Should we Prosecute the Protectors?
Holding Peacekeepers Accountable in Cases of Sexual Exploitation and Abuse

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Abstract: United Nations (UN) peace operations have come under increased strain in recent years due to numerous factors, including donor fatigue and the changing nature of international conflict. Serious accusations of crimes of sexual exploitation and abuse being committed by peacekeepers have further jeopardized the sustainability of UN-mandated missions and have raised the question of whether or not peacekeepers should be held accountable for their actions. The paper first explores the scope of the problem by highlighting the type of crimes that have been committed, the actors and stakeholders involved, and a few of the root causes that help to explain why crimes of sexual exploitation and abuse are being committed by UN peacekeepers. Following this is a brief discussion of the strengths and weaknesses of the current measures that have been undertaken by the UN and, more specifically, by the Office of the Secretary-General and the Department of Peacekeeping Operations. The paper culminates in an evaluation of the advantages, disadvantages and consequences of increased accountability, and eventually argues that increased accountability is necessary in order to protect already-vulnerable populations from further harm at the hands of the very people sent to guard over them. In concluding, the author offers a few possible solutions that could be enacted by the UN to ensure that there are adequate measures for prevention and response to such criminal behaviour.

“It is unfortunate that the general public is no longer as shocked as it once was by reports of belligerents engaging in systematic and widespread rape in time of war. But when UN peacekeepers –
including military, police and civilian personnel – and humanitarian workers, mandated to safeguard local populations in conflict zones, are accused of similar behaviour, we are looking not only at gross violations of human rights but at the perversion of an international system intended to prevent crimes against humanity, including sexual and gender-based violence.”

- Senior Researcher and Training Coordinator Vanessa Kent, Institute for Security Studies

“Dress, think, talk, act and behave in a manner befitting the dignity of a disciplined, caring, considerate, mature, respected and trusted soldier, displaying the highest integrity and impartiality. Have pride in your position as a peace-keeper and do not abuse or misuse your authority.”

- Rule #1

Ten Rules Code of Personal Conduct for Blue Helmets

Peacekeeping missions with a mandate to protect civilians caught in the middle of conflict situations have been occurring since the creation of the United Nations Emergency Force in 1956. These missions have often involved unexpected results outside the framework of rights protection and humanitarian intervention. The first reports of incidents such as murder, torture, rape and other sexual violence being committed against local populations emerged out of the peacekeeping operations in Cambodia and Somalia in the early 1990s. More recently, reports from human rights agencies and the United Nations (UN) assert that such abuses have continued in countries like Sierra Leone, Guinea, Liberia, and most notably, in the Democratic Republic of the Congo. The consequences of situations where peacekeepers themselves violate basic principles of human rights go far beyond the border of any individual country.

Having been extremely concerned by allegations of human rights abuse, the United Nations, through the Office of the Secretary-General and within the Department of Peacekeeping Operations (DPKO), has made a concerted effort to create preventative and responsive measures that would discourage criminal behaviour in
their peacekeeping missions.¹ In March 2005, a report commissioned by the Secretary-General entitled “A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations,” otherwise known as the Zeid Report, was released. The Report proposed significant changes to the ad hoc measures used in the past and suggested solutions ranging from on-site courts martial to financial sanction and the creation of a permanent investigative body.² Albeit a very important step in the process of halting sexual exploitation and abuse by peacekeepers, the Report did little to examine some of the fundamental problems raised by the issue of accountability. A number of critical questions are left untouched by the Report that should be explored in greater depth. For instance, should the criminal actions of peacekeepers on mission fall under the legal authority of the UN and the DPKO, or do they remain under the national jurisdiction of their respective troop- or police-contributing country? Taking into account the wide variety and complex nature of some of the international legal issues brought to the fore by this subject, should peacekeepers be held accountable for their actions? Each of these questions necessitates a closer investigation of the relationship between the UN, its peacekeeping forces, and the legal oversight that has been provided to troop-contributing countries.

