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**OFFICE OF INTERNAL OVERSIGHT SERVICES  
INVESTIGATIONS DIVISION**

**REDACTED  
REPORT OF INVESTIGATION**

**ID CASE NO. 0618/05**

**30 January 2007**

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**ALLEGATIONS OF SEXUAL EXPLOITATION AND ABUSE  
IN THE ITURI REGION (BUNIA) IN THE UNITED NATIONS MISSION  
IN THE DEMOCRATIC REPUBLIC OF THE CONGO  
(ID Case No. 0618/05)**

**I. INTRODUCTION**

1. In January 2006, the Investigations Division of the Office of Internal Oversight Services (ID/OIOS) deployed investigators to Bunia, the Democratic Republic of the Congo (DRC), to investigate allegations of sexual exploitation and abuse by peacekeepers deployed in the United Nations Mission in the DRC (MONUC).
2. During the course of its investigation, ID/OIOS received 217 allegations of sexual abuse and exploitation against a total of 75 peacekeepers. Only one allegation was substantiated because the girls who had initially made the allegations either refused to participate further or failed to identify the alleged perpetrators during lineups of the peacekeepers. This report is an overview of the ID/OIOS investigation and the problems it identified. Allegations of sexual exploitation and abuse against specific peacekeepers are addressed in the forty-eight reports on individual cases appended hereto.

**II. BACKGROUND INFORMATION**

3. Bunia is the capital of Ituri Province which is in the northeast area of the DRC. In May 2003 the region experienced intense ethnic conflict which resulted in the displacement of tens of thousands of Congolese citizens, many of whom were sheltered in a camp for internally displaced persons (IDP) in Bunia.
4. In May 2004, the media reported allegations of widespread sexual exploitation and abuse by United Nations (UN) peacekeepers deployed with MONUC. At the request of MONUC senior management, ID/OIOS investigated 72 allegations of sexual exploitation and abuse and issued reports to the Department of Peacekeeping Operations (DPKO) and MONUC on 20 individual cases, 19 of which involved military personnel. Six allegations of sexual exploitation and abuse were substantiated. This was summarized in the report entitled "Investigation by the Office of Internal Oversight Services into allegations of sexual exploitation and abuse in the United Nations Organization Mission in the Democratic Republic of the Congo" (A/59/661 of 5 January 2005).
5. Bunia remains the headquarters and logistics base of MONUC Sector 6. The national contingents in this Sector are from Member State 1, Member State 2, Member State 3, Member State 4, Member State 5 and Member State 6. The military police unit is from Member State 7.

6. When this investigation started in January 2006, the majority of displaced persons had been assimilated within the local community and the IDP camp was a fraction of its original size. Most of the local population continues to live in poverty. The countryside around Bunia remains affected by conflict, although not as intensive as in 2004.

7. Prostitution is a fact of life and a source of income for some girls and women in the DRC, especially in its impoverished areas. While prostitution is not a crime, one who profits from prostitution is criminally liable. Sexual relations with a child less than 14 years of age is also a crime.

### III. APPLICABLE LAW

8. Ten Rules: Code of Personal Conduct for Blue Helmets

4) *“Do not indulge in immoral acts of sexual, physical or psychological abuse or exploitation of the local population or United Nations staff, especially women and children.”*

9. We are the United Nations Peacekeepers

*“We will never:*

*- Become involved in sexual liaisons which could affect our impartiality, or the well-being of others.”*

10. Department of Peacekeeping Operations Directives for Directives for Disciplinary Matters Involving Military Members of National Contingents

III. Definitions, Paragraph 4

*“Serious Misconduct: Any act, omission or negligence, including criminal acts, that is a violation of mission standard operating procedures, directives, or any other applicable rules, regulations or administrative instructions that results in or is likely to result in serious damage or injury to any individual or to the mission. Serious misconduct includes, but is not limited to:*

- *Sexual abuse and exploitation of any individual, particularly children;*
- *Conduct prejudicial to good order and discipline;”*

