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Liability, Responsibility, and Sexual Exploitation and Abuse: The Problematic Implications of United Nations Discourse for Addressing Sexual Exploitation and Abuse by UN Personnel

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Liability, Responsibility, and Sexual Exploitation and Abuse

The Problematic Implications of United Nations Discourse for Addressing Sexual Exploitation and Abuse by UN Personnel

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CHAPTER 1

INTRODUCTION: THE UN FAILURE TO ADDRESS SEA

Sexual exploitation and abuse (SEA) is endemic in United Nations (UN) peacekeeping operations. Specifically, SEA by UN personnel is endemic in UN peacekeeping operations. Stories about this violence and its effects are wide spread.

In 2008, 13-year old Elizabeth was pushed to the ground by peacekeepers in a field close to her home near the town of Abobo in the Ivory Coast. The peacekeepers gang-raped her and left her bleeding on the field. … “They grabbed me and threw me to the ground and they forced themselves on me … I tried to escape, but there were 10 of them and I could do nothing,” she said.

Maria Kalichi was 17 when she was attacked by a peacekeeper near her home in Port-au-Prince. When it was over, he put her in a car and dropped her off by the side of the road. For weeks, Kalichi didn’t tell anyone what had happened. Then she realized she was pregnant. She told her mother but did not report the rape to the UN. Her son is now four years old. … “I want justice by finding the person who did this. I want to hear what he has to say to me … I am walking around the streets feeling destitute because of the UN,” she says.1

Any act of SEA is devastating. Stories centering the voices of the victims only amplify that sorrow, and these are only two of many stories. The article they were drawn from contains 11 stories of SEA by UN personnel alone. It is only one of many articles on the problem of SEA by UN personnel. The sheer number of stories illustrate the pervasive nature of SEA on peacekeeping missions.

The UN has responded to the systemic problem, which is SEA. The formalized UN response began in 2003, following an outside exposé on SEA in peacekeeping contexts. The UN implemented a zero-tolerance policy regarding SEA and has refined and added on to it every year since. Efforts to reduce and eliminate SEA are ongoing with the latest formal UN report on

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the problem released in February 2018. Another report is expected soon. Unsurprisingly, it follows that the problem of SEA is also ongoing. The most recent exposé on SEA to capture the public’s attention occurred in 2015, and there are stories to accompany it,

In late 2015, Eunice Danpena heard a knock on the door of her hut at a displacement camp in Bambari, a town in the Ouaka prefecture in the Central African Republic. It was a UN peacekeeper. She told him she was busy. But he let himself in and raped her. “He forced himself on me and as he was stronger I had no choice,” she says.²

The years the stories span, with stories into the present, indicates not only that SEA is rampant but that it has not subsidized. Consequently, it follows that something about the UN’s current approach is flawed and ineffective.

Recognizing this reality of SEA, scholars have begun the task of attempting to figure out why SEA is ongoing and endemic. More specifically, they have tried to figure out why the UN’s approach, the zero-tolerance policy and accompanying policies, has failed to work. One argument that has been made is that the UN has failed to address the structural causes of SEA broadly. A sub-argument within that, and the most prominent explanation, has to do with militarization, specially militarized masculinities and their connection to violence. The theory behind this explanation is that militaries demand behavior based on violence and aggression, whereas peacekeeping requires different values like empathy. At its simplest, militarized masculinity is understood as a manifestation of masculinity based in hierarchies and the dehumanization of the ‘other’ that not only allows but praises violence. This manifestation is often cultivated in military boot-camps wherein protection of the nation and one’s sense of self necessitates the violent destruction of the ‘other’, both outwardly and internally. This condemnation of the ‘other’ is intricately related to violence as the perpetration of violence can

² Essa, “Why do Some Peacekeepers Rape?”
be understood as the right or duty of the military personnel. This analysis of militarized masculinities builds to the argument that military training actually perpetuates violence, particularly gender-based violence based on condemnation of the “other,” and is not easily transferable to peacekeeping contexts. The opinion that military training perpetrates violence is the foundation for the argument that the fundamental flaw of peacekeeping was that it was conceptualized as a military operation. It is this militarization that explains why SEA by UN personnel is endemic.

I believe the first explanation, SEA can be explained as a matter of structural injustice and the UN’s failure to address SEA is based in its failure to address SEA as a matter of structural injustice. I accept militarized masculinities as a part of this broader explanation but not as a stand-alone one. Importantly, I strongly oppose military masculinities as a primary explanation or even a predominant one. From the understanding that militarization is the most important problem, it follows that military personnel are the problem. My thesis challenges this.

Military personnel, the group subjected to military training, are overwhelmingly from the Global South. Consequently, advancing militarization as the primary explanation enables an alternative, problematic narrative, that it is men of the Global South committing SEA because they do not know better. This narrative is grounded in tropes of Global South masculinities and is the narrative the UN has adopted. The disproportionate academic focus on militarization as the cause of SEA is arguably a foundation for the UN’s insistence that military personnel are the problem, which in turn the UN uses to distance itself from institutional responsibility.

Paradoxically, scholarly and journalistic attempts to identify what is wrong with the UN’s

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4 See appendix 5 for specific numbers and the following terminology section for a more detailed breakdown.
approach to addressing SEA by peacekeeping personnel can be used to uphold the UN’s flawed approach to addressing it.5

This broad picture of the reality of SEA and the scholarship around it is the context in which my research is situated. SEA by UN personnel on UN peacekeeping missions is endemic and ongoing. Attempts to address SEA have not been successful. This failure is because the UN has failed to address structural issues, the structural injustice, underlying SEA. Scholarship within critical peacekeeping studies regarding SEA has overwhelmingly focused on militarization and military personnel. As briefly touched on, this fixation is problematic. Correspondingly, my thesis aims to problematize the narrative as it is adopted by the UN regarding military personnel and SEA. This challenge to the dominant narrative is important because, as my thesis shows, it is used by the UN as a way to avoid addressing SEA. Supporting victims and potential victims of SEA requires a full understanding of the problem. My thesis aims to increase this understanding, highlighting a critical problem in the discourse around SEA and supporting scholarship about why the UN’s approach has not worked. The thesis demonstrates that UN discourse has been primarily dedicated to avoiding responsibility and preserving the institutional reputation as opposed to addressing SEA.

Challenging the UN’s Discourse on SEA: A Walkthrough

Sexual exploitation and abuse are clear matters of structural injustice. There are factors external to individuals’ lives that put people in positions where they are more likely to become victims of SEA. This understanding stands in contrast to an individual explanation for SEA,

5 Scholarship does not only inadvertently uphold the UN’s problematic narrative that it is men of the Global South committing SEA. In many ways, scholarship subscribes to it. For example, Paul Higate uses the phrase “more enlightened peacekeepers” in his research around SEA by UN personnel. This quote perpetuates the notion that some peacekeepers do not know better, a racialized, gendered trope, that is exposed in more detail in chapter four. See Paul Higate, “Peacekeepers, Masculinities, and Sexual Exploitation,” *Men and Masculinities* 10, no. 1 (2007): 103.
which assumes that incidents of SEA are isolated and the result of one or more bad actors. Overwhelmingly, this individual explanation is the narrative adopted by the UN to explain incidents of SEA by its personnel during peacekeeping missions. The UN has advanced this framing through a strict adherence to a causal model of liability. However, there has been some pushback to the narrative, prompting the UN to acknowledge structural injustices, such as poverty, but insist on its lack of responsibility for the injustices. With this selective acknowledgment of structural injustice comes an attempt to define responsibility without accepting responsibility. The UN has done this, defining responsibility without accepting responsibility, by arguing its responsibility is grounded in moral superiority, a savior complex of sorts. For this definition to succeed, the UN needed to create a supposedly morally inferior party through which it could use a discourse of difference to distance itself. For the UN, this group is the military personnel commissioned on peacekeeping missions, a group who are overwhelming men from the Global South. This is the story of SEA as it exists in the UN discourse.

This story regarding the relationship of the UN to SEA is the framing seen in the UN discourse surrounding SEA by its personnel on its peacekeeping missions. My thesis demonstrates this story is the narrative, which is problematic or at least limited, through a discourse analysis of reports published by the UN regarding SEA. It argues that it is not enough for the UN to disavow its implication in structural injustice and blame individual actors, but that the UN must create another responsible party. The UN does this through the deployment of difference, specifically the difference that created racialized, gendered Global South identities, and constructs military personnel as the group overwhelmingly responsible for SEA. In other words, the last 16 years of reports by the UN should be read as an attempt to distance the UN from responsibility for SEA.
To do this, the thesis begins with an exploration of terminology and a brief historical walkthrough to provide the reader with the context needed for the remainder of the thesis. It then proceeds to analyze the UN discourse in three parts. First, it explores the UN’s definition (read: construction) of the problem of SEA, making the argument that the UN is individualizing SEA. Second, it analyzes the differences in the discourse regarding military and civilian personnel and the proposed solutions to argue that the UN creates an alternative responsible party, military personnel, through the deployment of difference. These two analyses build to the third chapter of part one, which explores the UN’s self-definition of its own responsibility, arguing that it is both enabled by the other discursive actions of the UN and also upholds them. These three components of the discourse analysis make up the first part of the thesis and are framed under the title, “UN Denial of Liability and Responsibility.” Together they argue that the UN discourse is used to create a deliberately narrow picture of SEA, one that absolves the UN of liability and responsibility.

The next section of the thesis, titled “UN Responsibility for Structural Injustice,” proceeds to challenge the UN’s conception of SEA. It makes the argument that the UN is in fact implicated in the structural injustice increasing certain people’s vulnerability to SEA. The section’s first chapter is a discourse analysis of the UN’s direct engagement with structural injustice, what the UN refers to as the structural factors present in sites where peacekeeping operations occur. The chapter demonstrates that the UN’s engagement with structural factors is not an acceptance of responsibility but also adheres to the frameworks of individuality and difference presented earlier. The chapter not only contributes to the overall argument that the UN discourse serves the purpose of allowing the UN to avoid responsibility but also challenges arguments that the UN is engaging with structural injustice, a perspective that would probably be
taken if only engaging in a surface-level analysis. The following chapter proceeds to make the primary argument of the section, the UN is both liable and responsible for the structural injustice increasing vulnerability to SEA. It does this primarily through a walkthrough of peacekeeping economies and how they interact with other present conditions to increase vulnerability to SEA.6

The conclusion of the thesis brings the above sections together to make the broader argument that the last sixteen years of UN discourse should be read as an attempt to distance the UN from responsibility for the injustices underlying SEA. In the name of positivity, it makes an attempt at proposing an overview of what UN acceptance of responsibility might look like. I now turn to an introduction to the terminology that play a critical role in this thesis.

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6 Although other aspects of the UN’s presence implicating it in structural injustice are addressed briefly, it is outside the scope of this thesis to make a substantial argument on whether the UN is implicated in the poverty, gender inequalities, and other factors contributing to structural injustice. However, it is implicated with regards to peacekeeping economies, which is sufficient for my argument for UN responsibility.
CHAPTER 2

TERMINOLOGY AND HISTORICAL CONTEXT: UNDERSTANDING THE UN’S DISCOURSE AND MY ANALYSIS OF IT

Terminology

The Contradicting Definitions of the UN and This Thesis – Liability and Responsibility

Two terms appear with high frequency in this thesis, liability and responsibility, and have different definitions in different contexts. The first context in which they are deployed is in the UN’s use of terms. The second is the way I argue they should be used, and the terms are drawn from Iris Young’s work on responsibility through social connection. Understanding the nuances in these terms is crucial to this thesis, which makes the argument for challenging the UN’s definitions of liability and responsibility. This thesis advocates replacing the UN’s conception of the terms with Young’s, which prove more useful for recognizing the UN’s relationship to SEA, one defined by both liability and responsibility through connection. To provide context for the terms I draw from Young, I summarize her work at length.

Summarizing Iris Young’s “Responsibility, Social Connection, and Global Labor Justice.” In Iris Young’s essay titled “Responsibility, Social Connection, and Global Labor Justice,” she makes the argument for a new approach to responsibility when it comes to incidences of structural injustice – the social connection model of responsibility. Abstractly, this model holds that individuals are implicated in incidents of structural injustice by their participation in the social-structural processes that contribute to the injustice. They therefore have responsibilities for

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working to remedy the injustices. She works through the model using the example of global labor justice in the clothing industry.

The conversation around sweatshops is complicated, and it has several attributes that make it a useful example for understanding Young’s model of responsibility. First, it is a transnational industry of which many actors are a part of. Understanding injustice in sweatshops cannot be confined to nation-state borders. Second, responsibility within the industry is diffused. Although there may be mean bosses and unaccountable governments, responsibility cannot be singularly pointed at them or any one party. Correspondingly, the actions of one individual are not likely to make a huge impact on the structural injustice underlying sweatshop conditions. Third, just as the actions of one individual cannot be blamed, neither can one historical event. The conditions of structural injustice underlying the sweatshop industry are what Young calls sociohistorical, “They are the products of previous actions, usually products of many coordinated and uncoordinated but mutually influencing actions.”8 She points to large firms consolidating land holdings and export processing zones prompted by structural adjustment programs as two historical and ongoing events that together have helped to create global labor injustice. Finally, the role sweatshops play in individuals’ lives is fairly straightforward. As the majority of clothes consumers purchase are made in sweatshops, almost everyone is implicated in the injustice, however, most people understand it as being something outside of their control. Young’s social connection model accounts for all of these factors and provides a way for individuals who may see themselves as separate from the injustice to begin to conceptualize their responsibility.

In order to explain the model, Young compares it to a more common understanding of responsibility, the liability model. In dealing with incidents of injustice, the liability model seeks

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to assign fault to one party, whose actions can be causally connected to the incident. However, in this fault-based conception of responsibility one can usually excuse themselves by demonstrating that their actions were unintentional or ill-informed. There are also stricter approaches to liability that hold parties responsible regardless of intent. Young acknowledges that this model of responsibility is appropriate to apply in many situations. For example, in the sweatshop industry, factory owners should be held liable for violating labor laws. However, the liability model relies on a direct connection between the victim and perpetrator, something not always present in incidents of structural injustice. Therefore, the liability model is not sufficient for holding everyone accountable. The social connection model fills in the gaps.

The social connection model holds that individuals are responsible for structural injustice because their actions contribute to unjust outcomes. The model has five main features, which Young demonstrates through contrast to the liability model. The first is that it is not isolating. By seeking out and isolating those responsible, the liability model inherently implies that others are not responsible. However, as structural injustice results from the participation of thousands or millions of people the liability model is inadequate. Second, the social connection model judges background conditions. When seeking a specific perpetrator, it is assumed that they deviated from the norm and, therefore, implies that the background conditions are acceptable. In contrast, the social connection model calls into question the background conditions to argue that at least some are not morally acceptable. For example, it is common practice for retailers to devote more money to advertising than to the pay and conditions of the workers making their merchandise. Young’s model calls this practice into question. Third, the model looks primarily forwards as opposed to backwards. The liability model seeks retribution for past harm, whereas, conceptualizing responsibility in relation to structural injustice recognizes that harm is ongoing
and will likely continue without broad intervention. The decision of activists in the anti-sweatshop movement to focus on calling on multinational corporations to stop using sweatshops as opposed to punishing individual operators illustrates the forward-looking aspect of the model. Fourth, the social connection model calls for shared responsibility, something in line with Young’s conception of structural injustice. Fifth, the social connection model argues that change can be discharged only through collective action. Addressing structural injustice requires reforming institutions and processes, something no one can do on their own.⁹

In addition to illustrating the ways the social connection model is better equipped to address structural injustice, Young puts forth four factors that can be used to help conceptualize a person’s degree of responsibility – power, privilege, interest, and collective ability. In the sweatshop industry, just as in other incidences of structural injustice, not all parties are equally responsible.

*My Use of the Terminology – Dueling Definitions.* Young’s conception of responsibility, the social connection model, is the same understanding used here, or, more accurately, is the definition of responsibility I argue the UN must adopt. It is premised on the idea that everyone is implicated in structural injustice even if their actions cannot be causally traced to specific incidents of violence or exploitation. Responsibility through connection is the type of responsibility that the UN possesses, and the final part of this thesis is dedicated to demonstrating that the UN is implicated in structural injustice alongside other actors and conditions. Therefore, when I refer to responsibility through connection or responsibility the UN truly possesses, Young’s model is what I am referring to.

The other way the term responsibility is used in this thesis is to refer to what the UN’s has defined as its own responsibility. More specifically, it is a responsibility based on moral superiority as opposed to being based on one’s implication in structural injustice, a responsibility grounded in a savior complex. The fifth chapter will demonstrate that this conception of responsibility based in superiority is the UN’s understanding of its responsibility. Therefore, when I mention UN-defined responsibility, I am referring to a savior approach to responsibility, as opposed to the definition of responsibility adopted from Young.

Another model introduced by Young is the liability model. I agree with Young’s definition of the model, that it is based on a causal connection between an incident of injustice and a perpetrator. Under the liability model, without a causal connection, liability and/or responsibility cannot be assigned. One manifestation of the liability model is the legal liability model, which relies on legal/formal mechanisms to assign liability. The legal liability model is the one adopted by the UN. In its case, the UN uses both criminal and disciplinary mechanisms to assign liability. I also agree with Young’s critique of the model, especially because her critique addresses the issues with the UN’s application of the legal liability model. The UN uses the legal liability model as an excuse for refusing to acknowledge the way it is implicated in the structural injustice underlying SEA. The UN makes the argument that because it cannot be causally connected, particularly because they have limited control over the actions of individuals, to incidents of SEA it is not responsible. Consequently, the UN’s application of the legal liability model enables its definition of responsibility, as explained above. Just like Young, however, I agree that the legal liability model is crucial and individual perpetrators should be held accountable. The issue therefore is with the UN’s limited application of it.
Importantly, I also use liability as a concept outside of the strict confines of legal liability. I argue later that the UN is liable for some incidents of SEA, as its actions can be causally connected to notable outbreaks of SEA. When I make this argument, for UN liability in addition to responsibility through connection, I am referring to liability more broadly than the legal liability model. In contrast, when I am referring to liability as it is deployed by the UN, I am referring to the legal liability model. Therefore, the distinction between the two definitions of responsibility and the two definitions of liability is that in both pairs one represents the way the UN uses the term and the other represents how the UN should be using the term.

Structural Injustice – The Real Cause of SEA and the UN’s Denial of It

Another term of critical importance is structural injustice, which I also draw from Young. At its simplest, structural injustice is the result of the interactions of different structures that together create situations deemed unjust. In the case of SEA, structural injustice refers to the conditions created by numerous intersecting factors that make certain people vulnerable to SEA. The concept of structural injustice is the backbone of my analysis, as I argue that the UN is implicated in the structural injustice underlying SEA through the social connection model of responsibility. It is this fact, the UN is implicated in structural injustice, and corresponding denial of it, which makes the UN discourse flawed. As with before, I summarize Young’s work on structural injustice at length to provide context to the term.

Summarizing Iris Young’s “Structure as the Subject of Justice.” Working through the example of housing insecurity, Young makes the argument that structure should be understood as the subject of justice. By this she means that when we are assessing a situation to be just or unjust, we are making a statement on the background conditions, the structures, that created the situation.

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Structures can be understood as putting people in certain positions, which can make them vulnerable to injustice.\footnote{Young, “Structure as the Subject of Justice,” 45.} In her example of housing insecurity, she is referring to the broader institutions and norms that make Sandy, whose story she is telling, vulnerable to experiencing homelessness. Before proceeding to identify these structures, Young label some of the background assumptions behind naming a circumstance unjust. One such assumption is events that are a matter of structural injustice are predictable and explainable. In a context where affordable, decent housing is scarce, it is explainable that certain people will experience or be vulnerable to experiencing homelessness.\footnote{Ibid., 47.} The counter-part to this assumption is the belief that experiencing homelessness is not solely attributable to bad luck or bad choices on the part of the individual experiencing injustice. In the case of Sandy, the inability to obtain a higher paying job is more attributable to the gendered labor market than individual action.\footnote{Ibid., 45.}

Young names numerous institutions, individuals, and norms that contribute to Sandy’s situation with the aim of illustrating the complexity of structural injustice and the corresponding point that assigning individual blame and responsibility is improbable; although, there can be immoral actors within the system. On an institutional level, she points to land use regulation and federal monetary policy as two systems that contribute to high housing costs. Another important set of institutions are landlord organizations, both formal and informal, which often cooperate to maintain a higher average rent. Prospective tenants often lack a corresponding organization and are unable to bargain against the landlords. Without consideration for societal norms, the housing market is already biased against low-income tenants, however, norms also play an important role. This includes individual preferences for safe housing and better schools, which exacerbate

11 Young, “Structure as the Subject of Justice,” 45.
12 Ibid., 47.
13 Ibid., 45.
housing divides. This also includes broader societal inequalities such as the gendered division of labor that pushes women into lower paying jobs and assigns them the primary responsibility for child care, making it harder for women and single moms to access housing. There is also a historical legacy of discrimination including racially-segregated housing and lower investment in minority communities whose physical impacts are still felt today. All this is to say that injustice in the housing market is complicated and that all of the forces work together to put certain people in vulnerable positions.

Stepping back, Young works to conceptualize social-structures more broadly. She identifies four social-structural processes that characterize structural injustice. For the purpose of this thesis, one is relevant. This important characteristic of structure identified by Young is that it positions people relative to others. In the case of housing insecurity, structures position certain people as vulnerable to housing insecurity, whether or not they actually experience it.

My Use of the Term – Structural Injustice as a Framework for Conceptualizing SEA and Understanding UN Responsibility. When I refer to structural injustice, I am referring to it as Young defines it. Structural injustice is an incredibly complex combination of conditions that make certain people vulnerable to SEA. Importantly, people can be experiencing structural injustice that increases their risk of experiencing SEA regardless of whether or not they actually experience it. It is my argument that the UN and its actions contribute to structural injustice. The UN and its actions constitute one of the many structural factors interacting with others to increase certain people’s vulnerability to SEA. Structural injustice relates to the conceptions of liability and responsibility introduced above, namely that understanding SEA as a matter of structural injustice helps us to conceptualize why individual approaches to responsibility and

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14 Young, “Structure as the Subject of Justice,” 50-54.
15 Ibid., 56-59.
liability are ineffective and simply misguided. My argument that the UN retains responsibility through connection is premised on my argument that the UN is implicated in the structural injustice underlying SEA. In summary, structural injustice in this thesis refers to the background conditions, created by the actions and presence of numerous actors/factors including the UN, which both increase vulnerability to SEA and help to explain why it is ongoing.