In order to properly assess the issue of accountability in the case of human rights abuses committed by peacekeepers, this paper will conduct an analysis of the current situation with regards to specific incidents of criminal activity, the actors involved, and some of the systemic reasons behind the occurrence of abuse. It will then evaluate a few key policies that are currently in place to prevent and respond to abuse. This will be followed by an examination of the fundamental question of whether or not peacekeepers can be held accountable, which will consider both the advantages and


² United Nations General Assembly, Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/59/710), March 24, 2005, 4-6.
disadvantages of taking legal action against international soldiers. Finally, the paper will be concluded with a brief reflection on the possible solutions to the problem of impunity. With a broader understanding of both sides of the accountability argument and with reference to the grave consequences that could occur if peacekeepers are not held responsible, it will be argued that peacekeepers operating under the auspices of the UN should be held accountable for their actions, specifically if they involve acts that violate the basic principles of human rights, such as sexual exploitation and abuse.

Background

For many, the notion of a UN peacekeeper invokes strong images of altruistic and trustworthy soldiers thrust into conflict situations in order to afford protection to those elements of society that are unable to protect themselves. When reports of extreme violence and torture emerged out of the 1992 UN peace operation in Somalia, the idyllic image of a peacekeeper was cast into doubt. It was further tarnished in other missions that occurred throughout the 1990s, including those in Bosnia-Herzegovina, Mozambique, East Timor and Liberia, when shocking allegations of misconduct were made by media and human rights organizations. Incidents of note include a marked increase in the demand for adult and child prostitutes upon the arrival of a peacekeeping contingent, large numbers of illegitimate children fathered by peacekeepers and then abandoned, and coerced sexual favours in exchange for a small amount of food or goods.3 The introduction of peacekeepers to new regions has often been accompanied by skyrocketing rates of HIV/AIDS, and accusations of rape, sexual slavery and sexual abuse committed against women and children have been frequent. Not only are these incidents harmful to local populations who have already been traumatized by the misery of war, but they also place the already-beleaguered UN under immense scrutiny from the international community.

Much of the recent outrage over incidents of misconduct has stemmed from the UN Mission in the Democratic Republic of the Congo (MONUC), which is one of the largest and longest UN peacekeeping missions to date. In May 2005, it was reported that 152 peacekeeping personnel and five UN staff members were dismissed from their employment with MONUC after concrete evidence proved that they had committed a variety of human rights violations.\(^4\) Between January 1, 2004, and December 9, 2005, the UN Office of Internal Oversight Services (OIOS) carried out a total of 278 investigations into the behaviour of MONUC peacekeeping personnel. Of these workers, sixteen civilians were dismissed from their employment in addition to the sixteen members of police units and the 122 military personnel that were repatriated to their home countries.\(^5\) The dismissals and repatriations were conducted on disciplinary grounds and yet the incidents in question were most often those of sexual exploitation and abuse. It should be noted that it is not only the blue-helmeted military personnel who are involved in human rights abuses; as peace operations continue to take a more multifaceted approach to deal with increasingly complex conflicts, there has been a noticeable rise in the number of civilian police and military observers involved in each mission.\(^6\) The pervasiveness of this problem throughout the various ranks of those involved with peace operations suggests that the reasons why this abuse has been occurring may lie in larger, more systemic factors, rather than just with the individuals who commit abuse.

**Causal Elements**

There are three key systemic factors that have served to fuel the number of incidents of sexual exploitation and abuse committed by peacekeepers. First, one of the most difficult aspects of any peace operation is gathering the required number of troops from member

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\(^5\) Ibid.

