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*CONGRESSIONAL TESTIMONY*

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## **Peacekeepers: Allegations of Abuse and Absence of Accountability at the United Nations**

Testimony before the  
Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations  
Committee on Foreign Affairs  
United States House of Representatives

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My name is Brett Schaefer. I am the Jay Kingham Research Fellow in International Regulatory Affairs at The Heritage Foundation. The views I express in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

I want to thank you for the opportunity to discuss key concerns about United Nations peacekeeping.

Within the U.N. system, the 1945 U.N. Charter places the principal responsibility for maintaining international peace and security on the Security Council. The charter gives the Security Council extensive powers to investigate disputes to determine whether they endanger international peace and security; to call on participants in a dispute to settle the conflict through peaceful negotiation; to impose economic, travel, and diplomatic sanctions; and, ultimately, to authorize the use of military force.

For better or worse, this robust vision of the U.N. as a key vehicle for maintaining international peace and security did not materialize after the U.N. was established. On the contrary, opposing interests among the member states, particularly during the Cold War, largely prevented the U.N. from taking decisive action except when the interests of the major powers were minimally involved.

As a result, the United Nations established only 18 peace operations between 1945 and 1990 despite a multitude of conflicts that threatened international peace and security to varying degrees. The bulk of these peace operations were fact-finding missions, observer missions, and other roles in assisting peace processes in which the parties had agreed to cease hostilities. Traditionally, U.N. peace operations were rarely authorized with the expectation that they would involve the use of force.<sup>1</sup>

Since the end of the Cold War, the U.N. Security Council has been far more active in establishing peace operations, with over 50 being established since 1990.<sup>2</sup>

In the early 1990s, crises such as those in the Balkans, Somalia, and Cambodia led to a dramatic increase in the number and size of U.N. peace operations missions. However, the debacle in Somalia and the failure of U.N. peacekeepers to intervene and prevent the 1994 genocide in Rwanda and to stop the 1995 massacre in Srebrenica, Bosnia, led to a renewed skepticism about U.N. peacekeeping and a decline in the breadth and frequency of U.N. peacekeeping in the mid and late 1990s.

This lull was short-lived. With a number of troubling situations, many of them in Africa, receiving increasing attention from the media in recent years, the Security Council has found itself under pressure to respond and “do something.” The Security Council has often responded by establishing additional peacekeeping operations with unprecedented pace, scope, and ambition.

At the end of February 2016, 122,778 personnel (including 104,503 uniformed personnel, 16,471 civilian personnel, and 1,804 volunteers) were involved in 16 U.N. peacekeeping operations overseen by the U.N.

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<sup>1</sup>Notable exceptions are the United Nations Emergency Force (UNEF I) established in 1956 to monitor the cease-fire between Israel and Egypt and the United Nations Operation in the Congo (ONUC) established in 1960 to oversee the withdrawal of Belgian forces and maintain order and to preserve the territorial integrity and independence of the Congo. Political tensions over funding led many member states, including permanent Security Council members France and the Soviet Union, to withhold their share of the expenses of these missions, precipitating the U.N.’s first major financial crisis. See Brett D. Schaefer, “The Window of Opportunity to Overhaul the U.N. Scale of Assessments Is Closing,” Heritage Foundation *Background* No. 2701, June 18, 2012, p. 13, [http://thf\\_media.s3.amazonaws.com/2012/pdf/bg2701.pdf](http://thf_media.s3.amazonaws.com/2012/pdf/bg2701.pdf).

<sup>2</sup>United Nations, “History of Peacekeeping,” <http://www.un.org/en/peacekeeping/operations/history.shtml>.

