UNIVERSITY OF NAIROBI
INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

THE ZERO TOLERANCE POLICY AND SEXUAL EXPLOITATION AND
ABUSE AMONG UN PEACEKEEPING MISSIONS, A CASE OF UN MISSION
IN THE DR CONGO (1999-2015)

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2017
Declaration

I declare that this is my original work and has not been presented in any other University or College for Examination or Academic purposes.

Signature:.............................................................. Date..........................................

Student: MUNGA KALAMA

REG NO: R50/70327/2013

This project has been submitted for examination with my approval as the university supervisor.

Signature:.............................................................. Date..........................................

SUPERVISOR: DR ROSEMARY ANYONA
Dedication

This work is dedicated to my family members, friends and work mates. Were it not for their continued support, understanding and constant encouragement, this study would not have been successful.
Acknowledgement

It has been an exciting and instructive study period in the University of Nairobi and I feel privileged to have had the opportunity to carry out this study as a demonstration of knowledge gained during the study period. With these acknowledgements, it would be impossible not to remember those in one-way or another, directly or indirectly, have played a role in the realization of this research project. I therefore would like to thank them all equally.

First, I am indebted to the all-powerful GOD for all the blessings throughout the study. I am also deeply obliged to my supervisor Dr Rosemary Anyona for her exemplary guidance and support without whose help, this project would not have been a success. Finally, yet importantly, I take this opportunity to express deep gratitude to my loving family, and friends who are a constant source of motivations and for their never-ending support and encouragement during this project.
Table of Contents

Declaration .......................................................................................................................... ii
Dedication .......................................................................................................................... iii
Acknowledgement ........................................................................................................... iv
Table of Contents ........................................................................................................... v
Abstract .......................................................................................................................... vii
List of Abbreviations ...................................................................................................... viii

Chapter One: Introduction to the Study ........................................................................ 1

1.0 Background .................................................................................................................. 1
1.1 Statement of the Research Problem ........................................................................... 2
1.2 Objectives of the Study ............................................................................................... 2
1.3 Literature Review ........................................................................................................ 2
1.3.1 Sexual Violence and War ....................................................................................... 3
1.3.2 Variations of Sexual Violence in War .................................................................. 4
1.3.3 The UN Zero-Tolerance Policy for Sexual Violence ........................................... 5
1.3.4 Challenges in the Implementation of the Zero Tolerance Policy ....................... 8
1.4 Justification of the Study ............................................................................................ 9
1.5 Conceptual Framework ............................................................................................. 10
1.6 Hypotheses of the Study ........................................................................................... 11
1.7 Methodology ............................................................................................................. 11
  1.7.1 Life Story Narrative ............................................................................................ 12
  1.7.2 Data Collection .................................................................................................. 12
1.8 Chapter Outline .......................................................................................................... 13

Chapter Two: Conflict and United Nations Peacekeeping Mission in the Democratic
Republic of Congo (DRC) ............................................................................................... 15

2.0 Introduction ................................................................................................................ 15
2.1 The Congo Conflict: Historical Perspective ............................................................. 15
2.2 DR Congo’s First Civil War (1996-1997) .................................................................. 16
2.3 The Second Congo War (1998-2003) ........................................................................... 18
2.4 The Establishment of United Nations Organization Mission in Democratic Republic of the Congo (MONUC) ................................................................. 19
Abstract

UN rules forbid sexual relation with prostitutes and with any persons less than 18 years of age and strongly discourage relations with beneficiaries of assistance (those that are receiving assistance food, housing, aid, etc... as a result of a conflict, natural disasters or other humanitarian crisis, or in a development setting). Despite, these positions, there continues to be allegations of sexual exploitation and abuse by UN peacekeepers. I therefore recommend the UN to make it clear to Troops-Contributing Countries that their ability to provide accountability for crimes committed by their peacekeepers will be an essential criterion in deciding whether to accept more of their troops in UN peacekeeping missions of abuse of power... and only secondarily problems of sexual behaviour.

To improve overall management and organizational responses to allegations of abuse, I recommend senior managers and mission leadership to regularly set the tone that abuse will not be tolerated and train peacekeepers on standards of conduct and the UN Policies for Preventing Sexual Exploitation and Abuse. Peace keeper codes of conduct should be available in all of the languages that peacekeepers speak; currently they are only published in the official languages that the peacekeepers speak; currently they are only published in the official languages of the U.N. Peacekeeping missions should reach local people to make complaints in confidence. UN peacekeeping missions should develop data systems to monitor allegations of sexual abuse and report the outcome of investigations. Echoing the requirements of Security Council Resolutions 1325, the victims are more likely to feel comfortable reporting abuse to women rather than to men.

Finally, as a way to provide UN peacekeepers with leisure time activities other than sex, I recommend the UN peacekeeping missions to build recreational facilities such as athletics facilities, internet cafes, and subsidised telephone lines so that peacekeepers may talk with their families and friends. In a reference to what occurred in the OIOS investigation in the DRC when at least two commanders failed to cooperate with the investigations, the report calls for the institution of financial penalties against commanders who fail to co-operate.
List of Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
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<tbody>
<tr>
<td>SEA</td>
<td>Sexual Exploitation and Abuse</td>
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<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
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<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<td>ZTP</td>
<td>Zero Tolerance Policy</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organisation</td>
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<td>DPKO</td>
<td>Department of Peacekeeping Operations</td>
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<td>DFS</td>
<td>Department of Field Support</td>
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<td>PSO</td>
<td>Peace Support Operations</td>
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<td>SOFA</td>
<td>Status of Force Agreement</td>
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<tr>
<td>MONUC</td>
<td>United Nations Mission in the Democratic Republic of Congo</td>
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<tr>
<td>MONUSCO</td>
<td>United Nations Organization Stabilization Mission in the Democratic Republic of the Congo</td>
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<tr>
<td>CFS</td>
<td>Congo Free State</td>
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<tr>
<td>AFDL</td>
<td>Alliance of Democratic Forces for the Liberation of Congo</td>
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<tr>
<td>RCD</td>
<td>Rally for Congolese Democracy</td>
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<tr>
<td>UPDF</td>
<td>Uganda People’s Defence Forces</td>
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<tr>
<td>MLC</td>
<td>Mouvement de Liberation Congolese</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>UPC</td>
<td>The Union of Patriotic Congolese</td>
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<td>IEMF</td>
<td>International Emergency Military Force</td>
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<td>ICGLR</td>
<td>International Conference on the Great Lakes Region</td>
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<tr>
<td>FDLR</td>
<td>Forces Democratiques de la Liberation du Rwanda</td>
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<tr>
<td>CNDP</td>
<td>Congre’s National pour la De’fense du people</td>
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<tr>
<td>OGA</td>
<td>Office for Gender Affairs</td>
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<tr>
<td>CDT</td>
<td>Conduct and Discipline Team</td>
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<tr>
<td>SACSV</td>
<td>Senior Advisor and Coordinator for Sexual Violence</td>
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<tr>
<td>SSR</td>
<td>Security Sector Reform</td>
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<tr>
<td>UNICEF</td>
<td>United Nation Children Education Fund</td>
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<tr>
<td>MINUSCA</td>
<td>United Nation Multidimensional Integrated Stabilization Mission in the Central African Republic</td>
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<td>OIOS</td>
<td>UN Office of Internal Oversight Service</td>
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Chapter One
Introduction to the Study

1.0 Background

Assertions of sexual brutality by UN peacekeepers in many missions around the world have been reported. For instance, charges of Peacekeeper Sexual harassment and Abuse (SEA) emerged in Cambodia, the Balkans, and East-Timor in the 1990s and in West Africa in 2002.\(^1\) In the Balkans, UN peacekeepers were also accused of trafficking of women and girls in addition to operating brothels in the barracks.\(^2\) In Africa, peacekeepers in the DRC have been blamed for committing sexual savagery. Since 2003 more than 600 charges have been documented against the UN peacekeeping faculty.\(^3\) In fact, the DRC has been described by UN officials as the Rape Capital of the World.\(^4\)

In contemporary conflicts, innocent civilians frequently constitute a larger part of casualties. Civilians at risk often include women and children. Women are often murdered, sexually abused, captured and oppressed while children are kidnapped and compelled into being child soldiers.\(^5\) Therefore, securing civilians has become an important component of modern-day peacekeeping missions. The populace and foreign peacekeepers increasingly perceive the ethical obligation and mission significance of securing undermined non-military personnel amid peacekeeping missions. As there are more peacekeeping missions in terms of number, recurrence, size and command, the UN has tried deliberate endeavours to put the interest of civilians at the heart of these operations. How well peacekeeping missions ensure the security of civilians is frequently a critical benchmark for assessing a mission’s viability.\(^6\)

Since claims of sexual misuse paint a negative picture of peacekeeping missions, a Zero Tolerance policy (ZTP) towards sexual abuse and enslavement was integrated in the UN peace missions in 2003. In spite of the policy however, cases of sexual abuse by UN peacekeepers continue to thrive. The 2004 peacekeeping mission in the DRC stood out when reports demonstrated various affirmations of sexual misuse. Reports alleging

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\(^1\) Stern, 2015
\(^2\) Sarah E. Mendelson, Barracks and Brothels, Peacekeeping and Human trafficking in the Balkans.
\(^4\) http://www.save the children uk.org.uk/sites/default/files/docs/sexual violence and exploitation.
\(^5\) UN, 2004–2005
\(^6\) Lynch, 2004,
\(^7\) Ibid
young girls engaging in sexual activities with peacekeepers in the DRC paint a bad picture to the conduct of peacekeepers. All allegations of sex for favours between girls as young as fourteen years and peacekeepers\textsuperscript{8} show the extent of sexual exploitation by peacekeepers.\textsuperscript{9}

1.1 Statement of the Research Problem

The UN restricts sexual interactions between its peace missions’ personnel and commercial sex workers, while sexual relations with anybody under 18 are outlawed.\textsuperscript{10} The Zero Tolerance policy (ZTP) towards sexual abuse and enslavement was integrated in the UN peace missions in 2003. Yet, in DRC, stories of sexual abuse started to develop in 2004. It was alleged that UN peacekeepers baited girls as young as ten years of age to engage in sexual relations in return for some favours.\textsuperscript{11} This means therefore that sexual misconduct among peacekeepers continues even with the policy in place. Using the 1998 UN mission in the DRC- Congo, this study examines the effectiveness of the zero tolerance policy in reducing sexual violence incidences by UN peacekeepers.\textsuperscript{12}

1.2 Objectives of the Study

The study’s objectives include:

i. To examine the effectiveness of the zero tolerance policy in reducing cases of sexual violence by UN peacekeepers.

ii. To explore the extent to which troop contributing countries adhere to effective reporting and investigative procedures outlined by the Zero Tolerance Policy.

iii. To determine the effect of severe and harsh punishment of the sexual harassment and assault perpetrators in the DR Congo.

1.3 Literature Review

This section examines literature review on sexual violence and war, causes of sexual violence during periods of war, variations of assault in war, the capstone doctrine, the UN zero-tolerance policy for sexual violence.

\textsuperscript{8}Emily Wax, , 2005.
\textsuperscript{9}General Assembly. (2005).
\textsuperscript{10}UN 2016.
\textsuperscript{11}Lacey, 2004.
\textsuperscript{12}Ibid
1.3.1 Sexual Violence and War

Sexual violence is usually prevalent during wars and after. Wood clarifies that sexual violence during war is brought about by weakened social controls and regular communications amongst soldiers and regular citizens. Culprits may equally feel they will not be rebuffed or face unsafe outcomes for their criminal acts as a result of impunity. Sexual crimes happen in different settings in times of war. It can happen during raids, in brothels, inside concentration camps, or in troops’ military quarters. Culprits of sexual brutality may consider their victims as bush spouses, girlfriends, or whores. Regular citizens can likewise execute sexual abuse. In such environments, sexual mishandle and brutality get to be normalized in a general public since individuals are accustomed to violence. Farwell clarifies that a long haul impact of war is societal militarization. When the general public is militarized, there is accentuation of patriarchal qualities often leading to the control of women (and girls) by men.

Assaults of captured women by warriors of one side; and women assaults by men as a reward after a fight. Sexual violence in war has become an inescapable and normal part of war. Armed forces have often taken women as ‘crown jewels,’ and ‘the goods’ of war. This is an expression of male strength and the patriarchal rationale that women are the normal property of men. Also, the assault of a lady is a hypothetical maiming of men who could not protect their women. The body of an assaulted lady turns into a stylized combat zone. At the war zone, women give a chance to warriors to deliver retribution and rebuff their foes. Warriors might be tired of battling, resentful about the loss of companions and family, or not able to control the brutal practices they created while battling. Also, sexual brutality is utilized in war to get data, to embarrass and threaten gatherings of individuals and to compel groups into a submission. Soldiers can likewise utilize sexual brutality deliberately as an approach to commit genocide by intentionally impregnating or infecting enemy women and girls with HIV/AIDS. Sexual violence can thus be argued to be inherent in the military institution since time immemorial and has

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15HRW (2005).
17Enloe 2000,109-10
19Ibid
20Ibid
not changed. In the military, there is a general condescending attitude towards women by male military officers. This therefore contributes to violent behaviours.

1.3.2 Variations of Sexual Violence in War

Conflicts vary in terms of instances and forms of sexual violence. Some conflicts such as the Israel-Palestine war and that of the USA that took place in the Afghanistan and Iraq have registered no cases of sexual abuse. At the same time, sexual abuse can happen in large scale wars like was the case in WWII where both the Japanese and Russian forces committed sexual abuse across the board in their respective occupations of Berlin and Nanking. Berlin was occupied by the Soviet Army between May 1945 and 1947 after the German surrender. Seifert posits that approximately 110,000 sexual assaults occurred during this time. The assaults were committed by gangs, in homes of the victims and before their families and neighbours. Liquor assumed a critical part in the assaults as most of them were committed while warriors were drunk. Assaults were unpredictable and affected the youthful, grown-up, and elderly females. Naimark contends that the Russians committed sexual offences in order for revenge purposes.

