



Fact Sheet on Sexual Exploitation and Abuse

The United Nations expects that all peacekeeping personnel, military, police or civilian, adhere to the highest standards of behaviour and conduct themselves in a professional and disciplined manner at all times. Unfortunately, there are allegations and instances of misconduct involving peacekeeping personnel, including acts of sexual exploitation or abuse. In response, the UN and Member States should ensure that all allegations are investigated and that appropriate action is taken swiftly when such allegations are substantiated.

Measures currently in place

A Conduct and Discipline Unit (CDU) was established at UN Headquarters in 2005 to provide oversight on conduct and discipline issues in peacekeeping operations and special political missions. The CDU works with Conduct and Discipline Teams on the ground in larger peacekeeping missions and Conduct and Discipline Focal Points in smaller peacekeeping and special political missions. These Conduct and Discipline personnel implement the mission strategy on training, prevention, enforcement and remedial action and advise the Heads of Mission on related issues.

A Memorandum of Understanding (MOU) between Troop Contributing Countries (TCCs) and the UN unequivocally lays out the obligations of States regarding conduct and discipline of their troops.

Training personnel

- ❖ Sexual Exploitation and Abuse (SEA) training is mandatory for all personnel – military, police or civilian - upon arrival in a peacekeeping mission.
- ❖ The UN also requests that TCCs provide pre-deployment training to their military personnel, using UN provided training material.

Vetting personnel

- ❖ The UN uses its Misconduct Tracking System to vet UN international staff applying to work in field missions against records of misconduct in prior assignments to field missions. The UN similarly vets individually recruited military, police, corrections officers, and UN Volunteers.
- ❖ The vetting of military contingents and formed police units personnel for prior misconduct is currently done through certification by the Troop and Police Contributing Countries.

Handling allegations

- ❖ When an allegation of misconduct is reported, there are standardized procedures in place for carrying out the investigation:

For staff members:

- The UN investigates allegations of misconduct;
- The UN now commits to a six-month timeline for completing investigations, subject to extenuating circumstances;
- If the allegation is substantiated, the UN takes disciplinary action against its staff members;
- Substantiated cases of criminal conduct can also be referred for prosecution, or directly prosecuted, by national authorities.

For those personnel deployed with the status of experts on mission, essentially police personnel and military observers:

- The UN investigates allegations of misconduct;
- The UN now commits to a six-month timeline for completing investigations, subject to extenuating circumstances;
- If the allegation is substantiated, disciplinary action must be determined by the deploying Member State. The UN will request that appropriate actions be taken by the deploying Member State. The UN can take only limited action against the personnel, for example repatriation and barring them from future missions. The UN will follow up at regular intervals with the deploying Member State until information is received on the actions taken;
- Substantiated cases of criminal conduct can also be referred for prosecution, or directly prosecuted, by national authorities.

For military personnel:

- The TCC has the primary authority to investigate;
- Members States are informed of allegations and requested to notify the UN within ten working days if they intend to investigate;
- If a Government does not notify the UN within the ten days that it will begin an investigation, or the Government declines to do so, then the UN may initiate an administrative investigation without delay;
- The Secretary-General now requests that Member States commit to a six-month timeline for completing investigations, subject to extenuating circumstances.;
- If the allegation is substantiated, disciplinary action or criminal sanctions are determined by the TCC. The UN will request that appropriate actions be taken by the deploying Member State. The UN can take only limited action against the personnel, for example repatriation and barring from future missions;
- TCCs are required to report back to the UN on the outcome of misconduct investigations and prosecutorial actions taken. The UN will follow up at regular intervals with the TCC until information is received on the actions taken.

Case tracking and reporting

- ❖ The UN maintains a global database and confidential tracking system for all allegations.

- ❖ Peacekeeping missions report quarterly and annually on conduct and discipline to the Department of Field Support UN Headquarters.
- ❖ The leadership of Peacekeeping missions are accountable for tracking the progress of procedures designed to reduce SEA, as well as reporting all actions taken to prevent SEA and to ensure cooperation during investigations.

Victim support

- ❖ Peacekeeping missions provide assistance and support to victims as laid out by General Assembly resolution 62/214.
- ❖ Support includes access to in-country service providers, such as medical and psychological care, as well as legal support for the pursuit of paternity and child support claims.

New measures: A systemic challenge that demands a systemic response

A number of initiatives are being implemented as the UN continues to build on new programmes, protocols and overall procedures to prevent SEA, enforce standards, increase accountability, provide remedial action and ensure effectiveness of investigations.

- ❖ The UN is implementing more than 40 proposals from the Secretary-General's report ***Special measures for protection from SEA***, adopted by the General Assembly in May 2015. The most significant measures include:
 - Establishing Immediate Response Teams in peacekeeping missions to gather and preserve evidence for use in investigations;
 - Adopting a six-month timeline for completion of investigations of sexual exploitation and abuse and calling on Member States to adhere to the same timeline;
 - Developing an enhanced complaint reception framework to ensure mechanisms within communities where people can come forward, in confidence, to raise complaints regarding UN personnel;
 - Strengthening administrative measures against staff members found to have committed these acts, including withholding entitlements and;
 - Suspending pay to troop and police contributing countries in connection with suspects on the basis of credible evidence;
 - Establishing a trust fund to provide support and assistance to victims, complainants and children born as a result of sexual exploitation and abuse.
- ❖ Following a series of SEA cases in the Central African Republic in 2015, the Secretary-General took the following steps:
 - Appointed a high-level External Independent Review panel to review the UN's response to the allegations of sexual exploitation and abuse of children by foreign military forces not under United Nations command.
 - Addressed all Heads of Peacekeeping Missions, Force Commanders and Police Commissioners and underscored that they are obligated every day to enforce the highest standards of conduct;

- Proposed that his next report on SEA to the General Assembly include country-specific information on credible allegations that are being investigated.
- ❖ The Secretary-General has called for the following from Member States:
 - TCCs to commit to concluding investigations within six months;
 - TCCs to uphold their responsibility to ensure justice and communicate to the Secretariat the results of their actions;
 - TCCs, in substantiated cases of SEA, to guard against impunity by ensuring appropriate and proportionate action is taken; '*criminal accountability for those responsible for acts of SEA through investigations and judicial processes both of which remain the responsibilities of member states.*'
 - To support a fully funded victim assistance programme;
 - SEA and other misconduct to be placed on the agenda of meetings of the Security Council with TCCs and the Council should review follow-on action on all reported cases.

More information can be found on:

Conduct and Discipline website <https://cdu.unlb.org>
UN Peacekeeping website www.un.org/en/peacekeeping/issues/cdu