Department of Peacekeeping Operations.<sup>3</sup> These activities have grown increasingly expensive over the past 30 years, with the current annual peacekeeping budget estimated at \$8.28 billion.<sup>4</sup>

MAP 1

### U.N. Spending on Peacekeeping Operations Since 1948



Area	Total Spending	Area	Total Spending
1 Sudan	\$19,335,848,700	24 Egypt	\$660,700,000
2 Dem. Rep. Congo	\$16,856,972,200	25 Iraq/Kuwait border	\$600,000,000
3 Southern Lebanon	\$9,262,524,350	26 Mozambique	\$492,600,000
4 Liberia	\$7,403,144,430	27 Rwanda	\$453,900,000
5 Haiti	\$7,045,498,750	28 Croatia	\$450,662,000
6 Côte d'Ivoire	\$5,723,582,950	29 Georgia	\$396,860,000
7 Yugoslavia	\$4,616,725,556	30 Namibia and Angola	\$368,600,000
8 South Sudan	\$4,126,258,800	31 India/Pakistan border	\$275,641,575
9 Kosovo	\$3,407,160,500	32 Macedonia	\$185,000,000
10 Sierra Leone	\$2,853,600,000	33 Iran and Iraq	\$177,900,000
11 Central African Republic	\$2,527,057,800	34 El Salvador	\$107,700,000
12 East Timor	\$2,382,297,900	35 Central America	\$92,400,000
13 Mali	\$1,894,354,600	36 Tajikistan	\$63,000,000
14 Cyprus	\$1,796,672,507	37 Syria	\$16,800,000
15 Somalia	\$1,642,900,000	38 Afghanistan and Pakistan	\$14,000,000
16 Cambodia	\$1,600,000,000	39 Western New Guinea	\$5,505,833
17 Golan	\$1,483,580,514	40 Guatemala	\$3,900,000
18 Angola	\$1,373,103,500	41 Beirut	\$3,700,000
19 Ethiopia and Eritrea	\$1,320,000,000	42 Uganda	\$2,300,000
20 Western Sahara	\$1,229,320,013	43 Yemen	\$1,800,000
21 Middle East	\$1,102,170,975	44 Dominican Republic	\$275,831
22 Bosnia and Herzegovina	\$1,094,056,917	45 Chad	\$64,471
23 Burundi	\$678,300,000	<b>Total</b>	<b>\$105,128,440,672</b>

**NOTE:** Financial data are presented in current dollars because U.N. data for annual costs of older operations was not available.

**SOURCES:** United Nations, Peacekeeping Operations, <http://www.un.org/en/peacekeeping/operations/past.shtml> (accessed April 8, 2016), and other U.N. documents.

<sup>3</sup>United Nations, “Peacekeeping Fact Sheet,” as of February 29, 2015, <http://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml>.

<sup>4</sup>United Nations General Assembly, “Approved resources for peacekeeping operations for the period from 1 July 2015 to 30 June 2016,” A/C.5/69/24, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.5/69/24](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.5/69/24).

A look back over the past seven decades provides interesting insight into where peacekeeping efforts have been focused and how resources have been allocated. As illustrated in Map 1, the U.N. has spent over \$105 billion on 70 past and current peacekeeping operations dating back to 1948. The U.S. taxpayer has paid between a quarter and a third of these costs expenses. These peacekeeping operations and costs have focused overwhelmingly on situations in Africa. Of the 70 past and current operations, 33 were located in Africa, and their total cost represents over 65 percent of the \$105 billion spent on U.N. peacekeeping since 1948. Currently, nine of the 16 active peacekeeping operations are located in Africa. Those missions also tend to be the largest and most expensive of the current operations, with African missions comprising 85 percent of the amounts directly budgeted for peacekeeping operations for 2015-2016.

### **High Costs for the U.S.**

According to U.N. data, the U.N. system nearly tripled its revenues from 2003 and 2013, from \$17.527 billion to \$44.632 billion.<sup>5</sup> About a fifth of this expense goes to U.N. peacekeeping. The U.N. peacekeeping budget funds most of the peacekeeping missions established by the Security Council.<sup>6</sup>

Unlike the regular budget, which is a biennial or two-year budget, the peacekeeping budget is an annual budget that goes from July to June. The approved peacekeeping budget from July 2015 to June 2016 was \$8.28 billion, although this may be adjusted during the period as missions are reduced, expanded, adjusted, closed, or newly established.<sup>7</sup>

There are 193 member states in the United Nations. Article 17 of the U.N. Charter states that the “expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.” Since the U.N.’s establishment, these expenses have been apportioned “broadly according to capacity to pay” and allocated among the U.N. member states in a “scale of assessment” that assigns each U.N. member state a certain percentage of the expenses that it is expected to provide.<sup>8</sup>

Under the formula used by the U.N. to determine the scale of assessments, wealthier nations, based principally on their share of global gross national income, are asked to pay larger shares of the budget than are poorer nations. This was done in recognition of fiscal reality. The founders of the U.N. did not wish U.N. membership to cause severe financial hardship. However, as evidenced from their actions in establishing a minimum assessment of 0.04 percent in 1946, they did not believe that membership should be costless or insignificant either, even though the original member states included very poor countries such as Haiti.