Equally the Japanese were accused of scandalous cases of sexual brutality during World War II. In 1937 December, the Japanese Imperial Army entered Nanking and started an 8 weeks occupation known as ‘the Rape of Nanking,’ where fighters assaulted and executed around 20,000 to 80,000 women. Also from 1931 to 1945, the military established brothels for its fighters. Most of the slaves and in the brothels are women. Women were assaulted by being sterilised so as to avoid pregnancies and their breasts were also cut. Women from Korea, China, Indonesia and the Philippines were caught by the military. The women that the military caught were between 14 and 18 years of age. The military had believes that by sleeping with young girls they would reduce spreading of ailments. Although towards the end of war, most of the women were compelled to commit suicide and other were killed. Lately, African wars have showed types of sexual savagery including assault, sexual servitude, constrained prostitution, inhibited

\(^{21}\text{Ibid}\)
\(^{22}\text{Ibid}\)
\(^{23}\text{Secretary-General.(2003).}\)
\(^{24}\text{Ibid}\)
\(^{25}\text{Ibid}\)
pregnancy, implemented sanitization and different types. In the Rwandan genocide, studies assess there were 250,000 to 500,000 assaults.\textsuperscript{26}

1.3.3 The UN Zero-Tolerance Policy for Sexual Violence

The Capstone Doctrine concentrates on peace missions approved by the Security Council, led the United Nations Secretary General, and operationalized by the United Nations Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS).\textsuperscript{27} The Capstone precept insists that the authenticity of operations of peacekeeping by the UN depends on staff conduct. This therefore shows that the senior authority needs to take caution of their conduct.\textsuperscript{28}

It additionally notices the significance of good states of administration and other welfare game plans, which will keep the spirit of the work force high, furthermore counteracts occurrences of unfortunate behaviour.\textsuperscript{29} Likewise, it anticipates that peacekeepers will not get to be culprits. It illustrated the methodology to take after accepting objections of unfortunate behaviour, the lead of an examination, and the required follow-up activities.\textsuperscript{30} In October 2003, the Secretary-General’s office produced a bulletin entitled “an administrative instruction to United Nations staff that defined appropriate sexual”.\textsuperscript{31}

The 2003 Bulletin only provides for disciplinary measures including compulsory dismissal if, PSO members do not keep the rules. A progression of apparatuses for neighbourhood groups, for example, rules, show data sheets on sexual misuse and mishandle, as well as model complaints forms were developed by the Task Force to implement the Bulletin.\textsuperscript{32} The UN subsequently increased its efforts to stem rampant cases of sexual crimes and impropriety through a number of reports in a clear manifestation of political will to address the problem. An investigation for instance, into allegations of sexual abuse and exploitation of 296 peacekeeping staff shows that, civilians, the police and the military were culpable and were consequently dismissed or

\textsuperscript{26} Ibid
\textsuperscript{27} Ibid
\textsuperscript{28} Ibid
\textsuperscript{29} Naimark, N. (1995).
\textsuperscript{30} www.IrinNews.org
\textsuperscript{31} Barkan, E. (2000).
\textsuperscript{32} Harrington, C. (2010).
repatriated.” This shows that the United Nations deals with the problem primarily via disciplinary measures.

These UN principles and directions are not however applicable to experts and individual contractual workers. The last class of people partaking in PSO is military and regular citizen police individuals from national contingents. The Model Status-of-Forces Agreement gives authority to the troops contributing countries to take disciplinary measures for the accused soldiers. It outlines the guidelines as pertaining to the commitment as far as personnel and equipment are concerned.

On the same vein, the Zeid report stresses that because of the varying status of PSO personnel it is problematical to apply different legal standards. As a result, it recommends the creation of a common set of rules. In a follow-up meeting held by the General Assembly Special Committee on Peacekeeping Operations, it was stressed that the General Assembly should sanction the detailed rules enshrined in the Secretary-General’s 2003 bulletin as a uniform code of conduct for any personnel involved in PSO. Whilst this seemingly quick and simple change may seem appealing, one must not forget that the enforcement of stricter standards contained in the 2003 Bulletin raises serious legal concerns.

Within the international community, there were numerous calls to prosecute those responsible of these despicable acts. For many press commentators, simply designing and issuing policy papers was not enough to remedy the situation. Indeed, the United Nations investigations did not achieve much other than dismissal of the accused persons. This is because of the way that the United Nations does not have an inner criminal equity framework. The responsibility of arraignment is charged with the host state; however it is unrealistic to indict since United Nations work force occupied with PSO appreciate insusceptibilities as to neighbourhood laws.

UN officers suspected of violations take advantage of the fact that PSO are considered to be backup organs of the United Nations which grants immunity as stipulated in the article. "Numerous instances of criminal lead, particularly criminal

33 Ibid
35 Bellamy, & Williams (2010).
36 Ibid
37 Committee on Peacekeeping Operations and its Working Group, 2005
demonstrations of sexual misuse and manhandle, would not, in any case, be in the execution of capacities and insusceptibility could not make a difference.”

A further issue relates to the standards applicable in local courts. Indeed, as the United Nations may feel that due process and human rights benchmarks won’t be ensured to its work force when standing trial in national courts, immunities are rarely removed and immunity becomes synonymous with impunity.\textsuperscript{38} To get around this problem, the Sixth Committee recommends that the United Nations consider ad hoc arrangements stipulating that the host state comply with international human rights norms.\textsuperscript{39} In the instance where immunities are removed, the law of the country in which they are in can be applied to peacekeepers.\textsuperscript{40} Initiating criminal charges against peacekeepers has proved challenging because the deployment of peacekeepers are normally under insufficient legal and judicial systems.\textsuperscript{41} Moreover, the host state authorities are unlikely to haul peacekeepers into local courts because they “may feel excessively scared, making it impossible to practice locale over the staff of offices and associations, which are giving help.”\textsuperscript{42} Consequently, United Nations personnel do not stand trial in domestic courts.\textsuperscript{43}

Overall, there is very little scholarly literature that explores the effectiveness of the zero tolerance strategy in curbing sexual violence and abuse from a critical standpoint. There is much debate on the topic of agency of local women in sexual relationships with UN peacekeepers. Some of the literature calls attention to the need for such research, but it is only very recently where a shift is seen from the dominant paradigms of post-colonialism and classical feminism. There is also a gap in literature focussing on the perspectives of the local populations of women in peacekeeping operations. This study aims to expand upon this more critical view to explore the possible reasons why the zero tolerance policy has not managed to eliminate or even reduce the incidences of SEA in the recent missions. The study recognises that the UN, as of late, has attempted to look into the issue of SEA in peacekeeping operations through various

\textsuperscript{38} United Nations. 2009.
\textsuperscript{39} Ibid
\textsuperscript{40} Ibid
\textsuperscript{41} Ibid
\textsuperscript{42} United Nations Secretariat, U.N. 2003
policies and resolutions that seek to empower and protect women, it has failed to identify and correct the systemic causes.\textsuperscript{44}

1.3.4 Challenges in the Implementation of the Zero Tolerance Policy

System inadequacy is often cited as a challenge in the implementation of the policy; while both the zero-tolerance policy and the draft convention on criminal accountability of United Nations-related personnel aims at the punishment of the individual perpetrator,\textsuperscript{45} they do not target the military personnel. Instead, the military personnel would be liable under the draft convention, seeing the laws of the troops contributing countries applied. The two documents contain different norms; the overall policy of the United Nations does not appear to be very consistent.\textsuperscript{46} This are clear indicates that there are two different sets of rules relating to sexual encounters by peacekeepers.

Another significant shortcoming of the United Nations zero-tolerance policy is that it does not comply with international legal standards relating to sexual crimes. In particular, one needs to question whether the 2003 Bulletin correctly reflects the current state of international law. It is remarkable that the United Nations, which ordinarily endorses the creation of international criminal law norms, is not able to abide by these standards in this context.\textsuperscript{47} Instead, it prefers to adopt a code of conduct that tackles the issue from a different, disciplinary angle and leaves it up to states, be they the host or the home state, to examine issues relating to criminal accountability. Moreover, since the report of the Sixth Committee provides that the OIOS whilst investigating allegations of sexual misconduct must bear in mind that its findings may be used in criminal proceedings, it is crucial to examine how the Bulletin relates to national and international criminal law.\textsuperscript{48}

Despite its major flaws in terms of content, the Bulletin is undoubtedly a landmark document that has widespread support. Thus one questions whether in fact it actually provides a model that can be used for criminal investigation and prosecution purposes. The answer is no. The human rights approach advocated by the document cannot be used as a framework for prosecution under international criminal law or under

\textsuperscript{44}Ibid
\textsuperscript{45}Special Committee on Peacekeeping Operations and its Working Group, 2005.
\textsuperscript{46}Jean-Marie Guéhenno, 2006.
\textsuperscript{47}White, N. D. (2002).
\textsuperscript{48}Special Committee on Peacekeeping Operations and its Working Group
the draft convention on criminal accountability.\textsuperscript{49} This is because whilst human rights law focuses on a state’s responsibility, international criminal law centres upon individual liability. To confuse these two approaches is catastrophic.\textsuperscript{50}

1.4 Justification of the Study

The African continent has seen many UN Peacekeepers sent to different conflict areas. Despite failure to achieve expected results, sexual exploitation and abuse have always been reported, thus suggesting that there is need for an enhanced policy to address the menace. Lending credence to this, the UN adopted a zero resilience policy towards sexual mishandle and abuse in 2003, in spite of this policy, allegations of sexual exploitation and abuse in UN peacekeeping operations as late as 2010 in Haiti and in 2015 in the Central Africa Republic continue to occur. It is against this backdrop that the UN continues to seek for solutions to ensure zero resilience strategy against sexual mishandle and abuse. This study therefore, highlights the dark side of peacekeeping operations by examining the incidences of sexual mishandle and abuse in the DRC peacekeeping operation to provide an informed basis for addressing the issue. The study hope to contribute to the field by suggesting evidence based approaches to the operationalisation of the zero resilience policy to sexual violence. Future researchers in this field will likewise find the discoveries ingenious in upgrading their insight and comprehension of the institutionalisation of the zero tolerance policy.

\textsuperscript{49} U.N. Doc. A/59/19/Add.1, 11 April 2005, para. 8
\textsuperscript{50} Miller, (2006).
1.5 Conceptual Framework

The above conceptual framework will be used in this study; the independent variables are Enforcement of ZTP by troops contributing countries; adherence to the ZTP by the troops contributing countries; punishment of SEA perpetrators in DRC; and, cooperation between troops contributing countries and the UN agencies.\textsuperscript{51} Enforcement of ZTP by troops contributing countries is thought to have an influence on the ZTP because the challenge has been the immunity of the troops while on a mission; adherence to the ZTP by the troops contributing countries would have an influence on the effectiveness of the ZTP as the contributing countries would be expected to follow the guidelines in the ZTP while enforcing it, punishment of SEA perpetrators in DRC is envisaged to have an impact on the number of reported incidences, and, cooperation between troops contributing countries and the UN offices is thought to guarantee that every one of the assertions of SEA are completely explored and move made during and after the peacekeeping mission.

\textsuperscript{51}U.N. Doc. A/59/19/Rev.1
1.6 Hypotheses of the Study

The following are the study’s hypotheses:

i. Zero tolerance policy can only be effective if cases of sexual violence by UN peacekeepers are reduced.

ii. The Zero tolerance policy can only be effective if the troop contributing countries adhere to effective reporting and investigative procedures as outlined in the policy.

iii. Severe and harsh punishment of perpetrators including jail term sentence in the DR Congo will result in reduction of SEA incidents.

1.7 Methodology

The method to be used in collecting data for the study will majorly be through secondary and primary data collection by some individuals who are experts on the subject matter. Secondary data was obtained through scholarly works on UN peacekeeping operations, diaries and different records of verifiable and political criticalness.

The study employed qualitative methods for obtaining data; this entailed use of United Nations official reports, reports from other non-governmental organizations (NGO) and quantitative data collected by individuals within the field. The qualitative data to be included was sourced from various disciplines such as security studies, feminist studies, economics, psychology and political science. The qualitative approach enabled understanding of the underlying factors and potential root causes of this specific type of sexual assault against women. This understanding then facilitated assessment of the effectiveness of the zero resilience strategy to sexual exploitation and abuse in addressing the menace.

The qualitative methodological approach that adopted by this study is Life story narrative approach. Biography account concentrates on individuals' personal encounters, glancing back at specific life occasions as they review them, and highlighting the implications they put on the associations between their encounters and the social and social setting of their lives.\textsuperscript{52} The interest of this study is the connections between the experiences of having been members of the missions, and life experiences of victims of sexual violence.

\textsuperscript{52}Grinch, 2004
Quantitative research design was adopted to measure how the zero resilience policy is effective in reducing the incidences of sexual mishandle and abuse. This was adopted because it helped the researcher get data that enabled answering of the researcher’s objectives and allow for the generalization of data. This was done through survey. Hartley and Muhit show that utilizing a mix of qualitative and quantitative research one next to the other improves the exploration information.53

1.7.1 Life Story Narrative

Account request was utilized as a structure for gathering and comprehension information that empowers members to offer voice to their encounters. The approach expected that individuals recount their stories of individual encounters with a specific end goal to know, comprehend and understand their reality. Mc Cance et al. proposed that biographies are based around a plot that gives the social setting of the story. The storyteller is the central performer and this individual distinguishes their noteworthy others and the parts they all play in the improvement of the storied plot. For this study, members concentrated on their lives as lived and the significance they make of their own encounters. The members were in this manner solicited to give the stories from their lives. The upside of this was to empower the members to start their stories where they needed, to build up the plot in the way they picked and to speak to past occasions and activities as they wished.

1.7.2 Data Collection

For this study, a purposive inspecting technique was utilized to enrol twenty respondents. This inspecting strategy permitted the analysts to choose people who meet the incorporation criteria in the study encounters which were helpful with the end goal of the study. The members involved people who have served in the UN peace missions, staff from NGOs and casualties of sexual viciousness. As per Marshall, the quantity of members for a subjective study turns out to be clear when new classes, topics or clarifications prevent rising up out of the information that are being gathered. In this study, the specialists settled on the specimen size of twenty when very little new data rose up out of the information being assembled.

The study used semi-structured interview guide to collect data. The stud had pre-determined list of questions inviting open-ended responses, the researcher equally asked

53Hartley and Muhit2003
further probe questions that encouraged clarification and elaboration. Data was also collected through observation techniques. To guarantee quality, comfort and continuous stream of the meetings, the sessions were held in settings that permitted security and secrecy.