IV. Standard of Conduct, paragraph 6

*“Military members of national contingents are required to abide by the highest standards of integrity while in service for the United Nations. They shall refrain from any conduct that would adversely reflect on the United Nations and shall not engage in any activity that is incompatible with the aims and objectives of the*

*United Nations. They are also required to abide by mission standard operating procedures, directives, or any other applicable rules, regulations or administrative issuances.”*

11. Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)

Section 1 - Definitions

*“The term ‘sexual exploitation’ means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes... Similarly, the term ‘sexual abuse’ means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.”*

Section 2 – Scope of Application

*“United Nations forces conducting operations under United Nations command and control are prohibited from committing acts of sexual exploitation and sexual abuse, and have a particular duty of care towards women and children, pursuant to section 7 of Secretary General’s bulletin ST/SGB/1999/13, entitled Observance by UN forces of international humanitarian law.”*

Section 3 – Prohibition of sexual exploitation and sexual abuse

*“3.2 (a) Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal;*

*(b) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence;*

*(c) Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance.”*

12. Observance by United Nations forces of international humanitarian law (ST/SGB/1999/130)

Section 7

*“7.2 The following acts against [civilians] are prohibited at any time and in any place: ...enforced prostitution; any form of sexual assault and humiliation and degrading treatment.*

7.3 *Women shall be especially protected against any attack, in particular against rape, enforced prostitution or any other form of indecent assault.*

7.4 *Children shall be the object of special respect and shall be protected against any form of indecent assault.”*

12. Administrative Circular No. 2002/020, Conduct in the Democratic Republic of Congo regarding the prohibition of sexual abuse and/or exploitation by members of the Civilian and Military Components of MONUC

Section 1:

*“Any act of sexual abuse and/or exploitation by members of the Civilian and Military components of MONUC is strictly prohibited and constitutes an act of serious misconduct.”*

Section 2:

*“For the purpose of this memorandum, an act of sexual abuse and/or exploitation is defined as follows:*

*(a) Any exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour...*

*(b) Any sexual activity with a person under the age of 18. The mistaken belief in the age of the person cannot be considered as a defence...*

#### **IV. METHODOLOGY**

13. ID/OIOS interviewed all identified victims who were willing to cooperate. Other persons who potentially had information, and were located and willing to cooperate with the investigation, were also interviewed.

14. To protect the identities of the girls alleged to have been involved in sexual activities with peacekeepers in the Bunia area during this investigation, they are referred to as “victims” in this report. Most of the witnesses to the allegations of sexual exploitation and abuse were themselves victims.

15. After all the victims were interviewed, relevant documents and photographs were obtained and analyzed. Victims and witnesses viewed photographic arrays of peacekeepers in an attempt to identify the alleged perpetrators. Often the victims had to be shown photographs of an entire contingent’s rotation (approximately 750 peacekeepers) or, if a victim could recall the specific date of the sexual encounter, photographs of the approximately 150 peacekeepers who were in the area at that time.

16. ID/OIOS intended to have all peacekeepers identified in the photographic arrays participate in a physical lineup for more conclusive identification purposes and then participate in interviews with ID/OIOS. However, unbeknown to ID/OIOS investigators upon their arrival in Bunia in January 2006, the Member State 1 Contingent had a rotation of troops scheduled for the first week of March. After a case-by-case analysis of all evidence, ID/OIOS requested the postponement of the rotation of 39 Member State 1 peacekeepers. Although an additional 36 Member State 1 peacekeepers had been identified by witnesses participating in the photographic identification process, ID/OIOS concluded that insufficient evidence existed to postpone their repatriation, primarily because there was no identification of these peacekeepers by a victim willing to cooperate in the investigation.

17. The lineups and interviews were conducted in the presence of a military legal officer and a representative from the respective military contingent.

## V. INVESTIGATIVE DETAILS

### The Allegations

18. Upon their arrival, ID/OIOS met with the coordinators of a local non-governmental organization (NGO), which provided reports of Congolese girls who had given birth to babies allegedly fathered by MONUC peacekeepers. Over the course of the following week ID/OIOS investigators spoke with Congolese girls at the NGO office who provided additional sexual exploitation and abuse (SEA) allegations against peacekeepers. These girls ranged from 15 to 18 years of age.