Over the past 70 years, however, the capacity to pay principle has been used to incrementally reduce the share of the expenses of the U.N. borne by poor and developing countries through various discounts for

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<sup>5</sup>United Nations General Assembly, “Budgetary and financial situation of the organizations of the United Nations system,” Table 1: Approved regular budgets, and Table 2: Extrabudgetary resources, A/61/203, July 28, 2006, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/449/43/img/N0644943.pdf>; United Nations General Assembly, “Budgetary and financial situation of the organizations of the United Nations system,” Table 2: Total Revenue by organization, A/69/305, August 12, 2014, <http://www.unsceb.org/CEBPublicFiles/A-69-305.pdf>.

<sup>6</sup>The earliest operations—the U.N. Truce Supervision Organization (UNTSO) established in 1948 and the U.N. Military Observer Group in India and Pakistan (UNMOGIP) established in 1949—were originally funded and continue to be funded through the regular budget under the normal scale of assessments.

<sup>7</sup>United Nations General Assembly, “Approved resources for peacekeeping operations for the period from 1 July 2015 to 30 June 2016,” A/C.5/69/24, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.5/69/24](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.5/69/24).

<sup>8</sup>For a detailed history of this practice, see Schaefer, “The Window of Opportunity to Overhaul the U.N. Scale of Assessments Is Closing.”

debt, low per capita income, and other modifications. The primary result of these adjustments is to shift the costs of the organization away from the bulk of the membership onto a relative handful of high-income nations, including the U.S.

The United States has been the U.N.'s largest financial supporter ever since the organization's founding in 1945. The U.S. is currently assessed 22 percent of the U.N. regular budget and 28.5738 percent of the U.N. peacekeeping budget. The lowest assessment for the regular budget currently sits at 0.001 percent. Under the current scale of assessments, 32 countries pay this assessment, which equates to an annual payment of approximately \$27,000 for the regular budget. America's regular budget assessment is 22 percent, which equates to an annual payment of about \$594 million.

The peacekeeping assessment is based on a country's regular budget assessment, but the vast majority of the U.N. membership receives discounts ranging from 7.5 percent to 90.0 percent, which are then added proportionately to the assessments of the permanent members of the Security Council.<sup>9</sup> For the peacekeeping budget, the minimum is 0.0001 percent.

As presented in Table 1, for the peacekeeping budget, the U.S. is assessed more than 185 other U.N. member states combined and 280,000 times more than the least-assessed countries. These differences are even starker in dollar terms:

- Under the current peacekeeping scale of assessment for 2016–2018, the 18 countries paying the minimum peacekeeping assessment of 0.0001 percent in 2016 each will be assessed approximately \$8,276 based on the approved peacekeeping budget for 2015–2016.<sup>10</sup>
- Nearly 80 countries will be assessed less than \$100,000 this year for peacekeeping.
- By contrast, the U.S. is assessed 28.5738 percent of the peacekeeping budget, which works out to \$2.365 billion based on the approved peacekeeping budget for 2015–2016.

Unfortunately, the discrepancy between the financial burden shouldered by the U.S. versus most member states has been growing. Fifteen years ago, Ambassador Richard Holbrooke testified to the Senate that he had secured a deal to lower the U.S. peacekeeping assessment to 25 percent as required under U.S. law and as a condition for payment of U.S. arrears under the Helms–Biden agreement.<sup>11</sup> By 2009, the U.S. share had fallen to 25.9624 percent.<sup>12</sup>

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<sup>9</sup>United Nations General Assembly, "Scale of Assessments for the Apportionment of the Expenses of United Nations Peacekeeping Operations," A/RES/55/235, January 30, 2001, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/55/235](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/55/235) (accessed May 4, 2015).