Civilian vs. Military Personnel – Two Distinct Categories with Distinct Backgrounds and Portrayals in the UN Discourse

Two other terms that appear with high frequency are civilian and military personnel. A large portion of my argument centers on these two terms, arguing that the UN treats them with differential standards and positions military personnel as the party overwhelmingly responsible for SEA. The UN defines military and civilian personnel as such,

3 Military personnel includes personnel from military contingents that are deployed under a memorandum of understanding between the United Nations and troop-contributing countries and military observers individually deployed as experts on mission for the United Nations.
4 Civilian personnel includes staff members appointed by the Secretariat, United Nations Volunteers under contract with the United Nations Development Programme, individuals contracted by the United Nations and individuals employed by United Nations contractors.16

The definitional difference between the two categories is fairly straightforward. Military personnel are members of the military, whereas civilian personnel are not. Therefore, it is more important to know how each group is connected to the UN. Civilian personnel are directly connected to the UN, either by appointment or by hire. In contrast, military personnel are not employed by the UN. Instead, they remain employed by the troop-contributing country from

which they were deployed. This logistical difference becomes important later in the discussion regarding differing approaches to and standards of accountability.

Additionally, there are important nuances to the above terms. Namely, there are a few sub-categories of civilian personnel that are discursively treated as if they were military personnel. This includes local civilian staff and police personnel. Correspondingly, my argument refers to the divide between international civilian personnel and military personnel. There are portions of the argument where the discourse around local civilian and police personnel are analyzed but the majority of the analysis regarding military personnel refers specifically to military troops. For the remainder of the thesis, it can be assumed that the term civilian personnel refers to international civilian personnel, unless stated otherwise, and the term military personnel refers to military troops, unless stated otherwise. Additionally, there are numerous instances where the UN uses different terms to refer to these two broad cohorts, such as uniformed personnel for military personnel. In those cases, I will identify which group is being referred to. Other terms that arise throughout the thesis will be defined in footnotes.

A final but critically important fact to know about military personnel for this thesis is their countries of origin. More broadly, it is important to know that almost all military personnel are men of the Global South, meaning they were contributed to the peacekeeping mission by a Global South nation. As of January 2019, the most recent available data, the top nine troop-contributing countries (TCCs) were Global South countries and contributed 53% of military personnel.\textsuperscript{17} In fact, only two Global North countries are included in the top 30.\textsuperscript{18} Furthermore, Global North countries as a collective only contributed 9% of the total military personnel.

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\textsuperscript{17} See appendix 5 for a country-by-country breakdown. All of the following numerical data is drawn from that appendix.

\textsuperscript{18} China is number 10 and Italy is number 19. I am including China in the Global North because of its position on the UN Security Council.
meaning 91% were contributed by Global South countries. Consequently, the remainder of this thesis is premised on the understanding that military personnel are all but entirely understood as men of the Global South with the attached tropes of Global South masculinities. The racialized, gendered tropes play a critical role in the discourse in allowing the UN to disavow responsibility.

**Historical Overview: 16 Years of UN Discourse from 2002 to 2018**

The primary texts analyzed in this research are a collection of UN documents regarding the problem of SEA by UN personnel on peacekeeping missions. The documents include reports published on behalf of the SG annually, General Assembly (GA) resolutions, and independently commissioned reports. They were chosen for this research because they constitute the prevailing institutional opinion on SEA. Although there may be individual offices, people, or even member states in the UN that disagree with the reports, the reports themselves indicate the official perspective of the UN. The documents span 16 years, thus a significant portion of the analysis is dedicated to tracking what changed, or did not change, with time.

Official UN engagement with the issue of SEA began in 2001. In 2001, a report completed by Save the Children (UK) and United Nations High Commissioner for Refugees (UNHCR) alleged that SEA was endemic in UN operations in Guinea, Liberia and Sierra Leone. In response, the Office of Internal Oversight Services (OIOS) was asked in late 2001 to complete their own investigation to assess the validity of the report. OIOS’s report, presented to the GA in 2002, corroborated portions of the Save the Children report and agreed that the problem of SEA

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19 I could not find a reliable list of countries supposed to comprise the Global North. Therefore, this should be considered a rough calculation. I chose not to include former Soviet-bloc countries in my categorization of the Global North but included Russia, for the same reason given for China in footnote 18. If one includes former Soviet-bloc countries, the change is insignificant going from 9% to 10%.

20 For a complete list of reports, organized by date of publication, see appendix 1.

21 The reports were initially found in “Resources” on the UN’s page on “Preventing Sexual Exploitation and Abuse.” Their central location is why I see them as the official perspective of the UN.

was widespread.\textsuperscript{22} Consequently, the GA adopted a resolution in May 2003 condemning the epidemic of SEA and requesting immediate and sustained action to address it.\textsuperscript{23} This resolution also requested the SG to provide annual reports to the GA detailing allegations, the scope of the problem, and steps taken to address it.\textsuperscript{24} It is these reports and accompanying documents that compose the majority of my discourse analysis. Relevant to the research, it is important to know that these reports span the tenure of three SGs, Kofi Annan (1997 – 2006), Ban Ki-Moon (2007 – 2016), and António Guterres (2017 – Present). The differences between the reports published by the SGs will be noted on occasion.

Separate from the annual reports of the SG and GA resolutions, this research also analyzes outside reports, which I divide into two categories. The first set of documents focuses on research and accompanying policy proposals for some of the major projects of the UN as it relates to SEA. This category includes reports on criminal accountability as well as victim support. The second category of reports is comprised of investigations into major occasions of SEA, including the OIOS investigation that prompted UN engagement with the issue in 2002. The most significant is the “Zeid Report” published in 2005, which was commissioned in response to an exposé on SEA in the Democratic Republic of the Congo (DRC).\textsuperscript{25} In 2013, a smaller assessment was called for regarding SEA in MONUSCO, MINUSTAH, UNMIL and UNMISS, the four missions with the highest number of allegations. In 2015, an independent


\textsuperscript{23} UN General Assembly, \textit{Investigation into Sexual Exploitation of Refugees by Aid Workers in West Africa}, UN Doc. A/RES/57/306, 22 May 2003, [GA Resolution].

\textsuperscript{24} Terminology – Allegations (also, alleged incidents) refers to reports made to the UN of SEA. Substantiated allegations are ones the UN has confirmed, although it acknowledges that the number of legitimate allegations is probably much higher. Incidents refers to hypothetical occurrences of SEA. For example, this policy may help reduce incidents of SEA vs. this policy is connected to a reduction in allegations of SEA.

investigation was commissioned to investigate widespread allegations in the Central African Republic (CAR).

One purpose of this brief overview of the history of the UN and SEA, outside of simply providing historical context, is to demonstrate the duration and breadth of the UN’s response to the issue. There are numerous types of documents, which span almost two decades. The relationship between the different documents, their authors, and their year of publication are all important to this thesis and will be brought up on occasion. Just as the terminology defined above, liability and responsibility, structural injustice, and civilian and military personnel, are pivotal to understanding the arguments of my thesis, this historical context is key. I now transition to the first part of the thesis, “UN Denial of Liability and Responsibility,” and introduce the UN’s individualized definition of SEA and its relationship to the discourse’s overall purpose of distancing the UN from responsibility for SEA.
When incidents of SEA occur or allegations arise, the UN blames individual actors. People who commit SEA are “bad apples,” as they deviate from the norm. At its simplest, this narrative draws a firm barrier between the UN and responsibility for SEA. Although there are nuances to the UN’s interaction with liability and responsibility, the “bad apple” narrative as the broadest framing of the problem is the context in which all other interactions with responsibility take place. It is the asterisk to any seeming acceptance of liability and responsibility. In many circumstances, the individualization of SEA is direct but not always. This individual framing used by the UN is one part of the discourse’s overall attempt to dismiss UN responsibility for SEA.

**The UN’s Discursive Framework for Understanding SEA: Reminding Readers SEA is an Individual Problem**

Before delving into the nuances of the UN’s construction of the problem of SEA on UN peacekeeping missions, it is important to identify the broader framing deployed by the UN in its discourse. For the UN, the problem of SEA is an individual one. In other words, every incident of SEA is the fault of a bad individual. Although there are occasional acknowledgments of an organizational culture that tolerates SEA, the ultimate responsibility is still with individual perpetrators. My assessment is based in explicit UN statements identifying this as an individual issue. These statements, which have occurred throughout the entirety of the UN’s formal response to the issue, take two forms. The first is an insistence that this not all personnel commit SEA. The second is an insistence that the UN mission prohibits SEA and always has, thus the
UN cannot be liable for enabling SEA. This chapter will also introduce the typical placement of these themes in the reports, which I argue constitutes a deliberate attempt to frame the issue through an individualized conception of SEA. The notion of deliberate placement is only briefly touched on here and is expanded more in chapter six, which explores the UN’s engagement with structural issues in the context of UN responsibility for structural injustice.

**Why SEA is an Individual Issue: Not All Personnel Commit SEA**

If SEA is an individual problem, it follows that not all personnel commit SEA. This connection can also be understood when reversed. If not all personnel commit SEA, it follows that SEA is an individual problem. The UN emphasizes this, that not all personnel commit SEA, and correspondingly constructs and defines SEA as an individual problem. The Zeid Report, written in 2005 in response to a new exposé on SEA, begins with this,

> United Nations peacekeeping operations have for decades brought peace and stability to countries emerging from war. The women and men who serve the blue flag do so under arduous and often dangerous conditions. The history of peacekeeping has been one of distinguished collective accomplishment and personal sacrifice. However, this exemplary record has been clouded by the unconscionable conduct of a few individuals.

This statement makes explicit the way in which the UN sees the issue of SEA, it is a collection of detrimental acts perpetrated by individual personnel occurring within an environment characterized by exemplary service. This framing is not isolated in 2005 or in the first decade of the 21st century. It is an understanding that has carried on to the present day and has spanned the tenure of all three SGs who have been a part of this process. In 2016, under the leadership of Ban Ki-Moon, the annual report stated, “Over seven decades, for millions of people, the efforts of United Nations personnel have often meant the difference between despair and hope, ravage and relief, life and death. Yet, the terrible acts of a few can undermine the untold number of

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This quote also draws a distinction between “good” and “bad” UN personnel, with the “good” personnel being characterized by a history of sacrifice. Those “good” personnel are not committing SEA and do not deserve to have their goodness overshadowed by the “bad apples” committing SEA. The 2018 report, the most recent annual report released on behalf of António Guterres, stated, “Sexual exploitation and abuse are not reflective of the conduct of the majority of the dedicated women and men who serve in the United Nations. But every allegation involving our personnel undermines the Organization’s values and principles and the sacrifice of those who serve with pride and professionalism in some of the most dangerous places.” Once again, the emphasis is on the majority of personnel who do not commit SEA. The message of these statements is the same, incidences of SEA are not reflective of the organization and the dedicated personnel, who are a majority, working in these arduous conditions. Together these reminders, it is not all personnel, make the implicit assertion that this is not an institutional issue but an individual one.

**Why SEA is an Individual Issue: The Mission of the UN Does Not Allow for SEA**

In addition to establishing that not all personnel commit SEA, the UN also expends space emphasizing that it has always been opposed to SEA. SEA is antithetical to the mission of the UN; therefore, SEA is an individual problem not an institutional one. Simply put, “Sexual exploitation and abuse by humanitarian staff cannot be tolerated. It violates everything the United Nations stands for.” This quote comes from the initial investigation on SEA conducted by OIOS in 2002. This conception of SEA, that there is no fundamental UN issue at the root, has

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29 OIOS Report, A/57/465, para. 3.
been included in the UN discourse from the beginning to the purpose of continually reinforcing the idea that SEA is an individual issue.

Although similar to quotes above emphasizing “not all personnel,” the emphasis on UN ethics is slightly but notably different. It can be read as a preemptive defense to the accusation that UN policy tolerates SEA, that it is the “good apples” who are rejecting UN norms, not the “bad apples.” This additional piece of information, the fundamental UN ethics, is critical for the success of the individualization of the issue. Without it, it would be more difficult for the UN to distance itself from the individual perpetrators. Together, the explicit individualization and reminder of institutional opposition to SEA, an implicit individualization, allow the UN to distance itself from responsibility for SEA.

**The UN’s Use of Discourse to Frame SEA as an Individual Issue**

The benefit of framing SEA as an individual problem for the UN may appear fairly straightforward, as it absolves the institution of responsibility for structural factors. However, the understanding of SEA as an individual problem is so pervasive that for many it seems counterintuitive to interrogate it, let alone imagine that an institution could benefit from it. To begin to dismantle the supposed naturalness of this explanation, it is important to demonstrate the effort expended by the UN to maintain this understanding of the issue. If it was innate or natural, it would not need to be constantly resaid.

In addition to their frequency, the quotes are notable for their location in the reports. The quotes examined above, from the three SGs, come from the introduction of their respective reports. More specifically, they occur in the first or second paragraph. The fact that SEA is a problem of bad individuals is the first thing the UN wants readers to know. By beginning with an individualization of the problem, the UN is able to set the assumption underlying the remainder
of the reports. It is notable, however, that these individualizing quotes also occur in the conclusions of the reports. For example, the 2015 annual report states, “Sexual exploitation and abuse by United Nations personnel harms the very people who look to the Organization for assistance and adversely affects the reputation of the Organization and the noble work done by its personnel under difficult conditions.” The presence of this discursive strategy in the concluding remarks points to the use of individualization as a broader framing device. This framing underlies the UN’s perception of the epidemic and is the understanding it intends to cultivate. It is not simply enough to tell audiences that SEA is an individual problem, it must be repeated frequently and deliberately in order to maintain its pervasiveness and “naturalness.”

**Conclusion: The UN Constructs SEA as an Individual Issue but Not Without Nuance**

The UN is explicit in its framing of SEA as an individual issue, an issue of “bad apples.” Introduced at key points throughout the documents, it is possible to view this individualized conception of SEA as the understanding the UN wants readers to take away if they take nothing else. Importantly, this individualized conception of SEA has its caveats, mainly that it is not applied to all UN personnel in the same way, and the following section demonstrates this. However, the individualized conception of SEA as a broader framing device retains its importance. Although simple, it does excuse the UN of responsibility for the structural injustice underlying SEA, which I argue is the overall purpose of the UN discourse. Additionally, the individual narrative is the foundation for the UN’s self-defined conception of responsibility, which relies on the notion that legal liability is sufficient and anything beyond that is based on generosity. This framing does have its flaws, namely that it does not adequately explain the persistence of SEA after years of individual interventions. In the next chapter, I show that to

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address this flaw, the UN needed to create a responsible party, in this case military personnel, men from the Global South.
CHAPTER 4
THE UN’S CREATION OF A RESPONSIBLE PARTY THROUGH THE DEPLOYMENT OF DIFFERENCE

The UN discourse constructs military and international civilian personnel as two distinct parties wherein military personnel are the collective responsible for SEA. This construction has serious implications for how allegations of SEA against each category are handled with distinct differences between the two. Those implications define the solution, as the way the perpetrator is constructed, here military personnel, provides an explanation for the solution. These constructions, that of the perpetrator and the solution, uphold one another and uphold the UN’s construction of difference.

The construction of military personnel as the perpetrators and the corresponding solutions serve the important purpose of helping the UN to deny responsibility for SEA. Logistically, military personnel are not directly tied to the UN, whereas civilian personnel are. Geographically, military personnel are overwhelming from the Global South. As men of the Global South, military personnel are easily subsumed into tropes of Global South masculinities, which directly contrast the mission and morality of the UN. Both of these differences constitute categories of difference that can be and are deployed by the UN to cast military personnel as distinct and as the responsible party. The logistical barriers create a tangible justification for different treatment. The strategically deployed racialized, gendered tropes are created through contrast with the Global North, which the UN is arguably an institutional representation of. Together they allow the UN to distance itself, both physically and theoretically, from the problem of SEA. Additionally, this chapter is premised on the notion that a simple denial of UN

31 See appendix 5 for a breakdown of the number of troops contributed by each participating country.
responsibility and liability for SEA, which was seen in the previous chapter, is not singularly sufficient. The UN must also create another party on which to put the blame.

Crafting military personnel as the responsible party, the problem, has benefits for the UN. This chapter demonstrates how that construction is accomplished in the discourse. It begins with an exploration of how the UN constructs the primary perpetrators of SEA. In other words, it demonstrates the direct ways the UN positions military personnel as the largest threat, in contrast to available data. This positioning is seen in where the UN chooses to allocate its resources, pursuing criminal accountability for military personnel, and how it grants presumptions of innocence and guilt to civilian and military personnel in that order. The chapter then proceeds to demonstrate how the UN constructs the solution to SEA. The solution builds off of the construction of the perpetrator, which is necessary to justify the solution’s focus on military personnel. The UN’s proposed solutions include actions such as increased, simplified training and barriers separating military personnel from the local population. I demonstrate that these solutions are both grounded in and gain their legitimacy from tropes of Global South masculinities, mainly the notion that military personnel do not know better when it comes to not committing SEA and that they may never know better. These justifications for the solutions, also the explanations for the problem, create distance between the UN and SEA allowing it to deny responsibility, the overall purpose of the discourse.

The UN’s Construction of the Perpetrators of SEA – Military Personnel

Rates of SEA: The UN’s Inconsistent and Questionable Representation of Data on SEA

There is no statistically significant difference in the rates of SEA between military and civilian personnel. Before proceeding to the remaining analysis, this section will present the

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32 See appendix 4 for tables detailing allegations of SEA by category of personnel. All numbers presented in the remainder of this section can be found in these tables.
data on the rates of allegations of SEA by category of personnel. This section aims to problematize the UN’s presentation of the data to highlight that civilian personnel are just as likely, if not more likely, to commit SEA as military personnel. Understanding the data is critical for recognizing the flaws in the UN’s depiction of military personnel as the primary perpetrators. The depiction does not reflect the reality of SEA. Further, knowing the data and its relationship to the UN discourse enables readers to ask what the purpose of the discourse is if it is not to address SEA as it truly exists.

With the exception of 2012, the raw number of allegations against military personnel is always higher than the allegations against civilian personnel. However, raw numbers do not constitute the whole story. For example, in 2004, the first year of accessible data, there were 80 allegations against military personnel and 16 against civilian personnel. At first glance, this seems like a drastic disparity, sufficient for justifying a focus on military personnel. However, when compared to the number of personnel, the difference becomes insignificant, with .0014% of military personnel committing SEA and .0013% of civilian personnel committing SEA. The raw difference continues in 2005 with 183 allegations against military personnel and 123 allegations against civilian personnel. Once again, however, this difference is erased when situated against the number of each category of personnel, with .0029% of military personnel committing SEA and .0072% of civilian personnel committing SEA. In fact, this is the first year that more civilian personnel per capita committed SEA than military personnel. After the 2006 report, detailing the allegations in 2005, the number of personnel per category disappears from all following reports; this disappearance of data will be further analyzed below.

For 2006 and 2007, there is no data on the total number of personnel but total allegations against military personnel outnumber the total of allegations made against civilian personnel. In
2006, there were 66 allegations against military personnel and 12 against civilian personnel. In 2007, there were 118 allegations against military personnel and 9 against civilian personnel. Importantly, this data, presented in the 2008 report, contradicts the data drawn from the UN online database, which states there were 56 allegations against military personnel and 32 against civilian personnel. However, readers would not have had that information at the time of the report; this is explored further below. The 2009 report claims 61 allegations against military personnel and 8 against civilian personnel in 2008, but, once again, these numbers contradict the UN database. The 2010 report presents no data on the number of allegations per category of personnel, only that there were 112 total allegations. With this information, as was available in 2010, one would be hesitant to challenge the UN’s assertion that military personnel constitute the highest risk. Once again, however, the raw numbers do not accurately depict SEA. Not only are the numbers contested but the focus on raw numbers hides the differences in per capita allegations against each category of personnel.

In 2011, the UN report completely contradicts the numbers it released in the 2009 and 2010 reports, confirming that the raw numbers previously presented were not accurate. There is now reason to challenge the UN’s use of numbers as a justification for its fixation on military personnel. Adding to this valid skepticism, the report goes further and acknowledges that civilian personnel are statistically more likely to commit SEA. The UN’s 2011 report reads, “Comparing the number of allegations of sexual exploitation and abuse with the number of personnel deployed shows that the highest ratio of allegations per capita involved civilian personnel: 1 allegation to 774 personnel.”33 This information is acknowledged again in the 2012 report, which includes the following table:

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The data presented in the table confirms that civilian personnel were more likely to commit SEA than military personnel from 2008 to 2011. My earlier calculations confirmed that civilian personnel were also more likely to commit SEA in 2005. There is no data available for 2006 and 2007. Interestingly, from the data in the table, military personnel were the least likely category to commit SEA in 2009 and 2010. In 2008 and 2011, military personnel were just slightly more likely to commit SEA than military personnel.

Both my own and the UN’s analysis of the data highlight that there are overwhelmingly more allegations per capita against civilian personnel than military personnel. In my opinion, this difference alone should be sufficient to challenge the UN’s presentation of the problem of SEA, which would appear to be based primarily on raw numbers. However, it is important to acknowledge the potential counterargument to my judgement, which is that the UN should be
focusing on raw numbers and not relative numbers. In every year except 2012, more people were harmed by military personnel than civilian personnel. Although there is not data to confirm this tentative assertion, it is likely that more allegations correlate with more victims, and, therefore, there are more victims of SEA by military personnel than civilian personnel. I believe this interpretation of the problem is valid; it is legitimate to focus one’s actions on supporting the most possible victims of SEA. However, this is not the justification provided by the UN, which is why it is given no further attention here. Additionally, even if was, the UN’s discourse is still sufficiently problematic as to be challenged.