\(^6\) Kent, “Protecting Civilians,” 50-1.
states of the UN. Many countries, especially those considered to be more developed, are not willing to sacrifice their own soldiers for a conflict that they are not directly involved in or that they do not benefit from. This has meant that most soldiers in peace operations come from lesser developed countries where the level of pre-mission training is frequently inadequate.\(^7\) While the DPKO has recognized that it is essential for peacekeepers to be sensitive to local cultures, this lack of training has meant that adequate awareness about the circumstances that might encourage sexual exploitation and abuse is not present in many of the troops committed to peace operations. Establishing a common standard of behaviour for peacekeepers across different nationalities and cultures is also especially difficult. Since the UN is not in a situation that permits the DPKO to be overly selective about the peacekeepers that are provided for a mission, troops are often sent into a peace operation even though they are not necessarily well-suited for the engagement.\(^8\)

The second factor relates to the cultural and legal differences between troop-contributing countries, which have had a large impact on the process of national prosecution if and when peacekeepers are found to have perpetrated crimes against the local population. As will be examined later in this paper, the current method of holding military peacekeepers accountable has been to afford the responsibility of criminal prosecution to the troop-contributing country in question. However, the legal systems of the wide variety of member states of the UN do not always correspond

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\(^7\) Ibid, 52. In recent years, a general understanding of the complex motivating factors leading developing countries to contribute troops to United Nations peacekeeping operations has emerged, focusing on the potential financial gain for both individual troops and their home countries, and the opportunity to gain significant operational training for otherwise under-funded troops. Studies of the motivations of various troop-contributing countries, such as Ghana, Uruguay, India, Pakistan and Bangladesh, have produced evidence to this effect. For a further discussion of these motivating factors, see Chiyuki Aoi, Cedric de Coning and Ramesh Thakur, “Unintended consequences, complex peace operations and peacebuilding systems,” in *Unintended Consequences of Peacekeeping Operations*, eds. Chiyuki Aoi, Cedric de Coning and Ramesh Thakur (Hong Kong: United Nations University Press, 2007), 3.

to international standards. Countries may not have the required legislation that would allow them to prosecute repatriated peacekeepers, and as such, peacekeepers may be disciplined but not prosecuted. For other states that do have the ability to prosecute peacekeepers who commit crimes, many have not have criminalized the act of rape or other sexual offences, especially when marriage is involved. Pam Spees, in her briefing paper on gender and peacekeeping missions, observes that “in light of the fact that ‘forced marriages’ have been reported in different UN missions, this [legal] gap can result in impunity for serious and severe violations of women’s human rights if so-called husbands are allowed to sexually assault their ‘wives’ with impunity.” There is a large disparity between the cultural practices and legal systems of many of the regular troop-contributing countries that has projected a dangerous precedence of ambiguity to peacekeepers themselves as well as the international community.

The final systemic factor that is contributing to incidents of sexual exploitation and abuse involves part of the legal framework that actually creates a peace operation. There has usually been no commitment to respect international human rights within the Status of Force Agreements (SOFAs) conducted between the UN and host countries. The first time there was an explicit mention of human rights was in the SOFA that was negotiated for the UN peace operation in Korea, and this was only due to the advocacy of the


11 Ibid, 91.


13 Murphy, “An Assessment of UN Efforts,” 533.
International Committee of the Red Cross. Subsequently, the only mission to explicitly state the principles and spirit of the general conventions that are applicable to military personnel (including the four Geneva Conventions of 1949, as well as the two Additional Protocols of 1977) was the UN Assistance Mission for Rwanda.\textsuperscript{14} Although mentioning some of the key international humanitarian legal conventions in this SOFA was a good initial step, the wording was too vague and abstract for there to be any real implementation of this sentiment. As well, the model SOFA that has been created as a reference document for all future agreements does not currently include any mention of the importance of human rights. Without an explicit statement that recognizes human rights and pledges to uphold them to the highest standard, it is impossible to expect that this belief will permeate an entire peacekeeping mission. These three causal factors have served to compound the legal complexities surrounding the debate of the accountability of peacekeepers and have made it very difficult for those measures currently in place to deal effectively with this problem.