19. From 17 January to 13 February 2006 the following allegations were received by ID/OIOS:

Sexual exploitation and abuse allegations <sup>1</sup>	217
Alleged victims <sup>2</sup>	54
Babies <sup>3</sup> fathered or girls impregnated	10
Peacekeepers alleged to have engaged in sexual exploitation and abuse with local girls <sup>4</sup>	75

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<sup>1</sup> This figure includes the original 11 allegations and represents sexual relationships rather than individual sexual acts. It also includes allegations reported by third parties.

<sup>2</sup> Not all the alleged victims were interviewed. Of the 54 alleged victims, 14 admitted that they had had sexual relations with a peacekeeper(s), 3 denied involvement with peacekeepers, 20 could not be found, 10 were not identified, and 7 refused to cooperate with ID/OIOS.

<sup>3</sup> All victims and witnesses interviewed referred to babies fathered by UN peacekeepers as “white babies”, regardless of the color of the baby or the alleged father.

<sup>4</sup> The photographic arrays viewed by victims and witnesses resulted in the identification of 75 peacekeepers still in the mission, 73 from Member State 1 and 2 from Member State 3. However, during the physical lineup victims identified only 27 peacekeepers with whom they claimed to have had sexual relations.

20. ID/OIOS investigated allegations against 39 peacekeepers.<sup>5</sup> Only one allegation was sustained, which has been reported as ID Case No. 0360/06, and there was a recommendation in another involving paternity, ID Case No. 0201/06, that Member State 1 pursue the investigation because the subject peacekeeper had been repatriated before he was interviewed and a DNA sample taken.

#### Victims, Witnesses and Alleged Perpetrators

21. None of the girls interviewed by ID/OIOS came from a stable environment. Education beyond elementary grades was non-existent. They often lived with prostitutes, friends or distant relatives. Most had no visible means of financial support, although one claimed to be a hairdresser and two stated that they sold charcoal.

22. A group of about 10 girls who refused to cooperate in the investigation were reported to be residing at a liquor store/bar which was, in effect, a brothel. This was one of three such establishments identified during the course of the investigation. Two of the establishments were later visited by ID/OIOS staff and found to be exactly as described by the victims: a bar in the front and a small room containing a mattress in the back.

23. One girl who did cooperate with the investigation clearly saw herself as a prostitute and advised ID/OIOS that she had had sexual relations with more than 15 peacekeepers. This particular girl had been a victim in the 2004 ID/OIOS investigation, as were nine other victims in the current investigation.

24. The majority of the girls referred to the peacekeepers with whom they were having sexual relations as their “boyfriends”. Upon the boyfriend’s rotation<sup>6</sup> out of the area, the girl often became sexually involved with a new “boyfriend”. The “boyfriends” paid for sex with cash (\$2 to \$5), food or clothes. Notwithstanding the very limited nature of these relationships, when interviewed or when viewing the photographic arrays some girls cried or stated that they did not want to get their “boyfriends” into trouble.

25. Some witnesses and victims who turned up for interview expected a financial compensation for the time being spent on the interview, which ID/OIOS was unable to provide. This made it difficult for other witnesses to cooperate since the news had gone round that there was no money involved in interviews. Some victims who admitted having sexual relationships with peacekeepers, refused to take part in a photo identification parade, unless they were paid a substantial sum of money as compensation. Since ID/OIOS does not pay for information gathering, this very important aspect of the investigation regrettably could not take place in some cases and they could not be conclusively investigated. Prostitutes have the tendency of migrating from one place to the other, in search of places where they can earn more from their work. They change

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<sup>5</sup> As noted in paragraph 16, 75 peacekeepers were identified in the photographic array identification process, but ID/OIOS requested the postponement of the repatriation of only 39.

<sup>6</sup> Often girls provided ID/OIOS with the exact date their “boyfriends” departed the mission.



their names and ages as they move along, making their identification difficult since they possess no civil status documents. This hampered the work of ID/OIOS.