All of the above paragraphs are an analysis of data and are thus premised on the assumption that the data is accurate. However, as was touched on briefly, the UN is not consistent in its presentation of the data, and there are substantial gaps in the data. I would go as far as to say the UN selectively presents its data as to minimize the significance of the allegations against its civilian personnel. Even if one does not adopt this understanding, however, the UN data is still flawed. The first appearance of the flawed data is in the 2011 report, which contradicts the numbers provided in the 2009 and 2010 reports. This report is also the first time the UN acknowledges the higher number of allegations per capita against civilian personnel, which was also the case in 2008 and 2009 but was not acknowledged in the 2009 and 2010 reports. The lack of acknowledgment, in combination with the disappearance of the total number of personnel from the reports that could be used to calculate the ratio by oneself, leads me to believe that the UN may have been attempting to hide this data, potentially even hoping it was a one- or two-time anomaly. More generously, one could say the UN was waiting to present the data till it became a trend. However, I disagree with this interpretation because the UN has never applied the same grace toward military personnel and consistently emphasizes any increase in
the number of allegations against them.\footnote{For example, see \textit{2015 SG Report}, A/69/779, para. 21.} Stepping back, there are numerous occasions where the numbers provided in the reports do not match the database, giving reason to treat the numbers with skepticism. As the UN is inconsistent in the way it responds to data, choosing to either release or withhold information seemingly along categorical lines, there is justification for doubting the fullness of the UN data.

Another interesting way the UN chose to present the data was to accompany an acknowledgment of the higher per capita allegations against civilian personnel, this time in the 2014 report, with the inclusion of an emphasis on the number of egregious crimes, another name for crimes categorized as sexual abuse, committed by each category of personnel. The 2014 report, summarizing 2013 data, is the fifth year that the number of per capita allegations against civilian personnel is higher than against military personnel. The 2014 report is also the only report that lists the percentage of allegations against each category of personnel that are egregious crimes. Other reports only identify the percentage of the total number of allegations that are egregious crimes. The 2014 report reads, “Furthermore, 22 out of the 36 substantiated allegations involving military personnel were of sexual abuse (61 per cent), while 10 out of the 16 substantiated allegations concerning civilian personnel were related to sexual abuse (62 per cent).”\footnote{Special Measures for Protection from Sexual Exploitation and Sexual Abuse: \textit{Report of the Secretary-General}, UN Doc. A/68/756, 14 February 2014, \textit{[2014 SG Report]}, para. 30.} I believe it possible that this data point is included to emphasize civilian personnel are not anymore guilty than military personnel, a judgment that could be drawn from the trend in per capita allegations that has not subsided with time. This inclusion could also be read as an anomaly, wherein the person writing this report decided to include this information where others
have not. I disagree with this interpretation because the UN has simply copied phrasing between reports and could have been done here as well.

In 2016, the UN adds the nationalities of certain personnel, military personnel who had allegations against them substantiated, to the reports. Unfortunately for the UN, the discrepancy in per capita allegations did not subside by the 2016 report, the last year of data included here. It is possible that the addition of new information to the reports in a year where per capita allegations are still higher against civilian personnel is not a coincidence. In my opinion the nationality of military personnel should be irrelevant if the UN aims to treat all personnel equally. Therefore, it could be read as an attempt by the UN to redirect attention to the fact that it is men of the Global South committing the raw majority of incidents of SEA, the closest thing the UN makes to an explicit reference of the racial dynamics of peacekeeping. If the UN is adhering to the narrative that SEA is primarily a Global South problem, as the remainder of this research argues, it makes sense that the UN would see this as relevant information, but I disagree. As an aside, this report is also an example of how the UN jumps to conclusions with military personnel, a problem identified above.

My aim for this section is that it demonstrates raw numbers are not everything. Although there are more allegations against military personnel in every year except 2012, it is not the whole story. Foremost, civilian personnel are just as likely, in some cases more likely, to commit SEA. This fact points to a need to engage civilian personnel as much, if not more, as military personnel, something not happening and not even implied in the discourse. Additionally, the UN’s presentation of the data is inconsistent and questionable. The data itself should be read

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38 Ibid., para. 23-25.
with hesitation, but I believe the UN’s interpretation of the data should be read with outright skepticism. Correspondingly, the underlying assumption of the remainder of this thesis is that, in most cases, attempts to distinguish military personnel from civilian personnel on the basis of risk is unfounded and has problematic implications.

Reinforcing Difference: The UN’s Focus on Increasing Criminal Accountability for Military Personnel

The UN reports fixate on finding more ways to hold military personnel accountable, specifically criminally accountable. Without the context provided above, one could read the UN reports on SEA and think military personnel were the root of the problem. Despite acknowledgments of both the lack of criminal accountability for civilian staff and the success of TCCs in holding their personnel accountable, the UN proceeds to focus on furthering criminal measures only for military personnel. This focus serves the purpose of creating an alternative party responsible for SEA, absolving the UN of responsibility. The remainder of this section aims to both illustrate the distinction the UN is drawing between military and civilian personnel and to prove that the supposed difference is continually constructed, challenging the notion it is based on neutral facts. The recognition that the UN reports are not entirely based on objective facts points to the possibility that the UN discourse may be using choice facts to accomplish an alternative goal, distancing itself from institutional responsibility.

Definitions: Criminal vs. Professional Accountability. Before proceeding, it is important to identify that the UN takes two different approaches to accountability – criminal and professional. Criminal accountability is straightforward. It includes a criminal trial with the possibility of imprisonment if the accused is found to be guilty. Professional accountability, also referred to as discipline, encompasses a broader range of ramifications. It can include a warning letter being
added to a file, reassignment to “desk” duties, a ban from field operations, all the way to termination and the withholding of severance funds. In some circumstances, professional accountability makes sense, including when the act of SEA is the purchasing of consensual transactional sex with an adult, an action that is not criminally illegal in several jurisdictions but is banned in UN policy. What is of interest here, therefore, is the discrepancies in how the two forms of accountability, criminal and professional, are applied. It is not what accountability should be applied to which crimes but whether the UN’s policies are applied equally.

The UN Focus on Increasing Criminal Accountability for Military Personnel, Not Civilian Personnel. Overwhelming, professional accountability as the only consequence is reserved for civilian personnel. In contrast, the UN strongly encourages the prospect of criminal accountability to be considered in all cases involving military personnel. Of course, there are some incidences in which military personnel only receive professional ramifications, but that is not the norm. This difference is seen in the deliberate effort of the UN, repeated almost every year, to call for increased criminal accountability of military personnel. Some examples of this include, “Deadlines for investigations, whether undertaken by the Organization or by Member States, into cases implicating military contingent personnel will help to respond to these concerns,” and “The Secretary-General intends to pursue vigorously the following measures to strengthen accountability among uniformed personnel…” These examples indicate there is an explicit focus on increasing criminal accountability for military personnel. As the following paragraphs illustrate, however, this focus is not in line with either the reality of SEA, both in who

39 There is important nuance to this statement with regards to local civilian personnel. In some circumstances, the UN hires local residents to work for it, who are categorized as civilian personnel. However, they do not have the same privileges and immunities as international civilian personnel and in practice have been both professionally and criminally held accountable.

is already being criminally prosecuted and who the UN recognizes needs to be criminally prosecuted.

The focus on military personnel is particularly interesting because the UN has repeatedly identified the lack of criminal prosecution of civilian personnel as an issue. They have done this in passing with recognition of the logistical barriers to holding civilian personnel criminally responsible, “The extraterritorial application of national laws of Member States to their personnel remains an issue, since some national laws do not allow for the prosecution of crimes committed outside the Member State territory by personnel other than military personnel.” Not only does this quote acknowledge that there are legitimate barriers to holding civilian personnel accountable, but it simultaneously acknowledges how it is relatively easier to hold military personnel responsible. The salience of this issue has also been identified more directly by the UN and not simply as a technicality. The UN has identified the problem of holding civilian personnel criminally accountable with a call to action:

To strengthen the legal framework and to enable accountability in all instances, however, there is a need to bring fresh impetus to the recommendation contained in the 2006 report of the Group of Legal Experts on ensuring the accountability of United Nations staff and experts on mission with respect to criminal acts committed in peacekeeping operations (A/60/980), to the effect that an international convention on criminal accountability of United Nations personnel be adopted. … The question of elaborating a possible convention remains before the Assembly and … the matter will be taken up once more during its seventieth session. To ensure meaningful and actionable criminal accountability, it is urgent that Member States adopt such a convention.”

The report of the Group of Legal Experts it is referring to was initially released in 2006 and was updated in 2008. What is clear from this statement is that the reports were not enough. The GA

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ultimately adopted a resolution in 2015, “Criminal accountability of United Nations officials and experts on mission,” but it is too early to tell whether it will have an effect. However, there is healthy reason for skepticism as GA resolutions are not binding. What is also notable from the above discussion of the UN acknowledgement of the issue of holding civilian personnel criminally accountable is that it spans nine years, from 2006 to 2015, highlighting the difficulty of addressing this issue. It is unlikely that it is something that has been solved with enough confidence to justify either the present fixation on criminal accountability of military personnel as the superior concern or the fixation prior to 2015.

The UN has also repeatedly recognized the progress TCCs are making in holding their personnel criminally accountable, something contradictory to the UN discourse’s fixation on increasing criminal accountability of military personnel. For example, the 2014 report states,

> The enhanced level of follow-up and communication between Member States and the Organization in relation to information on both results of investigations conducted by troop-contributing countries and on actions taken by Member States in instances of substantiated allegations involving their uniformed personnel has led to a number of cases being closed…

This quote affirms for readers that TCCs, Member States with uniformed personnel, are doing well at holding their personnel criminally accountable. When this acknowledgment is read alongside the above calls for increased accountability for civilian personnel, the UN’s fixation of increasing accountability for military personnel becomes all the more confusing. Criminal accountability for military personnel appears to already be in place and seems to be lacking for civilian personnel, so there is no obvious reason to focus on military personnel, unless that focus serves another purpose.

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45 2014 SG Report, A/68/756, para. 27.
In many ways, the UN is painting two contradictory pictures of the reality of holding people accountable for SEA. On one hand, the UN is arguing that the biggest concern is TCCs failing to hold their personnel accountable. On the other, it is arguing that attention should be redirected toward holding civilian personnel criminally accountable implying it is their home countries that are failing to hold perpetrators responsible. In addition to the strategies explored above, the UN is also supporting the call on TCCs to do better at holding their personnel accountable through the deployment of problematic depictions of TCCs such as, “In respect of military members of national contingents, troop-contributing countries are often reluctant to admit publicly to acts of wrong doing and consequently lack the will to court-martial alleged offenders.” 46 This sort of logic justifies the UN’s repeated emphasis on increasing procedural methods for ensuring criminal accountability and for removing the control of criminal accountability from the TCCs. Skeptically, it is possible to argue that the UN has an investment in connecting this narrative to TCCs because the same narrative could be applied to itself. The UN has frequently been found to be covering up, or at least minimizing, SEA. This implies a reluctance to “admit publicly to acts of wrong doing.” The UN uses this reluctance on the part of TCC to justify its involvement in their judicial processes. Correspondingly, an argument could be made that the UN’s demonstrated history of not acknowledging SEA justifies outside involvement in its judicial processes. This argument has already been made with repeated criticism of the UN’s policies of investigating itself. By blaming TCCs, the UN diverts attention from itself.

The focus on holding military personnel criminally accountable despite evidence to the contrary serves a purpose. The fixation reinforces that military personnel are the problem and, by

46 Zeid Report, A/59/710, para. 67(a).
extension, that the UN is not. The conversation around military personnel is done in contrast with civilian personnel, just as mentions of TCCs are seen in contrast to the UN. Calling for increased criminal accountability for military personnel, specifically calling on TCCs, deflects from UN responsibility, which I argue is the overall aim of the discourse.

UN Presumptions of Innocent and Guilt: Civilian Personnel Presumed Innocent Until Proven Otherwise, Military Personnel Presumed Guilty Until Proven Otherwise

The UN views military personnel as inherently guilty and civilian personnel as inherently innocent. This view is grounded in the UN perspective that military personnel constitute the bigger threat as was also seen in the UN fixation on increasing criminal accountability for military personnel. There are numerous policy procedures that demonstrate this presumption of innocence and guilt, which are explored in this section. Together they illustrate the UN’s discursive construction of military personnel as the perpetrators of SEA, as it is implied through a presumption of guilt and the fixation on increasing criminal accountability that military personnel are the source of the problem. Understanding how the UN constructs military personnel as the perpetrators is key to understanding the UN’s proposed solutions. Both the perpetrator and the solution are constructed in a way that erases the institutional responsibility of the UN. Therefore, recognizing the UN’s discursive depiction of military personnel as it relates to how the UN conceptualizes SEA is necessary for understanding that the UN discourse serves the purpose of erasing UN responsibility and liability for SEA.

Holding the Whole Unit Responsible in Response to the Presumed Collective Guilt of Military Personnel. Nowhere is the double standard of innocence and guilt more apparent than in the impact an individual’s actions who is in power has on their colleagues. This double standard does not refer to the impact of individual acts of SEA. When either a civilian staff member or a
military member commits SEA, there is unlikely to be repercussions for the rest of their cohort, besides more training. What this double standard refers to is the way a civilian manager or commander’s actions impact their supervises. When a civilian manager fails to report a violation of UN policy or an incident of SEA, they are the only one liable. In contrast, when a military commander fails to report SEA, the whole contingent risks reparation. This initially appears in the SG’s 2012 annual report, “The Secretary-General also will not hesitate to repatriate an entire military or police contingent where it is determined that serious misconduct, particularly sexual exploitation and abuse, has occurred owing to failures by the chain of command.” In this scenario, the commanders or those in the chain of command are not understood to be individual actors, as their actions have implications for their entire group, challenging the idea that each individual member is presumed innocent.

The lack of individuality and corresponding lack of a presumption of innocence granted to military personnel is also seen in the way the UN views their relationship to their country of origin or TCC. The 2016 report states, “Member States are requested to agree that, where an investigation is not completed within one year of the date of notification, payment in relation to the unit with which the implicated individual was deployed, or a corresponding replacement unit, will be suspended.” Under this policy approach, the actions of the TCC directly impact military personnel, despite it being beyond unlikely that individual military personnel are involved in the state’s investigatory process. Although there is an institutional argument to be made that this simply functions as a way to put pressure on TCCs, that understanding is not in contradiction with recognizing how the policy sheds light on how the UN views military personnel. The UN views military personnel as a collective who are as a group presumed to be guilty. In both of

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these scenarios, all military personnel are held responsible for the actions of other individuals, challenging the UN’s insistence that everyone should be viewed individually. If military personnel were viewed individually, assuming they were all innocent unless there was evidence to the contrary, punishing them for the individual actions of others would be unnecessary.

Risk Management Frameworks – Assessing Military Personnel as the Highest Risk Due to a Presumption of Guilt. Another way this problematic distinction between military and civilian personnel appears is in the UN’s risk management framework for addressing SEA, which sees military personnel as the biggest risk. In the late 2000s, the UN began to develop a risk management framework in order to be more proactive at combatting SEA. Despite changes throughout the years, the framework has remained consistent on its understanding that military personnel constitute the biggest risk. This focus is explicit,

There is a particular need for effective risk management within uniformed components. Measures such as the regular inspection of bases, strict enforcement of curfews and accessibility to the local population must be monitored and risks mitigated once identified. Missions with such personnel will ensure that there is an inspection and compliance function tasked…with evaluating risks, recommending mitigation measures and monitoring compliance related to sexual exploitation and abuse.49

This identification of a “particular need” implies that uniformed components, another name for military personnel, are the overwhelming perpetrators of SEA. The implications of the specific attributes it identifies as risks are examined later. Of additional importance is the stipulation that the presence of military personnel on a mission necessitates the mission “ensure” it has established a risk management framework. This term is important because, in addition to implying that military personnel are the primary issue, it implies that civilian personnel are such a low risk that a risk management framework, although encouraged, is not absolutely necessary on missions without military personnel. Defining military personnel as the highest risk illustrates

a presumption of guilt because it implies they cannot be trusted to not commit SEA. In contrast, by defining civilian personnel as low risk to the point of not needing a risk management framework, it is implied that they are collectively innocent until an act of SEA actually occurs.

Not only does this implication contradict the data and reality of SEA introduced above, but it contradicts other UN quotes about risk management. One report, written after a high-level meeting regarding SEA, argued for actions designed to enhance prevention and accountability including, “Preventive measures that further consider risk identification and management, in particular as regards United Nations civilian personnel.”50 This quote identifies a specific need for risk management regarding civilian personnel, which is contradicted by the earlier quote, from a few years later. This pattern is in line with other examples seen above, which demonstrate the UN’s tendency to acknowledge civilian personnel as persistent perpetrators of SEA but then focus policy exclusively on military personnel.

The decision to focus risk management on military personnel is not a one-time fluke of the above report but is seen in the most recent UN Risk Management Toolkit published in June 2018. The toolkit is an 80-page walkthrough of how to assess risk and respond accordingly. It resembles a work book rather than a technical manual and includes sample surveys and charts managers can use to assess risk. Tool 3 is a “Sample Mission SEA Risk Register.” This chart identifies a risk, the risk’s factors, the likelihood it will occur, and the likelihood it will occur even after internal controls. This sample register identifies military and police personnel engaging in transactional sex with adults as the highest risk. The register identifies the risk level as 5 (the highest) and the residual risk after internal controls as very high (the highest).51

Correspondingly, this example ranks military personnel as the foremost priority. Although this is only an example register, it is significant because it highlights that the UN instinctually views military personnel as most likely to be perpetrators, a manifestation of the presumption of guilt.

Assuming Cooperation on the Part of Civilian Personnel on the Presumption of Innocence. The presumption of innocence granted to civilian personnel is evident in the way the UN procedurally responds to accusations of SEA. When a civilian staff member is accused of SEA, it is written in policy that they should be assumed to be cooperating with the investigation. This assumption of cooperation, connected to a presumption for innocence, exists both with regards to the decision about waiving immunity and the investigation of misconduct itself. It is assumed that civilian personnel will cooperate with investigations. Consequently, immunity does not need to be waived because the UN does not have to use procedural methods, such as forced detention, to ensure cooperation. This policy of assuming the cooperation of civilian personnel directly contradicts the policy around cooperation for military personnel. The first explicit reference to this policy on cooperation is seen in the recommendations of the task force convened to investigate the UN’s handling of accusations of SEA in the CAR,

(i) Recommendation 9: That the United Nations negotiate the inclusion in agreements with troop-contributing countries of provisions ensuring transparency and cooperation in accountability processes;
(j) Recommendation 10: That the United Nations adopt an approach to immunity that presumes the cooperation and active participation of United Nations [civilian] staff in accountability processes;[^52]

In working with TCC and military personnel, cooperation must be “ensured.” In working with civilian personnel, also referred to as UN staff, cooperation and active participation is “presumed.” This quote presents a stark difference in how the UN views military and civilian personnel, particularly their countries of origins. This approach also contradicts the information

[^52]: 2016a SG Report, A/70/729, para. 84(i & j).
presented in the above section about criminal accountability for civilian staff, which highlights the UN’s repeated recognition that member state cooperation with regards to prosecuting civilian staff is the more pressing problem. It is important to note that in the following report released the next year, responding to the panel’s recommendations, the SG confirms that he has accepted and implemented the recommendation about presuming the cooperation of UN staff in the investigative process. Of additional interest is the fact that this approach is simply counterintuitive as there are examples of civilian personnel leaving the service of the UN before the investigation is completed thus preventing the investigation from being completed. Leaving a person’s position at the UN during an ongoing investigation is not cooperation.

I argue that the presumption of cooperation is made possible through the presumption of innocence, which assumes the best. Correspondingly, presuming that military personnel will be uncooperative is made possible by the presumption of guilt. Examining this connection allows us to see further how the UN’s construction of difference between military and civilian personnel is based on racialized, gendered tropes, in this case around trust. Looking forward, the conversation around cooperation is a critical piece of the puzzle in understanding how the UN discourse deflects responsibility. As civilian personnel represent the UN, depicting them as trustworthy and innocent serves the image of the UN.

*Granting Immunity to Civilian Personnel on the Presumption of Innocence.* Civilian personnel possess a unique immunity that must be waived if they are to face criminal trial in the countries where they commit SEA. The conversation about when to waive immunity (or to ever waive

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54 For example, see *Special Measures for Protection from Sexual Exploitation and Sexual Abuse: Report of the Secretary-General*, UN Doc. A/61/957, 15 June 2007, [*2007 SG Report*], Annex V (fn. A). “Column 1 is a total of columns 2, 3, 4 and 5 except for civilians, where one individual separated himself from United Nations service prior to the completion of investigations.”
immunity) reflects the presumption of innocence I argue is given to civilian personnel. Article 105 of the Charter of the United Nations grants immunities and privileges to agents of the UN needed for them to exercise their duties. The Convention on the Privileges and Immunities of the United Nations was passed by the GA in 1946 to allow this article to take effect.55 This convention applies to the conversation around SEA in that civilian personnel, by default, cannot be criminally prosecuted in the host country where the crime takes place without UN permission. In theory, the only person with the authority to waive immunity is the SG but, in practice, the decision is made by the Office of Legal Affairs.

At first glance, the policy of immunity may simply seem like an archaic bureaucratic policy, as the SG has made clear, “He will not hesitate to lift the immunity of staff members and experts on mission who are alleged to have engaged in criminal conduct.”56 However, this is not the end of the story as every mention of immunity is accompanied by a qualifier. For example, the sentence above continues to say, “He will not hesitate to lift the immunity… provided that there is an expectation that the alleged perpetrators will receive a prompt, fair and impartial hearing that conforms to accepted international norms.”57 This concept of what is necessary for the waiver of immunity is crucial in theory. Of course, someone should not be put through an unjust legal system. However, in practice, it has several problematic applications. Foremost, the UN gets to assess the quality of the legal system and make the decision as whether to waive immunity. Second, it is not a stretch to assume that if the UN has a presence in an area, it is likely it may not have a functioning legal system, unless it is toward the end of the mission. The

55 For a summary, see Criminal Accountability Report, A/63/260, para. 58.
57 Ibid., para. 36.
qualification sets it up for immunity to never be waived. If it is assumed that civilian personnel are innocent, it follows that a waiver of immunity is not necessary.

This qualification is repeated over and over, making the above example not a one-time incident. It originated in the Zeid Report, written in 2005. In regard to accusations of SEA against civilian personnel eligible for immunity, the report states, “In respect of staff and experts on mission, the lack of a legal system in some peacekeeping areas that meets minimum international human rights standards makes it difficult for the Secretary-General to waive the immunity of staff accused of serious crimes in the mission area.”\textsuperscript{58} This quote also uses the phrase “international human rights” as its stipulation that it is not always appropriate to waive immunity. As with before, the UN gets to assess what qualifies as fulfilling international human rights. This power in the UN without accountability mechanisms makes it possible for the UN to abuse its power, never waive immunity, and uphold its institutional reputation.