<sup>10</sup>United Nations General Assembly, "Approved resources for peacekeeping operations for the period from 1 July 2015 to 30 June 2016," A/C.5/69/24, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.5/69/24](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.5/69/24).

<sup>11</sup>Richard C. Holbrooke, U.S. Permanent Representative to the United Nations, testimony before the Committee on Foreign Relations, U.S. Senate, January 9, 2001.

<sup>12</sup>For a fuller discussion, see Brett D. Schaefer, "U.S. Must Enforce Peacekeeping Cap to Lower America's U.N. Assessment," Heritage Foundation *Background* No. 2762, January 25, 2013, <http://www.heritage.org/research/reports/2013/01/us-must-enforce-peacekeeping-cap-to-lower-americas-un-assessment>.

TABLE 1

## United Nations Scale of Assessments for 2016

	REGULAR BUDGET		PEACEKEEPING BUDGET	
	Percent	Dollars	Percent	Dollars
<b>Total</b>		\$2,700,897,200		\$8,275,565,500
<b>Permanent Members of the U.N. Security Council</b>				
United States	22.000	\$594,197,384	28.5738	\$2,364,643,535
France	4.859	\$131,236,595	6.3109	\$522,262,663
United Kingdom	4.463	\$120,541,042	5.7966	\$479,701,430
China	7.921	\$213,938,067	10.2879	\$851,381,903
Russian Federation	3.088	\$83,403,706	4.0107	\$331,908,106
<b>Other Notable Contributors</b>				
Japan	9.680	\$261,446,849	9.6800	\$801,074,740
Germany	6.389	\$172,560,322	6.3890	\$528,725,880
Brazil	3.823	\$103,255,300	0.7646	\$63,274,974
Italy	3.748	\$101,229,627	3.7480	\$310,168,195
Canada	2.921	\$78,893,207	2.9210	\$241,729,268
Australia	2.337	\$63,119,968	2.3370	\$193,399,966
Saudi Arabia	1.146	\$30,952,282	0.8404	\$69,547,852
India	0.737	\$19,905,612	0.1474	\$12,198,184
Iran	0.471	\$12,721,226	0.0942	\$7,795,583
Israel	0.430	\$11,613,858	0.4300	\$35,584,932
South Africa	0.364	\$9,831,266	0.0728	\$6,024,612
Nigeria	0.209	\$5,644,875	0.0418	\$3,459,186
Pakistan	0.093	\$2,511,834	0.0186	\$1,539,255
Cuba	0.065	\$1,755,583	0.0130	\$1,075,824
North Korea	0.005	\$135,045	0.0010	\$82,756
<b>Lowest Assessment (32 Countries—Regular Budget, 18 Countries—Peacekeeping Budget)</b>	0.001	\$27,009	0.0001	\$8,276
<b>Notable Groupings</b>				
Least-assessed 178 countries	21.372	\$577,235,750	11.8850	\$983,567,511
Least-assessed 185 countries	37.117	\$1,002,492,014	25.2030	\$2,085,707,324
Geneva Group (16 countries)	72.865	\$1,968,008,745	78.1262	\$6,465,384,854
G-77 (133 countries)	21.856	\$590,308,092	15.0856	\$1,248,418,709
G-77 without China	13.935	\$376,370,025	4.7977	\$397,036,806
NAM (113 countries)	9.108	\$245,997,717	3.7842	\$313,163,950
OIC (56 countries)	6.288	\$169,832,416	2.8474	\$235,638,452

**NOTES:** The regular budget amount is based on half of the adjusted biennial budget for 2016 and 2017. The peacekeeping budget amount is the approved resources for July 1, 2015 through June 30, 2016.

**SOURCES:** United Nations General Assembly, "Approved Resources for Peacekeeping Operations for the Period from 1 July 2015 to 30 June 2016," A/C.5/69/24, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.5/69/24](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.5/69/24) (accessed March 16, 2016); United Nations General Assembly, "Programme Budget for the Biennium 2016–2017," A/C.5/70/L.20, December 23, 2015, <http://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/454/52/pdf/N1545452.pdf> (accessed March 16, 2016); and United Nations General Assembly, "Scale of Assessments for the Apportionment of the Expenses of United Nations Peacekeeping Operations: Implementation of General Assembly Resolutions 55/235 and 55/236," United Nations Document A/70/331/Add.1, December 28, 2015, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/70/331/add.1](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/331/add.1) (accessed March 16, 2016).