Data was broken down utilizing thematic investigation. This approach proposed by Merriam, Mays and Pope, and Braun and Clarke intended to distinguish monotonous subjects and examples all through the transcript and translated information precisely from the members' points of view. Because of the exploratory way of the present study, topical examination is considered the most suitable, adaptable and ingenious instrument taking into consideration thorough, point by point and complex records to be created from the information. It drew subjects and examples only from the information while not being hypothetically restricted. As the study was time constrained, topical investigation was considered most fitting, as it didn't include testing of developing subjects or topical immersion or required extra collection of data.

1.8 Chapter Outline

Chapter one is the introduction to the study. It includes the background, the statement of problem, objectives, literature review, theory, basis of the exploration, hypothetical structure, techniques, and well springs of information gathering and game plan of sections.

Chapter two covers conflict and UN peacekeeping in the DR Congo. This chapter, covers the historical background of the Congo conflict as from 1998 to 2015, like wisely known as the “Great War of Africa”. This chapter also looks at the various peace agreements that led to the formation of the UN peacekeeping mission in DR Congo including the mandates of the mission. Specifically it covers MONUSCO peacekeeping.

Chapter three delved on Sexual Exploitation and UN Organization Stabilisation Mission (MONUSCO) peacekeepers in the DRC. This chapter looks at the various forms of sexual exploitation and abuse committed by UN peacekeepers, methods of sexual abuse as well as effects of SEA on the victims.

Chapter four provides a critical analysis on Zero Tolerance Policy and the continuation of SEA among MONUSCO peacekeepers. The chapter discusses reasons as to why cases of SEA continue to occur yet there is the policy in place. This chapter also
tests the stated objectives as well as the hypotheses to ascertain if they were met during the course of the study.

Chapter five is the summary, conclusion and recommendations of this study.
Chapter Two
Conflict and United Nations Peacekeeping Mission in the Democratic Republic of Congo (DRC)

2.0 Introduction

This chapter explores the DR Congo conflict from a historical perspective. Under this chapter, it will look at the identity crisis during the pre-colonial period when Congo was a Belgian colony up to time when it gained independence in 1960. Then the chapter looks at the political crisis from 1960 onwards including the assassination of Patrice Lumumba as well as the coup that installed Joseph Mobutu in power. Thereafter the chapter examines the two Congo wars that ushered in the ceasefire agreement as well as the entry of UN peacekeeping mission from 1999 when the first group of military observers were dispatched to go and monitor the ceasefire agreement.54

The chapter then takes a look at the UN peacekeeping, peace prerequisite and peace-building tries endeavoured by the UN in the DR Congo. The chapter delimits itself to the present mission that started in 1999 which is starting now advancing. Peacekeeping, peace usage and peace-building are a segment of the strategies the UN uses as a piece of demand to regulate and settle strife. While these thoughts are frequently related to each other, they have certain qualities making them unmistakable.

2.1 The Congo Conflict: Historical Perspective

The tale of Congo’s trip to statehood starts with Belgian King Leopold II.55 Leopold dreamed of owning his own state. With the help of Henry Morton Stanley, who deceived many Africans into giving them land rights, Leopold managed to own the Congo Free State in the mid-1880s.56 In addition to robbing the country of its vast resources, King Leopold’s treated the Africans ruthlessly. Leopold however asserted that he was conveying genuine human advancement to the Congo. Belgian’s military arm, the Force Publique helped to guarantee, that the residents of the Congo Free State (CFS) stayed in the steady administration of the Leopold.57 In 1908, the CFS turned into the Belgian Congo.58

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54 Ibid
56 Ibid
57 Ibid
58 Ibid
Congo gained independence from the Belgium government in 1960 after over 70 years of fighting. At the start of July 1960, President Kasavubu and Lumumba asked the UN for military intervention to bring an end to the Katanga crisis. The UN took time to make a decision and things got worse in the Congo. Belgian troops took control of the airport in the capital Leopoldville (now Kinshasa). Lumumba and Kasavubu went to the Soviet Union asking for help.\(^5\) The US was unhappy with Lumumba’s move. Western countries believed that Congo would quickly become communist if something was not done.\(^6\)

This is how they decided to support Joseph Desiree Mobutu to take over power in Congo.\(^1\) Before long, Congo’s name was changed to Zaire from the Republic of Congo by Mobutu.\(^2\) Like King Leopold, Mobutu viewed Congo like his own personal property and could do with it as he wished. For instance, in 1973 Mobutu brought out or kicked out non-natives owning an extensive number of associations, houses and farms.\(^3\) He then left these businesses in the hands of people with no experience making the entire Zairian economy to begin to break down. Mobutu had his own military which he used to coercively do away with political competition. Mobutu often fired or executed military staff that he saw as potential risks. Mobutu dreaded military coups and any form of opposition. Students and demonstrators were killed by him.\(^4\)

2.2 DR Congo’s First Civil war (1996-1997)

A great part of the world knows about the Rwandan genocide which happened in mid-1994. Through the span of 3 months, the lion's share of Hutu populace did a methodical slaughter of the minority Tutsi populace, killing upwards of one million Tutsi.\(^5\) What is less notable is the thing that happened when the slaughtering in Rwanda was at long last halted in mid-1994. A great many Rwandan Hutus started to escape their nation. Thus, the majority of Rwanda’s neighbours felt the effect of the sudden flood of exiles. Zaire got the lion’s share of the refugees approximated at 2 million most of who were former government officials and military officers.\(^6\) A significant number of these

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\(^5\)Ibid
\(^6\)Ibid
\(^1\)Ibid
\(^2\)Ibid
\(^3\)Michela Wrong, op.cit.
\(^4\)McCalpin, 2006.
\(^5\)http://www.un.org/preventgenocide/rwanda/infokit.shtml
\(^6\)Ibid
same people were straightforwardly complicit in the genocide. They also believed that
the killing of the Tutsis should continue.\textsuperscript{67} Zaire became a theatre of its own internal
clashes as well as the conflict of its neighbour, Rwanda. This situation continued to add
to the complexity of the situation in Congo and added to what would soon turn into a full
scale war.\textsuperscript{68}

The Rwandan exiles created two problems for Zaire. To start with, most of the
refugees comprised Hutu militia known as the \textit{interahamwe} that began to use Zaire as an
organizing ground to launch attacks into Rwanda. Second, the evacuees specifically
conflicted with their new neighbours over assets, land, and some ethnic-motivated
issues.\textsuperscript{69} Zairians complained of theft of livestock, general land control, and the
presentation and spread of ailments. They also complained of savagery committed by the
Rwandan refugees against their people.

Generally settling in North and South Kivu, the newcomers were not all around
recognized by their Congolese hosts. This was mainly because the Belgians elevated the
Rwandans to positions of leadership and influence more than the indigenous Congolese
people.\textsuperscript{70} Additionally, the Banyarwanda and indigenous Congolese had huge differences
over land possession rights, especially in North Kivu.\textsuperscript{71} However, the Belgians never
accorded the Banyarwanda foreigners citizenship rights.\textsuperscript{72} To confound the circumstance
even more, in 1962 there was an outbreak of violence Rwanda which sent about 60,000
Rwandan Tutsis into Congo leading to more problems between Rwandan refugees and
the over land, assets, power, and citizenship status.\textsuperscript{73} The mid 1990s continued to be
difficult for the Kivus. Mobutu did not stop the problems in the region perhaps because
he did not like the Eastern Zairians in general as he considered them as opposing his
presidency. A national get-together held in 1991, centred on the departure of all
Banyarwanda. The issue continued being raised until 1993 when organised Zairians
began to attack and execute countless Rwandans in North and South Kivu.\textsuperscript{74}

\textsuperscript{67}Hochschild 1998. \textsuperscript{68}Lefever 1968, 4 \textsuperscript{69}Young 1965, 203 \textsuperscript{70}Autesserre, 2010
\textsuperscript{71}Ibid \textsuperscript{72}Autesserre, 2010. \textsuperscript{73}Ibid \textsuperscript{74}Dunn, 2002
The Hutu *Interahamwe* utilized their Zairian position in the evacuee camps to design and execute assaults into Rwanda, butchering Tutsi and afterward running back to hide in Zaire. Mobutu disregarded Rwanda’s requests to stop the assaults and oust the culprits.\textsuperscript{75} The insecurity in the Kivu compelled Rwanda and Uganda to expel Mobutu from power and install an administration that would be more prepared to do and put resources into managing such dangers.\textsuperscript{76} Rwanda started concurrent assaults in the exile camps trying to evacuate the Hutu civilian army individuals. In the interim, Kabila’s AFDL began walking to Kinshasa, Zaire’s capital, situated in the southwest of the country. As the Rwanda/Uganda-sponsored volunteer army advanced over the huge country, the remaining parts of Mobutu’s armed force started to escape, plundering, assaulting and slaughtering Zairian regular folks who happened to be in their way. To a great extent unopposed, Kabila’s armed forces took Kinshasa in May of 1997.\textsuperscript{77}

Immediately after his one year commemoration as president, Kabila declared to the world that Rwanda’s help, while acknowledged, was no longer essential and that all troops would now return home.\textsuperscript{78} Rwanda was not yet ready to leave the country as it had not yet finished pursuing the Hutu *Interahamwe* whom they wanted to totally annihilate.\textsuperscript{79} Rwanda additionally dreaded the political weight that Kabila was all of a sudden starting to toss around.

### 2.3 The Second Congo War (1998-3003)

A short while after Kabila’s AFDL started the first of Congo’s wars, another Rwanda-sponsored revolt burst onto the scene, prepared to rehash history and assume control over the Congolese government. Kabila had not changed much in Congo in the two years he was in power. So while Rwanda and Uganda had helped Kabila take control of the country to a great extent to profit their own interest, Congo’s other neighbours were satisfied with the ouster of Mobutu and were prepared to work with Kabila to move the country forward. Subsequently, when Rwanda and Uganda attacked Eastern DRC toward the beginning of August 1998 together with the Congolese RCD (Rally for Congolese Democracy), many individuals saw the assault as a full revolt. Seen as the deadliest war in modern-day African history, the Second Congo War included nine

\textsuperscript{75}Nzongola-Ntalaja, , 224-225.
\textsuperscript{76}Prunier, 2004
\textsuperscript{77}Ibid
\textsuperscript{78}Ibid
\textsuperscript{79}McCalpin, 2002
African states, and around 20 armed groups. By 2008, the war had killed about 5.4 million people including those that died from illness and starvation. This made the Second Congo War one of the deadliest conflicts since the Second World War. Millions more were evacuated from their homes to become refugees in neighbouring countries.\textsuperscript{80}

In July 1999, after diplomatic negotiations between the warring groups, a truce was signed in Lusaka, Zambia by six warring nations (Namibia, Angola, Zimbabwe, Rwanda Democratic Republic of Congo and Uganda) and, on date one of August, the MLC (the RCD declined to sign).\textsuperscript{81} No adequate arrangements were made to really incapacitate the state armies even though the United Nations Security Council sent around ninety military observers in August 1999 to bolster the truce. Nonetheless, in the following months all sides blamed the others for continually breaking the truce, and it turned out to be obvious that little occurrences could trigger assaults. This provoked the UN to convey peacekeepers to monitor the truce.\textsuperscript{82}

\textbf{2.4 The Establishment of United Nations Organization Mission in Democratic Republic of the Congo (MONUC)}

Under the auspices of the Organization for African Unity (OAU), six nations entered into the Lusaka Ceasefire Agreement in 1999. The peace accord required a truce, the withdrawal of external troops from the Congo, demilitarization of all regular people, volunteer armies and groups, the establishment of a national armed force and the re-foundation of a state organization.\textsuperscript{83} The United Nations Organisation Mission in Democratic Republic of Congo (MONUC) was then established to help with the implementation of the Lusaka Ceasefire Agreement.\textsuperscript{84} The provisions of the Lusaka peace treaty were however mostly disregarded by the parties to the conflict. The revolt camps in eastern part of Congo were never incapacitated, troops from Uganda and Rwanda never left, and Kabila invited more foreign troops from Angola, Zimbabwe and Namibia to shield Congo from its intruders.\textsuperscript{85}

\textsuperscript{80}Ibid
\textsuperscript{81}McCalpin, \textit{The Origins of the Congo War}, 43.
\textsuperscript{82}Ibid
\textsuperscript{83}Lusaka Ceasefire Agreement 1999
\textsuperscript{84}Smith, 2004.
\textsuperscript{85}Severine Autesserre, \textit{The Trouble with the Congo: Local Violence and the Failure of International Peace building} (New York: Cambridge University Press, 2010), 134.
In spite of the fact that the Security Council put in place its first determination war begun. The resolutions expressed a thought to utilize the dynamic inclusion of the UN and to help with actualizing a truce understanding. The signing of the Lusaka peace treaty offered the UN a chance to at long last get included. Nonetheless, in view of a suggestion by Kofi Anan the then UN General-Secretary, the arrangement of any UN work force ought to be conveyed in three stages.86

In light of these proposals, the Security Council embraced two additional resolutions that year, indicating the exercises MONUC would attempt. In August it approved the sending of 90 military contact staff for a period of three months, and in November deployment of five hundred military observers. MONUC was to take the form of an ordinary peacekeeping mission. The point was after all, to monitor the truce. Be that as it may, the provisions of Lusaka accord were continually being ignored putting the UN mission in a difficult position. Also, the quantity of UN staff was not adequate to manage such a vast country as the DRC. The mission was additionally not ready to send peacekeepers throughout the DRC due to absence of security certifications.87

In resolution 1291 of February 2000, the Security Council approved decided to allow MONUC to carry out activities under Chapter VII of the UN Charter to protect its staff and regular citizens from violence. MONUC additionally expanded its staff to around five thousand peacekeepers. At the same time, local militias and troops from Rwanda, Angola, Uganda, Namibia, and Zimbabwe continued fighting in the eastern region of the DRC. This was possible because MONUC had not sent any contingents toward the eastern part of the DRC which was the most unpredictable region in the country.88 The Security Council then came up with a decision compelling the withdrawal of foreign troops from Congo. However, the decision was not adhered to. When Laurent Kabila was killed in January of 2001 in Kinshasa, his son Joseph Kabila took over as the Head of State. Joseph Kabila was more anxious to resolve the problem in the country in a peaceful manner. He bolstered an Inter-Congolese Dialogue (ICD) in view of the Lusaka peace accord to end the war peacefully. The ICD formally began discussions in 2001.89

86Ibid
87Ibid
89Dunn, 2002
89Nzongola-Ntalaja, -2005
Most parties to the conflict, however, distrusted the process. For this reason, it took nineteen months before the Sun City II peace agreement was arrived at in April 2003. During the peace negotiations, the Security Council approved a couple of more resolutions. For instance, in February 2001 the UN approved a resolution which expressed a due date for the separation and redeployment of warring groups. They were given a fortnight to pull back with a due date of the total removal of soldiers by May 15, 2001.\textsuperscript{90} From the first deployment of MONUC in 1999 to mid-2003, the peacekeepers attempted to execute the orders the Security Council had approved but since the tasks were difficult, the various military groups kept on fighting with heavy civilian casualty leading to mass exile.\textsuperscript{91}

Peacekeepers did not have orders to utilize force in order to incapacitate the various fighting factions. Violence in the east continued with the troops helplessly watching monstrosities being committed. MONUC’s primary undertaking was to help in the conveyance of humanitarian assistance and to ensure safety of civilians. At first, there were no UN soldiers taken to Kivu and Ituri areas in spite of the fact that the Security Council had approved 5,537 soldiers.\textsuperscript{92} Many countries in West Africa and other parts of Africa would not contribute troops because it was considered a high risk area.