**Current Measures**

As previously mentioned, the UN and the DPKO have recognised that there is a significant problem that exists within the accountability framework of peacekeeping missions. Indeed, there have been a number of measures put in place by the UN in order to prevent and discourage human rights violations within peacekeeping operations. In 1997, the DPKO created and distributed the “Ten Rules Code of Personal Conduct for Blue Helmets,” which is a legally binding code on all military personnel involved in UN missions.\textsuperscript{15} The rules encompass a large number of important topics, including an express prohibition on “immoral acts of sexual, physical or psychological abuse or exploitation of the local populations...especially women and


\textsuperscript{15} Murphy, “An Assessment of UN Efforts,” 535.
children.”16 All troop-contributing states have recognized this code of conduct, and any breach of it renders the perpetrator liable to strict disciplinary action to be taken by the DPKO.

An additional code was introduced in 2003 by the Secretary-General of the UN, which outlines much the same standards found in the Code of Personal Conduct. However, the Bulletin focused specifically on special measures for that would prevent and respond to allegations of sexual exploitation and abuse.17 While the Bulletin is also binding on all military personnel working for a UN mission, there are three distinct problems with these key policies. Firstly, neither the Code nor the Bulletin is binding on civilian or military observers, who represent a large portion of current and newly-formed peace operations, and are just as likely as military personnel to be involved in human rights abuses. Secondly, as highlighted by the Zeid Report, it is very hard to implement such sweeping codes when they do not include any noteworthy suggestions for possible solutions to the problem. Finally, in the case of the most recent allegations of human rights abuses within the MONUC mission, the investigations conducted by OIOS revealed that “few military or civilian staff seemed aware of the directives, policies, rules and regulations governing sexual contact that they were obligated to follow.”18 These two documents create much of the foundation for the actions of peacekeeping operations but without concrete implementation and distribution, they have largely been unsuccessful at reversing the trend of human rights abuses.


18 Murphy, “An Assessment of UN Efforts,” 536.
Holding Peacekeepers to Account

The entire discussion of the accountability of peacekeepers is informed by the legal constructs of jurisdiction that have been in place since the creation of the first peacekeeping missions. In order to acknowledge the sovereign right of states to decide what actions will be taken with respect to their own citizens, military troops on peacekeeping missions remain under the jurisdiction of their home state.\(^\text{19}\) During this time, peacekeepers enjoy broad immunity from the laws and legal systems of the host state. These circumstances were originally agreed upon for much the same reasons that the UN has been granted immunity from all national legal proceedings. It has been noted by legal scholar Peter Malanczuk that if immunity for the UN did not exist, “a combination of eccentric litigants and biased courts could interfere with the performance of its functions.”\(^\text{20}\) Peacekeepers must be able to perform a wide variety of activities related to their mandate, and in order to do so, they need to be protected from situations where they could end up being prosecuted for political purposes.

While this immunity is granted to prevent a host state from charging a peacekeeper with a criminal act, the DPKO retains a limited ability to punish military personnel who may violate human rights. The Department can dismiss or repatriate a peacekeeper; however, once they have left the mission, the UN loses any influence it had to ensure that the home state fulfils its obligation to prosecute. The balance of jurisdiction for military peacekeeping personnel rests with the home state of that individual. Although the UN may receive a pledge from a troop-contributing country that it will exercise criminal jurisdiction over its citizens, this promise is not binding.\(^\text{21}\) Therefore, the current system of national jurisdiction over peacekeepers has meant that the UN depends on the will of member states to prosecute their own nationals, and in many cases,

\(^{19}\) Plessis and Pete, “Who Guards the Guards?” 1.


