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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Michael Gahler, Maria Martens, José Javier Pomés Ruiz, Charles Tannock,

on behalf of the PPE-DE Group

on the implication of the UN forces in sexual abuses in Liberia and Haiti

European Parliament resolution on the implication of the UN forces in sexual abuses in Liberia and Haiti

The European Parliament,

- having regard to the UN high-level conference on eliminating sexual exploitation and abuse by UN and NGO personnel held in New York on 4 December 2006 and the Secretary General's remarks at that conference,

- having regard to the Geneva Convention (1949) and additional 1997 protocols which stipulate that women must be protected against rape and all other forms of sexual violence,

- having regard to the United Nations Declaration on the Elimination of Violence Against Women (20 December 1993) and the United Nations Convention on the Rights of the Child, (20 November 1999),

- having regard to UN Security Council Resolution 1265 on the Protection of Civilians in Armed Conflict, of 17 September 1999 and particularly paragraph 14 thereof, whereby UN personnel involved in peacemaking, peacekeeping and peace-building activities must have appropriate training, particularly in human rights, including gender-related provisions,

- having regard to the Rome Statute establishing the International Criminal Court adopted in 1998 and particularly Articles 7 and 8 thereof, which lists rape, sexual slavery, enforced prostitution, forced pregnancy and forced sterilisation or any form of sexual violence as crimes against humanity and war crimes and equate them with a form of torture and a serious war crime, whether these acts are systematically perpetrated or not during international or internal conflicts,

- having regard to United Nations Security Council Resolution 1712 (2006) on Liberia,

- having regard to the report by Zeid Ra'Ad Zeid Al-Hussein, Advisor to the Secretary-General on Sexual Exploitation and Abuse in UN Peacekeeping Operations, entitled "A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations Peacekeeping Operations",

- having regard to the Office of Internal Oversight Services' (OIOS) report "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", (5 January 2005),

- having regard to Rule 115(5) of its Rules of Procedure,

A. whereas the recent claims concerning children in Haiti and Liberia being subjected to rape and prostitution by UN peacekeepers is the latest in a sad series of similar scandals, including acts by UN personnel of paedophilia in the Democratic Republic of Congo and of human trafficking in Kosovo,

B. whereas there are nearly 100,000 UN peacekeepers in the world, the vast majority of whom serve loyally and honourably, but whose contributions to peace and security are undermined by the serious sexual abuses by a small number of individual UN personnel,

C. whereas the United Nations have investigated 319 peacekeeping personnel for sexual abuse since 2004 and disciplined 179 soldiers, civilians and police,

1. Condemns the acts of UN peacekeepers in Haiti and Liberia that have subjected children to rape and prostitution;
2. Condemns all acts of sexual abuse and exploitation as well as other forms of criminal acts carried out by UN personnel in violation of human rights as well as being in flagrant contradiction with, and constituting a betrayal of, the peacekeeping and humanitarian mission of the organisation itself;
3. Underlines the particularly heinous nature of these acts, preying on extremely vulnerable and weak local populations that should be protected, not abused, by UN personnel;
4. Calls on all Member States of the UN sending personnel on peacekeeping missions to follow up all claims of sexual abuse and exploitation, particularly those which concern minors and to bring those individuals who have committed sexual abuses to court as quickly as possible;
5. Expresses serious concern over reports of a "culture of silence" in some UN missions, stemming from the fear of punishment and retaliation; calls on the UN to take all necessary steps to create a working environment enabling staff to report abuses without fearing retaliations;
6. Welcomes the decisive action undertaken by the UN to stamp out such behaviour including the creation of Inter-Agency Standing Committee (IASC) Task Force on Sexual Exploitation and Abuse, (March 2002) coordinated by the Assistant-Secretary General for Peacekeeping; the appointment of an Advisor to the Secretary-General on Sexual Exploitation and Abuse in UN Peacekeeping Operations, Prince Zeid Ra'ad Zeid Al-Husseini; its investigations into its personnel which have resulted in the recent dismissal of several UN peacekeepers;
7. Underlines that despite these measures and the UN's long-standing "zero tolerance" approach, allegations of sexual misconduct persist; and that unless the UN can urgently put a stop to this behaviour it will have a detrimental impact on the credibility and moral authority of the institution as a whole; and that ultimately, some Member States may reduce the number of their troops at a time when there is a strong need for peace-keeping missions;
8. Stresses the difficulty faced by the UN with respect to disciplining troops guilty of sexual misconduct because ultimate responsibility for training and disciplining troops remains the preserve of Member States; therefore, urges countries concerned to implement disciplinary procedures wherever possible;
9. Welcomes also the ambition to create a binding UN treaty on the prosecution of sexual

abuse committed by peacekeepers;

10. Stresses that such a treaty should also include policies preventing UN personnel charged with such abuse from being re-hired, the setting up of a fund to assist victims of abuse, as well as measures to improve training of UN personnel in the respect of human rights;

11. Welcomes the recent high-level UN conference (4 December 2006) that addressed the issues of preventing sexual misconduct by field personnel and the Secretary-General's announcement about a forthcoming strategy to assist victims of sexual exploitation and abuse as well as the use of DNA sampling to prevent further abuses;

12. Welcomes the national campaign to combat Sexual Exploitation and Abuse (SEA) launched by the Liberian Government (4 December 2006), in conjunction with the UN and civil society organisations and President Johnson Sirleaf's call to the international community "not to misuse [its] wealth and power to sexually exploit children and women";

13. Instructs its President to forward this resolution to the Council, the Commission and the Secretary-General and the Member States of the UN.