The command from February 1961 that gave a due date to the outside troops to pull back was totally overlooked. Rwanda, only one of numerous nations included, had as of then upwards of 30 000 troops in the DRC. In 2002 the president of Rwanda signed a peace agreement with the DRC that included the withdrawal of every one of its troops. In return, the DRC would incapacitate and repatriate all fighters associated with the \textit{Interahamwe} who committed the 1994 mass killing in Rwanda. A couple of months after this, Uganda also decided to pull back every one of its troops from the DRC.\textsuperscript{93}

Around 700 peacekeepers had set up camp in this residential area. A huge number of exiles were looking for their security. When upwards of 20,000 civilian armies, from different revolt groups attempted and in different parts of the Ituri district. Indeed, four years after the first UNSC resolution on the DRC, things in the eastern part

\begin{footnotes}
\item[90] Prunier, (2004)
\item[91] Ibid
\item[92] Ibid
\item[93] Ibid
\end{footnotes}
of the nation worsened. As violence continued, the Security Council met in July 2003 and gave a Chapter VII order. MONUC’s operation went from mere peacekeeping to peace enforcement. In spite of the fact that the Chapter VII order was for the whole of the DRC, it was mostly applied in the eastern part of the country. Within the new mandate, as a reaction to the murder of nine UN soldiers, MONUC executed around sixty individuals from the state army aggregate in charge of the demonstration. However, MONUC could not stop a slaughter of roughly 65 Hemas. Despite MONUC’s expanded powers, equipped militiamen still kept assaulting them. In one occurrence a United Nations boat convoy in north-eastern Congo was assaulted, making the UN soldiers to forsake a mission where they were seeking details regarding the murder of more than 100 individuals.

Be that as it may, the biggest peace operation on the planet is still not able to secure regular citizens, regardless of the order to utilize every single essential technique to do so. The Secretary-General Kofi Annan expressed in 2005 that MONUC was too understaffed to effectively conduct its assignment of ensuring upwards of six million civilians. Where a group of the armed people quickly assumed control over the airplane terminal notwithstanding the nearness of U.N. powers. More than 100 Congolese were murdered in the emergency. One of MONUC assignments was to help in the advancement and assurance of human rights, with specific regard for women, children and other defenceless people. In this regard, MONUC had the biggest Child Protection Section in any mission for maintaining peace, with staff situated in the districts and also in the mission’s HQ. In light of the protection of women and girls, a Gender Unit was set up to deal with sexual abuse inside MONUC. Despite the efforts by MONUC to protect civilians from sexual crimes and abuse, the mission was undermined with reports of sexual mishandle by its representatives in the DRC.

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94Ibid  
95Ibid  
97Cilliers, and Malan. 2001.  
99Ibid  
100Ibid  
102Cilliers, and Malan. 2001.
2.5 Establishment of United Nations Organization Stabilization Mission (MONUSCO) in the DR Congo from 2010

The MONUSCO mission had approval to utilize every single means to secure civilians, help staff and bolster the Government of the DRC in its adjustment and peace solidification endeavours.\textsuperscript{103} Although the UN Resolution establishing MONUSCO additionally requested up to 2,000 peacekeeping troops to pull back from the Congo by June 30, 2011, as of December 31, 2013, MONUSCO remained the biggest U.N. peacekeeping arrangement, with more than one fourth of formally dressed U.N. peacekeeping staff being sent in the Congo. In March 2013, the Security Council received Resolution 2098, approving an Intervention Brigade and broadening the mission’s command until March 31, 2014.\textsuperscript{104} The Brigade would be entrusted with keeping the development of, killing and incapacitating armed groups, and would focus on hostile operations, either all alone or together with FARDC (Forces Armées de la République Démocratique du Congo).\textsuperscript{105}

2.6 Conclusion

This chapter has delved on the D R Congo conflict from a historical perspective whereby it has explored how the conflict began. Right after independence in 1960, the country under the Belgian rule plunged into a conflict that many could not have anticipated it would become one of the deadliest in world history. A country endowed with numerous resources ranging from precious minerals to timber became a battle ground of several countries and this explains the intractability of the D R C conflict.

Specifically the chapter has looked at the two Congo wars, from 1996-1997 and between 1998-2003. The chapter has also looked at the various peacekeeping missions that the UN deployed in an attempt to restore peace in the DR Congo. Here specific attention has been drawn to MONUSCO that began from 2010 up to date. However, this does not mean that there were no other peacekeeping missions, but this mission was unique in the sense that it came with a revised mandate that the UN thought it would bring success and restore peace and security in the DR Congo. The MONUSCO mission was mandated to use all means to protect civilians including women and children from all forms of violence including sexual violence. However to the surprise of the international

\textsuperscript{103}Apuuli, 2002.
\textsuperscript{104}Ibid
\textsuperscript{105}Ibid 60
community, the UN mission has become part of the problem as it has been marred by numerous allegations of sexual exploitation and abuse as we shall see in the coming chapters.
Chapter Three
Sexual Exploitation and Abuse (SEA) by United Nations Organization Stabilization Mission (MONUSCO) Peacekeepers in the DRC

3.0 Introduction

The previous chapter looked at the Congo conflict and UN peacekeeping mission from a historical perspective. The chapter also highlighted the two Congo wars, the ceasefire agreements that followed up to the entry of the UN peacekeepers, MONUSCO. Sexual Exploitation and Abuse (SEA) has a long history in the DRC. Referred to as the “Rape capital of the World”, DRC has had the worst forms of sexual abuse due to the long history of unrest and instability. Although Congolese law criminalises many forms of sexual violence, these laws have been neglected due to lack of institutional infrastructure as a result of the conflict. This chapter presents data from primary and secondary sources on sexual exploitation and abuse carried out by MONUSCO peacekeepers in the DRC. It also looks at the various forms of sexual abuse by peacekeepers as well as the methods of sexual abuse. The objective of this chapter is to create a picture of what is going in DRC in terms sexual abuses in order to be able to analyses why these abuses continue despite the UN’s zero tolerance policy. The chapter presents a critical review of the various cases of sexual violence in the two Congo missions from MONUC (1999-2010) and MONUSCO (2010-2015). The chapter will also look at the risk factors that are associated with UN peacekeepers during those peace missions as well as the emerging issues associated with SEA in the study of DR Congo mission. The chapter has also looked at the various accounts as narrated by key informants who have a thorough knowledge and experience of the Congo mission.

3.1 Sexual Violence in the DR Congo

Stories of child prostitution and sex for survival purposes emerged in 2004. A case in point is one in which a logistic worker, a native of France was accused of abusing young women. Diverse UN peacekeepers professedly deceived young women as youthful as ten years old take part in sexual relations as a by-product of some drain, two or three eggs, nutty spread or a dollar. A young woman named Yvette 14 years old, dubbed the ‘one-dollar young woman’, or the kidogo usharati, a Swahili word for little prostitute, in the her group in Bunia in light

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106 Wax, 2005.
of the fact that is the thing that she charges U.N peacekeepers for sex. Yvette while ten years old was sexually abused by a militiaman; on seeking counsel, Yvette faced stigma from women who suggested that since she was not virgin anymore, she would not get a partner.\textsuperscript{107}

About engaging in sexual relations with the peacekeepers, Yvette said, I’m tragic about it. However I required the dollars. I can’t go develop as an after effect of the non-military personnel armed forces. Who will nourish me? ...many a time it happens at the UN military camp. In any case, at any rate they paid us. I was pointless at any rate. My regard was lost.” A militiaman moreover struck Francine, a friend of Yvette, when she went to the field to accumulate nourishment, and now she, also, takes interest in sex with peacekeepers. Francine is sixteen year old, and she depicted an event where she had counselled to take part in sexual relations with one Moroccan peacekeeper yet then five other Moroccan peacekeepers struck her. Francine said, I feel dreadful about what I did. I would favour not to experience that yet again.”\textsuperscript{108}

Media consideration with respect to attestation of sexual abuse by the DRC peacekeepers drove the United Nations Division of Peacekeeping Operations (DPKO) and MONUC to request the United Nations Office from Internal Oversight Services to explore. Amongst May and September 2004, the OIOS did its examination in Bunia, in the eastern part of the DRC, where 4,500 of the right around 14,000 troops in the DRC were found. In mid-2005, the OIOS issued its report. The OIOS explored seventy two charges. While a couple claims included women over 18 years old, a large portion of the setbacks were some places around the ages of 12 and 18; a critical number of the young women, matured eleven to fourteen, engaged in sexual relations with UN peacekeepers as an approach to get food and little measures of money.\textsuperscript{109}

A high evidence bar was set by OIOS, in recommending prosecution for the allegations. This is disturbing a result of different factors. The majority of the certifications appear to incorporate minors. There may be under reporting of affirmations in light of the way that MONUC got dissents instead of an outcast, and this may not be the best system to stimulate reporting of protestations. Advance, there is a one-sided control differential between and the peacekeeper which could regard abuse. Peacekeepers

\textsuperscript{107}Ibid
\textsuperscript{108}Ibid
\textsuperscript{109}Ibid
routinely are repatriated before the complete of the examination, which adds to a non-appearance of obligation and comfort in looking for after these protestations.¹¹⁰

The OIOS takes note of that sexual action peacekeepers and neighbourhood women and young women kept amid the examination regardless of general information that the examination was occurring. This was confirmed by naturally utilized condoms found close to military posts and monitors stations and demonstrates an absence of worry by the peacekeepers about the conceivable repercussions of the examination discoveries. In reality, the report expresses that “without solid support of the lawful necessities and incite sanctions for infringement, they may well proceed with this conduct.”

The OIOS takes note of that while one troop unexpectedly reacted in an auspicious, manner when OIOS asks for data, two different contingents either did not give data when asked for or really disturbed the examination. This impedance from the senior level officers with a progressing U.N examination is especially upsetting in light of the fact that it shows how minimal obstacle impact a progressing examination has for anticipating further violations.

3.2 Risk factors to Sexual Exploitation and Abuse in the DRC

Peacekeepers are in troublesome and much of the time dangerous conditions and various have lost their lives.¹¹¹ Advance, the disciplinary rules for peacekeeping mission work drive vary according to the status of the individual included. Each peacekeeping mission made out of a couple of interesting portions including U.N, staff, authorities, U.N, normal native policemen, UN military onlookers, people from national military contingents, and UN volunteers. U.N work drive acknowledges utilitarian immunity from arraignments by the host state which must be conceded by the Secretary-General, while people from military contingents are subject to the world class ward of their specific TCC. In this way, instruct of wrongdoers is uneven, and when in doubt non-existent, thusly adding to a culture of exclusion.¹¹² The tirelessness of SEA in peace mission is clarified by a heap of elements. Sex for monetary reasons for existing was observed to be alive in the DRC cases. Survival sex produces wage or prompts to access to benefits and assets that are essential for regular material survival. Economies of survival sex emerge from states of destitution and are made conceivable by huge incongruities in riches,

¹¹⁰ The Secretary-General, Report 2005
¹¹¹ Ibid
¹¹² Bakri, 6 U.N. 2007
which are available in most peacekeeping settings. The circumstance is exacerbated by the measure of cash at the transfer of UN peacekeepers.\textsuperscript{113}

This is shown by the supposition communicated by the previous leader of the workplace to address sexual manhandle charges in the UN mission in the Democratic Republic of the Congo (MONUC), Nicole Dahrendorf, that it’s phenomenal how much cash is bandied about here (in Kinshasa) by UN faculty and how poor the neighbourhood populace is. She portrays peacekeepers with $100 bills to spend while the vast majority in the nearby populace are urgent to discover the $20 that will pay the lease for a month. In spite of the fact that survival sex is the consequence of monetary basic leadership in very harmful conditions, it is in any case includes a level of office and arrangement that recognizes it from sexual offenses like assault, rape constrained prostitution and sexual bondage, where assent is missing.\textsuperscript{114} While compulsion, organization and survival shape an intricate frame work drawing qualification on the premise of assent, regardless of how fine they may end up being, is basic to regard the respect of the youthful ‘causalities’, which subsists not withstanding extensive contrasts in power and financial status.