In addition to being included in the annual reports of the SG and outside investigations, the nuance to waiving immunity is adopted by the GA. A resolution aptly titled “Criminal accountability of United Nations officials and experts on mission” reads,

\textit{Reaffirming} also that the present resolution is without prejudice to the privileges and immunities of United Nations officials and experts on mission and the United Nations under international law, \\
\textit{Reaffirming further} the obligation of United Nations officials and experts on mission to respect the national laws of the host State, as well as the right of the host State to exercise, where applicable, its criminal jurisdiction, in accordance with the relevant rules of international law and agreements governing operations of United Nations missions.\textsuperscript{59}

Although not as explicit as the above examples, this quote acts as a broad nuance to the resolution as a whole, which calls for increased criminal accountability of civilian personnel. Once again, it refers to international law to justify its qualification to waiving immunity.

\textsuperscript{58} Zeid Report, A/59/710, para. 67(b).
\textsuperscript{59} GA Resolution, A/RES/70/114, pg. 2.
The existence of immunity for civilian staff does not alone explain the presumption of innocence I argue for here. In fact, it might appear to be easily dismissed by the fact that military personnel previously had immunity or could only be subject to criminal prosecution by their home country, by basis of the memorandums of understanding agreed to by the TCC, host country, and the UN. However, the crucial word here is previously. There has been what I believe to be a deliberate effort on the part of the UN to remove the immunity for military personnel but not for civilian personnel. This change is seen most recently in 2016 where the panel convened to investigate the UN’s handling to SEA allegations in the CAR recommends, “That the United Nations negotiate with troop-contributing countries provisions to ensure prosecution, including by granting host countries subsidiary jurisdiction to prosecute crimes of sexual violence by peacekeepers.” Peacekeepers here refers to military personnel exclusively. It is important to note that this is still only a recommendation and is currently in negotiation with TCC. Although immunity for both parties is arguably problematic in some regards, it is significantly more problematic that the UN is putting energy exclusively into waiving immunity for military personnel.

This different approach to immunity reflects the presumption of innocence and guilt argued for here. As civilian personnel are presumed to be innocent, it would be premature to waive their immunity without proper investigation. In contrast, because military personnel are presumed to be guilty and uncooperative, it follows that immunity should be proactively waived as to avoid any issues that come from working with a presumed guilty, uncooperative party. By framing immunity in this way, the UN is furthering its depiction of military personnel as the source of the problem, also affirming that civilian personnel and the UN more broadly is not.

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60 2016a SG Report, A/70/729, para. 84(h).
Assessing the Commonalities and Differences Between the Discursive Framing and Reality of the UN’s Response to SEA – An Important but Difficult Task. The above exploration of how the UN both discursively and in policy separates civilian and military personnel is important. Unfortunately, it is unable to explain data discrepancies, which would be a site for future research. Throughout the 14 years researched here, there has never been a year where more cases have been substantiated against civilian than military personnel. This divide in substantiated cases is not exclusively a matter of raw numbers but is also seen in the percentage of cases substantiated. This data leads to the question of whether the cases involving civilian personnel truly cannot be substantiated or if the UN is applying a different standard to them. The significance of this question increases in the context of the UN’s investigative procedures, as the UN investigates cases against its civilian personnel internally. This discrepancy may be impossible to truly investigate because of confidentiality, but it is still worth examining to understand how the discursive divide might appear in practice.

Additionally, the UN is explicit in its right to refuse to waive immunity for civilian staff, as was introduced earlier. There is no publicly available information as to what the waiver of immunity looks like in practice, despite the discourse’s insistence that the SG will not hesitate to waive immunity. However, statements such as that are still not without nuance, as was explained above. In order to understand if the UN is truly treating military and civilian personnel equivalently, it is important to know whether the SG actually waives immunity in most, if not all, cases. The current available information, mainly the lack of criminal charges against UN civilian staff, points toward no.

These two questions/problems are important for identifying whether the UN separation of military and civilian personnel continues in practice. However, the overall argument of this
thesis remains relevant regardless of the answers. Discourse can be harmful and creates public perception of the issue. If the public understands military personnel, a racialized and gendered group, as the primary perpetrators, the damage is already done. By treating military personnel as inherently guilty and a bigger threat, military personnel inevitably become the primary perpetrators of SEA, excusing the UN of responsibility.

**The UN’s Construction of the Solution: The Use of Essentialist Tropes of Global South Masculinities as the Justification for the Solution**

It is not enough for the UN to deny responsibility for structural issues underlying SEA, it must deflect responsibility onto another party. This deflection serves two roles, including the simple act of solidifying for observers that the UN is truly not responsible, not only because it says so but because another party is responsible. Correspondingly, the deflection justifies the UN’s response, which directs attention toward military personnel, the responsible party, and away from the UN’s institutional culture, which may enable SEA as well. The UN goes a step further than the logistical barriers and questionable numbers to draw the divide between military and civilian personnel. The UN deploys a discourse of difference, grounded in racialized, gendered cultural tropes about Global South men, in its solution, allowing the UN to draw a sort-of ethical barrier between civilian personnel, itself, and military personnel.

At first glance, it may appear the UN is deflecting responsibility onto all individuals who perpetrate sexual violence, using the liability model and the “bad apple” narrative, but it is not that simple. As the last section demonstrates, although the UN applies individual blame to both civilian and military perpetrators of SEA, it goes a step further with military personnel. Individual blame as the exclusive response is reserved for civilian personnel, who, as a collective, are presumed innocent. In contrast, a broader collective blame is placed on military
personnel when there are incidents of SEA, who, as a collective, are presumed guilty. The solutions advocated for by the UN focus on military personnel, a logical offshoot of the framing explored before, and deploys racist, gendered tropes about Global South masculinities as justification. By putting the blame on cultures other than its own, which civilian personnel represent, the UN is able to position itself as the morally superior party, one exempt from responsibility.

By walking through examples of solutions advocated by the UN and it’s discursive framing of said solutions, this section demonstrates that the UN is operating with the belief that military personnel do not know better when it comes to committing SEA and that they may never know better. This line of reasoning allows the UN to put the blame for SEA on a “different cultural framework,” enabling it to not only base its deflection of responsibility on logistical differences and questionable numbers but on supposed different fundamental life philosophies. On the basis that military personnel do not know better, the UN advocates training, but a distinctive training, as the solution. This different training is grounded in the UN’s insistence that military personnel hold cultural differences, including a lack of understanding of gender-based violence and basic respect, and are overall confused when it comes to the foundations of the UN’s policy prohibiting SEA. On the basis they may never know better, the UN advocates what I am calling “deterrence mechanisms,” methods put in place to prevent military personnel from committing SEA, including bans on interacting with the local population and distraction activities. This understanding also enables calls for the increase of female-bodied military personnel on the understanding they do not commit SEA. This call grounded in ideas of who commits SEA is in addition to the call for more female-bodied personnel, both civilian and military, as a way of providing a safer space for victims to come forward, a valid and important
justification for gender mainstreaming. Finally, there is a call for interventions aimed at
addressing the failures of military culture through military culture. This call brings together both
themes explored here, they do not know better and may never know better, and is still arguably
grounded in racialized, gendered tropes. However, the call for militarization as the solution is
important to analyze as it is arguably the most valid justification for the UN’s policy
prescriptions. Therefore, the issue may also be the singular fixation on fixing military culture
without addressing the civilian institutional culture in addition to the reliance on problematic
tropes.

It is important to note that some of the changes advocated by the UN are important but
not for the reasons the UN states. For example, the UN advocates for better welfare and
recreational facilities including access to internet and easier contact with family at home. These
changes should be made as a way of addressing the difficulty and reducing the stress of
deployment in a conflict-zone. The UN also advocates paid and consistent leave, an action also
important for supporting the mental health of military personnel and a policy, which is, I believe,
a fundamental employment right. Although the UN acknowledges the effects of these policies,
they are treated as accidental benefits. The primary justification, as demonstrated below, is to
reduce incidents of SEA. Therefore, as I make my critiques, I am not critiquing these welfare
reforms but the discursive justification for them.

The UN’s Justification for Training as the Solution – Military Personnel “Do Not Know Better”

According to the UN, training works because military personnel supposedly did not know
not to commit SEA before coming to the UN. When there is a decline in the number of
allegations in a year relating to military personnel, the UN credits it to better training. For
example, the 2011 report reads, “The data highlighted above point to significant inroads having
been made in combating [SEA], most notably in respect of military personnel. Such inroads could be attributed to a more systematic delivery of training before and after deployment by troop-contributing countries and the United Nations to military contingent personnel.\textsuperscript{62} In many ways, this is a seemingly valid conclusion for the UN to draw. As the UN’s primary interventions have been increased, redesigned (i.e. simplified) training, it is logical to draw a connection between the reduction and training. However, this connection is still problematic primarily because of the discursive image of military personnel it creates. When better training is the solution, it says something about military personnel. Kelley Jo-Bluen, a former leader at the Institute for Justice and Reconciliation in South Africa, makes the argument that a focus on training implies “that these are barbarian troops who need to be civilised, when we all know that all countries from all parts of the globe have committed these crimes.”\textsuperscript{63} This understanding is the same one adopted here. The distinctions between the discourse’s representation of training for civilian and military personnel creates the impression that military personnel have never been taught not to commit SEA. This implication is what I refer to as the theme of “they do not know better.” In contrast, civilian training is positioned as a reminder of UN protocol not a training on not committing SEA. This juxtaposition is demonstrated below.

\textit{Reviewing the Logistics of Training and Their Connection to Tropes of Global South Masculinities}. The UN has two components of its training protocol that are unique to military personnel – training as sensitization and easier training. Training as sensitization implies that military personnel not only do not better, the overall theme of their training, but that they lack a

\textsuperscript{62} 2011 SG Report, A/65/742, para. 20

\textsuperscript{63} Essa, “Why do Some Peacekeepers Rape?”
degree of respect for the local population. Simplified training implies that military personnel cannot comprehend complex training protocols, something grounded in tropes of the supposed lower intelligence of people from the Global South. Here I will expand on the logistics of training and then continue to analyze the deployment of supposed cultural differences, respect, and confusion as explanations of why military personnel are assumed to not know better.

Sensitization at its simplest includes the training of individuals on gender, gender norms, and gender-based violence in order to increase awareness (i.e. sensitivity) of the topic. The World Bank uses the phrase “improve knowledge, attitudes, and practices” as the goal of sensitivity training. The assumption of this approach to training is that people are not actively aware of the way gender impacts interaction and overall power dynamics. There is an important argument to be made for the positive impact of education around gender, as it tends to not be critically discussed in mainstream discourse. Therefore, the argument made here is not that education around gender should not be provided or be widely accessible but that its selective deployment makes assumptions about who already possesses the knowledge and who needs it. The belief I argue is inherent in reserving sensitization training or training around gender almost exclusively for military personnel is that they are the group in need of education around gender and gender-based violence, indirectly making the judgement civilian personnel do not. This perception leads us to ask why military personnel are uniquely in need of this training. For the UN, the answer to this question is the attributes inherent in Global South masculinities.

Another aspect of the UN’s training protocol that is unique to military personnel is the deliberate effort to simplify the information. A frequent suggestion made in the reports is to

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convert the rules into a “convenient card-form.”65 The documents refer to this as a matter of “accessibility” and consequently also include translation as a component. The translation of material is one such policy that is not inherently problematic but what makes it problematic is that it is directed exclusively at military personnel. For example,

An effective strategy against sexual exploitation and abuse requires not only clarity as to the substance of the binding rules, but also accessibility to the rules by all peacekeeping personnel. The United Nations publishes the Ten Rules and We Are United Nations Peacekeepers on cards, but only in the official languages of the United Nations. It is recommended that the Secretary-General issue the 2003 bulletin standards on cards as well. It is also recommended that the Special Committee request the Secretary-General and the troop-contributing countries to cooperate in the publishing of those standards, as well as the specific prohibitions against sexual exploitation and abuse, in the languages of contingent members.66

This quote singles out military personnel as the ones in need of the more accessible training. However, it is also interesting because it demonstrates how the UN still engages with training civilian personnel but in a different way. Despite repeated recognition that civilian personnel are also responsible for incidents of SEA, the attention is not on reforming the cards or their training, it is on reforming it for military personnel. There is no new effort to train civilian personnel, as the ones who commit SEA are bad apples and most already know better. In contrast, military personnel need to be repeatedly trained and in ways that are “easier” to comprehend. As an aside, the conversation around language is interesting because it highlights the nationality dynamics of peacekeeping. Most of the civilian personnel already speak the UN’s official languages, as evidenced by the attribution of translation as an exclusive need of military personnel. In contrast, most military personnel do not speak the official languages, highlighting where they originate from, countries without power in the UN. Returning to the notion of easier training, UN discourse also refers to the importance of “clear, unambiguous language” in the making of

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65 Zeid Report, A/59/710, pg. 4.
66 Ibid., para. 26.
guides on SEA. This argument for “clear language” is perhaps the most explicit example of how the UN simplifies its training on SEA to the supposed benefit of military personnel.

*Why Military Personnel “Do Not Know Better” – The UN’s Explicit Engagement with Tropes of Global South Masculinities.* Although the training approaches already exist on unstable ground with regards to justification, their deeply problematic reasoning is truly seen in the UN’s engagement with ideas of cultural difference, respect, and straightforward confusion. The UN frequently makes the argument that cultural differences with regard to women and gender-based violence constitutes a valid explanation for why military personnel commit SEA and why training to unlearn those differences is the answer. The UN is explicit with this judgment, “Several factors were identified by the team of experts as posing a serious challenge to the realization of the zero tolerance policy, including: … differences in backgrounds and cultural norms of [military personnel] with respect to women.” The underlying message of this quote is that some cultures allow violence against women and those with that background are the ones committing SEA. In contrast, it is assumed that civilian personnel (and the UN) do not have these cultural norms. If certain personnel had them, they have unlearned them through assimilation into the UN. Since this is positioned as a barrier to addressing SEA, it follows that unlearning those supposed cultural norms is the solution.

Just as the UN explicitly states that cultural backgrounds enable gender-based violence, it also engages with supposed differing conceptions of “respect” as enablers of SEA. For example, one report includes, “Guidelines for both United Nations police and military observers are

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distributed, with detailed provisions on conduct, including a prohibition on abuse or exploitation of the local population, particularly women and children, and a requirement to show respect and courtesy towards all.  

This statement draws a connection between respect and gender-based violence, a very real connection, but attributes a lack of respect to a specific cohort, military observers, an off-shoot of military personnel. What this fails to engage with is that lack of “respect” toward the local population may very well be a reality of peacekeeping zones, but that this reality is likely attributable to militarized masculinities and the dehumanization of the “other,” something common to all military contingents, as opposed to cultural norms.

An interesting nuance to this conversation around “respect” is the way the UN attempts to address it. Namely, “A review of public awareness tools … across field missions is under way to inform and redesign global advocacy and awareness-raising campaign efforts that will continue to emphasize standards and values but also put a human face to beneficiaries as mothers and fathers, sisters and brothers and daughters and sons of the local community.” At first this may appear to be addressing the dehumanization included in militarized masculinities and savior complexes, which enables gender-based violence. However, given the way the UN engages with respect in other contexts, such as the premise some groups (read: military personnel) lack values and standards, I believe this motivation is unlikely. This unlikeliness is further exacerbated by the UN’s embrace of non-fraternization policies, which prevent contact with the local population, and are explored further below.

To succinctly summarize the connection between training and racialized and gendered conceptions of respect, I turn toward yet another UN quote, “Predeployment training is the mechanism for ensuring that troops that deploy to peace operations are prepared to respect the

Organization’s standards of conduct.” Without training, it is assumed that troops, another name for military personnel, will not respect norms of conduct, including prohibitions on SEA. In the UN discourse, respect on the part of military personnel is not only missing with regards to the local population but to the overall institution as well. Accordingly, there is no fundamental UN issue, as its institutional standards are clear.

The UN uses phrases such as “inability to discern” and “false impression” to describe what I label as confusion. When explaining SEA, the UN appears to reference the confusion and/or lack of comprehension of military personnel as reason for incidents of SEA. When examining the phenomenon of SEA broadly, it is stated, “It is this inability on the part of many peacekeepers to discern the extent to which the society is traumatized and vulnerable that is at the root of many of the problems addressed in the present report.” The UN presents no evidence in the report to justify this drastic statement. This quote is included near the beginning of the report, in a section titled “The problem in context.” This section, a brief three and a half pages, is intended to provide the background for the rest of the analysis. The quote itself is positioned between two statements about the history of UN peacekeeping, its origins and distinguished record. Consequently, this judgement is positioned as a neutral observation of already-present conditions, something that does not need to be justified. The implication of this statement is that there is a disconnect between military personnel’s perception of the situation and its reality, leading them to either commit SEA or minimize incidents of it. Although this may be grounded in some theory, especially around the feminization and subsequent minimization of peacekeeping within military circles, that should not be reason for its dismissal. It makes a

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72 Zeid Report, A/59/710 para. 2.
73 Whitworth, Men, Militarism, and UN Peacekeeping, 151.
direct judgement about perception and intelligence through a racialized, gendered lens, drawing a
distinction with the UN.

This judgement of false perception and confusion appears again in reference to a condom
distribution program designed to help halt the spread of HIV/AIDS:

United Nations standards of conduct prohibit sexual activity with prostitutes, which is the
most accessible form of sexual activity for contingent members in particular. At the same
time, condoms are either provided to soldiers or are made available to them... This may
create an impression, at least in the minds of some peacekeeping personnel, of an official
“zero tolerance” policy coexisting with an unofficial policy to the contrary. In order to
avoid sending a confusing message, … it could be explained during the training that
condoms were being distributed as a life-saving measure to prevent the spread of
HIV/AIDS.74

The judgement explicit in this statement is that contingent members, another name for military
personnel, are unable to recognize that the distribution of condoms does not equal an acceptance
of SEA. Once again, it is deploying racialized, gendered tropes of Global South unintelligence to
explain why military personnel as a unified cohort, as opposed to the majority of civilian
personnel, are unable to draw the distinction. The supposition that military personnel have an
inability to distinguish between two distinct policies does not disappear with time. The annual
report released four years later states, “In a few instances, however, it appeared that there was
some confusion between sexual harassment and sexual exploitation and abuse, which is an
indication that further education and awareness-raising needs to be done.”75 This statement
mirrors the ones above in that it presumes a different level of comprehension. The key word here
is “further,” which implies that training has already occurred (and was possibly provided to all

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74 Zead Report, A/59/710, para. 44. Interestingly, this quote makes the statement that sex with sex workers is most
widely purchased by military personnel. This assertion does not align with later statements on the part of the UN
insisting that civilian personnel purchase more sex thus justifying the lack of attention given to them. Due to time
constraints, this discrepancy is not explored in this research.
75 Special Measures for Protection from Sexual Exploitation and Sexual Abuse: Report of the Secretary-General,
personnel) but that certain groups did not internalize the information about the difference between sexual harassment and SEA. It is again important to note that training about the differences between sexual harassment and SEA is important and is something frequently practiced in other contexts. Therefore, the issue is not with the training but with the selective deployment of it. The selective deployment is arguably the broadest issue with the reformed training, although there are smaller, but still significant, issues within this realm of the discourse. The implication of the selective training and redesigned training is that military personnel do not know better when it comes to committing SEA. In some incidences, as with the conversation around confusion and direct references to differing cultural norms, this judgement is explicit. Although not directly stated in the discourse, it can be assumed through comparison that the UN sees civilian personnel as already knowing better. Therefore, the UN is not responsible for SEA.

The UN’s Next Course of Action Under the Assumption Military Personnel “May Never Know Better”

Just as the UN insists training works, it insists deterrence works. Deterrence as the UN uses it is also racialized and gendered, as it is based on the assumption that some attributes are so innate in military personnel that they cannot be unlearned. The same quote introduced in “The UN’s Justification for Training as the Solution” continues with, “Such inroads could be attributed to … military camps [being] moved from cities and villages to areas relatively far away from the local population.”76 When I use the term deterrence, I am referring to tactics used by the UN to both physically prevent military personnel from being in situations where SEA might occur and to distract military personnel from the “temptation” of SEA. To prevent interaction with the local population, specifically local women, the UN has implemented and

76 2011 SG Report, A/65/742, para. 20. See pg. 52-53 in this thesis for the first reference to the quote.
continues to implement a non-fraternization policy that pertains to military personnel. Under such policy, they are not allowed to interact with the local population outside of official duties. This policy is often accompanied by curfews and off-limits areas, especially from areas where prostitution is known to occur. The goal of these policies is to all but erase contact between military personnel and local women with the goal of removing opportunities for personnel to commit SEA. They are further supported by policies requiring uniformed personal, another name for military personnel, to where there uniforms any time they are off their base. Although not a physical barrier, this serves as a visual barrier intended to prevent them from “escaping” supervision to commit SEA.

It is of equal importance to recognize that the UN not only advocates these barriers as a solution but blames a lack of them for increases in incidents of SEA. For example, “Concerning the number of allegations recorded for UNMISS, closer scrutiny appears to indicate that the increase … results in part from United Nations [military] personnel living in closer proximity with the South Sudanese population that took refuge in or around UNMISS premises following an outbreak of violence in December 2013.” Although these are arguably two sides of the same coin, it is important to recognize both. Together they show that the UN uses racialized, gendered tropes about uncontrollable sexuality to explain both successes and failures in addressing SEA, allowing them to legitimize physical barriers as a solution. Implicit in policies designed to physically prevent contact between military personnel and the local population is that if contact did occur, outside of official duties and supervision, SEA would occur. As stated above, I believe

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For another example, see 2014 SG Report, A/68/756 para. 41.
this implicit assumption is indicative of the pervasiveness of tropes about Global South masculinities and uncontrollable sexuality in the UN’s construction of the solution. However, as the UN never uses explicit statements about uncontrollable sexuality, a general lack of control, or the inability to unlearn, this reading is limited as to be only an interpretation. All the same, my interpretation is significant because it highlights a potential explanation for why the UN not only sees this as a valid policy but also for why it is perceived as a valid policy more broadly. The same physical barriers are not placed on civilian personnel, highlighting that the UN sees a difference between the two; this difference being the presumptions of innocence or guilt introduced before. The main distinction between military and civilian personnel is their overall countries of origin, with military personnel overwhelming originating from countries typically included in the Western academic construction of the other, a concept that includes supposed differences in sexual morality, and has pervaded mainstream development policy. Therefore, it is not unfounded to say that an assumption of the uncontrollable sexuality of Global South men could be being applied to military personnel as a justification for the policy of physical separation as prevention. It is a trope that successfully separates civilian personnel and the UN from military personnel and TCCs.