26. On several occasions multiple witnesses identified the same peacekeeper from the photographic arrays and provided testimony to corroborate each other's evidence. Most witnesses also described themselves as victims of sexual exploitation and abuse.

27. The 2004 investigation noted that young boys, acting as pimps, brought girls to peacekeepers. In contrast, the 2006 investigation found that for the most part, the girls now interacted directly with the peacekeepers.

28. During the course of interviews with the alleged perpetrators, not a single peacekeeper admitted that he had engaged in sexual relations with any Congolese girls. However, several peacekeepers stated that the girls often exposed their breasts, pulled up their dresses and/or make sexual gestures towards the peacekeepers assigned to the guard posts. ID/OIOS received confirmation from a Bunia Prosecutor and a ranking Bunia police officer that the Member State 1 Contingent Commander, had complained in July 2005 that girls attempted to seduce Member State 1 peacekeepers.

29. The ranking Bunia police officer informed ID/OIOS that in one operation after the complaint by the Member State 1 Contingent Commander, seven girls were arrested for loitering outside the Member State 1 outposts and in a subsequent operation, 21 were arrested. Bunia Prosecutor claimed that the arrests acted as a deterrent, but none of the girls were charged because prostitution is not a crime in the DRC.

30. ID/OIOS also noted that several girls stated that some of the Member State 1 peacekeepers provided time, money and food to local girls without any expectation of sexual favours.

#### Intimidation of Victims and Witnesses

31. As the investigation unfolded, peacekeepers identified in the photographic arrays were informed that their repatriation would be delayed. This soon became public knowledge and caused serious concern for many of the girls and peacekeepers. Victims who had not cooperated in the investigation, those from the liquor store/bar, engaged in verbal confrontations with those who had. They were upset about the possibility of losing their economic livelihood and also warned victims who had cooperated with the ID/OIOS investigation, and had babies allegedly fathered by peacekeepers, that their babies might be taken away from them.

32. One victim informed ID/OIOS that she had received a message from a peacekeeper that he would "*hack them*" if he ever saw them again.

33. Another victim reported that four girls had received a \$10 bribe not to identify peacekeepers and that the "Member State 1 Chief" then summoned them to the camp and thanked them for not cooperating with the investigation. When confronted by ID/OIOS

with this information, one of the four girls acknowledged that she had received \$10 from a peacekeeper, but denied that it was a bribe. Another admitted that a peacekeeper warned her by telephone against future interactions with investigators, but denied that she received any money. The third girl denied that she had been paid a bribe, and the fourth refused to be interviewed by ID/OIOS investigators. The three girls who did cooperate with the investigation had initially identified peacekeepers in the photographic arrays, but either did not identify anyone in the physical identification parades and/or refused to participate in the procedure. These developments tend to provide credence to the information that some of the victims were bribed to not cooperate.

34. ID/OIOS investigators noted that the investigative process itself was intimidating to the girls. Often their only exposure to authority had been sexual abuse by Congolese militiamen or intimidation and solicitation of bribes by the local police. Apparently the girls had never been exposed to the concept of a thorough and fair investigation. While cultural and social barriers were broken down through informal interaction with female ID/OIOS investigators, a lack of cooperation with the investigative process increased significantly once the physical identification lineups commenced.

35. The girls also told ID/OIOS that they feared the local police and expressed concern that their cooperation would lead to the involvement of the local police authorities. Three girls provided corroborating and detailed evidence that before ID/OIOS began its investigation, they were arrested after having been in contact with Member State 1 peacekeepers. Two of the girls were beaten, including on their breasts, and held overnight in custody, while the third was set free in order to get \$5 for the release of the other two, which she allegedly received from a Member State 1 peacekeeper.

#### The UN Military Environment in Bunia

36. The Ituri District Commander was reluctant to cooperate with ID/OIOS unless directed to do so by the Force Commander or Contingent Commanders. It was also apparent that the District Commander had little knowledge of the ID/OIOS mandate to investigate allegations of sexual exploitation and abuse, despite the pre-deployment training conducted with contingents in the mission by DPKO. Consequently, there were significant delays in all aspects of the investigation that required input from the military administration.

