Republic of Congo, MONUSCO. This mission was established to help resolve ongoing disputes in the East of Congo, with over 17000 personnel participating as of February 2023.²

On October 12th 2023, the UN published an article in which they announced that they suspended parts of the personnel on the grounds of severe misconduct.³ Nine of the military staff were engaging in fraternisation at a local bar, known for its transactional sexual services. Having UN forces participate in a human trafficking and exploitation business is clearly bad practice.

But this is only the top of the iceberg as UN peacekeepers have a long history of SEA. For example, in February 2016, 120 peacekeepers were expelled from their mission in the Central African Republic due to accusations concerning their sexual demeanour. It is said that girls from the ages of 14 to 16 were victim to sexual harassment and rape by these troops. In the following months these numbers only increased.

All of this was possible because of the poorly conducted checks and education on conduct by the UN. Luckily the United Nations started to be more active in combating this issue after all of these allegations in 2016. But still, most of the measures were weak and slow. The UN started off by creating a training program for its peacekeeping personnel, to teach acceptable conduct. This is a step in the right direction, but it is still a small one, especially for such an issue as this one. Only in 2018 did the UN implement a zero-tolerance policy on sexual exploitation and abuse and its victim-centred approach.

² <https://peacekeeping.un.org/en/mission/monusco>

³ <https://news.un.org/en/story/2023/10/1142247>



Discrimination

As mentioned earlier, misconduct by UN peacekeepers does not have to be of sexual nature. The peacekeepers have gone through lots of scandals concerning discrimination based on religion, gender and race. It has to be noted, however, that racism, for example, is closely interconnected with sexual violence. Because of the superior feeling Western peacekeepers might have, they are more quickly bound to engage in sexual harassment toward those civilians they should be protecting.⁴ Researchers even go as far as to say that there is a correlation between countries having a colonial past and more cases of sexual assault by UN Peacekeepers in these nations.

Another aspect concerning gender inequality worth mentioning is that the UN peacekeepers consist mostly of male personnel. Because of this, there is a strong male dominated hierarchy in which some aspects of what one might call masculine behaviour are elevated. This makes it so that fundamentally wrong behaviour, especially sexual demeanour, might not be frowned upon as much as it could have been were there more diversity in the system. Of course diversity would not solve everything, but it would be a leap forward.

To conclude, most of the discrimination is not reported or manifests itself in a different form than purely discrimination. Important to note here is that we are not talking about discrimination within the peacekeeping organs, but rather discrimination against civilians who need protection. It is shown by research however, that discrimination might lead to other problems such as sexual misbehaviour.

Inappropriate use of force

One could write a whole book on this topic, for it is very convoluted and difficult to untangle. The inappropriate or excessive use of force by UN troops ranges from shutting down protests to accidental civilian casualties. We cannot go in depth into all of the cases where force has been used excessively, but we can cover the most common ones.

Civilian casualties

Civilian casualties are never acceptable nor are they ever legal. They do however happen. Situations in which they can happen differ. Some victims might be simply mistaken for militants who the UN Peacekeepers were fighting. Others also found themselves in the wrong place at the wrong time. For example during a military operation, in which the Peacekeepers stop paying attention to who they might shoot at, because they have one goal: to finish the military operation. Luckily it is not often that civilian casualties are being made, but it does happen. In Yemen and in the Central African Republic, there have been reported incidents of civilian casualties in previous years. Both of these cases have to do with accidental casualties in combat. Please do not take this as indication that UN Peacekeepers

⁴ <https://www.aljazeera.com/features/2017/8/4/is-the-un-sending-the-wrong-people-to-keep-the-peace>



are not useful or dangerous, as both these organisations have improved the situation in the territories they are active in immensely.⁵

Disproportionate reactions during protests

MINUSTAH, the peacekeeping organisation in Haïti has been accused by civilians of sudden violence against civilians. According to COHA, there was even a systematic repression of the locals.⁶ This is another example of completely undeserved and illegal violence against civilians. This violence provoked a reaction from the same locals: they started protesting. Against their better judgement MINUSTAH responded hard handedly to these protests. Accusations of usage of tear gas and rubber bullets have been made against MINUSTAH. Ironically, this only proved the point the locals were making, but at what cost.

This is of course an important issue to resolve as quickly as possible. The United Nations needs to implement stricter guidelines on how to act during protests, but more on that later.