The other trend I include in deterrence is distraction. Distraction refers to the efforts by the UN to essentially provide alternative activities to SEA, a notion indisputably problematic. In one document, this approach is described as such, “A key strategy used by contingent commanders to maintain proper conduct is to keep the contingent members busy when off duty.” This strategy implies that military personnel will commit SEA if not given alternative

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activities. In other instances, the emotions depicted as causing SEA, the one before being boredom, include stress and low morale. Another section of the same report reads, “Service in a high-stress area with little opportunity for recreational breaks may contribute to aberrant behaviour.”81 In this situation, committing SEA is positioned as “acting out,” something infantilizing and removing the autonomy of military personnel. Other reports position the lack of welfare services as the cause of low morale. One such report correspondingly suggests increasing internet access as a solution, as the internet “allows military personnel to maintain social ties with their community back home and could, therefore, contribute to preventing sexual exploitation and abuse.”82 The connection between all of these supposed emotional causes of SEA is that they rely on racialized and gendered notions about the hypersexuality of and predisposition to sexual violence of military personnel (read: Global South men) in order to seem legitimate. It is presumed that if not given other outlets for their emotions, military personnel will inevitably commit SEA. Same as above, this reading is limited to being only an interpretation. Although other scholars agree that there is a connection between the attribution of hypersexuality to men from the Global South and the tendency to see them as the primary perpetrators of sexual violence, a reading with which I agree, that connection is not explicit here.83 What is explicit in the discourse is the idea that providing military personnel with other outlets for their energy is a potential solution to SEA, but the reason they need other outlets is not said. I argue that reason is an assumption about military personnel’s hypersexuality and predisposition to commit SEA. Without alternative activities, namely another outlet for their sexual energy (distraction as a mental break, recreation as a release of energy, and connections

81 Zeid Report, A/59/710, para. 50.
82 2011 SG Report, A/65/742, para. 23.
back home as a way to maintain intimacy if relevant), military personnel will commit SEA. It is important to note that this conversation around welfare and emotional support is another topic that is complicated. These are areas that should be addressed, and welfare should be improved but not because it deters SEA.

An important nuance to the conversation above is that improvement in welfare for civilian personnel is also advocated for occasionally. For example, “The Special Committee took note of the report and recognized the importance of welfare and recreation for all categories of peacekeeping personnel, including non-contingent personnel.”\(^4\) Importantly, however, this quote and other recognitions of the importance of welfare improvement for all personnel fits into the framework of attempting to make peacekeeping more bearable but not as an attempt to deter acts of SEA. This is the same framing I advocated before; welfare should be improved because it is the right thing to do not because it supposedly deters SEA, a justification reserved for the improvement of facilities and procedure for military personnel. Additionally, this provides an example of where a special committee or outside agency makes an important suggestion, but it is not followed up on in the reports produced by the office of the SG. I believe that all suggestions made by parties outside the office of the SG should be read with hesitation and should be taken more seriously only if actually adopted in the official UN discourse. More importantly, however, the fact that this specific solution, reforming welfare facilities on the basis that it will help people not commit SEA, is reserved for military personnel solidifies the divide from the UN.

Another policy to arise out of the belief that military personnel “may never know better,” something grounded in the idea that sexual violence is inherent in Global South masculinities, is gender mainstreaming within the military and other aspects of peacekeeping. Gender

mainstreaming includes a variety of activities, mainly incorporating a gendered lens in policy analysis, but here it refers to the hiring of more women. There are two lenses from which the UN proposes hiring more women. One is not connected to the idea that military personnel “may never know better” but is worth mentioning because it is indisputably important. The UN argues that hiring more women is crucial for connecting with the local population and creating a safer atmosphere for victims who come forward. The UN states this directly, “Victims and their spokespersons tend to be female and the presence of female interlocutors, especially in senior positions, would facilitate efforts to encourage the reporting of abuse.”85 I am not arguing against this justification for hiring more women. I am arguing against the second lens the UN uses for justifying its hiring of more women, that they will not commit SEA.

Importantly for the UN, this justification, that women do not commit SEA, is not explicit. I would hope it would be critiqued if it was, but it is still present. For example, the 2016 report states, “In addition to ongoing efforts, new initiatives are under consideration to increase the representation of women among military personnel in peacekeeping, including the target of 6 percent women representation in peacekeeping by early 2018. … Efforts regarding police personnel include the “all-female” police selection programme.”86 This quote alone does not support my argument that the UN is promoting the inclusion of more women in peacekeeping on the assumption they do not commit SEA. What does support it is the quote’s location in the report. It is included in the section titled “Strengthened management of the risk of sexual exploitation and abuse” and is a substantial portion of the section. The proceeding quote, the first quote of the section, makes explicit that it is talking about risk management regarding military personnel, arguing that there are factors that need to be assessed beyond simply operational

85 Zeid Report, A/59/710, para. 43.
readiness or training mechanisms (read: the inherent dynamics of the troop contingents themselves). The quote following the one included above regarding numerical goals states that this expanded understanding of the risks for SEA will be included in the risk management framework to be dispersed to senior staff in the missions. The content surrounding the call for increased percentages of female-bodied military personnel is evidence for my conclusion that it is seen as a tactic designed to reduce the risk of SEA by military personnel. By including the proposal in a section on “risk management,” it is implied that more women personnel reduce the overall risk military personnel pose to the local population. I argue that this policy proposal is based on the notion that women do not commit SEA or that the ones who do fall into the “bad apple” framework surrounding civilian personnel. In other words, they are afforded the same presumption of innocence despite their status as military personnel. In my opinion, this originates from tropes about women, both from the Global North and South, as possessing an innate predisposition toward peace and corresponding condemnation of violence.

My inclination to believe that the UN has accepted this trope of femininity is grounded in other references made to gender mainstreaming by the UN. For example, the quote introduced above, advocating for hiring more women as a way to encourage victims to come forward, continues with, “The presence of more women in a mission, particularly at senior levels, will help to promote an environment that discourages sexual exploitation and abuse.”87 This quote provides a more explicit example of the UN drawing a connection between the presence of women and the challenging of a culture that encourages acts of SEA. This connection is what I argue to be underlying the call for more female-bodied peacekeepers. Although the two quotes both point to a UN acceptance of the trope of femininity as the embodiment of peace, they are

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87 Zeid Report, A/59/710, para. 43.
still distinct in their purpose. More women are brought into the institution as a whole to combat a
tolerance for SEA, but more women are specifically brought into the militarized aspect of
peacekeeping to reduce the number of potential perpetrators of SEA. Risk management implies
strategies aimed at addressing individual incidents of SEA, which all male-bodied military
personnel may possibly commit. Therefore, it is my analysis that framing gender mainstreaming
as an act of risk management implies it will help reduce individual incidents of SEA in contrast
to the use of other mainstreaming attempts to address institutional culture or create a safer space
for victims.

The solutions advocated by the UN here, deterrence, including physical prevention and
distraction, and gender mainstreaming, imply that military personnel may never know better
when it comes to not committing SEA. More specifically, the solutions indicate that the UN fail
safe for reducing SEA is grounded in the idea that military personnel may never be able to
unlearn their purported differences and backgrounds. These policies and underlying assumptions
increase the separation between military personnel, civilian personnel, and the UN. As military
personnel are primarily responsible SEA, as indicated by the UN construction of them as the
perpetrators, distance between them and the UN decreases UN responsibility for SEA. As the
continuation of SEA is explainable and outside the UN’s control in the frameworks put forth by
the UN, the UN is further exempt from responsibility.

Prioritizing Addressing Military Culture Before Institutional Culture: One Final Component of
the UN’s “Solution”

A final element of the UN’s procedures for addressing SEA is to use the supposed
positives of military culture as a solution. Conversely, incidents of SEA have also been attributed
to the failure to fulfill military procedure. For example, “For MONUSCO, the team of experts
cited a laxity in discipline with respect to sexual exploitation and abuse in some contingents.”

Quite simply, the lack of discipline, an essential aspect of military culture, is attributed as a cause of SEA. This depiction of the problem leads to solutions such as, “Finally, troop-contributing countries should be encouraged to send established units to peacekeeping missions rather than assembling units from different existing national units. The discipline and cohesion of established units is better than in assembled units.”

This conversation around discipline parallels the conversation around deterrence introduced earlier. It could be argued, although it is by no means explicit, that a lack of discipline could be read as a lack of self-control, which I have already problematized as being potentially grounded in tropes of Global South masculinities.

The UN also creates a relationship between military culture and revised and improved training. The UN emphasizes the re-hatting of troops as a cause of SEA. One analysis of the allegations of SEA in MINUSMA in 2014 states, “Since all of the allegations received … involved military contingent personnel, this situation may be attributable to the re-hatting of troops that had not benefited from pre-deployment training.”

This once again could be premised on the basis that military personnel might lack an understanding of why they should not commit SEA. The quote finishes with, “Critically important is the use of the chain of command to send a very strong message on expectations in terms of conduct immediately at the time of the re-hatting.”

In this situation, deploying the military structure, alongside increased training, becomes the solution to SEA.

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89 Zeid Report, A/59/710, para. 46.
91 Ibid., para. 24.
The quotes introduced in the paragraphs above are not what make the conversation around militarization fascinating. They simply serve to introduce readers to the UN’s use of militarization as a solution and the parallels the approach has to other approaches advocated by the UN. What makes this conversation interesting is that it could arguably be a pragmatic solution. From the UN’s perspective, these could be legitimate interventions under the framing of SEA it has adopted. If it assumed that military personnel lack the self-control to not commit SEA (read: discipline), then reinforcing the disciplinary structure of military operations is crucial. If it is assumed that military personnel lack an understanding of the prohibition on SEA, it makes sense to emphasize training military personnel if they are rotating frequently. In fact, the UN uses the frequent rotation as a justification for the increased training, stating, “In an effort to eradicate misconduct, including sexual exploitation and abuse, the training of United Nations peacekeeping personnel is given priority. Training is considered particularly important given the frequent rotation of peacekeeping personnel, especially peacekeepers.”

The frequent rotation could, in theory, justify the increased focus placed on training military personnel that was identified in this research. However, I have already problematized these conceptualizations of the causes of SEA. Training implies military personnel do not know better, a problematic notion. Another argument the UN could make to justify the strengthening of militarization as the solution is that it is the easiest approach. As an established structure with prevention mechanisms already built in, it could be argued to be more feasible to strengthen that structure than build another one. I believe this argument is called into question by the plethora of scholarship citing

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militarization as one of the causes of SEA.\textsuperscript{93} If one accepts these scholars’ analyses, that militarization enables if not calls for sexual violence, then it follows that increased militarization is not the answer.

In my opinion, the UN’s justification for militarization as the solution is adequately challenged by the examples and their demonstrated connections to tropes of Global South masculinities put forth above. However, if one does not agree with my analysis, the UN’s fixation on addressing failures in military culture as the solution is still a problem because it is in fact a fixation. The UN does not accompany its calls to address military culture with a call to address a civilian culture that enables SEA. There have been calls to address an institutional culture that enables SEA,\textsuperscript{94} but those calls include all components of the peacekeeping operation, including personnel located at the New York and Geneva offices. The calls to address military culture as an act of risk management, a framework I argued constitutes an individual intervention premised on a presumption of guilt, are not accompanied with calls to address civilian institutional culture in the same manner. As has been mentioned, rates of SEA are essentially equivalent between civilian and military personnel. Therefore, the decision to focus on military culture at the expense of civilian culture, both here and in other circumstances, is simply illogical.

Although focusing on military personnel may be an illogical strategy for truly addressing SEA, it does serve another purpose. I argue that this other purpose is excusing the UN from

\textsuperscript{93} Whitworth, Men, Militarism and UN Peacekeeping.
Cynthia Enloe, Bananas, Beaches and Bases: Making Feminist Sense of International Politics, 2\textsuperscript{nd} ed. (Berkeley: University of California Press, 2014).
\textsuperscript{94} For example, see above conversation around gender mainstreaming as a way to reduce institutional tolerance for SEA, pg. 66. -- “The presence of more women in a mission, particularly at senior levels, will help to promote an environment that discourages sexual exploitation and abuse.” Zeid Report, A/59/710, para. 43.
institutional responsibility for SEA. As a main aspect of the UN discourse, it follows that the false difference created between civilian and military personnel is important to the UN. Otherwise, it would not be featured so prominently. Understanding the role this narrative of difference plays in the UN discourse is incredibly helpful for accepting that we should see the last 16 years of UN discourse as an attempt to erase UN responsibility for SEA.

**Laying the Foundation for Difference – Parallels Between the Discourses Around Local Populations and Military Personnel**

The discourse of difference underlying the conversation around military and civilian personnel is not new. The foundation for the discourse of the “other” was established in the initial OIOS investigation, which was responding to the 2002 exposé. The OIOS investigation recognized the systemic nature of SEA in the environments where the UN works but attributed the problem primarily to local humanitarian workers. Through this, the framing of SEA as a problem primarily of the “other” was established. Although the “other” eventually transitions from denoting local humanitarian workers to military personnel the underlying assumption remains the same – they do not know better. The support for this framing lies in the attribution of gender-based violence to the Global South, the characteristic connecting the local humanitarian workers blamed in the OIOS report and military personnel.

The most prominent way this report attributes the problem to the “other” is through its summary of the problem and corresponding definition of the solution, which mirrors the UN’s construction of the perpetrator and the solution with regards to military personnel. Overwhelmingly, incidences of SEA are attributed to a lack of oversight by international UN staff, implying that civilian personnel are trustworthy and innocent. This attribution is easily seen in the conversation around the distribution of food, where the problem is attributed to male
refugees who are using their power to both allow for SEA to occur and are committing it themselves. This attribution is explicit, showing the deliberate effort by which the UN works to distance itself from the problem. The report observes that when there was a surplus of food, the local humanitarian workers, primary men, would solicit sexual favors from local women in return for providing them with a portion of the surplus. It states, “While the ration distribution is monitored by several people and records are kept, in each of the camps visited by the Investigation Team it is clear that there is some discretionary power among the men who control the ultimate distribution of any excess rations. … Refugee or national casual staff are regularly hired for these purposes.”95 The reference to the “discretionary power” possessed by the local workers as the source of the problem is particularly interesting. At first, this line of reasoning appears fairly individualistic and aligned with the “bad apple” narrative explored earlier. However, this individualized approach is not transferred into the proposed solution, which states, “UNHCR needs to take measures to ensure that the distribution of food and non-food items by aid agencies is closely monitored to prevent future abuse and exploitation.”96 Inherent in this solution is the belief that these workers cannot be trusted to make the right decision; although, apparently, international UN civilian staff can. In other words, international civilian staff use their “discretionary power” for good, whereas local staff do not. The assumption that the local workers cannot be trusted is grounded in the report’s observations about local patriarchal structures, something the UN depicts as already present. This one simple, but important, example demonstrates how the framing of the problem determines the framing of the perpetrator, which in turn decides the solution. The conversation around local staff in the OIOS report, which is

96 Ibid., para. 55 (rec. 7).
similar to the one around military personnel, shows how the supposed divide between cultures has always been a feature of the discourse, arguably to the UN’s benefit.

**Conclusion: The Deployment of Difference as a Critical Piece of the UN’s Discursive Attempt to Dismiss Institutional Responsibility**

According to the UN, military personnel are the responsible party. The manner in which the UN engages differently with international civilian personnel and military personnel establishes difference. This difference translates into the definition of the solution. Civilian personnel, a direct representation of the UN as an institution, are presumed to be innocent, whereas military personnel, a group whose separation from the UN is emphasized in the discourse, are presumed to be guilty. Presumed to be guilty, the solution espoused by the UN is free to focus on military personnel through a lens of assuming they do not and may never know not to commit SEA. The construction of the perpetrator and the solution create a self-sustaining conception of SEA. The supposed successes and failures of attempts at a solution are used to affirm that military personnel are in fact the problem. The construction of the perpetrator through a discourse of difference logically creates a solution based on difference.

The significance of this discourse of difference should not be understated. Its apparent reliance on tropes of Global South masculinities, as I argued for here, should be sufficient reason to challenge it. More broadly, however, the discourse of difference creates a responsible party thus absolving the UN of responsibility for the structural injustice increasing vulnerability to SEA. It creates a responsible party based both on logistical difference and on a supposed difference of morals and inherent disposition, creating two realms of difference that create a larger barrier between the UN and responsibility. This dismissal of UN responsibility based on
connection lays the foundation for the UN to set its own definition of responsibility, demonstrated in the following chapter.
CHAPTER 5

THE UN’S CREATION AND ACCEPTANCE OF A SELF-SERVING RESPONSIBILITY

Incidents of SEA are the result of the actions of “bad apples.” If there is a culture to be blamed for the pervasiveness of SEA, it is that of military personnel. Therefore, if we accept the UN’s understanding of SEA, the UN is not implicated in the structural injustice underlying SEA per se. It does not possess a responsibility through connection, so UN responsibility is left to the UN to define. The UN defines its responsibility as a moral responsibility based in moral superiority, something similar to a savior complex. Ultimately, this conception of responsibility is self-serving but not only because it erases the true UN responsibility for structural injustice. This conception allows the UN to set its own limits on its responsibility, withdraw it at any time, and refuse to open itself to substantive feedback. This section briefly introduces the UN’s self-definition of responsibility and my critique, something implied in the labeling of it as a “self-definition.”

The UN’s Self-Defined Responsibility and Its Implications

The UN is using a responsibility based on moral superiority but that is not directly evident. At first glance, the UN appears to be utilizing both the liability model and something similar to the social connection model when talking about its responsibility for addressing SEA, a thought that seems to have great potential. However, with further examination it becomes evident that the UN is deploying both in a way that ultimately distances itself from structural injustice and the corresponding responsibility. The approach the UN takes toward conceptualizing its responsibility is limited and needs to be reformed if it is to truly engage with structural injustice in a meaningful way.
The UN’s engagement with the liability model is fairly straightforward; it seeks to assign blame to one party for an incident of SEA, terminate the party’s position(s), and seek compensation in some cases. This process is undeniably important. People who commit SEA should have their position(s) terminated and, especially with regards to paternity claims, be forced to pay reparations for their actions. However, the UN does not only use the liability model to hold perpetrators accountable. The UN also uses the model to remind others of its limited institutional liability. By focusing on assessing causality when SEA occurs, a central aspect of the liability model, the UN asserts that a causal connection is what is necessary to assign liability, a term interchangeable with responsibility in the UN discourse. My objection is not with a causal definition of liability but with the narrowness in which the UN assesses causality. Two examples of a causal connection that would qualify under the UN’s definition of liability would be holding the direct perpetrator liable or a person that did not report the abuse when it occurred liable. As I argue later, there are broader causal chains that can be found between the UN as an institution and SEA, but the UN adheres to a small understanding of causality. By focusing on individual level causality, the UN exempts itself from liability.

Furthermore, the UN has conceptualized liability in a strictly legal sense. Legal liability here could also be understood as retributive liability as the UN uses both legal, criminal mechanisms and professional, disciplinary mechanisms to hold perpetrators accountable. Due to the unique location of the UN in the international system, it cannot be held legally liable. Therefore, if liability is assessed strictly in a legal sense, the UN is inherently exempt from being held liable. As the UN’s current use of the liability model erases UN responsibility for structural injustice, and arguably erases the impact of structural injustice entirely, it enables the UN to
conceptualize responsibility as it sees fit. The UN’s use of the liability model upholds its ability to self-define institutional liability.

Criticism has been made of the UN’s handling of its responsibility. The UN has responded and has discursively accepted responsibility for the endemic nature of SEA by peacekeeping personnel on peacekeeping missions. However, it has not adopted an understanding of responsibility that recognizes the ways it is implicated in structural injustice. Instead, the UN has conceptualized its responsibility as being based in moral superiority, the belief that it is obligated to intervene because the UN knows better. It has adopted the terms “duty” and “mandate” to capture the obligation it has to go beyond simply punishing perpetrators in the effort to end SEA. More specifically, the UN uses the phrase “duty of care” to describe the obligation UN personnel have to the local population. Often times the phrase is gendered with application such as, “United Nations forces … have a particular duty of care towards women and children.” I read this phrase as patronizing, largely in part because of the gendered way it is applied. It is important to note that the notion of a “duty of care” is not inherently problematic. The correct application of “duty of care” is a role of support for the leadership of the local population, not the role of leader for the local population. Furthermore, when used on an institutional level it reinforces the hierarchy between the UN and the local population as opposed to seeing both as linked as equals in the effort to erase the structural injustice underlying SEA.

In reference to the pervasiveness of the purchasing of sex by UN personnel, something the UN defines as SEA, the Zeid Report reads, “The reality of prostitution and other sexual exploitation in a peacekeeping context is profoundly disturbing to many because the United Nations has been mandated to enter into a broken society to help it, not to breach the trust placed

97 Secretary-General’s Bulletin: Special Measures for Protection from Sexual Exploitation and Sexual Abuse, UN Doc. SGB/2003/13, 9 October 2003, [Bulletin], para. 2.2.
in it by the local population.” This use of the phrase “mandated to enter a broken society to help it” is why I read this quote, and the UN conception of responsibility more broadly, as an example of a savior complex. Yes, the areas where UN peacekeeping missions operate are indisputably complicated. They are often the site of conflict or natural disasters. However, that does not necessitate the use of “broken” as a descriptor. The connotation of “broken” is already problematic and becomes more damaging in light of the fact that the majority of peacekeeping operations take place in the Global South. The word “help” can be problematized on similar grounds, recognizing the location of most peacekeeping operations. A criticism of the UN has been made that peacekeeping resembles the “mission civiliatrice,” also based on the idea that the North could “civilize” or “help” the local population. It is my opinion, therefore, that this conception of help has an inherent superiority complex. The UN responded to criticism that it was not recognizing its institutional responsibility by defining its institutional role as one based on moral superiority.