37. At least one sexual exploitation and abuse allegation was made against each contingent, including the Member State 7 Military Police (MP). As discussed, ID/OIOS concentrated its efforts on the cases in which the alleged perpetrator was still in the mission, which dictated focus upon the Member State 3 and Member State 1 contingents.

38. Although the Member State 1 Contingent Commander in Bunia was supportive of this ID/OIOS investigation, some officers of the Member State 1 Contingent were extremely critical of ID/OIOS and its role in the investigation, despite repeated explanations of its necessity. Some of the Member State 1 commanding officers appeared to consider that ID/OIOS had elicited allegations, and stated to ID/OIOS that

these allegations were either fabricated or attempts by the local population to take advantage of their soldiers. They emphasized the stress and pressure this put on their peacekeepers.

39. ID/OIOS observed the questionable attitude of the Member State 1 Military Police Legal Officer assigned to liaison with ID/OIOS during the interview and identification parade stages of the investigation. He informed ID/OIOS that a Congolese girl advised him in the fall of 2005 that she had given birth to a baby fathered by a Member State 1 peacekeeper. He stated that he viewed this allegation as an attempt to extort money, as the girl had no evidence to support her claim, and therefore the complaint was not reported to ID/OIOS in accordance with the provisions of A/RES/59/287. ID/OIOS observed that this attitude was shared by other officers of the Member State 1 Contingent.

### Military Contingents

40. As part of its investigation ID/OIOS interviewed all of the Contingent Commanders assigned to Bunia. It was confirmed that sexual exploitation and abuse awareness training had been given to the peacekeepers both prior to their deployment and upon arrival within Mission.

41. ID/OIOS observed, however, that only the Member State 3 Contingent has implemented adequate preventive measures concerning sexual exploitation and abuse. The Member State 3 Commander installed mesh within the military camp's perimeter fencing to prevent direct contact between the peacekeepers and the local population. Not only were basketball, football, volleyball, a running track and miniature golf facilities constructed within the camp, but mandatory games and tournaments, including a contest to see which unit could construct the best garden in front of its designated barrack, were also organized. Peacekeepers had access to Member State 3 television programs and were provided with free telephone calls home. In addition, Member State 3 peacekeepers were not paid their mission allowances while deployed in Bunia and consequently did not have cash to pay for sex.

42. The Member State 1 Contingent was assigned responsibility for security and perimeter control of Bunia. There were ten checkpoints within Bunia manned by the Contingent. Peacekeepers were assigned 30-day rotations from one checkpoint to another, during which they ate, slept and worked at the checkpoint. Their work and accommodations were in direct contact with the local population, separated at most by a string of barbed wire. Although there were limited recreational facilities at the main camp, there were none at any of the checkpoints inspected by ID/OIOS.

43. The Member State 7 MP Unit in Bunia consisted of 11 military police officers. Inquiries with the MP Commander revealed that the Unit had not received a single allegation of sexual exploitation and/or abuse. However, within two days of its arrival in

Bunia, ID/OIOS learned of several local establishments<sup>7</sup> in which peacekeepers could have sex. Additionally, as noted in this report, ID/OIOS received 217 allegations of sexual exploitation and abuse by peacekeepers.

## VI. FINDINGS

44. ID/OIOS must establish tangible and convincing evidence to support its findings and recommendations. Consequently, although the allegations suggested frequent and ongoing sexual exploitation and abuse, there was sufficient evidence to substantiate only one of the allegations<sup>8</sup>.