But apart from this, the UN peacekeepers generally act quite humanely for the most part. Every few years, there are scandals, but for the most part the Peacekeepers do more good than bad.

Conclusion

In conclusion we can safely say that the biggest problems the UN peacekeepers create have to do with sexual harassment, rape or assault. Racism and social inequality play a role in this, but are not the reason for this behaviour per se. Although there have been and still are incidents where the UN peacekeepers use excessive violence, these are often not very large. The UN is working hard on solving the presented issues, but it has not succeeded in fixing everything yet.

Major Parties Involved

United nations

The United Nations are responsible for identifying conflict zones, reaching an agreement with all the parties to send their Peacekeepers and to guide them in such a way that they do not cause any harm. The UN Member States are responsible for sending military forces and equipment.

Local Civilians

The locals are responsible for their reaction to the arrival of Peacekeepers. But the more important aspect of this “involved party” is that the lives of these civilians depend on the actions of the Peacekeepers. It is their human rights that have to be fostered in every possible way.

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<https://reliefweb.int/report/central-african-republic/report-situation-human-rights-central-african-republic-15-september>

⁶ <https://coha.org/the-enforcers-minustah-and-the-culture-of-violence-in-port-au-prince/>



parties in conflict

As mentioned earlier, the parties that are in conflict with each other have to come to an agreement to send UN Peacekeepers in the first place. This makes them one of the most important parties, for without them no Peacekeepers could be sent.

United Nations Office of International Oversight Services

The United Nations Office of International Oversight Services, or OIOS, is the body within the UN that is responsible for dealing with and investigating claims of wrongdoings by UN Peacekeepers, which makes this an important monitoring organ in this issue.

Timeline of Events

September 2018

The UN convened to renew commitments to UN peacekeeping operations. The UN committed to the following:

- Ensuring full, equal and meaningful participation of women in all stages of the peace process and systematically integrate a gender perspective into all stages of analysis, planning, implementation and reporting;
- Increase the number of civilian and uniformed women in peacekeeping at all levels and in key positions;
- Support tailored, context-specific peacekeeping approaches to protecting civilians in relevant peacekeeping operations by emphasising the protection of women and children;
- Implement the Secretary-General's Zero Tolerance Policy on Sexual Exploitation and Abuse (SEA) and its victim-centred approach.

July 2016

The UN launches a new mandatory program for all uniformed and civilian personnel to strengthen training on the standards of conduct, with special focus on sexual exploitation and abuse.⁷

⁷ <https://home.crin.org/un-peacekeepers-timeline>



Previous attempts to solve the issue

These solutions have also been mentioned in the timeline of events, but now they will be explained more precisely.

In July 2016 the UN launched a new training program with the goal to prevent the Peacekeepers from misconduct. This was done after many allegations in that year and the one before. This solution might have had an impact, for after it was implemented the numbers of sexual intimidation did indeed drop.

In September 2018 the UN decided to recommit to their values and norms. This has definitely had some effect, but mostly temporarily.

Possible solutions

A solution that has been mentioned before is to make positions in the UN Peacekeeping organisations more accessible for women. They will bring diversity into the environment, which could lead to fewer causes of sexual misconduct. But this will also simply improve the functioning of these organisations, as more diverse input will inevitably lead to better solutions in the end to problems the Peacekeepers might face. This means that women need more influential roles inside the peacekeeping organisations. UN Women is already advocating for this.

Even stricter education on correct conduct will also help. And this does not only concern sexual conduct, but also what to do in case of big protests or a sudden attack. And of course the UN Peacekeeping forces do not only consist of soldiers. But this is the largest group, and also the group that faces the most backlash and critique for their actions.

Of course basic implementations such as whistleblower protection will be helpful. These solutions will create a more safe environment where individuals can act not out of fear, but out of the knowledge of what is right and what is wrong.

Useful documents

Treaty from September 2018 on recommitting to the peacekeeping values and norms:
<https://peacekeeping.un.org/sites/default/files/a4p-declaration-en.pdf>

The United Nations General Assembly Resolution implementing the zero tolerance policy towards sexual misdemeanour:

<https://documents-dds-ny.un.org/doc/UNDOC/LTD/N17/061/97/PDF/N1706197.pdf?OpenElement>



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