While survival sex is a type of sex work, this section does not examine prostitution all the more for the most part, ions despite the fact that its consideration in the Bulletin’s ban is likewise profoundly upsetting and a large number of the contentions that are made about survival sex apply similarly to different types of sex work. The contention of this section is that zero resilience is the wrong reaction to the intricate arrangement of conditions that offer ascent to survival sex economies since it is driven by ‘sexual antagonism’ instead of by the longing to address the basic human rights and social equity issues.\textsuperscript{115}

The approach has every now and again been advanced by women ‘human rights activism which has underlined regularly for key reasons despite foreswearing and lack of concern, that sexual mischief is the ‘most exceedingly terrible mishandle’ that can happen to a lady. Zero resilience does not address the pounding neediness or the ineffectively resourced philanthropy based models of help that create economies of survival sex. Rather, giving the all-important focal point to the abusive legislative issues of the body serves to redirect consideration from the governmental issues of social equity

\textsuperscript{113}Ibid
\textsuperscript{114}Shotton, 2006
\textsuperscript{115}Schmitt, 2006
and spare the UN’s philanthropy from embarrassment. It makes the survival of the “causalties” it cases to secure significantly more problematic.\textsuperscript{116}

The charges, and the investigation that took after, have not been constrained to criminal sexual exercises including intimidation or assault, however have additionally rebuffed numerous consensual sexual trades as though they were of a similar kind. Truth be told, over 10 years of discussion of peacekeeping sexual economies is prominent for its absence of enthusiasm for recognizing constrained and wilful sexual exercises, between constrained prostitution and sex work, and between those,” trafficked” women who are looking to relocate and the individuals who are compelled to move. The outcome is that differing sexual exercises are conflated by a culture of sexual pessimism into a solitary risky of sexual damage or mischief.\textsuperscript{117}

In this procedure, stereotype supposition about the sexual powerlessness of women and young women despite sexually savage military men are uncritically imitated, and there is no space for conceptualizing sex as work, as survival, or as potentially as delight. The possibility that hetero sex, notwithstanding when it’s consensual, can be destructive for women has firm roots in some women’s activist considering. Catherine Mackinnon, for instance, has since quite a while ago contended that heterosexuality, rehearsed under states of women ‘disparity, is the eroticisation of male predominance and women ‘subordination. This world view pushes sexual pessimism to another extraordinary on the grounds that it proposes women may never have the capacity to encounter (hetero) sex as joy, and unyielding rejects sex as work or survival since women’ disparity makes all sex unsafe.\textsuperscript{118}

With regards to the intricate substances of women’ regular daily existence, treating sexual harassment, pornography abusive behaviour at home, prostitution, assault, survival sex and hetero sex under states of sex disparity, as all occurrences of unitary thought of sexual mischief is alarmingly expansive, as well as sexually oppressive. Sex itself turns into damage, the aggregate mischief, separated from the material conditions under which it happens. Such over-decided sexual and sex generalizations give prepared grub to sexual frenzies!\textsuperscript{119}

\textsuperscript{116}Ibid
\textsuperscript{117}Schmitt, 2006
\textsuperscript{118}MacKinnon,1987:85-92
\textsuperscript{119}Ibid
This can serve to uproot different feelings of dread and tensions onto sexual action. Sexual panic redirects consideration from fundamental issues, as well as makes it generally simple for the state, or the international community, to establish new “defensive” laws that that extends its energy to direct suggestive conduct. In this way, the large portion, of the reports about peacekeeping and sex emanate a crusading desperation; there are “innocents” who must be annihilated. The crusading intensity deletes the office of the indicated causalities and the material and social substances of their lives, it likewise makes it outlandish for the “culprits” to ‘talk, in spite of the probability that in any event some of them may trust they are accomplishing something gainful for the ‘causalities’.120

The muddied imagining that regards assorted sexual exercises as synonymous with sexual mischief could maybe represent the hesitance of the UN military-strategic foundation to build up powerful instruments to address the criminal (coercive) sexual exercises that have been connected with peacekeeping missions. In any case, this clarification gives a false representation of by the official absence of enthusiasm for scrutinizing the hidden suspicions that have empowered such conflations.121 For a long time, the official reaction to affirmations of sexual violence was a blend of dissent from one viewpoint and a ‘young men will be young men ‘expulsion on the other, which has served to honest to goodness the generalization of sexually savage peacekeeping men who can’t control themselves. A few peacekeepers and writes have even felt constrained not to stand up or seek after investigations. However, in the light of the fact that reports kept on surfacing and numerous ‘women and kids’ NGOs persevered in requesting responsibility, a few stages were inevitably taken towards in any event being seen to address a portion of the issues. More accentuation was put on sets of principles banning sex with minors, administration and repatriation were offered to some trafficked women in Bosnia-Herzegovina, and there were expanded endeavours at building sexual orientation mindfulness into the preparation of peacekeeping powers, yet these endeavours did close to nothing, in the event that anything, to stem the enduring stream of charges.122

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120Ibid
121Ibid
122Reuters Alertnet, 2006
Inevitably, it was a study; distributed in mid-2002 by the UN High commissioner for Refugees (UNHCR) and Saves the Children-UK which excited the Secretariat into more grounded activity. The outcome was zero resilience reaction proclaimed as a Secretary General’s bulletin, which taking after MacKinnon, conceptualized the primary damage as (hetero) sex. The bulletin treats nearly all sex as coercive and totally overlooks alternate segments of the perplexing grid worried with organization and survival. While the reality of the matter is that the study discoveries requested a decided reaction, it can be contended that bulletin wrongly develops the principles issue as sex. By adopting this strategy, consideration is redirected far from the distributional shameful acts of the universal financial request that come to be reflected in the everyday substances of post-strife social orders and exacerbated by UN compassion which is, itself, in emergency since it doesn’t address these treacheries. 123

The DRC researchers construct their discoveries in light of discussions and interviews by refugees and those internally displaced, including kids, in the Mano river nations of Western Africa; Guinea, Liberia and Sierra Leone. They sorted out their discoveries into two classes of sexual action with kids (characterized as everybody under 18) ‘sexual misuse’ and sexual brutality’, recognizing the two ads far as assent-the previous including assent that is not completely educated and the last characterized by non-attendance of assent. When it came to ‘sexual misuse’ they found the most noticeable bad guilty parties were helpful specialists, from neighbourhood and global NGOs and in addition from UN organization, who traded philanthropic guide for sexual administrations, especially from young women between the ages of 13 and 18. 124

In a few these practises were ‘careless and dug in’. Despite the fact that the concentration for the most part mirrored the experience of outcast and dislodged youngsters, the restricted contact the analysts had with host country kids showed these issues were pretty much as germane to them. They found an extensive variety of different on-screen characters were likewise ensured in these practises strikingly global and local security and military powers, teachers, exile pioneers in the camps, and other compelling individuals including religious pioneers and little business people, to put it painfully, individuals in the group with influence and cash – for the most part men. While most of

124 Rubin, 1984: 278
the affirmation concerned men engaging in sexual relations with young women and a couple included women sexually misusing young men, the scientist were worried at the entire quiet about sexual abuse of young men by men, which they credited to dug in homophobia. In any case, they found that it was normal for young men’s (non-sexual) work to be misused in return for compassionate merchandise and ventures.\textsuperscript{125}

The DRC discoveries uncover that sexual savagery’ was broad, and influenced much more youthful youngsters, including babies. They were worried that the high pervasiveness of sexual misuse, which was pretty much endured, had bended group impression of sexual violence; drastically reducing the evaluation of its earnestness if some type of money related or material trade had went with it. However, the researchers are most likely not in position to make a judgement about the ethical quality of group observations about where the line amongst satisfactory and unsuitable sexual direction is to be drawn. Sex is constituted in generally and socially particular and the government issues of sex changes with changing social conditions. With regards to post-struggle removal and the desperate neediness of the subjects of the study, it is critical to offer belief to neighbourhood observations, as opposed to expel them as ethically suspect.

A report commissioned by the UN response team charged with analysis of allegations of sexual exploitation and abuse revealed that in the DRC case, there were incidences in which minors were sexually violated by UN peacekeepers. The introductory section of the report indicated that there was evidence to suggest that there was value-based sex and sex with minors. At the same time, various paternity claims are evident.\textsuperscript{126} These discoveries are resounded by Cheng in her investigation of the sexual associations between Filipino performers and men from US army bases in South Korea she conflicted with the grain of sexual cynicism in women’s activist considering, which has compared military prostitution with atrocities and sexual subjection. She underscores the significance of taking a consideration at the ordinary connections between military men and the individuals who give them sexual services, so as to scrutinize the suspicion of women’ unavoidable victimhood.\textsuperscript{127} In spite of being regularly depicted as ‘trafficked’ she found that a considerable lot of the women she talked with liked to consider themselves to be self- sufficient specialists practising control over their bodies and

\textsuperscript{125}Rubin, 1984: 278
\textsuperscript{126}http://www.un.org/apps.news/story.asp
\textsuperscript{127}Ibid
sexuality’. With regards to her procedure she says, ‘where there is little space for political sorting out or aggregate activities, it is all the, more imperative to take care of ordinary parts of life to comprehend (women) social and social office’.

The discoveries of this study imply that the young women required in the study are probably not going to consider themselves to be causalities of ‘sexual misuse’ but instead as acting to guarantee their own survival and, regularly, the survival of their families. Without a doubt, surprisingly, the West African report gives a lot of data about the regular Matters that spur a large portion of the young women who take part in sexual in sexually exploitative connections. This study acknowledges that these connections are ‘survival and ways of dealing with stress’ for the young women required, as well as for their families and groups.128

For most refugees and dislodged individuals, it is the best way to get cash. It is found that most young women and their folks consider such connections to be a ‘benefit’ as a result of the subsequent conferral of favourable circumstance and that for some young women such connections are a method for increasing parental regard, which indications at the family weight that sexual orientation imbalances can create, additionally recommends there might be a feeling of self-esteem that streams from more prominent independence, flying out tremendous distance to earn cash by giving sexual service to relatively well-off peacekeeping work force, without regard for the security circumstances and in the trust of a superior life.129

The study additionally finds that the ‘swapping’ scale ‘for sexual services was often pitiful. On the off chance that the payment was in cash, it was frequently not by any mean enough to purchase a full dinner. In the event that, as was more regular, the trade was kind instead of money, it may constitute a coupled of biscuits, a bar of soap, a plastic sheet, garments, shoes, textbooks and pencils and there was dependably the hazard that no payment at all eventual prospective.130 They found that the women and young women had almost no energy to arrange the rate to decide the sort of sexual trade that occurred, including whether safe sex was practised.131

129Ibid
130Miller, 2004: 19
131Franke, 2004
It could be argued that this makes the label ‘survival sex’ something of a misnomer in view of the relative weakness of the young women and young women, the insignificant returns for their endeavours, and the high danger of pregnancy and transmission of conceivably deadly sexually transmitted ailments. While everyone of these components are without a doubt introduce, it is likewise essential to see how the young women see what is occurring, and on what premise they are participating in sex with peacekeeping staff. Their stories offer a chance to address over decided representations of frailty and to regard the sound counts they are making, formed by chains of importance of sexual orientation, family commitments and destitution; an unpredictable blend of intimidation, organization and survival; in reality, yet it is neediness that is principle hurt, not sex.\textsuperscript{132}

Destitution is by all accounts the essential hidden reason for the high rates of sexual abuse’ including deficiencies of the most fundamental things vital for survival including nourishment, and the absence of option method for business. Administration practices of humanitarian operations are likewise a contributing element, including poor observing of the usage of projects and absence of revenge for staff who manhandle their places of force. The two different causes distinguished are the insufficient insurance given by national laws and legitimate frame works and a breakdown of group values and absence of collective awareness of other expectations prove, in their view, by the boundless acknowledgement of sex as an exchanging item.\textsuperscript{133} Regarding the last mentioned, the scientists again fall into the trap of sexual antagonism, which keeps them from breaking down sex as per type of trade vital for survival and from, defining proposals that may spill out of this start. What is additionally absent from their examination is the acknowledgement that settled in frame works sex imbalance likewise assume a casual part, predicitcating dangerous working conditions and insufficient reward for sexual administration and also moulding gendered family desires and commitments.\textsuperscript{134}

While other DRC studies are mindful to the diverse encounter of young women and young men, they neglect to represent those distinctions as coming about because of sexual orientation disparities. This repeats a typical issue with the execution of sex mainstreaming in the UN frame work, where sex examination is restricted to considering sexual orientation contrasts, rather than scrutinizing the progression and generalisation

\textsuperscript{132}MacKinnon, 1987:29; MacKinnon, 2006: 247-258
\textsuperscript{133}Ibid
\textsuperscript{134}Ibid
that the distinctions speak to which strips sex mainstreaming of its transformative potential and does nothing towards the ultimate objective of accomplishing sex uniformity. Another non-appearance in the study is discourse of the racial and neo-magnificent measurements of the issues it distinguishes. Paul Highgate is one reporter who has not been so hesitant, portraying ‘provincial manner’ showed by UN peacekeepers towards the populaces, which encourages off the extremes of budgetary imbalances in peacekeeping economies.135

In the DRC case, the study established that opportunity and peer pressure pushes peacekeeper to engage in SEA ‘enticement’ or possibly the open door, to confer SEA seems, by all accounts, to universal in UN peacekeeping, unexpectedly particularly in missions where dynamic Protection of Civilians (PoC) is stipulated in the order. In the DRC, peacekeepers assert that they are ‘Targeted’ by nearby whores, to such an extent that the UN has endeavoured to address issues of sexual solicitation in its preparation. “We wish to regard the standards with respect to sexual misuse and mishandle, yet mission life is regularly desolate and generally simple. We are targeted by whores and always requested by them.136 What actions is the UN taking to shield me from this consistent provocation?” The DRC peacekeepers were found to be young fellows managing sentiments of separation and the feeling of undue hardship or hazard intensifying the issue is an absence of proper outlet- few endorsed recreational exercises are accessible to peacekeepers. Troops who felt that ‘mission life regularly forlorn and not generally simple’ may feel qualified to look for ‘solace ‘or occupied with whatever sort of excitement’ they can discover.137

3.3 Unmasking the Veil; Sexual Exploitation and Abuse accounts by key informants.

The findings of this study reveal that SEA in the DRC is menace the UN continues to grapple with. In an interview with a key informant, the discussant said, for a period not exceeding two years, the UN has revealed more 150 charges of sexual unfortunate behaviour all through the DRC. SEA especially prostitution of minors, is across the board and long-standing. The situation is so serious; I even recall that a top UN official in Congo was suspended from his job. The official was from New Zealand and was

135 Orford, 1996: 378
136 Ibid
137 Connell, 2001
blamed for being seen drinking with Congolese whores at a bar when the U.N authority was attempting to address with sexual mishandle outrage.

Another discussant was of the view that the DRC missions’ believability has been severely harmed by assertion of sexual unfortunate behaviour against U.N work force. Something that he said was very serious and could potentially impede the mission’s ability to accomplish its mandate.

Even during the investigation, the investigators have been going through a tough time, it is alleged by one of the investigators that he was threatened by a Moroccan contingent stationed in Bunia. The Moroccan is further said to have spread word that a U.N child security advocate investigating assertions of youngster prostitution and assault by U.N peacekeepers ‘would be advised to be cautions when she went out around evening time, said a discussant.