45. However, pursuant to its mandate<sup>9</sup>, ID/OIOS is not only responsible for the investigation of alleged violations but also for the assessment of serious risks to UN operations which could lead to violations of established regulations, rules and policies. In this regard, ID/OIOS notes the following concerns:

- The 2004 civil conflict in the DRC resulted in economic hardship, family breakdown and poor education which made earning money by sex an important wherewithal for some girls in the area and facilitated a pattern of sexual exploitation and abuse. ID/OIOS observations suggest that some peacekeepers take advantage of this weakness to participate in and encourage prostitution, including child prostitution, in contravention of the regulations, rules and established policies of the UN in general, and MONUC in particular. This underlines the persistence and prevalence of SEA allegations in the area. It is notable that ten of the girls reported to be victims in the 2004 ID/OIOS investigation were also alleged to be sexually involved with UN peacekeepers in 2006.
- The Member State 1 military outposts offer no preventive measures to deter close contact with the local population, nor are their peacekeepers provided with adequate recreational activities. This, coupled with the indifference of some commanding officers<sup>10</sup> towards allegations of sexual exploitation and abuse, indicate the lack of effective preventive measures against sexual exploitation and abuse by Member State 1 peacekeepers.

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<sup>7</sup> The “establishments” usually consisted of a two-room house in which one could purchase and drink beer. ID/OIOS visited two such establishments: the front room was set up for drinking and the back room had a mattress on the floor.

<sup>8</sup> It should be noted that ID/OIOS was unable to address 135 of the 217 SEA allegations, the majority of which were against peacekeepers who had already left the mission.

<sup>9</sup> Paragraph 17 of ST/SGB/273.

<sup>10</sup> This was evidenced by the refusal of a Member State 1 MP/Legal Officer to report an allegation of paternity brought by a girl against a peacekeeper to ID/OIOS in accordance with the provisions of A/RES/59/287 (see paragraph 39). Whether this was an attempt to extort money or a legitimate cry for help cannot be established because the complaint was never reported - contrary to the Organization’s commitment of zero tolerance towards sexual exploitation and abuse.

- Shortly after its arrival in Bunia, ID/OIOS received 217 allegations of sexual exploitation and abuse. These allegations, which were mainly against the Member State 1 Contingent, included at least one allegation against each UN military contingent in Bunia, including the Member State 7 MP. In contrast, the MP contingent in Bunia informed ID/OIOS that it had not received a single sexual exploitation and abuse allegation.

46. While there was sufficient evidence to substantiate only one allegation of sexual exploitation and abuse against individual peacekeepers, ID/OIOS is of the considered view that that girls and young women in Bunia remain at high risk of sexual exploitation and abuse due to the following considerations:

- Several victims attended ID/OIOS interviews with their babies whom they claimed were fathered by peacekeepers. All but one of the babies were noted by investigators to be fair-skinned.
- Victims frequently had detailed knowledge of a peacekeeper, including his first name, rank, position or exact repatriation date.
- Several of the victims began to cry when identifying their “boyfriends” during the course of the photographic identification process, stating that they did not want to get them in to trouble.
- While most victims stated they had “boyfriends”, some acknowledged that they were prostitutes actively promoting their services to peacekeepers. These assertions were further substantiated by Member State 1 Commander’s complaint that local women were exposing themselves to his soldiers and the subsequent “raids” by the local police (see paragraphs 28 and 29).
- Victims corroborated each others’ evidence of sexual contact with Member State 1 peacekeepers and on several occasions identified the same individual from an array of over 750 photographs.
- Victims identified several drinking establishments where peacekeepers could obtain alcohol and sex. ID/OIOS investigators attended two of the establishments and noted evidence of alcohol consumption in the front room and a mattress in the back room, exactly as described by the victims. One such establishment was located only 200 meters from the Member State 1 Contingent’s camp.
- ID/OIOS corroborated, to the fullest extent possible, information received just prior to the physical identification process that victims who refused to cooperate in the investigation engaged in verbal confrontation with those who had (see paragraph 31), and that victims were subject to bribes and/or intimidation by some of the Member State 1 peacekeepers (see paragraphs 32

and 33).