The other aspect of the UN’s self-defined responsibility was a recognition of the UN’s institutional and international power as a part of its mandate to address SEA. This insistence on the ability to address SEA as a mandate is where the UN’s conception of responsibility most mirrors Young’s responsibility through connection. Both the UN and Young view the capacity to effect change as a part of responsibility. However, the context in which they situate power is different. This distinction is crucial. The UN does not recognize its role in creating structural injustice, therefore, I believe that its view of power as a mandate is once again based in a superiority complex. The importance of calling out this conception of responsibility is arguably

inherent, as it puts blame on racialized, gendered bodies who are not responsible in the way UN states and it fails to truly address the structural injustice underlying SEA. However, the importance is further solidified by the UN’s insistence this approach to responsibility is sufficient. For example, “The commitment of the Organization and Member States to take effective action to uphold universal standards and values and to ensure respect for the dignity of all human beings and the protection of the most vulnerable ensures accountability.”\(^{100}\) The desire to “protect” and “teach about universal standards” is sufficient or, in the UN’s words, “ensures accountability.” As is obvious from the endemic nature of SEA, they are not sufficient. As we will learn from a following section on the structural underpinnings of SEA, individualized interventions are not sufficient. Therefore, we need to challenge this self-defined responsibility.

**Conclusion: Understanding UN’s Definition of Responsibility as a Key Piece of Recognizing the Purpose of the UN Discourse on SEA**

With a broader fixation on individual legal liability as the right way to approach SEA, the UN inherently absolves itself of responsibility. Responding to critiques and the continuation of SEA, the UN has recognized structural injustice but not its responsibility for the injustice. Instead, it has argued that its responsibility to address structural injustice is because it “knows better,” something I refer to as a supposed moral superiority complex. Viewing the UN’s selective, deliberate deployment of liability and responsibility for structural injustice in conjunction is critical. Both have clear limitations and might appear to fill in the gaps of each other. However, they both ultimately serve the same goal, as they both distance the UN from acceptance of true responsibility and accompanying action. The UN is using the liability model to put the primary blame onto perpetrators of SEA, thus excusing itself. The UN is also using an

\(^{100}\) 2014 SG Report, A/68/758, para. 44.
approach to responsibility similar to the social connection model when talking about its duty to address SEA giving a false appearance of its acceptance of the way it is implicated in structural injustice. Therefore, neither model fully encompasses the nuances of the UN’s understanding of its role, as the UN is deploying both in problematic and limited ways. It is using both to ignore institutional liability, which a slightly different liability framework illustrates, and to avoid feedback, which the social connection model necessitates.

Understanding how the UN defines responsibility is crucial for understanding my argument that we should see the UN discourse as an attempt to excuse the UN from responsibility through connection. An analysis of UN defined responsibility demonstrates that the UN does not see its responsibility through implication, something inherent in the way it constructs SEA, which was seen in the previous two chapters. One of the more interesting aspects, however, is how the UN’s conception of responsibility both relies on the individualized nature of the problem and also upholds it. If accepted as the accurate approach to responsibility, it follows that an individualized conception of SEA is correct. If it is accepted that SEA is an individual issue or a problem of the “other,” the UN’s definition of responsibility makes sense. The interplay of the two illustrates how incredibly complex, in my opinion strategic, the UN discourse is. We have to dedicate energy to all of the pieces, which uphold each other, if we are to push the UN to accept a responsibility that recognizes its institutional implication in the structural injustice.

In the conclusion of the thesis, I return to this critique to make a basic proposal for how the UN should conceptualize its responsibility. Next, however, I examine how the UN discourse engages with structural factors, arguing that it is this framing of responsibility, based in moral superiority, through which the UN engages with structural issues.
PART 2: UN RESPONSIBILITY FOR STRUCTURAL INJUSTICE

CHAPTER 6

THE UN’S STRATEGIC ENGAGEMENT WITH STRUCTURAL INJUSTICE

The discursive framing of SEA exposed above enables the UN to engage with structural factors, what I refer to as structural injustice, in a way that does not acknowledge its responsibility. The UN depicts SEA as a problem of the other. In the case of the perpetrators, the other is military personnel. In the case of structural factors, the other refers to conditions already present and unchangeable. This includes but is not limited to poverty, vulnerability caused by conflict, and hierarchical gender roles. The other can also refer to factors not necessarily already present but still inevitable such as power differentials between UN personnel and the local population. These are all factors that increase vulnerability to SEA. The difference between the UN’s reading of them and my own is that the UN views them as unchangeable and outside their purview. I argue that the UN has responsibility for the structural factors contributing to structural injustice.

This chapter explores the UN’s engagement with structural factors in its discourse. I argue that UN engagement with structural factors is performative, reflecting the institutional understanding that the UN is not responsible for contributing to the structural injustice increasing vulnerability to SEA. The most prominent way the UN performs engagement with structural injustice is through the acknowledgment of structural injustice without translating the acknowledgment into substantive policy suggestions. Another way the UN performs engagement with structural factors is through the strategic placement in the documents of its engagement. UN acknowledgment of structural injustice overwhelmingly occurs in the introductions and conclusions of the reports. Consequently, if someone was skimming the documents, it is possible
they would perceive the UN as substantively engaging with structural injustice. I believe this placement constitutes performativity on the part of the UN, as it allows the UN control of the narrative around structural injustice. The underpinning of both of these elements in the UN discourse around structure is the belief that factors contributing to increased vulnerability were already present. By already present, I mean that the UN views structural factors as things separate from the UN’s presence. This foundational assumption allows the UN to perform engagement with structural injustice on its own terms, furthering itself from responsibility through implication for structural injustice.

Importantly, this analysis of UN engagement with structure is premised on the belief that advocating individual interventions and defining the problem as a problem of the “other” are not together sufficient for excusing the UN of responsibility for structural injustice. To justify the individualized response, the UN must simultaneously minimize and distance itself from structural factors. I argue the UN does this by performing engagement with structural injustice on its own terms, namely under the understanding that structural factors are already present. Distancing itself from responsibility for structural injustice through performative engagement is an instrumental element of the discursive attempt to excuse the UN of responsibility.

The UN’s Performative Engagement with Structural Issues: Reporting Without Action

What appears to be substantive engagement with structural injustice in the UN discourse is really a performative attempt to excuse the UN of responsibility. This engagement, UN references to structure, is performative because it is not followed by policy, neither concretely nor theoretically. Importantly, this apparent “in-depth” engagement with structural factors is exclusively seen in outside reports on SEA on UN peacekeeping missions, and it is this category of reports that are examined here. There are four such reports throughout the sixteen years, all
commissioned by the UN in response to exposés of SEA. The trend in these reports is to mention structural factors and the importance of accounting for them in UN action but to not follow those calls with actual policy. There is one exception to this, the first report released in 2002. This report does include policy proposals accounting for structural factors. However, I believe this significance of this is limited because the policy proposals are not carried into the actual UN plan of action. This same skepticism is applied to all four reports that engage with structural injustice, as they were all outside reports whose analysis regarding structural injustice was never carried into the formal reports of the SG.

The OIOS report released in 2002, covering an investigation launched in response to allegations of SEA in West Africa, includes both explicit recognition of structural factors increasing vulnerability to SEA and policy proposals intended to mitigate the increased risk. The report is like the other reports examined here in that it is a response to a damaging exposé on SEA, and it engages with structural factors in a manner contradictory to the annual SG reports. However, this report is unique for its translation of observations into proposals. Before exploring this, however, it is important to understand the way in which the report recognized the many structural conditions that promote SEA. It was done directly and concisely and at several places throughout the report. For example, the definitional section of the report includes,

The Investigation Team discovered that many female refugees engage in relationships because of the abject poverty pervading the refugee camps in which they live. In the absence of skills training and employment, many are compelled to enter into prostitution or other forms of exploitative relationships to augment the inadequate aid provided for their basic needs of food, clothing and shelter.\(^{101}\)

This quote draws a direct connection between poverty and the push to enter the sex industry. I agree with this observation. However, it is important to know that the UN has defined SEA as to

\(^{101}\) OIOS Report, A/57/465, para. 12.
include purchasing sex as an act of sexual exploitation. So, in the eyes of the UN, working as a sex worker is equivalent with being a victim of SEA. In contrast, I view the sex industry as increasing vulnerability to SEA but not SEA itself. Therefore, our perspectives on poverty as a structural factor are slightly different. Poverty, as well as other “already present factors,” is not singularly sufficient to explain SEA. One must also understand the role the UN presence plays in increasing the pervasiveness of the sex industry, something this quote fails to acknowledge. I make this argument in full in the following chapter.

The acknowledgment of structural factors in the definitional section is expanded upon in the findings of the report, which includes sections such as “Problems in the Camps” and “Meeting Basic Needs.” One of the problems identified is the lack of job opportunities for women in particular, something that contributes to the gendered reality of SEA. The report states, “Job opportunities for refugees generally are poor to non-existent and where they do exist, they are primarily taken by men, leaving women very little authority or personal access to funds or power.”¹⁰² This lack of authority/power is understood as something increasing vulnerability to SEA. This observation takes into account several structural factors including post-conflict displacement, gender hierarchies, and poverty but does not acknowledge the UN role in increasing vulnerability.

This recognition of structural factors is significant when examined alongside the remaining reports, however, it is important to recognize the limitations of this document. Notably, the above quote from “Problems in the Camps” is closely followed by, “Few international staff of either UNHCR or the implementing partners are in the camps themselves, so that the actual management of the camps is left to local staff and other refugees with only very

¹⁰² OIOS Report, A/57/465, para. 22(b).
limited supervision.” At first glance, this suggestion could appear to be a good thing. It indicates that this report is translating observations into policy proposals, indicating an understanding of their significance. However, I argue that this proposal is not as hopeful as it may initially appear. Despite identifying structural factors and implying their significance, the report is deliberate in reducing the UN’s culpability. According to the report, it is the refugees themselves who compose the majority of the problem. My reading is further supported by later recommendations for increased UN police presence in the camps. This framing of structural issues, that they exist outside of the UN’s responsibility, remains consistent throughout the sixteen years and contributes to my argument that UN engagement with structural factors is performative. Only reading the first quote, from the definitional section, it would appear the UN has the potential to engage more constructively with structural injustice. However, the later suggestions, which distance the UN from responsibility, demonstrate that the UN is engaging with structure on its own terms. Therefore, although the 2002 report is an exception to the trend of not providing policy proposals in light of observations regarding structural injustice, it should not be understood as an all-around positive action on the part of the UN. Recognizing structure and proposing policy in light of that recognition is not sufficient when it is done in a way that excuses the UN of responsibility.

To add another layer to my above skepticism, the investigation’s recommendations are essentially irrelevant as the policy recommendations are not acknowledged in the SG’s formal reports or the GA’s resolutions, which represent the established UN approach to addressing SEA. At best, the investigation’s report indicates that there are individuals working in the UN who are aware of the salience of structure for increasing vulnerability to SEA, albeit in a limited way. In

103 OIOS Report, A/57/465, para. 22(d).
104 Ibid., para. 55(rec. 10).
the GA resolution immediately following the report, which called for the annual SG reports analyzed here, there is no reference to broader issues in which the UN may play a part.\(^{105}\) The GA resolution comes close with, “Expresses its serious concern that the conditions in refugee camps and communities may make refugees, especially women and children, vulnerable to sexual and other forms of exploitation.”\(^{106}\) This statement, despite its promise, is most likely not reflective of a broader understanding of structural issues. It is more likely mirroring the understanding established in the OIOS report – issues in the camps are caused by other refugees, which, despite the occasional enabling of the behavior, the UN is not fundamentally responsible for. The following SG report, the first, makes clear that the UN will not be engaging with structural issues, instead laying the foundation for an individualized conception of SEA.

The Zeid Report, written in 2005 in response to allegations of SEA in the DRC, reintroduced structural issues into the conversation, through a section titled “The problem in context.” In the words of the Prince,

> During my visit to the Democratic Republic of the Congo, women’s organizations brought to my attention a number of factors that they believed contributed to the sexual exploitation and abuse of women and children. They include factors external to the Mission, such as the erosion of the social fabric because of the conflict, which results in a high number of children with little or no family support; a high level of extreme poverty; lack of income-generation possibilities; a high incidence of sexual violence against women and children during the civil conflict coupled with discrimination against women and girls, leading to a degree of local acceptance of violent and/or exploitative behaviour against them; and the lack of a well-functioning legal and judicial system, which creates an environment of de facto impunity.\(^{107}\)

This quote identifies structures (or lack thereof) that contribute to SEA. However, similar to the initial OIOS investigation in 2002, they are explicitly framed as outside the UN’s purview, which is done through the language of “factors external to the mission.” This framing points to the

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\(^{105}\) *GA Resolution*, A/RES/57/306.

\(^{106}\) Ibid., para. 2.

reality that the UN is aware of structural factors but is not engaging with them in a meaningful way or acknowledging their own role in creating the environment. Unlike the OIOS investigation, however, this awareness of structural issues does not translate into policy recommendations. The OIOS report recommends that “UNHCR in collaboration with its implementing partners should conduct a comprehensive review of the services provided to refugees, especially in the areas of food distribution, employment opportunities, security, health services and shelter.”\footnote{OIOS Report, A/57/465, para. 55(rec. 7).} In contrast, the Zeid Report only makes recommendations within four categories: The rules; The investigation; Organization, managerial, and command responsibility; and Individual disciplinary, financial, and criminal accountability. These categories include actions such as increased awareness of UN rules, improving the caliber of investigations, and implementing a more engaged approach to accountability. These recommendations are primarily reactive, focusing on the symptoms not the causes of SEA, and consequently lack any engagement with structural factors, which would be a proactive response. Although the factors appear in the report, they are viewed as outside the mission’s scope. Just as before, I believe this constitutes performativity on the part of the UN. Without thoroughly diving into this report or even the ones following, a reader would likely miss the lack of continued, substantive analysis and work regarding structural injustice increasing vulnerability to SEA. Therefore, the UN is performing engagement on its own terms, which happen to be terms that do not recognize UN responsibility. I would go as far as to say they explicitly disavow UN responsibility for structural injustice.

This trend of identifying structural factors without follow up or action appears to be disappearing in an investigation spanning from 2012 to 2014. Unfortunately, it does not. In the
2012 report, the SG stated his intention to consider the commission of an “in-depth assessment … to examine the root causes of sexual exploitation and abuse.”\footnote{2012 SG Report, A/66/669, para. 31.} To my surprise, an independent investigation was commissioned in 2013. The mandate of this committee was to conduct risk assessments in MONUSCO, MINUSTAH, UNMIL and UNMIS, the four missions with the highest rates of SEA. According to the report, it was not only intended to be inclusive of structural factors but to also translate those findings into policy, as, “The recommendations emerging from these interventions to address challenges relating either to observed vulnerabilities in local communities…will also be reflected, as appropriate, in future programmatic activities.”\footnote{2013 Report, A/67/766, para. 27.} Promisingly, the investigation, as summarized in the 2014 SG report, did identify structural factors:

Several factors were identified by the team of experts as posing a serious challenge to the realization of the zero tolerance policy, including: post-conflict and/or post-disaster situations in host countries, which resulted in degraded conditions for women; poverty, which may leave few alternatives for livelihood; increased tolerance and rates of rape and abuse, with the local community accepting abuse to some degree, leading to possible underreporting; differences in backgrounds and cultural norms of peacekeepers with respect to women; improvements in security, providing more opportunities for interaction between United Nations personnel and the local population.\footnote{2014 SG Report, A/68/756, para. 37.}

This statement not only recognizes structural factors but implicitly identifies them as structural in that they are framed as barriers to eradicating SEA. It follows from this analysis that individual intervention is not sufficient on its own. Unfortunately, despite the promise of an investigation staying relevant for three years, the awareness does not translate into policy recommendations. Just like before, structural factors are identified as important contributors to increased vulnerability, but the critical analysis stops there. Furthermore, although not as explicit as the two reports analyzed before, the structural factors identified here also absolve the UN of
responsibility. Some of the structural factors are legitimate, such as post-conflict situations and poverty. Others, such as blaming the cultural norms of peacekeepers and the closer proximity to local personnel, are not legitimate. This is the argument I made in chapter four. In fact, framing them as structural factors akin to poverty only furthers the narrative that SEA is a problem of military personnel, men of the Global South. My earlier argument about the discursive creation of the perpetrator also demonstrated how this construction excuses the UN of responsibility. Therefore, using these specific structural factors implicitly absolves the UN of responsibility. Once again, the UN is performing engagement by not translating analysis into policy and also excusing itself of responsibility along the way.

This approach to addressing the relationship between structural factors and SEA is repeated for the fourth time in the 2016 SG report, this time in response to the exposé on SEA committed by peacekeepers in the CAR. Although this document is one of the annual reports released by the SG, these specific quotes come from a section within the report detailing the findings of the investigation, which was conducted in 2015. The investigation identified two sets of structural factors increasing vulnerability for experiencing SEA,

The first set of factors is associated with the situation in the Central African Republic, with the high level of sexual violence associated with the conflict, extreme poverty, the displacement of vulnerable populations and women and girls being forced into prostitution. These factors can create a heightened vulnerability for sexual exploitation and abuse. … The situation in the Central African Republic requires a holistic response, from the United Nations system and Member States, which considers accountability for acts of misconduct, including sexual exploitation and abuse, as well as programmatic action to address underlying political, security and socioeconomic factors.¹¹²

The second set of factors relates to the rehatting of troops, an example of the deflection of the problem onto peacekeepers explored before. The quote regarding the first set of factors is interesting for numerous reasons, the first of which is the clear deflection of the responsibility for

structural factors onto the CAR in the first sentence. The factors identified are already “associated with the situation in the CAR.” Importantly, factors such as poverty and post-conflict displacement can and most likely exist prior to the UN’s presence. However, as the following chapter argues, they are not singularly sufficient for explaining SEA and do not excuse the UN from responsibility and liability. Second, the report draws an explicit connection between poverty, sex work, and increased vulnerability. What is unclear from this quote is whether the UN is viewing the sex industry as a place where vulnerability to SEA increases or whether it is a site of sexual exploitation itself. In light of the UN definition of SEA, which has not changed, I lean toward the later interpretation. I introduced the problem with this understanding briefly above, in my analysis of the 2002 report, but it will be expanded further in the following chapter. Third, the 2016 report calls for a holistic response inclusive of addressing socioeconomic factors, specifically a “programmatic action to address underlying factors.” Following tradition, the twelve recommendations put forth by the committee have nothing to do with the structural factors. However, it is important to note, that if we choose to follow the UN’s interpretation of structural factors, that they are the host countries responsibility, it is logical to not engage with them through policy. This explanation for the lack of engagement is not wholly sufficient, however, as the UN does often call for engagement with structural factors, as is shown in the quote above. If it was simply beyond the UN’s scope, it would appear to be fruitless to call for more action in the realm of addressing structural issues. The lack of logical continuity between the calls for increased engagement and the deflection of responsibility lends itself to another explanation of the UN discourse, its performativity. Appearing to engage with structural injustice, but on its own terms, could benefit the UN as it allows it to direct the narrative around SEA in its favor.
Using Strategic Placement to Control the Reader’s Understanding of UN Engagement with Structural Injustice

Another trend in the UN discourse is an overwhelming consistency in the placement of structural factors in the reports, something I argue is deliberate. The quotes identifying and acknowledging structural factors always come toward the beginning of the reports and are separated by substantial space, several pages, from the recommendations themselves. If a person was in a hurry, it would be unlikely they would see the disconnect between the summary of the problem and its proposed solutions. If you accept, as I do, that the UN reports are carefully constructed, it follows that there is the potential that someone made an explicit decision to separate the recognition of structure from the recommendations. Seeing the potential benefit of this separation, what people take away from the reports, it is reasonable to argue that the discourse is performative, carefully structured to control the narrative around SEA and disavow UN responsibility.

In the Zeid Report, for example, structural issues are introduced in the section titled “The problem in context.” If this was the only section read, with the intention of getting an introductory understanding of the issue, one would miss the reality that this is the only seemingly critical engagement with structural issues. This trend mirrors what I argued to be the strategic placement of quotes emphasizing the exemplarily character of almost all personnel in the introduction of reports.

The strategic acknowledgment of structural factors is not entirely limited to the investigations described above. Under the leadership of António Guterres, the acknowledgment of structural factors reached the annual reports. The acknowledgment was absent in the annual

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113 See pg. 86 for the full quote.
reports of his predecessors. In the most recent report, published in February 2018, the recognition of structural factors was saved for the conclusion. It reads:

> Above all, we must recognize that responses to sexual exploitation and abuse will have little impact if we fail to address the root causes and risk factors. The United Nations often operates in complex environments, marked by ongoing conflict, violence and insecurity, poverty and inequality, as well as a range of human rights violations, including high incidence of sexual and gender-based violence. Weak State institutions, in particular justice systems, exacerbate these factors and can contribute to a climate of impunity.

This quote, once again, provides hope of a holistic response on the part of the UN. This occurrence is the first time a report has utilized such strong language in favor of centering structural factors in attempts to address SEA. There is healthy reason for skepticism, however, as this is the first- and only-time structural factors are recognized in the report. It is arguable that a simple, albeit eloquent, recognition of structural factors is nothing more than lip service, as the UN has yet to commit itself to addressing structural factors in any substantial way. This quote also continues the pattern of deflecting responsibility for structural issues on to the host countries or, as is stated above, on to “complex environments.” Despite the valid skepticism, as this statement is not significantly different from those of past reports, it is too soon to draw a conclusion on its significance. The 2018 report is the second report released by SG António Guterres, who began his time with the UN in 2016. The 2017 report, the first released on behalf of SG Guterres, claimed a new approach to addressing and ultimately eradicating SEA on peacekeeping missions. There is no reason not to hope that this could be the administration that truly engages with structural issues. That being said, there is still sufficient evidence, both in SG Guterres reports and the ones prior, for my argument that the UN is strategically engaging with structural injustices to control the narrative around SEA and avoid liability and responsibility.

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Conclusion: Performing Engagement with Structural Injustice to Avoid Critique

The UN does engage with structural factors but does so in a limited way, primarily one that excuses itself from responsibility. Although it does this explicitly, insisting that structural factors are outside the mission, it also does it implicitly, by performing substantive interaction as to avoid criticism of its self-defined responsibility. UN strategic involvement with structural factors in the discourse is only one piece of the puzzle. The UN individualizes SEA and distances itself from it in three general ways. The first reference to individuality in this thesis referred to the direct individualization of incidents of SEA, the analysis in chapter three. The second referred to the discursive creation of a cohort, military personnel, who could be described as an individual group, separate from the UN, responsible for SEA, the analysis in chapter four. The third reference, the analysis of this chapter, reaffirms the separation by individualizing structural factors, done through the attribution of it to the other, in this case the host countries where structural factors are already present.