\(^{21}\) Kent, “Protecting Civilians,” 49.
peacekeepers have not been held criminally responsible for their actions.\textsuperscript{22}

Unfortunately, there is a general dearth of information regarding specific instances where peacekeepers have been released without punishment for their crimes of sexual exploitation and abuse, although a few stories have emerged throughout periodic reports published by foreign media and human rights organizations. Barbara Bedont lists a number of cases in her study of the relationship between international criminal justice and UN peacekeeping, including one example where:

In a report regarding the UN mission in Mozambique (ONUMOZ), Redd Barna reports that ONUMOZ personnel were directly involved in establishing and running child prostitution and trafficking rings. Namely, it reports that Italian peacekeepers collected school girls at school premises and recruited them for prostitution; engaged children in sexual activities, prostitution, pornographic activities (such as videos and photographs) and live sex shows; trafficked children by recruiting them for prostitution from different provinces; and intimidated children into making false statements exonerating Italian ONUMOZ personnel. No action was taken against the Italian peacekeepers, and instead, the Italian contingent returned home under other pretences.\textsuperscript{23}

Other similar cases exist, albeit the fact that there are typically fewer details available about the nature of the crimes committed and the consequences, if any, peacekeepers faced upon being confronted with such allegations. Bedont points to a “lack of reliable documented information regarding crimes committed by peacekeepers” and argues that “the United Nations does not maintain accurate records regarding the allegations of abuse against


\textsuperscript{23} Bedont, \textit{International Criminal Justice}.
peacekeepers or the actions taken by countries in response to allegations or incidents.” Even with such limited information, it has become clear that local populations hosting peacekeeping missions have suffered as a result of a lack of accountability.

With this in mind, and in an effort to stop the occurrence of sexual exploitation and abuse perpetrated by peacekeepers, should UN peacekeepers be held more accountable for their actions? There are significant advantages involved if peacekeepers were to be made more responsible for violations of human rights they may commit while on mission, and the potential consequences if this does not happen are quite grave. Advantages would stem first from the possibility that strong deterrence measures, in combination with effective preventative measures and appropriate punishment, could ensure that the rate of sexual abuse incidents would drop. If real accountability is able to stop the occurrence of human rights violations within peace operations, the entire mission would have a better chance at obtaining stability within the conflict or post-conflict region. By demonstrating to local populations that the UN and its peacekeeping forces take their responsibilities to be of the utmost importance, a stronger sense of trust would develop between the mission and the host community.

Furthermore, grave consequences are likely to emerge for the UN if it is unable to institute a system of real accountability within peacekeeping missions. The standing belief within many host states is that the UN tacitly condones activities that involve human rights violations. While this negative observation will certainly have an impact on individual peace operations, it has a more worrisome influence on the general opinion of the UN. Indeed, as more stories of

24 Ibid.
27 Kent, “Peacekeepers as Perpetrators,” 1.
sexual exploitation and abuse have emerged from peacekeeping operations, the credibility of the UN to conduct humanitarian interventions and peace operations has been cast into doubt. Finally, these consequences are culminated into creating a lasting negative impact on the UN. Vanessa Kent notes that “the UN and its peacekeepers...compromise their ability to legitimately advise on human rights standards and rule of law issues when their own personnel do not abide by the same standards.”

Although these advantages and potentially devastating consequences speak to the need for increased accountability in peacekeeping missions, there are also some major disadvantages to the imposition of stricter measures on peace operations. The most notable issue is that instituting more severe measures may reduce the already small numbers of troops available for peacekeeping missions. Again, the UN is not in a position to be discerning with its choices for troops, and must often use those peacekeepers that may have had less training or experience. Should countries contributing to current peace operations decide to remove their nationals in order to protect them from being held accountable for their actions, the entire peacekeeping system would suffer. As well, if larger countries such as the United States decided to pull their troops from ongoing missions, there might be a further weakening of the already insecure position and reputation of the UN within the international community. While any such action would be mainly symbolic, as the US contributes only 0.01 percent of the troops currently engaged in peacekeeping operations, it is likely to have a devastating impact on international perceptions of the UN.