They are case in which UN testimonies are “with respect to asserted sexual mishandle. Furthermore, Moroccan military authorities declined “to give the names of Moroccan military officers” present at the area” of an asserted assault. These are some of challenges that the UN mission face, said a discussant.

Well, I wonder how the UN will this SEA hazard, it’s like all the contributing countries have their hands soiled, a case in point is the allegations of Indian troops involvement in sexual exploitation. Unfortunately, the law is the law, whenever this allegations are brought to the attention of the of the contributing countries, the first thing they say is they are investigating , I agree that a fair hearing is justice to the accused but what about the victim? The UN even gave a statement concerning the India case; it expressed that an interior investigation “uncovered by all appearances prove”, the cases happened over a time of quite a long a while a, said another discussant. These views were corroborated by those of another contributor who opined that sexual assault in peacekeeping has long been recognised as a major problem that must be looked into.

Instances of UN work force being included in sexual assault have been getting worldwide attention for a considerable length of time, with specific concentrate on the missions in Congo, among others. Furthermore, for quite a long time there has been vociferous public condemnation of the sexual assault of all women and youngsters by civilian and troops working under the UN banner.
Another discussant opined that in 2015 a free board released an investigation of sexual misuse and manhandle by peacekeepers and United Nations staff of the very individuals they are intended to protect. Reports of terrible sexual assault by peacekeepers in the DRC, including the assault of youngsters, incited the investigation. Now and again the culprits were wearing UN blue protective caps.

She further added as stunning as these cases may be, their event is tragically neither abnormal nor new. Such manhandle by UN peacekeepers and staffs has been found at any rate since the 1990s in peacekeeping missions in Bosnia and Herzegovina, Cambodia, East Timor, Haiti, Liberia, Sierra Leone, South-Sudan, and also the Democratic Republic of Congo among others. Troops from Pakistan, Bangladesh, Sri Lanka, Uganda, Burundi, and the Democratic Republic of Congo.

Her fundamental concern being that despite rehashed handwriting, new approaches, and examinations throughout the years, straight forwardness remains to a great extent missing. It is famously hard to discover what charges have been made against which peacekeepers and UN staff, and practically difficult to see whether they brought about examinations and arraignments, not to mention feelings. Asserted culprits are frequently sent home before any move is made. Causalities are frequently left hanging, getting little help with the method for therapeutic administrations, guiding, or budgetary support, and little, assuming any, and data about the status of their cases.

She included that another UN report has adopted an alternate strategy in managing SEA issues. She brought up that, not at all like the past UN reports that regarded SEA cases as a ‘direct and train’ issue, the new report requires the UN to at long last regard sexual misuse and mishandle as the wrongdoing and rights infringement it seems to be; strife related sexual viciousness. It calls for greatly required clear initiative inside the UN framework with respect to claims, and a trust reserve to give administration to survivors. The report additionally emphasizes prior calls for troops to be ‘checked’ before they are permitted to serve in UN missions with an end goal to keep rights abusers from serving as “blue protective caps”.

On looking to comprehend the reporting framework for SEA frequencies a discussant countered, for quite a while, there was no classified framework for causalities to report assertion of SEA by and large, not to mention claims against peacekeeping staff. The UN Special Representative for Sexual Violence in Conflict and various Security Council
Resolutions have endeavoured to address this issues, and new components have been set up since 2009.

Regardless of the accessibility of a reporting framework, the discussant opined that obstructions remained, including casualty dread of disgrace or striking back, absence of confidence in the framework, and persisting disarray and absence of data about reporting and examinations systems. In which case, the involvement in the DRC is that of low reporting, in addition to high rates of “unverified cases,” drawn-out examinations, and restricted authorization, imply that causalities of SEA by UN peacekeepers need compelling solution for the violations they have endured.

In another meeting, the discussant was of the feeling that in spite of the UNs decade-old “zero resilience” arrangement on manhandle by peacekeepers. There is by all accounts restricted assets and the nonattendance of a reasonable, composed reaction among UN offices that prompts to delays not in just reporting misuse, but rather additionally in guaranteeing that survivors get to basic administration, Really the UN itself found that not very many causalities of sexual misuse and mishandle “have been helped because of absence of committed financing and the moderate authorization handle”

I should say that there are various reports demonstrating that SEA mishandle is without a doubt with us , what is not said is that genuinely the UN is concerned and is doing everything inside its way to address the issue. For sure as later as March 2016, the UN secretary general Ban Ki-moon promised changes to enhance responsibility for mishandle by peacekeepers and expanded support to survivors. The measures he reported incorporated stricter reviewing of new UN faculty and snappier examinations. Give us a chance to give credit where it is expected, surprisingly, the secretary –general formally distributed data on the nationalities of the peacekeepers that are charged to have sexually manhandled and abused women any young women while wearing UN blue protective caps. Before such an activity was unheard off, the UNs engagement with nations whose peacekeepers were blamed for manhandle has dependably been private.

In 2015, the UN found a way to enhance its reaction to affirmations of sexual misuse and mishandle in UN missions. They incorporate a promise for more noteworthy straightforwardness on charges and associates, and the foundation with an UN senior board on peacekeeper mishandle. In February 2016, Jane Holl Lute was selected as
unique facilitator on enhancing the reaction to mishandle wrong doing experts to bring more prominent perceivability and responsibility at a senior level in the UN. In the new report, the secretary-general guarantee to consider troop initiative responsible, including by sending authorities and troops home and suspending instalment to people and part nations if charges are substantiated. This demonstrates the UN’s dedication to end the hazard, said a UN official.

The perseverance of SEA in UN missions was repeated by an UN authority who said that as later as April 2016; reports of SEA still exist in UN missions. He referred to reports by U.N mission in the DRC that demonstrated that it had gotten new charges of sexual mishandle against its troopers. The report had shown that it was that examining Tanzanian UN peacekeepers situated in North-Eastern Congo had sexually mishandled and misused five women and six young women, abandoning all of them pregnant.138

3.4 Conclusion

Sexual violence is a weapon that has been used in wars since time immemorial. In the DRC, this kind of weapon has been used since 1998, and has been directed at civilians. The extent of the sexual violence witnessed in the DRC is unmatched to any other in the history of mankind. This has been the situation despite the peace accords that have been entered into by warring factions in the past. In the DRC, assaults have been frequent in the nation’s eastern regions since 1998. Sexual violence being executed in the DRC has been seen as an especially powerful weapon to curb, rebuff, or correct requital upon whole groups. Sexual violence has been known as a ‘characterizing highlight’ of the contention in the DRC.139 In the most recent 10 years, a huge number of women and girls in the DRC have been assaulted. Somewhere around 2005 and 2007, more than 32,000 instances of assault and sexual violence were reported in South Kivu alone. Even though many Congolese attribute the larger part of sexual brutality to the Interahamwe, every armed group in the DRC has committed sexual violence.140

A considerable lot of the causalities of sexual violence in the DRC have also been subjected to horrendous mutilation. There are reports of firearms and sticks being inserted into the women’s vaginas tearing the dividers of the vagina and rectum and leave numerous forever incontinent. As per Falconberg, after group assaults, soldiers puncture

140Raghavan, 2003
labias and latch vaginas close.\textsuperscript{141} In South Kivu, the most predominant type of assault against women in the territory is group assault where about five soldiers assault a single casualty. Some of the assaults were arranged ahead of time. Understanding the violence against women in the DRC requires a comprehension of the social setting in which they occur. Women in the DRC are excessively burdened socially and monetarily. The war exacerbated these detriments and numerous women and girls have been constrained by the war and poverty to engage in prostitution for survival, making them much more helpless against sexual assault.\textsuperscript{142}

John Prendergast and Collin Thomas-Jesen found in their examination of exemption for sexual brutality in eastern DRC that by far most of natives of the eastern Congo discover their employment inseparably attached to criminal exercises of the armed groups; ‘they are providers of ‘spouses’ for the armed forces and state army, work for the landowners, and sustenance makers for the warriors who plunder their harvests’. Briggs contends that the climate of exemption has prompted to a conviction among officers and regular citizen men that they can execute violations of sexual brutality without outcome. Keeping in mind MONUC has been helping neighbourhood Congolese endeavours at indicating wrongdoings of sexual brutality, the quantity of cases that really go to trial stays low and due to the exemption, the number of inhabitants in the DRC have lost trust in the equity framework.\textsuperscript{143}

The utilization of sexual violence in the DRC cannot be clarified by basically depending entirely on individual inspiration or exclusively on systemic impacts. It is conceivable to distinguish both individual causes and basic conditions to clarify the predominance of sexual violence in this conflict. On account of the DRC, three merging elements identify with clarity the commonness of sexual violence in this conflict; financial desire, hegemonic social developments of manliness, and the general powerlessness to authorize each among armed groups in the war. Singular motivation for the commission of sexual brutality in DRC cannot be denied, and the soldiers who take an interest in these violations settle on the cognizant choice to do as such. Clarifying why individual offices are partaking in the widespread manhandle of women requires a

\textsuperscript{141}Ibid
\textsuperscript{142}Sengupta, 2004.
\textsuperscript{143}Ibid
comprehension of the social developments of masculinity both inside Congolese society and, above all, inside the military foundation.144

The militarised groups in DRC simply like some other mobilized gathering are a place where men figure out how to partner sexual assault with manliness. Inspirations of sexual violence by troopers in the DRC are driven by goals of manliness and the sexually strong male soldier’, which they expressly diverged from female characteristics of awkwardness. Soldiers who did not participate in the acts of sexual violence feared being perceived as sufficiently masculine. Their study further cited soldiers who justified their acts of sexual violence on frustration and frailty, saying ‘we warriors confer assault, why do we submit assaults? When we are not paid, or not paid by any stretch of the imagination. We are ravenous.145 What’s more, I have a weapon. In my home significant other does not love me any longer I likewise have a desire to have a decent life......You have intercourse and afterward you execute her, if the outrage is excessively solid.” For these men, sexual assaults are used to assert their manliness, and satisfy manly sexual ‘needs’.146

Sexual violence is also being utilized to rebuff people, families and groups blamed for supporting the ‘adversary’ and to enslave populaces, both as instruments of mastery and, the essential inspiration of these gatherings, to threaten the regular citizen populace in order to gain access to and control over territorial mines and unfathomable mineral riches held in the eastern DRC. In any case, understanding the aggregate component of wartime assault requires a comprehension of the social elements that its utilization is based upon. Understanding what, socially, makes assault such a fruitful apparatus of dread in the DRC can help the comprehension of its practice.147 Women in the DRC are normally economically poor. Their lowly status is rooted in both the legitimate code of the nation, and additionally on overwhelming social traditions. For this reason, violence against women is ‘normal’ in the DRC and in the numerous districts it is seen as worthy treatment of women. Sexual assaults existed before war broke out in the

144 Wax, 2005
145 Ibid
146 Ibid
country. For instance, there were cases where girls on errands such as the gathering of firewood, fetching of water would be sexually assaulted by males.\textsuperscript{148}

Families normally determined such cases by either by marrying the two or requiring the culprit to pay some type of compensation to the girl’s family. Evidently, social standards in a great part of DRC stress manliness, and desires are set on men to have a high sex drive, to acquire numerous accomplices, to offer endowments in return for sex, to be budgetary fit for buying one or different spouses, and having the physical, financial, and social energy to shield their wives from other men. The social thoughts regarding manliness and the suitable parts of men and women in Congolese society have been exacerbated by the war.\textsuperscript{149} The legal environment in the DRC strengthens the social drives for sexual assault against women and girls. Various laws still in the Congo that make it clear that women are subservient to men, including laws requiring a lady to look for her better half’s consent to open a bank account, accept a job offer, or purchase property.

In Congolese culture, women are by and large seen as guardians and nurturers. Their social part has ‘been built as the locus or bearers of culture’, and in that capacity an assault on a woman in a given group is an assault on that group. The goal of the aggressor can be comprehended from two measurements: firstly, as an immediate assault on an individual lady as a delegate of her sex or her group; and, also, the assault is a typical motion, making an impression on a second target, be it the lady’s better half, father, or other men of her group. In Congolese family law, a man is given the obligation to ensure his spouse is safe. It is especially this part Congolese men have as defenders of women and children that makes rape such a successful weapon in this contention, as it gives an unmistakable exhibit of their powerlessness to ensure ‘their’ women are safe, striking at their manly personalities.\textsuperscript{150} Assault in the Congolese society has generally been viewed as a private issue that women are expected to manage by themselves. Indeed, even a MONUC officer had told colleagues assault was an ‘ordinary’ conduct of soldiers and could be anticipated from men who had been in the field for span of time. Despite the fact

\textsuperscript{148}Ibid
\textsuperscript{150}Lynch, 2004
that assault is criminal under Congolese law, its definition is entirely constrained; it is considered as a wrongdoing against the respect of the spouse.\textsuperscript{151}

Where complaints have been made, prosecution rates are low, ruined by ‘obsolete laws’, the widespread impunity of combatants from justice, a refusal to perceive the genuine way of sexual offense, and inadequate thoughtfulness regarding the needs of the causalities. Frequently, commanding officers orchestrate their troops blamed for sexual violence to be exchanged somewhere else. Also, examination and indictments are hampered by hesitance to capture or help prosecute fellow soldiers. In this manner, Human Rights Watch finds that few of the cases that end up on trial actually lead to convictions. Besides, cases of cases being fixed by judges and other authorities impact the result of the cases on trial.\textsuperscript{152}

In conclusion therefore, the above revelation by key informants is a true testimony that indeed sexual harassment and abuse is indeed present in the UN Congo mission and many other peacekeeping missions around the world. Sexual harassment and abuse is synonymous with UN peacekeepers and the rate at which the cases continue to emerge is worrying despite the effort being done by the UN to address the issue. It is evident that UN has put much effort by coming up with various policies and measures the latest being the zero resilience policy by prince Zeid in 2005. However, as late as last year, cases of sexual violence have emerged a situation that calls for strict measures to be adopted to curb this worrying trend in peace missions. Much work needs to be done by all concerned parties including the Troop contributing countries and the various UN agencies and implement the policy of Prince Zeid so as to maintain the UN credibility as an organization that is fully committed to international peace and security. In sum, this section has shown that the leading reason for sexual assault was the need to satisfy social desires of manliness. Also, cultural ideas of womanliness built by Congolese society, support sexual assault on women.