47. Given the economic hardship, lack of family support or other sources of income facing the victims along with the reported bribes and intimidation and apprehension of the investigative process, it is not surprising that some victims refused to cooperate or ceased their cooperation with the ID/OIOS investigation. Although only one allegation was substantiated, it is likely that vulnerable girls are resorting to prostitution with peacekeepers, which is a violation of ST/SGB/2003/13. Consequently, ID/OIOS concludes that the environment in Bunia, as discussed, gives rise to a high risk that the Organization's commitment of zero tolerance towards sexual exploitation and abuse will not be fulfilled.

48. The commanders of the Member State 3 Contingent in Bunia took a proactive approach to preventing sexual exploitation and abuse by providing recreational and other outlets for their soldiers. Their efforts should be used as a model for other national contingents in MONUC.

## VII. CONCLUSIONS

49. Instances of sexual exploitation and abuse do not occur in isolation. They are part of an existing chain of problems that include poverty, political instability and abuse of power, lack of education and income opportunities for girls and young women and lack of prevention of the breaches of military discipline. Therefore, any attempt to achieve zero tolerance of sexual exploitation and abuse must address all these root causes.

50. The 2004 ID/OIOS report on Bunia recommended measures aimed at alleviating the problems with sexual exploitation and abuse in MONUC, as well as in other missions<sup>11</sup>. DPKO accepted all the recommendations in the report, and detailed how it envisaged implementing them. Some of them are reproduced below along with ID/OIOS' assessment of their implementation based on the findings of this investigation.

- *Recommendation 2: The Department of Peacekeeping Operations and MONUC, as a matter of high priority, should implement a strong prevention programme, with emphasis on protecting the most vulnerable girls (those under 18 years of age), and establish a rapid-response detection programme, utilizing personnel experienced in such cases, beginning in Bunia on an expedited basis and then expanding to the other regions of MONUC.*

ID/OIOS concludes that implementation of this recommendation has been insufficient in Bunia. Upon the arrival of the ID/OIOS team to Bunia, the Member State 7 MPs reported that sexual exploitation and abuse was not a significant problem (see last bullet of paragraph 45 above). However, ID/OIOS soon received numerous SEA allegations and several allegations of paternity involving peacekeepers (see paragraphs 18 and 19) which, although only one

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<sup>11</sup> See A/59/661, paragraphs 48-57.

allegation was substantiated, suggests the likelihood of ongoing sexual exploitation and abuse of local girls.

- *Recommendation 3: Senior MONUC managers must become more involved and demand accountability from both civilian administrators and contingent commanders in the Mission. MONUC must take steps to ensure that administrators and officers demonstrate implementation of all existing regulations and policies aimed at preventing sexual abuse and exploitation.*

ID/OIOS concludes that implementation of this recommendation has been insufficient in Bunia. Upon the arrival of the ID/OIOS team in Bunia, the Ituri Regional Commander was not aware of the provisions of A/RES/59/287 (see paragraph 36). Consequently, delays in the investigation occurred.

- *Recommendation 4: The Department of Peacekeeping Operations and MONUC should undertake a programme to provide regular briefings for troops on their responsibilities to the local population and on prohibited behaviours and to ensure that all troops and civilians on United Nations missions are fully conversant with United Nations policies on the subject of sexual exploitation and abuse.*

ID/OIOS confirmed that sexual exploitation and abuse awareness training had been given to all peacekeepers both prior to their deployment and upon arrival within the Mission (see paragraph 40). ID/OIOS believes that this training should be reinforced by regular refresher training in theatre.

- *Recommendation 5: The MONUC Force Commander, in conjunction with contingent commanders, should enforce strict discipline over the personnel under their command.*

ID/OIOS, noting that it received only two SEA allegations against the Member State 3 contingent but received many more against members of the Member State 1 contingent, concludes that MONUC has not sufficiently implemented this recommendation.

- *Recommendation 6: MONUC should identify and implement measures that ensure that all military compounds are adequately secured to prevent unauthorized entry and egress as well as ad hoc trading between troops and the local population.*

ID/OIOS, noting that it received only two SEA allegations against the Member State 3 contingent but did receive many more against the Member State 1 contingent, concludes that MONUC has not sufficiently implemented this recommendation.