It is difficult to postulate on whether or not the advantages and potential consequences of a continued lack of accountability completely outweigh the aforementioned disadvantages. Indeed, the consequences of ensuring greater accountability should not be

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28 Ibid., 3.


30 Ibid.
discredited, as they undermine some of the fundamental requirements for peace operations. Without adequate troop contributions, peacekeeping missions will be under even more stress and may eventually become untenable. However, the damage inflicted on already-weakened populations suffering at the hands of peacekeepers who remain immune from formal criminal justice procedures cannot be understated. In a highly critical editorial marking the sixtieth anniversary of the UN, the New York Times argues that:

The whole purpose of these missions is to help countries ravaged by civil or international conflict restore stability, guarantee public security and install the rule of law. When United Nations peacekeepers rape the people they were sent to protect and coerce women and girls to trade sex for food, as they were found to have done in Congo last winter, they defeat the purpose of their mission and exploit some of the world’s most vulnerable people.31

Peacekeeping missions endeavour to leave conflict-ridden and post-conflict states in a better situation than before the operation began. If sexual exploitation and abuse at the hands of peacekeepers is tacitly condoned by the UN and continues to take place unimpeded, the credibility of peace operations and their future sustainability may be irrevocably damaged. Taking into consideration the advantages, disadvantages and consequences of ensuring that peacekeepers are held responsible for their actions, it is imperative that the UN ensures accountability throughout its peacekeeping operations. Although the nature of the system of jurisdiction over peacekeepers has served to remove responsibility from the hands of the UN, the organization must do more to protect its own vital interests, in addition to the well-being of those civilians who are impacted by peacekeeping missions.

Possible Solutions

As it has been determined that the best course of action for the UN is to create a more accountable and responsive system to deal with any violations of human rights abuses, the problem now turns to implementation. It may be easy to say that a policy of stricter accountability should be applied, but there have been significant problems in the past with the actual execution of preventative and reactive measures. It is understandable that making significant changes to each different peacekeeping operation as well as the oversight mechanisms entrusted to the DPKO will necessarily involve a large amount of time and a heavy financial burden. It is perhaps more reasonable to focus separately on short- and long-term solutions to the problem of accountability. Some of the smaller measures could be implemented immediately, while those that will require further research or need to obtain consensus before being executed could be situated in the longer-term goals of the DPKO. As well, it should be noted that the solutions offered here are not an exhaustive list; rather, they are measures that are most directly related to concrete problems mentioned in this paper. It is to be hoped that these solutions would be only one part of a comprehensive approach to eradicating human rights violations.

One of the simplest, yet possibly one of the most effective measures that could be undertaken quite quickly is to include explicit reference to the importance of human rights within each SOFA negotiated between the UN and host states of peacekeeping missions. As well, if the model SOFA was changed at the same time, this would ensure that all future agreements also pledge to uphold human rights.\footnote{Murphy, “An Assessment of UN Efforts,” 542.} It is not sufficient to only mention human rights in the personal codes of conduct for peacekeepers. By making a concrete commitment to the host state in question, the issue of human rights violations by peacekeepers will be brought to the fore of the discussion over peace operations and not fade in light of more immediately pressing issues.

Another measure that could be undertaken relatively quickly would be to institute standardized in-mission training for all
personnel entering a peacekeeping mission.\textsuperscript{33} As pre-deployment training remains the responsibility of individual troop-contributing states, the level of knowledge may vary greatly between peacekeepers on the same mission. Furthermore and as previously mentioned, some troop-contributing countries may not have the economic and human resources to provide enough training to their peacekeepers. The DPKO should develop a standard training program that would educate peacekeepers about certain sensitive issues and would reinforce the repercussions of misconduct. This would certainly contribute to the prevention of human rights violations, which is equally as important as the reactive measures put in place to deal with abuse once it has already occurred. However, training should not be considered to be a ‘cure-all’ for the variety of problems encountered while on mission; the DPKO must ensure that the codes of conduct that have already been written are absolutely clear and that they are widely disseminated amongst all members of a mission.\textsuperscript{34} Prevention must start at the top of the hierarchical chain of military command, and so the message of zero tolerance for human rights abuses must also be wholeheartedly supported by senior leadership.