I now proceed to the final substantive section of this research arguing that the UN is in fact implicated in the structural injustice increasing people’s vulnerability to SEA. This argument directly contradicts the framing advocated by the UN and is thus the final piece in my argument that the purpose of the UN discourse is to absolve the UN of responsibility.
CHAPTER 7
UN LIABILITY AND RESPONSIBILITY FOR STRUCTURAL INJUSTICE THROUGH CONNECTION

The UN is indeed implicated in the structural injustice increasing vulnerability to SEA. It is both liable and responsible, contrary to what the UN states. The UN is liable as there are direct actions it has taken that can be casually connected to incidents of SEA. The UN is responsible within Young’s model of responsibility through social connection, as introduced in the section on terminology, as its presence in host countries interacts with other structural factors to create structural injustice increasing vulnerability to SEA. Making the argument for UN liability and responsibility regarding structural injustice is crucial for understanding the flaws of the UN discourse. Furthermore, recognizing UN responsibility is necessary for challenging the UN’s construction of military personnel as the responsible party. This recognition of the UN as responsible allows us to understand the UN discourse as an attempt to erase UN responsibility.

To make this argument, I first work through the example of peacekeeping economies, a term that refers to the economic impacts of the presence of peacekeeping operations in host countries. One impact of these economies, but not the only impact, is that the creation of thriving sex industries, which inherently increase vulnerability to SEA. Although actors in the sex industry are individual actors with agency, I argue that the growth of the sex industry is a matter of structural injustice. I take this position because peacekeeping economies interact with other conditions such as poverty and gender inequalities to make sex work a desirable, or possibly the only, option. In other words, it is a matter of structural injustice because the background conditions likely push some people into the sex industry, where they are more vulnerable to SEA, who would have chosen otherwise with other options. The UN is responsible for the
structural injustice increasing vulnerability because its presence, through the creation of peacekeeping economies, increases the pervasiveness of the sex industry. In addition to analyzing the responsibility of the UN for the structural injustice behind the sex industry, I make the argument that there is evidence of UN liability as it relates to increasing vulnerability in the sex industry. Specifically, I provide the examples of the UN cover up of human trafficking in Bosnia and Kosovo and of SEA in the CAR to demonstrate that there are UN actions, which have directly increased people’s vulnerability to SEA within the sex industry.

Next, the analysis returns to peacekeeping and its relationship to the structural injustice increasing vulnerability to SEA outside of the sex industry. Specifically, this section looks primarily at the power differentials created by the interactions between peacekeeping and other factors, which enable SEA. I explore the power differential created between UN personnel and the local population through the distribution of food and its relationship to food insecurity and gendered divisions of labor. I then proceed to make a second argument for UN liability, arguing that UN non-fraternization policies directly exacerbate structural injustice to increase risk of SEA.

I recognize that SEA does not only occur in the sex industry. One of the limitations of this research is that it primarily, but not entirely, explores UN responsibility as it relates to sex industries. Although I hope that my brief exploration of power differentials and the distribution of food illustrates that UN responsibility extends beyond the creation of peacekeeping economies, I acknowledge that UN responsibility for other structural factors contributing to increased vulnerability is a site for further research. This limitation being recognized, I firmly believe my argument still stands with only the example of the sex industry and increased vulnerability to SEA. The purpose of this thesis is to demonstrate that the UN is disavowing its
responsibility for structural injustice in its entirety, and it only takes one substantive example to problematize that.

**Peacekeeping Economies: An Example of UN Responsibility for Structural Injustice**

**Defining Peacekeeping Economies**

The term “peacekeeping economies” refers to the changes that occur in a local economy after the arrival of a peace security operation (PSO). To meet the needs of the peacekeeping operation and its personnel, various industries and services appear that were either absent or scarce before. These services include things such as hotels, restaurants, and transportation, all three of which could be framed as part of the “formal economy.” These industries provide some jobs for locals, but they are not necessarily long term as most of the industries depend on the international presence for the majority of their business. Consequently, there is a degree of precarity inherent in peacekeeping economies and their long-term economic impact is contested. The reality that many of the industries established in response to the PSO will disappear at the end of the operation highlights the unsustainability of peacekeeping economies as the sole-form of economic investment. However, this does not mean that the effects of peacekeeping economies halt at the end of the operation. Peacekeeping economies have both immediate and long-effects on the communities in which they exist.

An important addition to the above definition of peacekeeping economies is that their impact is not confined to the “formal economy” or to those who have “direct” connections to the economies. The definition should be expanded to include a wide range of informal work from housecleaning to work in the sex industry. According to Kathleen Jennings and Vesna Nikolić-

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116 Ibid., 5.
Ristanović, “This expanded understanding captures the wider impact of peacekeeping economies, encompassing those employed – whether formally or informally – by the mission or mission personnel” and also “those whose livelihoods depend on the presence of a large cadre of international personnel but are not directly employed or contracted by them.” Understanding the magnitude of peacekeeping economies is an important prerequisite for understanding their multifaceted relationship with the sex industry.

**Peacekeeping Economies and the Creation of Economies of Sex – A Site of Increased Vulnerability and UN Implication in Structural Injustice**

It is essentially undisputed that PSOs are associated with drastic increases in local sex industries, therefore the UN is implicated in the structural injustice increasing people’s vulnerability to SEA. I say that it is undisputed because it has been acknowledged by the UN itself and is not confined to separate academic scholarship. In an effort to better understanding the economic impacts of peacekeeping, the UN Department of Peacekeeping Operations (DPKO) commissioned an outside study with the goal of developing best practices to attempt to minimize the negative economic impact of its presence. There is one mention of sex work in a foot note of the document that states, “A frequently problematic element that grows along with the missions is the sex industry which, by its nature, tends not to generate a lot of formal operating statistics. Both press reporting on missions and project interviews indicated that prostitution increases when operations deploy, as it does in proximity to military installations throughout the world.”

This footnote is expanding upon the “seen” impacts of peacekeeping to acknowledge an informal industry that is incredibly related to PSOs. Further, this footnote illustrates the universality of

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this opinion on the relationship between peacekeeping and sex industries stating that it is confirmed by both press reporting and this report’s interviews.

At its simplest, as stated above, PSOs can be understood as creating or increasing the demand for sex and sex industries in their host locations. At a transactional level, an increasing number of clients willing and able to purchase sex is met by an increasing number of prostitutes or sex workers willing to provide sex in return for compensation. This understanding however is overly clinical and erases the many relevant intersecting factors. These factors include the many activities that fall under the umbrella of the sex industry such as both consensual and non-consensual sex trafficking, survival sex, and prostitution. Acknowledging the breadth of activities in the sex industry is not only critical for understanding the complex impacts of peacekeeping economies but also for recognizing and centering the experiences and agency of those that are a part of the industry.\footnote{Jena McGill, "Survival Sex in Peacekeeping Economies: Re-Reading the Zero Tolerance Approach to Sexual Exploitation and Sexual Abuse in United Nations Peace Support Operations," \textit{Journal of International Peacekeeping} 18, no. 1-2 (2014): 31.} Highlighting the different categories of sex work and the agency of the local people engaged in it also creates space for understanding that sex is not the problem. In other words, the harm is not sex work but the pervasive poverty and gender inequality that both cause and are reinforced by peacekeeping economies and their relationship to sex.\footnote{Dianne Otto, "Making Sense of Zero Tolerance Policies in Peacekeeping Sexual Economies,” in \textit{Sexuality and the Law: Feminist Engagements}, ed. Vanessa E Munro and Carl F Stychin (New York: Routledge-Cavendish, 2007), 166.} It is the interaction between conditions such as poverty, gender inequalities, and peacekeeping economies that create the structural injustice behind incidents of SEA, which themselves were enabled by the vulnerability inherent in the sex industry. Additionally, it is these interactions that make certain people vulnerable to SEA regardless of whether or not they actually experience it.\footnote{Young, “Structure as the Subject of Justice,” 45.} In other words, the growth of sex industries in response to peacekeeping...
economies is a matter of structural injustice because the conditions in which they are situated may push people into the sex industry, where they are more vulnerable to SEA, who may otherwise not have chosen it.

UN Responsibility for Pushing People into Sex Industries – A Site of Increased Vulnerability and a Matter of Structural Injustice. People’s decisions to enter the sex industry are complex. However, when people are pushed into the sex industry because of a lack of viable alternatives, the sex industry becomes a matter of structural injustice. As the UN is implicated in the creation of sex industries, it is implicated in the structural injustice. Two such factors that push people into the sex industry are poverty and gender inequality. The role played by poverty is fairly straightforward as situations of poverty make sex work either the only or most attractive option for gaining access to capital. Poverty intersects with peacekeeping economies in that the establishment of PSOs is often accompanied by a substantial inflow of wealth, making sex work and survival sex a more available line of work. Dianne Otto explains this as such, “Economies of survival sex arise from conditions of poverty and are made possible by large disparities in wealth, which are present in most peacekeeping contexts.” Within economies of survival sex, people’s options are severely constrained, and some people may be essentially forced to participate in survival sex because of a lack of alternatives for making money. It is this lack of viable alternatives, as caused in part by the interaction between peacekeeping economies and poverty, that constitutes a matter of structural injustice. As participation in the sex industry increases vulnerability to SEA and some people’s participation in the sex industry is a result of

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Jennings and Nikolić-Ristanović, “UN Peacekeeping Economies and Local Sex Industries.”
structural injustice constraining their options, it follows that structural injustice increases vulnerability to SEA.

Otto’s work is also helpful for understanding how gender inequalities interact with poverty and peacekeeping economies to shape people’s decisions. She tells the story of two young women, Faela and Yvette, who “had been raped previously by militias and were, as a consequence, considered ‘worthless’ by their communities, which plays a major role in shaping their economic choices and decision making.” Otto refers to this experience as a manifestation of “entrenched gender inequalities,” which are incredibly significant in the construction of economies of sex. Their stories illustrate that it is not simply economic deprivation that pushes people toward the sex industry but the plethora of gender inequalities as well, which provide additional constraints on people’s actions. For Faela and Yvette, as their stories are told by Otto, entering the sex industry was not a free choice. Their experiences with violence in conflict pushed them into a sex industry that was available, in large part, because of peacekeeping economies and the UN’s presence in their countries. This combination is what I refer to as structural injustice. It was structural injustice that pushed them in the direction of, if not into, the sex industry, even though they made an autonomous choice to join it. We do not know from Otto’s recounting of Faela and Yvette’s stories whether they experienced further SEA within the sex industry. We do know, however, that they were vulnerable to experience it.

Another interesting approach to understanding the relationship between gender norms/inequalities and the sex industry that grows in response to PSO presence is to look at the

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ways gender norms can be an incentive for people to join the sex industry. Jennings and Nikolić-Ristanović find this in their research on the sex industry in Bosnia and Kosovo. They make the observation that peacekeeping economies interacted with organized crime, state governments, the post-communist shift from a command to a market economy, and other peacebuilding processes to not only create a sex industry but to support the retreaditionalization of cultural images regarding gender and sexuality. This retreaditionalization included a resurgence of masculinity defined by toughness, consumption, and interactions with women. Correspondingly, normative notions of femininity as dependence and subservience reemerged as well. However, this retreaditionalization is at odds with the poverty associated with the rapid economic liberalization, which made it harder for people to actually achieve ideal masculinity and femininity. According to Jennings and Nikolić-Ristanović, the solution to this tension is to turn toward illegal or illicit activities, which provide one of the only ways to obtain substantial money. One such activity is sex work, which allows women to achieve the cultural image of women as dolls or sex objects, and men to obtain wealth in positions such as pimps, brothel owners, and traffickers. The industry is further supported by clients using sex as a way to shore up their masculinity. In summary, the retreaditionalization of society, ironically, prompted the further embracing of the sex industry. Peacekeeping economies are implicated in this turn both because they supported the retreaditionalization and because participation in illegal or illicit activities such as sex work was “an option, thanks in large part to the peacekeeping economy, [that was] more widely available.” The UN’s presence intersected with the shift toward a capitalist economy, poverty, and gender inequalities to create an environment that incentivized

126 Jennings and Nikolić-Ristanović, “UN Peacekeeping Economies and Local Sex Industries,” 12-14.
127 Ibid., 13.
128 Ibid., 14.
129 Ibid., 14.
participation in the sex industry. It is the overwhelming incentive to participate in an industry that increases vulnerability to SEA that makes this a matter of structural injustice, even if some people did enter it willingly.

The examples explored above, dealing with poverty, gender inequalities and violence during conflict, illustrate the complexity of the factors contributing to the structural injustice that pushes people into the sex industry, which itself increases vulnerability to SEA. Stories of women being pushed in to the sex industry out of desperation are complemented by stories of people entering the sex industry as an affirmation of their gendered status. None of the stories above are unequivocally “exploitative,” as individual actors are making individual decisions. Instead, it is the conditions of poverty and gender inequalities and the peacekeeping economies that manipulate said conditions, which makes the sex industry a matter of structural injustice. As an on the ground organization directly connected to peacekeeping economies, the UN is inherently implicated in the impacts of its presence. Peacekeeping economies are the economic structure through which poverty and gender inequalities are directed to create sex industries and the situations above that make people vulnerable to SEA. The UN is responsible for the peacekeeping economies, an impact of its presence, and is therefore responsible for structural injustice through connection.

**UN Liability for SEA: Covering Up SEA and Increasing Vulnerability.** In the late 1990s, a sex trafficking operation run by UN personnel was discovered in Bosnia and Kosovo. The UN attempted to cover it up. Consequently, I argue that the UN is liable for the SEA and overall harm that occurred after they were made aware of the operation. Before proceeding, however, it is important to position sex trafficking relative to the conversation around sex industries and peacekeeping economies had above. Non-consensual sex trafficking, which is what occurred in
Bosnia and Kosovo, is an act of SEA made possible by the structural injustice that I argued underlies sex industries in peacekeeping contexts. Peacekeeping economies interact with other conditions such as poverty, gender inequalities, violence during conflict, and post-conflict displacement to create thriving sex industries, which make people vulnerable to SEA such as trafficking. The difference between this example and the ones above is that this provides evidence to SEA within the sex industries created by structural injustice. Consequently, my argument for UN responsibility for the structural injustice creating sex industries that increase vulnerability to SEA is still applicable in this example. Therefore, if one does not agree with my assessment of UN liability, this example can be used to further support my argument for UN responsibility.

The problem of non-consensual sex trafficking involving UN personnel in Bosnia and Kosovo is well documented. In the 1990s peacekeeping personnel were accused of not only soliciting sex from women enslaved in the brothels but of participating in the trafficking themselves. At first this story may not appear to be a unique example of SEA, as UN personnel are involved in the purchasing of sex, and to a lesser degree trafficking, in all of the places the UN operates. That is, of course, part of the problem of SEA the UN is supposed to be attempting to address. However, this situation is different because the UN attempted to cover it up. In 1999, Kathryn Bolkovac, a UN police investigator hired to investigate the alleged crimes, was fired after submitting a report detailing the involvement of UN personnel with local criminal gangs in the act of sex trafficking. The fact that this was the reason for her firing was

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131 Essa, “Why do Some Peacekeepers Rape?”
confirmed by a later lawsuit she filed against her employer in which a tribunal ruled unanimously in her favor.\textsuperscript{132} The news of UN personnel’s involvement in the human trafficking operation broke in the early 2000s. By refusing to make public or reprimand accused personnel until the story broke, the UN allowed the SEA to continue. Although SEA would obviously have continued to occur even if the UN had made it public, particular incidents at the hands of the UN personnel later implicated could have been avoided. Therefore, UN action, or in this case inaction, can be causally connected to at least a few incidents of SEA. This connection makes the UN liable, even if it cannot be held legally liable.

The cover-up in Bosnia and Kosovo was not a one-time occurrence. In 2015, another cover-up by the UN was exposed, this time surrounding SEA by peacekeeping personnel in the CAR.\textsuperscript{133} Anders Kompass, a director of field operations at the UN human rights office in Geneva, submitted a report detailing allegations of SEA against French peacekeepers in 2014. After the UN failed to act on the report, he leaked it to French authorities in 2015. Consequently, the UN suspended him for breaking protocol, ultimately leading to his resignation.\textsuperscript{134} In an interview following, he explained his reason for resigning as such, “The complete impunity for those who have been found to have, in various degrees, abused their authority, together with the unwillingness of the hierarchy to express any regrets for the way they acted towards me sadly confirms that lack of accountability is entrenched in the United Nations. This makes it impossible for me to continue working there.”\textsuperscript{135} At its simplest, Kompass’s story indicates that


\textsuperscript{133} The stories of SEA in the CAR are not specifically connected to sex industries. However, the cover-up is included here because it expands my argument for UN liability.


UN cover-ups are ongoing. His specific statement, quoted above, supports my argument that a lack of accountability is a pervasive problem in the UN. Just as I argued that the UN held liability for incidents of SEA that occurred in Bosnia and Kosovo, I argue that the UN holds liability for the incidents of SEA in the CAR at the hands of the French peacekeepers that went unaddressed for two years.

A final point of interest is that the cover-up in 2015 involved French personnel and the cover-up in Bosnia and Kosovo involved U.S. personnel. The nationality of the personnel both supports and nuances my earlier argument for presumptions of innocence and guilt being applied to civilian and military personnel. In these cases, the U.S. and French personnel were military personnel but allegations involving them were treated with the same presumption of innocence as those involving civilian personnel. This nuance points to the Global North/Global South divide that is arguably at the root of the differential UN response and just happens to track on to civilian and military personnel in practically all cases. The cover-ups further point to the need to challenge the UN’s mechanisms for holding itself accountable. As I argued before, an assumption of the UN’s fixation on increasing criminal accountability for military personnel is that its mechanisms are adequate. They were not adequate in Bosnia and Kosovo in the early 2000s or in 2015 in the CAR.

The stories of UN cover-ups demonstrate how UN responsibility can run conjointly with its liability and with individual liability. In this situation, the individuals involved should be held legally responsible, however, this should not be used as an erasure of UN responsibility or liability. UN responsibility comes both from the effects of its presence in the host countries (peacekeeping economies and structural injustice) but also from its efforts to cover SEA and abuse up. The active prevention of justice for victims is in of itself a different form of liability.
Both aspects of the conversation around the sex industry, UN responsibility and liability, contradict the UN narrative regarding SEA.

**Another Source of UN Responsibility: Peacekeeping, The Creation of Power Differentials, Structural Injustice, and SEA Outside the Sex Industry**

SEA does not only occur within the sex industry. Peacekeeping economies are not the only condition the UN contributes to the structural injustice increasing vulnerability to SEA within the sex industry. An additional factor that contributes to increasing vulnerability to SEA is the power differentials between UN personnel and the local population. Power differentials create opportunity for SEA by placing UN personnel in positions of authority and/or power over the local population. They interact with other conditions such as poverty, post-conflict violence, and gender roles to create structural injustice and increase vulnerability. Power differentials are a vast category that cannot be explored fully here. One power differential that is examined here is control over the distribution of food. Although relevant in all peacekeeping operations, the abuse of power over the food supply captured specific attention in 2005 regarding SEA in the DRC. A New York Times article published at the time tells two stories,

*Helen* – The United Nations peacekeeper who tore off her clothes had used a cup of milk to lure her close, she said in her high-pitched voice, fidgeting as she spoke. It was her favorite drink, she said, but one her family could rarely afford. "I was so happy," she said. After she gulped it down, the foreign soldier pulled Helen, a 12-year-old, into bed, she said. About an hour later, he gave her a dollar, put a finger to his lips and pushed her out of his tent, she said.

*Solange* - In this same eastern outpost, another United Nations peacekeeper, unable to communicate with a 13-year-old Swahili-speaking girl who walked past him, held up a cookie and gestured for her to draw near. As the girl, Solange, who recounted the incident with tears in her eyes the other day, reached for the cookie, the soldier reached for her. She, too, said she was raped.\(^{137}\)

\(^{136}\) It is important to note that power differentials, particularly the influx of wealth, are also an important part of peacekeeping economies and the sex industry, but their impact does not stop there.

In both of these stories, food was used to get the attention of girls who were subsequently raped. Food was an effective tool for the perpetrators because of food insecurity experienced by the girls, a manifestation of poverty. The UN personnel had access to the food, creating the power differential between themselves and the local girls. However, it was only in connection to the food insecurity being experienced by the girls that the power differential was significant.

An important aspect of Helen and Solange’s stories is that they were both in the UN outposts because they were selling food. Helen sold food for 10 francs a piece, a few cents, and “Solange would trade her fruit for the small containers of milk issued to soldiers. She would then sell the milk in town, making about $1.50 a day. She used the money to help her family buy food.” There are numerous factors that could explain why the girls were selling food, which are not given in the article, however, an argument can be made that this is a manifestation of the gendered division of labor. Consequently, it follows that the girls’ presences in the camps when they were assaulted was also influenced by gender norms. However, if one does not agree with this reading, the relationship between food insecurity and control over the distribution of food is sufficient for demonstrating how power differentials contribute to structural injustice.

Power differentials as they are understood here mirror peacekeeping economies in an important way. Just as the argument can made that peacekeeping economies are inevitable, the argument can be made power hierarchies are inevitable. This potential counter argument is why it is important to conceptualize power differentials as factors contributing to structural injustice as Young defines it. Power differentials do not alone explain SEA. Instead, they interact with other factors such as poverty, food insecurity, and gender roles, as in the examples above, to

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138 Lacey, “In Congo War, Even Peacekeepers Add to Horror.”
increase vulnerability to SEA. Thus, power differentials are a component of the structural
injustice increasing vulnerability to SEA, and the UN holds responsibility for its role.

UN Liability for SEA – Exacerbating Vulnerability Through Policy

UN non-fraternization policies, which were introduced in chapter four, exacerbate the
effects of power differentials and therefore make the UN liable for incidents of SEA arising from
the power differentials. The non-fraternization policy includes rules such as a prohibition on
personnel from interacting socially with local residents and the implantation of “off-limits”
areas. This policy is already problematic on the simple basis that it furthers the dehumanization
of the local population, a critical aspect of incidents of SEA. However, in the context of power
differentials, and also peacekeeping economies, it is specifically problematic because it solidifies
the existing hierarchies that accompany PSOs. Otto refers to this process as creating “parallel
societies” and argues that “such policies … reinforce hierarchies of status, power and race
between peacekeeping personnel and ‘beneficiaries’, already pronounced by stark inequalities in
income and resources.”\(^{139}\) These parallel societies allow SEA to occur.