\textsuperscript{151}Ibid
\textsuperscript{152}Ibid
Chapter Four
Zero Tolerance and the Continuation of Sexual Exploitation and Abuses (SEA) among MONUSCO Peacekeepers: A Critical Analysis

4.0 Introduction

Chapter three looked at SEA committed by MONUSCO peacekeepers in the DRC. The chapter presented data from primary and secondary sources on sexual exploitation and abuse carried out by the peacekeepers in the DRC. The chapter also covered on the various forms of sexual abuse committed by MONUSCO peacekeepers, methods of sexual exploitation and abuse and effects of sexual violence on the Congolese women and girls. This chapter analyses Zero tolerance policy and the continuation of SEA among MONUSCO peacekeepers. The chapter discusses the reasons as to why cases of sexual violence continue to emerge despite the presence of Zero tolerance policy. This chapter highlights the causes of sexual violence among MONUSCO peacekeepers. The chapter also takes a look at the various UN resolutions that were adopted in an attempt to address SEA and protect women against sexual violence. Specifically it looks at Security Council resolutions 1325, 1820, 1880 and 2272.

4.1 Sexual Violence and Zero tolerance policy in the DR Congo

There are a number of reasons why sexual violence continues to occur despite the policy being in place. These include, masculinity, unequal power relations between the MONUSCO peacekeepers and the local population, the culture of impunity among UN peacekeepers, Lack of gender balance among the UN peacekeepers as well as cultural factors and poverty among other factors.

4.1.1 Unequal power relations between the UN Peacekeepers and the local population

Unequal power relation is often cited as one reason why sexual violence keeps on being experienced despite having the policy in place. Sexual exploitation takes place when a person uses his position of power over another for sexual advantages. Several instances of MONUSCO peacekeepers taking part in sexual exploitation and abuse have been documented like Congo D R where many people including women and children are struggling to survive. It is out of desperation and lack of basic necessities that compel the local population to exchange sex with UN peacekeepers—a phenomenon known as
survival sex. In the end therefore is a situation whereby cases of MONUSCO peacekeepers committing acts of sexual abuse keeps on rising in the DRC.

4.1.2 Environmental factors

Environmental factors have also played a critical role in explaining why SEA continues to take place despite having the policy in place. Most Peacekeeping operations commonly work in failed states among desperate populaces and DR Congo having been in strife since independence, it has encountered various emergencies including money related defilement. They are the beckons of hope, nourishment, assurance, restorative care and "truly necessary physical security in the very fragile status". Probably the most urgent segments of the populace, for example, orphaned youngsters, may see peacekeepers as substitution defenders or guardians. In this way the environment of a failed state joined with a desperate populace and closeness with aid workers, can fundamentally expand the danger of SEA.

4.1.3 The Culture of Impunity among MONUSCO peacekeepers

UN peacekeepers have engaged in several acts of misconduct with the women and girls in the DR Congo and no punishment has been meted on them. This has created a culture of impunity among the UN peacekeepers and explains why cases of MONUSCO abuses continue to be reported on a larger scale. The social position of ladies has energized impunity for the wrong doings being conferred as a component of this progressing struggle. Assault in Congolese society has generally been viewed as a private issue, and something one individual from the transitional government was caught expelling as a ‘ladies’ issue’ that ladies expected to manage all alone. Indeed, even a MONUC officer had told colleagues that assault was an ‘ordinary’ conduct of soldiers and could be anticipated from men who had been in the field for a span of time. Despite the fact that assault is criminal under Congolese law, its definition is entirely constrained; it is considered as a wrongdoing against the respect of the spouse.

4.1.4 Cultural Factors

The culture of the DRC is another reason that explains why SEA continues to be experienced and provide a stumbling block to the enforcement of the Zero Tolerance policy. The Congolese hold solid patriarchal and inflexible thoughts regarding gender

153 Save the Children-UK, 2008
roles. The social perspectives towards sexual violence, such as accusing the casualty and pardonning the culprit, have likewise made the usage of the change and anti-sexual violence approaches more troublesome. It is this same culture that MONUSCO reports must receive "a noteworthy part in going with, whistleblowing securing, battling slander and introducing counselling. In Congolese culture, ladies are by and large seen as the centre of the group, as they are the guardians, youngster bearers, nurtures, and specialists for the group.

Their social part has ‘been built as the locus or bearers of culture’, and in that capacity an assault on a lady in a given group is an assault on that group. The goal of the aggressor can be comprehended from two measurements: firstly, as an immediate assault on an individual lady as a delegate of her sex or her group; and, also, the assault is a typical motion, making an impression on a second target, be it the lady’s better half, father, or other men of her group. In Congolese family law, a man is given the obligation to ensure his spouse is safe. It is especially this part Congolese men have as defenders of ladies and young ladies that makes rape such a successful weapon in this contention, as it gives an unmistakable exhibit of their powerlessness to ensure ‘their’ ladies are safe, striking at their manly personalities.

4.1.5 Lack of gender balancing among UN peacekeepers

The issue of gender equality has been a characteristic of the UN since its establishment in 1946. Although Article 8 of the UN Charter calls for the equal participation of men and women throughout the organization, women have been highly underrepresented in the UN headquarters and field operations, which have caused some to accuse the UN of being run by the “old boys’ network.” (Harrington, 2010) The Secretary-General first acknowledged this issue in 1985 and since then the UN has made strides towards a more equal presence of women within the Secretariat. In 1995 the UN expanded their efforts to achieve gender equality with the General Assembly’s establishment of the concept of gender mainstreaming.

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154 Kelly, 2010
155 Ibid
156 Ibid
157 Article 8 of the United Nations Charter reads “The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.” (1946)
158 Secretary-General Javier Pérez de Cuéllar recognized this issue back in 1985 he established goal markers for the greater inclusion of women. These included having 30% of P Level positions appointed to women by 1990 and then to 35% by 1995. He also aimed to have 25% of D-1 level positions appointed to women by 1995 (Whitworth, 2004). These goals were not met by 2002 and although there was progress in
The absence of gender balancing in MONUSCO is especially worrying because of a number of reasons. To begin with, women peacekeepers can offer significant help in operations. As indicated by the UN "it isn't just an issue of gender balancing and numbers; it is additionally an issue of the difference women make."\textsuperscript{159} Women peacekeepers presence can persuade nearby women to activate and take an interest in basic leadership forms, encourage more prominent trust from neighbourhood communities and give a suggestion to all work force to stay mindful to gender and human rights issues.\textsuperscript{160} As indicated by the DPKO, women are most appropriate than men to play out specific roles like helping women.\textsuperscript{161}

The women who keep peace likewise impact the circumstance of violence in sex in host nation henceforth encourage the way toward revealing instances of SEA by the casualties. Because of the presence of women, the number of victim’s reports can increase considerably because women victims are more comfortable sharing with other women as opposed to men.\textsuperscript{162} In this way, ladies peacekeepers may enable the UN to gather a more noteworthy number of reports and more precise giving an account of sexual savagery generally.

Finally, the absence of gender balancing in the DRC is upsetting due to the high number of reports. As per the Division on the Advancement of Women (DAW) women peacekeepers are a deterrent to abuse of power including inappropriate behaviour such as sexual violence." Harrington cautions against the thought. She contends that the points of view of the DAW outlines the issue of sexual brutality as far as over the top manliness and accept that women are basically less inclined to confer savagery. Harrington expresses, "We ought not be enticed by the deception that ladies definitely show better direct or that ladies can't be fierce, vicious and obscene."\textsuperscript{163}

4.1.6 Sexual Violence Laws in the DRC

The DRC is bound by international treaties on human rights, women and girls.\textsuperscript{164} A significant number of these instruments announce sexual violence a wrongdoing of war

\textsuperscript{159} DAW, 1995
\textsuperscript{160} DAW, 1995
\textsuperscript{161} DPKO & DPI, 2011.
\textsuperscript{162} Kent, 2007
\textsuperscript{163} Ibid
\textsuperscript{164} HRW, 2005; HRW, 2009.
and an infringement of ladies’ and human rights. In spite of their obvious concurrence with these worldwide standards, the national laws and social mentalities are still extremely slacking.

The Code of Congolese Family lawfully relegated women an auxiliary and subordinate status to men. Customarily, assault was settled by having the culprit either wed or pay the casualty.\footnote{HRW, 2002} Assault is culpable with jail a jail sentence of 5 to 20 years and harsher punishments were set up for disgusting ambush, which does exclude infiltration.\footnote{Indecent assault is punishable with 6 months to 20 years.} The new laws additionally criminalize engaging in sexual relations with a youngster under 18 years old and assurance more security for the prosperity of casualties and observers in criminal procedures.\footnote{Ahlenius, 2007.}

In spite of the advance of these laws, reports from the Bureau of African Affairs propose that there have been not very many effective indictments for assault and indecent attack.\footnote{HRW, 2005.} The Congolese keep on holding their customary perspectives and practices that oppress ladies. The DRC is a fitting case of how social standards and states of mind are held disregarding the impact of global standards and universalistic perspectives on gender and sexual violence. Such laws have perpetrated the continuation of SEA even to the MONUSCO peacekeepers since they know they cannot be punished under the local laws of the country.

### 4.1.7 Masculinity and Sexual Violence among MONUSCO peacekeepers

Masculinity is one of the aspects that explain why SEA continues to take place in the eyes of the zero tolerance policy in the DRC. Many masculinity aspects can prompt sexually violence conduct. Soldiers are required to be violent, forceful and willing to execute others. Christopher Browning examined the impacts of violence on the conduct of officers in his book *Ordinary Men*. He found the Nazi warriors of Reserve Police Battalion 101, even numerous who were at first reluctant to murder Jews, bit by bit turned out to be more ruthless because of the measure of violence they saw, experienced and disseminated (1992).

Another viewpoint that can prompt sexual violence is the constraints of any musings or practices generally thought to be female. Brown Miller contends that a lady
endures sexual violence amid war "unequivocally in light of the fact that she is a lady, and consequently a foe."\textsuperscript{169} Militaries implement mobilized manliness by compensating men for showing manly practices and rebuffing them in the event that they exhibit female practices. Soldiers that re considered not manly enough are rebuked and psychologically tortured.\textsuperscript{170} Gendered affronts embarrass soldiers and show them that female is their inverse, their foe.

In assessing the mobilized manliness of Peacekeepers in DRC, the provide details regarding the discoveries of Sarah Martin, who in 2003 and 2004 directed meetings in a few African nations and the discoveries of Paul Higate, who in 2003 talked with local people and peacekeepers in the DRC ends up noticeably helpful. Martin found that because of the male-overwhelmed nature of peacekeeping operations, two huge examples of conduct built up: a hyper-manly culture that energized SEA and a "convention of male dominance" that enabled this condition to prosper.\textsuperscript{171} She contends that this dominance is normal for other male-rulled conditions, for example, militaries, police offices and clubs. In such conditions individuals endeavour to shield their colleagues from allegations of awful conduct from outside of the group.\textsuperscript{172} As peacekeeping operations are male-rulled conditions, Martin's discoveries could in part clarify why SEA by peacekeepers just ended up plainly obvious in the 1990s and why detailing is as yet unprecedented.

Martin likewise broke down the impacts of the "boys will be boys" state of mind on SEA in her report, which depicts the resilience of men requesting prostitutions or discovering lady friends for their sexual urges. In the 1990s, the UN embraced the state of mind in peacekeeping by the UN.\textsuperscript{173} Martin found confirmation of this state of mind in MONUC work force and revealed the worry about ensuring their respect, or their notoriety inside their nation of origin and among the worldwide group, than the ladies and youngsters who were engaged with the level of prostitution in the DRC.

The objective of his exploration was to dissect how peace was kept comprehends their manliness and their sexual association with neighbourhood ladies.\textsuperscript{174} The findings show that peacekeepers see their inclusion in an assortment of courses: Peacekeepers

\textsuperscript{169} Brown miller 1975.
\textsuperscript{170} Whitworth, 2004
\textsuperscript{171} Ibid
\textsuperscript{172} Ibid
\textsuperscript{173} Ibid
\textsuperscript{174} Higate, 2007.
detailed that because of the advances of nearby women they felt a feeling of allure and sexual interest, along these lines manliness, which they didn't typically feel. Higate clarifies how in the ladies and young ladies as energetic and on occasion ruthless in their quest for holding customers or "peacekeeper sweethearts." Higate focused, nonetheless, that we can't and peacekeepers ought not to expect their eagerness mirrors the control they have in the circumstance since we would misconstrue their edginess, yearning and absence of choices. At long last, Higate noticed their conduct, states of mind and avocations for submitting SEA "has much in a similar manner as the exercises of the purported 'sex-traveller'."^{175}

4.2 UN Security Council resolutions on women, peace and security

Various resolutions were formulated by the UN on women, peace and security trying to address the issue of SEA and fortify the Zero resilience approach. This determination and its eighteen proposals made another system for how the parts and worries of ladies in struggle. Resolutions 1325 perceived the distinctive encounters that guys and females have amid strife and particularly recognized the danger of females experiencing sexual violence. The determination depicted how ladies and youngsters in struggle conditions experience the ill effects of the prohibition from basic leadership forms. This determination additionally settled the foundation of UN change endeavours today – gender mainstreaming. At last, peacekeeping operations are to give more chances to ladies to take part in peace and remaking forms.^{178}

Security Council of June 2008 consistently embraced the Resolution of 1820, flagging the international community’s more prominent acknowledgment that sexual violence in war is an immediate risk to universal peace and security.^{179} The MONUSCO site clarifies that this determination is a standout amongst the most important and late approaches that aids "the development of a vital structure for the advancement of ladies' commitment to peace and security and tending to gender-based violence."^{180} Regarding gender-based violence, Resolution 1820 "Requests the prompt and finish suspension by all gatherings to outfitted clash of all demonstrations of sexual violence against regular

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^{175} Ibid
^{176} Ibid
^{177} Security Council, 2000
^{179} Ibid
^{180} Ibid
citizens with quick impact.” The determination additionally supports every included party to show an elevated mindfulness towards the issues of sexual violence and that cooperate in civilian protection.