- *Recommendation 7: MONUC should collaborate, perhaps under the auspices of the Office for the Coordination of Humanitarian Affairs, with other non-governmental organizations and United Nations agencies in the Bunia area to find ways of strengthening the existing programmes to empower and protect the vulnerable population to allow for alternative means of survival.*

ID/OIOS concluded that, despite MONUC's efforts, the women and children in Bunia remain vulnerable to sexual exploitation and abuse.

- *Recommendation 8: Given that this problem is not unique to MONUC, and with new missions being opened in areas where similar problems can arise, it is recommended that the Department of Peacekeeping Operations consider a wider application of prevention and detection policies to protect against sexual abuse and exploitation by peacekeepers. This may include the designation of local officials or non-governmental organizations to receive reports of sexual exploitation and abuse; the central reporting of all cases to mission senior management on an expedited basis; the development of mission-based rapid-response teams; the development of educational programmes for the troops on their responsibilities and on sanctions for sexual exploitation and abuse; the public naming and shaming of those found to have engaged in sexual exploitation and abuse; and the permanent exclusion from peacekeeping missions of those troops who engage in sexual exploitation and abuse and of their contingents' commanders.*

ID/OIOS recognizes the complexity of sexual exploitation and abuse issues within peacekeeping environments and believes that ongoing discussions by the Department of Peacekeeping Operations, Troop Contributing Countries and ID/OIOS will result in strengthening relevant policies.

51. The ID/OIOS investigation found that allegations against peacekeepers from the Member State 3 Battalion could not be substantiated and noted the proactive approach of the Member State 3 Battalion in preventing opportunities for sexual exploitation and abuse in Bunia.

52. The ID/OIOS is of the view that the deployment of Member State 1 troops on 30-day rotations in check points throughout the city of Bunia is conducive to an environment in which instances of sexual exploitation of the local population are possible. This situation is further exacerbated by the insufficient attention to implementing preventive general measures concerning sexual exploitation and abuse opportunities on part of some Member State 1 military command staff.

53. While only one allegation of sexual exploitation and abuse could be substantiated, the ID/OIOS' observations in the course of the investigations indicated that some Member State 1 peacekeepers deployed in Bunia have frequented prostitutes who are Congolese girls. While ID/OIOS recognizes the complexity of sexual exploitation and abuse issues within peacekeeping environments, it concludes that the failure to



sufficiently and effectively implement the proactive preventive measures recommended in its previous report (A/59/661) has allowed an environment to persist in which sexual exploitation and abuse occurs.

54. Given the overall findings of the report, the Organization should consider peacekeeping operations in Bunia as high risk for further violations of ST/SGB/2003/13.

### **VIII. RECOMMENDATIONS**

Given the findings of this investigation, ID/OIOS makes the following recommendations:

Recommendation 1: It is recommended that the Department of Peacekeeping Operations and MONUC further implement recommendations 2, 3 and 5 through 8 of ID/OIOS Report A/59/661. (ID Rec. No. IV05/618/01)

Recommendation 2: It is recommended that the Department of Peacekeeping Operations advise the Permanent Mission of Member State 1 to the United Nations of the need to ensure that all Member State 1 military command staff is apprised of the Organization's commitment towards a zero tolerance policy of sexual exploitation and abuse. (ID Rec. No. IV05/618/02)

Recommendation 3: It is recommended that the Department of Peacekeeping Operations and the Force Commander of MONUC collaborate in reviewing the modalities of checkpoint deployment of Member State 1 troops in Bunia, such as lengthy assignments at a single checkpoint, to determine preventive measures aimed at reducing allegations of sexual exploitation and abuse emanating from current deployment policy. Consideration should also be given to providing recreational and related welfare outlets for troops. (ID Rec. No. IV05/618/03)

Recommendation 4: It is recommended that the Department of Peacekeeping Operations promote in MONUC and other PKOs the preventive measures implemented by the Member State 3 commanders in Bunia to implement the Organization's policy of zero tolerance of sexual exploitation and abuse. (ID Rec. No. IV05/618/04)

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