The reason non-fraternization policies qualify as a justification for liability instead of
responsibility is that they are not inadvertent but arguably inevitable consequences of
peacekeeping. These policies can be changed. The crucial component of liability is that incidents
of SEA can be causally connected to the policy and/or party that should be held liable. As it is
demonstrated that the policies increase vulnerability to SEA, there is cause sufficient for
establishing liability and, more importantly, a mandate to change them. I also recognize that the
causal connection between non-fraternization policies and SEA is not as direct as that between
the UN cover-ups and SEA committed by the unrepatriated parties. Although both increase

vulnerability, I distinguish between the two because they increase vulnerability in different ways. The cover ups are post-event actions that exacerbate harms. In contrast, the non-fraternization policy proactively increases vulnerability. If one does not agree that proactively increasing vulnerability should qualify as liability, my argument for UN liability still stands through the argument made regarding UN cover ups. Examining liability and responsibility in the context of power differentials between the local population and UN personnel shows that vulnerability to SEA does not only occur in the sex industry. UN responsibility and liability for structural injustice and SEA is far reaching.

**Conclusion – The UN’s Response Matters: SEA Cannot Be Addressed if the UN Does Not Work Through its Responsibility for Structural Injustice**

There is an inherently complex set of factors increasing people’s vulnerability to SEA. These factors compose the structural injustice underlying SEA. The UN is both liable and responsible for contributing to the structural injustice increasing people’s vulnerability to SEA. There are arguably endless factors creating the structural injustice and only a few were touched on here. This chapter demonstrated that the UN’s presence and its actions are incredibly significant. The UN’s presence, whether through the creation of peacekeeping economies or the power differentials between UN personnel and the local population, make the UN responsible for the structural injustice increasing vulnerability to SEA. UN actions, such as cover-ups of SEA and policies exacerbating vulnerability, make the UN liable for incidents of SEA. UN liability is distinct from UN responsibility, but they are connected. Together they demonstrate the significance of the UN as an institution in the endemic problem that is SEA. At its simplest, this evidence challenges the UN’s discursive creation of SEA as a problem outside the UN’s realm of responsibility, which was seen earlier. The evidence for UN responsibility for structural injustice
allows us to see that the purpose of the UN discourse may be something besides eradicating SEA. If the goal, or at least the primary goal, was to truly address SEA, it would be critical that the UN discourse and accompanying policy address structural factors, including the UN’s role in contributing to structural injustice. As the UN discourse does not center structural injustice, it is likely that there is another primary purpose of the UN discourse, to excuse itself of institutional responsibility. Arguably more important, however, is that understanding the depth of the UN’s responsibility illustrates why the UN’s response is so important. With this understanding, the UN’s response matters, I proceed to the conclusion of this thesis and put forward a brief proposal for what UN responsibility should look like.
CHAPTER 8

CONCLUSION: CHALLENGING THE UN’S RESPONSE TO SEA AS THE FIRST STEP TO CREATING AN EFFECTIVE, SUSTAINABLE STRATEGY FOR ADDRESSING SEA

To begin, let us return to Yvette, whose story was introduced in chapter seven. She explains her decision to engage in sex work as such, “Yvette [14] are her friends … loiter outside the camps of the UN peacekeepers, hoping to sell their bodies for a mug of milk, a cold soda or – best of all – a single dollar. ‘I am sad about it. But I needed the dollars. I can’t go to farm because of the militias. Who will feed me?’”140 Yvette decided to participate in sex work because she had no other options. She is not alone. Chantal shared a similar experience, “Chantal, 17, stood sullenly outside a Moroccan troop camp [in Bunia] one recent evening … ‘To us they are the town’s best employment’, she said with a shrug. ‘I know everyone is saying it’s bad. But why don’t they come and give us jobs? Tell me, who will feed me?’”141 There is a broad set of structures influencing these girls’ decisions and the availability of sex work is one of them. Sex work is available in large part because of peacekeeping economies. It is a matter of structural injustice that they ended up engaging in sex work, where they are vulnerable to SEA. This example encapsulates the larger problem I have articulated in my thesis, that the UN is implicated in this structural injustice and is responsible for working to address it.

I have argued that this recognition of UN responsibility stands in contrast to the UN’s definition, which is based on a sense of moral superiority as opposed to an acceptance of being implicated in the structural injustice. Using the lens of structural injustice to understand SEA, as

141 Ibid., 259.
I have done in this research, allows us to understand why the UN’s discursive depiction of SEA is fundamentally flawed. Not only does the discourse individualize SEA, but it creates a responsible party that is not the UN. Through the discourse analysis composing part one of the thesis, “UN Denial of Liability and Responsibility,” I demonstrated these are two attributes of the discourse. The UN discourse is deliberate in constructing SEA as an individual issue, insisting that not all personnel commit SEA. However, this individual understanding is not applied to all categories of personnel equally. In reality, the understanding only applies to civilian personnel, who are presumed to be innocent. In contrast, military personnel are presumed to be guilty. Military personnel who do not commit SEA are the one’s deviating from the norm. This presumption of guilt is grounded in tropes of Global South masculinities, the deployment of which is enabled by the geographical composition of military personnel. These racialized, gendered tropes presume that military personnel do not know better when it comes to SEA and that they may never know better. This understanding in turn upholds the UN’s proposed solutions to SEA. These components, the construction of the problem, the perpetrator, and the solution, all serve the purpose of excusing the UN from institutional liability and responsibility. As a result of logistical differences, military personnel are inherently separated from the UN in a way that civilian personnel are not. By blaming them for the pervasiveness of SEA, the UN is able to acknowledge the endemic, ongoing nature of SEA without admitting institutional responsibility and liability. This careful denial of institutional responsibility in turn allows the UN to self-define its responsibility. In combination, these all uphold one another to reinforce the exemption of the UN from responsibility for structural injustice. In other words, the UN discourse is working to excuse the UN of responsibility, regardless of the UN’s intention.
In reality, the UN is not exempt from responsibility for structural injustice and is in fact implicated in it. Structural injustice refers to a complex interplay of conditions that make certain people vulnerable to SEA. As part two of the thesis, “UN Responsibility for Structural Injustice,” demonstrates, the UN is both responsible and liable for structural injustice. The UN is responsible through connection, as seen in the example of peacekeeping economies and the way the UN’s presence contributes to structural injustice. The UN is liable in that certain actions it has taken have directly increased vulnerability to SEA, such as the cover-ups in Bosnia, Kosovo, and the CAR. This recognition stands in stark contrast to the discursive construction of SEA by the UN. Understanding that the UN is indeed implicated in structural injustice creates space for challenging the UN’s narrative and for developing a new approach to addressing SEA.

As we work to develop a different approach to addressing SEA, it is important to recognize that, in many ways, the construction of military personnel as the responsible party is the most problematic aspect of the UN’s discourse. The individual conception of SEA broadly espoused by the UN is relatively easy to challenge. In fact, it has been successfully challenged and is in many ways what prompted the UN’s embrace of military personnel as the responsible party. However, the construction of military personnel as the source of the problem through the deployment of tropes of Global South masculinities has been so successful that it has pervaded not only the UN’s discourse but public and scholarly discourse around SEA. This understanding has become so entrenched that any attempt to reconceptualize UN responsibility must actively engage with it. I ask that readers keep this in mind as they read my following proposal for a new model of UN responsibility. The changes I advocate cannot be successfully implemented without deliberate attention to challenging the construction of military personnel as the perpetrators.
Practicing a UN Responsibility Based in Connection to Structural Injustice – Creating Mechanisms for Accountability and Feedback

The fact that the UN is implicated in the structural injustice underlying SEA is the justification for why it is mandated to take a different approach to responsibility. This different approach will be indisputably complicated, and I will not try to conceptualize it in its entirety here. However, I believe that the center of any new approach to responsibility must be the UN’s opening of itself to feedback. This core component is drawn from Young’s social connection model of responsibility and will thus be worked through in reference to the model. Before proceeding, I want to recognize that the UN must continue implementing the liability model when it comes to holding perpetrators of incidents of SEA accountable. However, it must stop using this as a justification for limited liability on its part. Individual liability and institutional responsibility can and must exist simultaneously.

Opening oneself to feedback is an accountability mechanism. By not opening itself to feedback, the UN is implicitly absolving itself of responsibility and upholding its narrative that it knows better. As I have already argued, responsibility based on moral superiority, assuming one knows better, is not responsibility. Under the belief it knows better, the UN is not obligated to engage in dialogue but once it is demonstrated that it is implicated in the structural injustice, the obligation arises. Young explains this obligation as such, “Part of what it means to be responsible on the social connection model is to be accountable to others with whom one shares responsibility for what one has decided to do regarding structural injustices.”142 By not engaging in substantive dialogue with others, the UN is failing to accept a social understanding of responsibility. By not opening itself to feedback, the UN is not truly accepting responsibility but

performing responsibility. As it is explained here, feedback is a mechanism for ensuring the UN accepts the way it is implicated in structural injustice and is thus working to address it.

On a broad level, the above justification for feedback as an accountability mechanism is sufficient for understanding why it should be a key component of any new approach to responsibility. As a part of the problem, being a contributor to structural injustice, it follows that the UN is not capable of addressing it single handily. Further, being left to its own devices, it is questionable whether the UN will actually work to address its role in perpetuating SEA. All discourse to date points towards no. More importantly, however, allowing feedback is key for centering the voices of the victims of structural injustice, something that should be the cornerstone of any work. Centering victims is not only morally right but a practical strategy, as “Victims of injustice have the greatest interest in its elimination, and often have unique insights into its social sources and the probable effects of proposals for change.”

It is not radical to say the UN must be responsive to the communities it is implicated in harming.

Asking the UN to open itself to feedback is rather broad, so I want to provide one example of something that should happen. What the UN \textit{must} do in regards to opening itself to feedback is to stop investigating allegations against its personnel internally. This change applies to TCCs as well. Lacking formal mechanisms for feedback is inherently problematic because it is a conflict of interest. However, in the realm of accountability, the procedure of investigating oneself inherently reduces, if not entirely removes, transparency. Donovan, an activist from AIDS Free World, puts it as such, “As there is no independent body monitoring the process, there can be no way of knowing if it is honest and fair.”

By continuing to investigate itself, the

\footnotesize{143 Young, “Responsibility, Social Connection, and Global Labor Justice,” 185.  
144 Essa, “Why do Some Peacekeepers Rape?”}
UN is insisting it is not a part of the problem. If it was accepted that the UN had responsibility, then it would follow that the UN could not be trusted to investigate itself. That is the situation here. An additional problem with the UN’s current process is that it does not include victims, specifically there is no way for victims to challenge the UN’s decision. Reforming the investigative process is key to centering the voices of victims, a step which is crucial in accepting responsibility and working to combat structural injustice. Taking responsibility for structural injustice requires opening oneself to feedback. Reforming, if not redoing, the investigative process is a necessary component of opening the UN to feedback. Truly beginning to address SEA is going to require the UN to take responsibility for structural injustice. I believe that this could be done through something similar to Young’s social connection model but recognize there may be other viable alternatives. Either way, the UN needs to work, alongside other parties, to reconceptualize its responsibility and approach to addressing SEA.

Providing Attention to the Problematic Discourse Around Military Personnel: Why We Cannot Compromise on This Issue While Reforming the UN’s Approach to Responsibility

Reconceptualizing UN responsibility to recognize structural injustice is the best way to serve victims of SEA because it is what is necessary to address SEA. As structural injustice is ongoing and cannot be challenged with individual interventions alone, any attempt to tackle SEA that does not include structural injustice allows SEA to continue. Failing to address structural injustice underlying SEA continues to create potential victims who are vulnerable to SEA, whether or not they experience it. Importantly, UN responsibility for structural injustice is not inherent in recognizing SEA as a matter of structural injustice. So, attempts to challenge SEA must include both an explicit recognition of SEA as a matter of structural injustice and of UN responsibility for structural injustice.
Crucially, this model of UN responsibility can never be successfully implemented if the discourse around military personnel stays the same. Attention must be specifically dedicated to challenging it. Just as a recognition of UN responsibility is not inherent in conceptualizing SEA as a matter of structural injustice, undoing the damage of the UN discourse around military personnel will not inevitably happen when we acknowledge UN responsibility. What makes the UN’s discursive construction of military personnel as the perpetrators so successful to begin with is that the tropes it relies on are perceived as objective facts. This construction cannot be easily undone. It is possible to imagine that the UN could selectively recognize responsibility for structural injustice and maintain that its responsibility is still limited to civilian personnel. That cannot happen. Therefore, anyone dedicated to addressing SEA by UN personnel on peacekeeping operations must challenge the narrative that military personnel, overwhelmingly men from the Global South, are primarily responsible. The narrative allows the UN to reduce its responsibility and ultimately allows SEA to continue. Blaming military personnel through a number of discursive strategies is the cornerstone of the UN discourse’s attempt to dismiss institutional responsibility.

I want to end with three quotes from the 2017 report, which marked the beginning of SG António Guterres’s tenure with the UN. The tone of the report is markedly different from those written on behalf of the other SGs. The report also includes a recognition of UN responsibility more in line, but not perfectly in line, with the one offered here and of the unfounded attention on military personnel as the cause of the problem. In my opinion, this is cause for hope. Unfortunately, the report does adhere to some of the other problematic narratives examined in
this research. The lack of change in those areas in combination with the history of the UN’s response to SEA is reason for skepticism. Regardless, I want to end this thesis with positivity, giving the UN the benefit of the doubt.

We must break down excuses and end impunity. Through the present report, I communicate my personal resolve to lead the collective effort, across the United Nations system, to stand up against sexual exploitation and abuse in all its forms. With the power and energy of every Member State, the commitment of their finest professional military and police forces, the constructive engagement of civil society and outside experts, and the professionalism and pride of the dedicated men and women of this Organization, we can, together, bring this scourge to heel.

The United Nations has wrestled for many years with the issue of sexual exploitation and abuse. We know well that this problem is not exclusive to military forces, but rather that it can occur in any part of our system.

We all understand that the problem of sexual exploitation and abuse is not unique to the United Nations. Yet we must also accept that the United Nations has become uniquely associated with this issue and therefore bears a unique responsibility to set a global standard for addressing this scourge and dealing with its impact effectively, humanely and justly.

These quotes are far from perfect, but they are different. They acknowledge that SEA is not only a problem of military personnel and that not all military personnel are inherently bad. Yet, in this recognition, the quotes also demonstrate that the UN is still adhering to the “bad apple” narrative, the “finest forces,” just expanding its application. Further, the quotes emphasize the need to work collaboratively, both within the system and out. However, the UN still insists on leading, a notion contradictory to recognizing its responsibility for structural injustice. The quotes also recognize a unique UN responsibility, but it does not appear to be grounded in responsibility through connection. Instead, it seems to be based on the idea that SEA by UN

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145 See for example, “(iv) Require individuals assigned to all United Nations field-based activities to carry the “no excuses” card that restates our rules and provides contact details for reporting allegations;” Special Measures for Protection from Sexual Exploitation and Sexual Abuse: A New Approach: Report of the Secretary-General, UN Doc. A/71/818, 28 February 2017, [2017 SG Report], para. 59(a(iv)).
146 Ibid., para. 6.
147 Ibid., para. 7.
148 Ibid., para. 77.
personnel is so rampant the UN inevitably has a distinct role. I believe that this could be a step in
the direction of recognizing UN responsibility, as the door appears to be open for pushing the
UN to ask more critically why SEA by UN personnel is so rampant.

If these quotes are more than just words and the tone shift represents a genuine effort to
reconsider how the UN understands and addresses SEA, then this report could signal a unique
opportunity to reconceptualize UN responsibility. I do not expect the UN to change its approach
instantly and perfectly on the first try. Responsibility through connection necessitates
conversation, collaboration, and continual change. If the UN takes seriously that SEA is
committed by both military and civilian personnel, this could be an important moment for
pushing the UN to make amends for the damage its deployment of tropes about Global South
masculinities has caused. If the UN truly accepts its unique responsibility, then it should begin
the task of recognizing its role in structural injustice and the corresponding next steps. I want the
UN to own responsibility. It is possible that the UN, under the leadership of SG António
Guterres, could be moving in the right direction.
## APPENDICES

### Appendix 1:
**UN Documents on Sexual Exploitation and Abuse**

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<td>Investigation into Sexual Exploitation of Refugees by Aid Workers in West Africa</td>
<td>11 October 2002</td>
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<td>(2) A/RES/57/306</td>
<td>Resolution Adopted by the General Assembly [on the Report of the Fifth Committee (A/57/604/Add.1)] 57/306. Investigation into Sexual Exploitation of Refugees by Aid Workers in West Africa</td>
<td>22 May 2003</td>
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<td>Special Measures for Protection from Sexual Exploitation and Sexual Abuse - Report of the Secretary-General* Referred to, alongside other reports of the same name, as “The Annual Reports of the SG”</td>
<td>23 April 2004</td>
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<td>Report of the Group of Legal Experts on Making the Standards Contained in the Secretary-General’s Bulletin Binding on Contingent Members and Standardizing the Norms of Conduct so that they are Applicable to all Categories of Peacekeeping Personnel</td>
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<td>Special Measures for Protection from Sexual Exploitation and Sexual Abuse - Report of the Secretary-General</td>
<td>17 February 2012</td>
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<td>Special Measures for Protection from Sexual Exploitation and Sexual Abuse - Report of the Secretary-General</td>
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<td>Special Measures for Protection from Sexual Exploitation and Sexual Abuse - Report of the Secretary-General</td>
<td>13 February 2015</td>
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<td>(23) A/70/729</td>
<td>Special Measures for Protection from Sexual Exploitation and Sexual Abuse - Report of the Secretary-General</td>
<td>16 February 2016</td>
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<td>(26) A/72/751</td>
<td>Special Measures for Protection from Sexual Exploitation and Sexual Abuse - Report of the Secretary-General</td>
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## Appendix 2:Abbreviations

List of UN Peacekeeping Operations Active from 2002-Present

Drawn from the UN’s List of Peacekeeping Operations 1948-2017:


Organized by Start Date

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<th>Acronym</th>
<th>Mission Name</th>
<th>Start Date</th>
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<td>UN Interim Force in Lebanon</td>
<td>March 1978</td>
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<td>UN Observer Mission in Georgia</td>
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<td>June 2009</td>
</tr>
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<td>UN Mission in Bosnia and Herzegovina</td>
<td>December 1995</td>
<td>December 2002</td>
</tr>
<tr>
<td>UNMOP</td>
<td>UN Mission of Observers in Prevlaka</td>
<td>January 1996</td>
<td>December 2002</td>
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<td>UN Interim Administration Mission in Kosovo</td>
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<td>October 1999</td>
<td>December 2005</td>
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<td>UN Transitional Administration in East Timor</td>
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<td>May 2005</td>
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<td>May 2003</td>
<td>April 2004</td>
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<td>UN Mission in Liberia</td>
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<td>April 2004</td>
<td>June 2017</td>
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<td>October 2017</td>
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Appendix 3:
Timeline of Important Dates

January 1997 – Kofi Annan becomes SG.

Late 1990s – Kathryn Bolkovac is fired from UN for reporting the existence of a sex trafficking ring in Bosnia and Kosovo involving UN personnel.

2002 – Kathryn Bolkovac wins her suit for wrongful termination.

February 2002 – Save the Children (UK) and UNHCR release report detailing widespread problem of SEA in peacekeeping operations in West Africa.

October 2002 – OIOS releases its investigation into the allegations of the Save the Children (UK) and UNHCR report. OIOS confirms the findings stating that SEA in peacekeeping operations is widespread.

May 2003 – GA responds to the OIOS report and adopts a resolution calling for the UN to take efforts to address SEA by UN personnel. Resolution also calls for the SG to investigate the problem and release annual reports updating the GA.

June 2004 – Media publishes an exposé on rampant SEA by UN personnel in the DRC prompting the SG to commission an investigation, which was conducted by Prince Zeid Ra’ad Zeid al-Hussein, into SEA in the DRC.

March 2005 – UN releases the “Zeid Report,” which confirmed the exposé’s findings about the pervasiveness of SEA in the DRC. The report’s recommendations prompted the SG to form a task force to address SEA, which has remained central to UN efforts since.

January 2007 – Ban Ki-moon becomes SG.

2013 – An independent investigation is started into SEA in MONUSCO, MINUSTAH, UNMIL and UNMIS, the four missions with the highest rates of SEA at the time.

February 2014 – Findings of the 2013 investigation into SEA in MONUSCO, MINUSTAH, UNMIL and UNMIS are summarized in the SG’s annual report.

Summer 2014 – Anders Kompass, a UN employee, submits a report detailing allegations of SEA against French peacekeepers in the CAR.

July 2014 – Kompass leaks the report to French authorities after the UN fails to act.

Spring 2015 – Kompass is suspended from his position at the UN when it is revealed he is the whistleblower. He subsequently resigns.
2015 – SG commissions an investigation into the allegations in the CAR that were leaked by Kompass.

*February 2016* – Annual SG report summarizes findings of the investigation into SEA in the CAR.

*January 2017* – António Guterres is sworn in as SG, becoming the third SG involved in the UN’s formal response to SEA.
## Appendix 4:
Data on Rates of SEA per Category of Personnel

Data from UN Database Accessed on 23 February 2019 (https://conduct.unmissions.org/sea-data-introduction) & Annual SG Reports

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### Appendix 5:

**Troop Contributing Countries Ranked by Number of Personnel**

PDF from UN: [https://peacekeeping.un.org/sites/default/files/2_country_ranking_9.pdf](https://peacekeeping.un.org/sites/default/files/2_country_ranking_9.pdf)

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Insecure Spaces: Peacekeeping, Power and Performance in Haiti, Kosovo and Liberia.


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GA. *Investigation into Sexual Exploitation of Refugees by Aid Workers in West Africa.*

Resolution Adopted by the General Assembly. UN Doc. A/RES/57/306. 22 May 2003.


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Data


------. *Summary of Troop Contributing Countries by Ranking: Police, UN Military Experts on Mission, Staff Officers and Troops 31/01/2019.*


Conduct in UN Field Missions. *Data: Sexual Exploitation and Abuse.*