Resolution 1820 indicates that the Secretary-General released the first report on the implementation status in 2009. This report acknowledges the numerous huge difficulties that hinder the usage of the determination, including the risky provincial conditions in the DRC and the challenges in measurements assembling particularly that numerous casualties bite the dust before being attacked.\footnote{MONUSCO, 2011a.} In 2009 the Security Council received Resolution 1888 as a compliment to Resolution 1325. Determination 1888 emphasizes the call for zero tolerance, compelling disciplines for culprits, more prominent instructive and money related help for women and women’s associations and gender adjusting in operations to keep peace.\footnote{Security Council, 2009}

In Oct 2009, the UN received determination 1889, which censured the proceeding with sexual violence against women in conflict and also post strife circumstances. In 2010, determination 1960 was embraced to give a responsibility framework to the usage of determination 1820 and 1889 on struggle related sexual violence.\footnote{Security Council 2010} In 2013, two resolutions were received, 2106 and 2122. Determination 2106 was embraced in June to fortify exertion of sexual violence in conflict in order to end exemption for a scourge that influences countless and girls.\footnote{Security Council,2013} Then again, determination 2122 was intended to fortify ladies’ part in all phases of contention avoidance and determination.\footnote{Ibid} In April 16, the UNSC received SC 2272 to address the issue of SEA solely.\footnote{Security Council,2016}

The growth of fight against violence strategy of exertion from different support groups for the benefit of human rights, human security and women’s' rights, weight from women's activist developments, and the foundation of global criminal equity components. The UN has been at the cutting edge of international anti-sexual violence policy and the Security Council has demonstrated the dander of sexual violence at war when committed by UN peacekeepers as revealed in Resolutions 1325 and 1820.

\footnote{MONUSCO, 2011a.}
\footnote{Security Council, 2009}
\footnote{Security Council 2010}
\footnote{Security Council,2013}
\footnote{Ibid}
\footnote{Security Council,2016}
4.3 Conclusion

Literature has demonstrated complexity in understanding the reason for assault in the contention in the DRC. The sexual brutality can be comprehended from two measurements: the individual inspiration and the auxiliary impacts. These two measurements are inseparably connected, and that the most careful comprehension of the utilization of assault in the contention in the Congo originates from comprehension the collaboration of these two measurements.

Singular inspiration can likewise be comprehended as an element of sexual savagery in the DRC; the writing in this part has demonstrated that the troopers in the DRC taking part in assault know about their activities and the infringement of social standards that their activities constitute. This section has additionally shown that the rousing component for most people was the uneasiness to satisfy social desires of manliness; however the desires are built in a manner that the satisfaction of them is for all intents and purposes an outlandish errand. Likewise obvious from the talk utilized by the fighters were the ideas of womanliness built by Congolese society, which support both individual and social defence of the demonstration of assault.

In addition the women’s activist contention that the implied pay of sexual cruelty is to a great extent identified with ladies’ social position and a given society’s ethical codes. The peril of distinguishing specific reasons for wartime assault can strip singular warriors of the organization required in the commission of such acts. In any case, there is an auxiliary component that differs how much a furnished gathering participates in sexual savagery. What evidently separates furnished gatherings that utilization of sexual savagery from those that don’t is how much that gathering can force train progressively to keep warriors in the gathering from taking part in sexual brutality- whatever the method reasoning for this limitation might be the commandant’s position.
Chapter Five
Summary of Findings, Conclusion and Recommendation

5.0 Summary of Findings

Overall, the above findings reveal that sexual abuse and mishandle by UN troops is to be sure present. It additionally demonstrates that endeavours have been set up to check the hazard but with little achievement. The findings of the study suggest that the UN created a (SEA) in 2002. This was further emphasized by the issuance of the Bulletin by Kofi Annan the following year, and in 2004, consequently in 2005, Zeid gave a Report. Furthermore, in 2007, the General Assembly received a procedure on help to casualties and also a determination on criminal accountability of UN authorities or specialists on missions.187

In terms of gender reforms, the study found that, the UN has made concerted efforts to improve gender mainstreaming and gender balancing in DRC as a way of empowering women to participate in peace building activities. Therefore, the UN has demonstrated a willingness to apply gender reform in Congo D R through the establishment of Gender Units that would address sexual abuse. A gender unit was equally built in March 2002 and fully operational with five employees.188

The work places are bolstered by gender central focuses that operates as mediators to areas where the OGA is not addressed. Emphasis of the fight against sexual violations are made by the staff who through listening to the victims stories and spreading of word against sexual violations together with creating awareness of the right of the victims. The Gender Units likewise builds up associations with neighbourhood women, associations and government offices.189

The Sexual Violence Unit (SVU) situated in Goma “encourage the avoidance, security and reaction to sexual violence” by arranging the attempts of the administration services, predominantly the Department of Gender, UN agencies, promoters and the close –by and worldwide normal affiliates.190 The SVU is moreover outstandingly incorporated into the use of the Comprehensive Strategy on Combating Sexual Violence in the DRC.

187UNHCR/STC-UK, 2002
188Ibid
189MONUSCO, 2011 d
190MONUSCO, 2011 e
The work of OGAs and SVU are reinforced by the work of the Three Conduct and Discipline Teams (CDT) sub-working in the eastern DRC. The essential part of these work environments is to get and handle grumbles of sexual wrong by peacekeepers.\textsuperscript{191} These units were set up in 2006 The DPKO and in three years later, the numbers of cases against peacekeepers dropped and have not returned to the levels reported in 2006.

The findings further reveal that a Senior Adviser and Coordinator for Sexual Violence (SACSV) were assigned by the UN in 2008 to develop the Comprehensive Strategy, to address the menace. The Comprehensive Strategy developed serves as a “framework that can be adopted in all cases relating to sexual violence in DRC as per the Security Council resolutions.”\textsuperscript{192} Resolution number 1820 postulates that there should be a comprehensive measure which should be taken to comprehensively address matters relating to sexual violation and abuse. The designed comprehensive strategy has four components operationalized by various UN bodies.\textsuperscript{193} However, regardless of such considerations, yet constrained activity on sexual brutality and peacekeeping, the discoveries shows that similar concerns exist as have accomplished for as back as 20 years, and that the circumstance may in reality be falling apart.\textsuperscript{194}

The study sought to establish the challenges in the implementation of the UN Zero Tolerance to Sexual Abuse Policy; the study revealed a number of challenges, in an interview with a senior military personnel, it was clear that sexual abuse was for a long time taken as a norm, the personnel said that while it is wrong. In another interview, a respondent wondered why in all the reported cases, only women and girls were victims, he added that there is the challenge of gender mainstreaming that breeds ground for such exploitation to thrive.

5.1 Conclusion

Based on the findings of these study, it can be concluded that the UN recognises sexual conduct by its staff ‘has been a wellspring of significant shame and political harm’ and that ‘the political and good disgrace connected to this conduct can corrupt whole missions’, abandoning them ‘presented and defenceless against assaults on their validity’. Despite putting mechanism of addressing SEA in place, the UN has done little to ensure

\textsuperscript{191}Ospina, 2010.
\textsuperscript{192}MONUSCO, 2011a
\textsuperscript{193}SACSV, 2009
\textsuperscript{194}Ibid
that contributing countries operationalises the policy. This has contributed to the continuation of the menace.

The study also concludes the UN has been sending some degree twofold message about sexual misuse and mishandle by the peacekeepers. From one perspective, it communicates grave worry about the abuse of the powerless and promises to take more stringent measures against it, while then again it is excited to cool open fever against the unfortunate behaviour in light of the fact that it was the ‘conduct of a relative few’.

The study recognises that just as any other organisation, the UN accommodating various faculties. UN peacekeeping can’t totally stay away from the event of genuine of unfortunate behaviour and criminal offences. The inconveniences of the UN as indicated by the study is the way that unfortunate behaviour of a sexually nature will probably draw in social judgement that different sorts of offence would. As sexual misuse and mishandle got to be open learning, social trust in UN peacekeeping may have blurred. Among different social units that encompass UN peacekeeping missions, the triumphant of certainty from neighbourhood groups is significant for the security of UN staff and the adequacy of peacekeeping missions.

The elevated amounts of SEA by peacekeeping troops in the DRC have stunned the still, small voice of the world and shaken the worldwide open’s confidence in UN peacekeeping operations. These cases highlight the alarming mystery of male personalities in struggle. Peacekeepers are immediately both defenders and culprits of sexual violence, and themselves experience the ill effects of emergencies of manliness as to “negotiate peace.” Various elements nourish into the DRC mission high rates of SEA claims: a nearby setting in which SEA is far reaching and met with exemption; troops contributing countries home societies that neglect to regard women and standardize SEA; a mission culture portrayed by absence of oversight and an unceremonious “boys will be boys” attitude; and finally, insufficient requirement instruments inside the UN peacekeeping operations’ institutional structure.

In spite the fact that the UN has found a way to address the issue and SEA has declined in the DRC as of late, it is important that specific changes be made, including fitting preparing, enhancing reporting and follow-up methodology, and instituting more powerful authorization components with troops contributing nations. Just along these line can peacekeeper and the foundation of peacekeeping itself keep up the authenticity
expected to advance peace and really secure powerless regular citizens made up for lost time in complex crises.

5.2 Recommendation

The researcher recommends priority to be given to the security and prosperity of survivors in its reaction to sexual misuse and mishandle, including through advancing best practices for example, looking after classification, minimizing rehashed injury from different meetings, and guaranteeing fast access to medical and psychosocial care.

The researcher also recommends the UN to improve reporting means, including by raising public awareness in host nations, incorporating more sexual orientation counsellors into missions, and fortifying the formal objection procedure. Follow through on past, responsibilities, for example, frequently checking the status of examinations and indictments by troop-contributing nations, holding member nations to a six-month due date to finish up investigations and consistently giving needed data about the accused country of origin and status of investigation. UN nation reports ought to incorporates reports on investigation of manhandle by peacekeepers and ought to be extended past affirmations of sexual mishandle to cover all genuine human rights infringement, including unlawful killings and enforced disappearances.

The researcher also recommends for a good communication approach which must incorporate raising public awareness in communities where peacekeeping troops are deployed. The UN and other international actors, who are working with local women’s organizations, can inform the communities where they are working about the roles, duties, and responsibilities of the incoming troops. They should explain clearly what actions would constitute a violation of their mandate and offer a means for locals to report on incidents as well as provide their own feedback about how best to prevent abuse by soldiers. Such information can be shared through local radio, as well as in villages, mosques, churches, and spaces where women and girls gather, and warn them about the risks.

The researcher further recommends the Secretary General to establish a lasting investigative body autonomous of the DPKO and peacekeeping missions. This element ought to utilize advanced principles of proof assembling and guarantee that examinations comport with the norms of troop contributing countries. Right now, a few examinations gather confirms just to think that it’s unusable on the grounds that it doesn’t agree to the
imperative confirmation accumulation strategies. Subsequently the UN must fortify its investigative methods to guarantee that proof is adequate to the new UN Administration of Justice framework. To encourage simple entry to witnesses and confirmation on location of courts military for genuine infringement ought to be built up.

The researcher also recommends a senior position be set up in all UN field missions to guarantee best practices for both examinations and guaranteeing arrangement of restorative and psychological tend to survivors.

The researcher recommends UN peacekeepers to get reliable preparing on the UN’s “zero resilience” arrangement on sexual misuse and mishandle, including clear correspondence about the results for staff who abuse this policy. Ensure prompt repatriation of units ‘in-charge of genuine violations after legitimate investigations have been conducted. Openly and consistently, request responsibility for these wrong doing until the culprits are conveyed to equity.

The researcher also recommends the UN to make it clear to troop-contributing countries that their capacity to give responsibility to wrongdoings conferred by their peacekeepers will be a vital basis in choosing whether to acknowledge a greater amount of their troops in UN peacekeeping missions. The UN must recognize that “sexual misuse and manhandle are primarily problems of abuse of power … and only secondarily problems of sexual behaviour.

To enhance general administration and authoritative reactions to charges of manhandle, the analyst prescribe senior administrators and mission leadership to consistently set the tone that mishandle won’t go on without serious consequences and prepare peacekeepers on gauges of direct and the U.N. arrangements averting sexual misuse and manhandle. Peacekeeper sets of accepted rules ought to be accessible in the majority of the dialects that the peacekeepers talk; at present, they are just distributed in the official dialects of the U.N., which does not envelop the greater part of the dialects of the troop-contributing countries. Peacekeeping missions ought to connect with nearby groups to clarify the DPKO's strategies against abuse and to permit neighbourhood individuals to make dissensions in certainty. UN peacekeeping missions ought to create information frameworks to screen assertions of mishandle and report the result of examinations. Reverberating the prerequisites of Security Council Resolution 1325, there is need to expand the quantity of women in peacekeeping operations, particularly in light
of the fact that casualties will probably feel great reporting misuse to women instead of men.

Also, as a way to furnish UN peacekeepers with relaxation time exercises other than sex, the researcher recommends the UN peacekeeping missions to fabricate recreational offices for example; Internet cafes, athletic facilities, and sponsored phone lines so that peacekeepers may chat with their families and companions. In a reference to what happened in the OIOS examination in the DRC when no less than two commandants neglected to participate with the examination, the report requires the establishment of money related punishments against leaders who neglect to collaborate.

Finally, if TCC and PCC cannot protect at-risk groups, then the researcher recommends the UN to explore the services of private security companies which are tasked to protect the local population against any form of sexual and Gender-based violence. For instance, in Afghanistan, a private security company called Gender force was employed to protect against any form of sexual or gender-based violence. The company through its team of professionals not only prevented sexual violence but also negotiated disarmament in that country. Therefore such like organizations can be effective in reducing cases of sexual abuse and gender based violence in the DR Congo.

5.3 Suggestion for Further Research

Despite concerted efforts by the UN and other agencies to address the menace of sexual exploitation and abuse by peacekeepers in various peace missions around the world, this monster still persists as evidenced in other UN missions like MINUSCA in Central Africa Republic, MINUTASH in Haiti as well as other young missions like the Africa Union mission in Somalia.

This suggests that more work needs to be done to adopt stricter and harsher measures and other policies by the UN so as to restore the good image and reputation that the organization used to have. Therefore, there is much that needs to be researched on about sexual exploitation and abuse and why even after all the effort and policies put in place, cases of sexual violence continue to emerge in almost all the peacekeeping missions around the world.

Therefore, the researcher suggests that, further research be conducted on this field in various countries experiencing conflict since there seems to be a correlation between these peace missions and sexual violence.
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