Finally, the UN should ensure that the 2003 Secretary-General’s Bulletin is binding on all categories of personnel involved in peacekeeping missions, including civilian police and military observers. Creating a standard code of behaviour across all levels of personnel will eliminate some of the confusion that is currently pervasive in peacekeeping missions in terms of the roles, responsibilities and obligations of different staff member. If all mission workers are held to the same standards, the Bulletin will become easier to enforce and will outline in very clear, non-negotiable terms the proper behaviour required by all members of a peacekeeping mission.

Beyond these three initial solutions, there are also two key long-term goals that the DPKO and the UN should strive towards implementing. Firstly, there does not seem to be any alternative to

\textsuperscript{33} Kent, “Protecting Civilians,” 60.

\textsuperscript{34} Ibid.
the current system of prosecution for crimes, whereby the UN must turn over a suspect to their home state for prosecution. Changing this system would require a redesign of the standards of legal rights. Due to the extreme consequences that would befall peacekeeping missions should this be undertaken, the UN should instead focus on ensuring that prosecution actually takes place. By establishing a central monitoring organization that can track peacekeepers who have been dismissed or repatriated on disciplinary grounds, the UN will be able to follow the process and results of national criminal cases that emerge out of peacekeeping missions.\(^{35}\) This will certainly require participation on behalf of member states, which is why this goal will take longer than others to implement properly. However, the time and financial commitment by the UN would surely result in a better, more accountable system of prosecution.

The final measure that should be implemented is to develop programs of assistance and rehabilitation for the victims of abuse committed by peacekeepers. It is of vital importance that those civilians, especially women and children, who have already been subjected to severe physical, emotional and psychological abuse, receive aid and treatment. In order to finance such programs, the UN could impose strict financial penalties on those peacekeeping personnel who commit large- or small-scale violations of human rights against local populations.\(^{36}\) The money recovered from these penalties would then go directly into creating a more stable support base for victims of sexual exploitation and abuse. By focusing on short- and long-term solutions, it is possible that the UN can rectify the current problems of the accountability of peacekeepers.

**Conclusions**

The problem of human rights violations committed by UN military and civilian personnel during missions abroad is one that impacts the very foundation of peacekeeping. The purpose of peacekeeping is to ensure that aggression between states or regional actors is halted.

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\(^{35}\) Murphy, "An Assessment of UN Efforts," 542.

\(^{36}\) Ibid., 543.
and that civilians are protected from unnecessary harm. However, when peacekeepers themselves become involved in activities that hurt local populations, the presence of a mission becomes an additional burden for already weakened societies to bear. The complex legal landscape that surrounds the accountability of peacekeepers has not helped to ensure that those personnel who commit crimes are ultimately held responsible; however, this is not to say that the UN should not implement stronger instruments that could create real accountability. In order to protect the entire system of multilateral peacekeeping and to make certain that peacekeepers are not causing more harm than good, the UN must ensure that effective preventative and reactive measures exist.

While this paper has provided a general overview of some of the key aspects of this problem, including the actors that are involved, the systemic causes and the current measures in place, it has also attempted to provide a comparison between the advantages and disadvantages of holding peacekeepers accountable. Any measures implemented by the UN to deal with the problems of responsibility should take a wide-ranging and multifaceted approach to ensuring that the problem of human rights violations is completely eliminated from peacekeeping missions. If the current situation of real and perceived immunity is allowed to persist, the consequences for host countries and for the international reputation of the UN will be immensely dangerous.

Bibliography