Under the three scales of assessment approved under the Obama Administration—the U.N. adopts a new scale of assessments every three years—the U.S. share of the peacekeeping budget has increased each time.<sup>13</sup> The U.S. share of the peacekeeping budget has risen to 28.5738 percent under the current scale for 2016–2018.<sup>14</sup>

This increase may seem small, but it costs American taxpayers hundreds of millions of dollars each year. Specifically, if the U.S. were assessed at 25 percent, American taxpayers would be assessed nearly \$300 million less for U.N. peacekeeping this year.

### **Serious Flaws, Concerns and Problems**

As noted above, the more recent operations have often involved mandates that go beyond traditional peacekeeping in scope, purpose, and responsibilities. These missions have often focused on quelling civil wars, reflecting a change in the nature of conflict from interstate conflict between nations to intrastate conflict within nations. Increasing demands have revealed ongoing, serious flaws and problems.

**Fraud and Corruption.** Over the years, numerous reports, audits, and investigations have revealed mismanagement, fraud, and procurement corruption in U.N. peacekeeping. For instance, in a 2007 U.N. Office of Internal Oversight Services (OIOS) report, an examination of \$1.4 billion of peacekeeping contracts turned up “significant” corruption schemes that tainted \$619 million (over 40 percent) of the contracts.<sup>15</sup> An audit of the U.N. mission in Sudan revealed tens of millions of dollars lost to mismanagement and waste and exposed substantial indications of fraud and corruption.<sup>16</sup> According to then-head of OIOS Inga-Britt Ahlenius in 2008, “We can say that we found mismanagement and fraud and corruption to an extent we didn’t really expect.”<sup>17</sup>

More recent reports are scarce, most likely due to OIOS disinterest in pursuing investigations as detailed above, but relatively recent news stories on possible corruption in U.N. air charters to favor Russian contractors,<sup>18</sup> allegations of selling U.N. peacekeeping jobs in Haiti and the Democratic Republic of the

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<sup>13</sup>For a fuller discussion, see *ibid.*

<sup>14</sup>Report of the Secretary-General, “Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations: Implementation of General Assembly resolutions 55/235 and 55/236,” United Nations Document A/70/331/Add.1, December 28, 2015, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/70/331/add.1](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/331/add.1).

<sup>15</sup>United Nations Office of Internal Oversight Services, “Report of the Office of Internal Oversight Services on the Activities of the Procurement Task Force for the 18-Month Period Ended 30 June 2007,” A/62/272, October 5, 2007, [http://www.eyeontheun.org/assets/attachments/documents/5522\\_report\\_OIOS\\_activities\\_procurement\\_task\\_force\\_30\\_june\\_2007.doc](http://www.eyeontheun.org/assets/attachments/documents/5522_report_OIOS_activities_procurement_task_force_30_june_2007.doc) (accessed May 4, 2015).

<sup>16</sup>Colum Lynch, “Audit of UN’s Sudan Mission Finds Tens of Millions in Waste,” *The Washington Post*, February 10, 2008, p. A16, <http://www.washingtonpost.com/wp-dyn/content/article/2008/02/09/AR2008020902427.html> (accessed May 4, 2015).

<sup>17</sup>Louis Charbonneau, “UN Probes Allegations of Corruption, Fraud,” Reuters, January 10, 2008, <http://www.polity.org.za/article/un-probes-allegations-of-corruption-fraud-2008-01-11> (accessed May 4, 2015).

<sup>18</sup>George Russell, “UN Paid Russian Air Charters Hundreds of Millions While Putin Invaded Ukraine,” Fox News, April 9, 2015, <http://www.foxnews.com/world/2015/04/09/un-paid-russian-air-charters-hundreds-millions-while-putin-invaded-ukraine/> (accessed May 4, 2015).

Congo,<sup>19</sup> and assertions by independent watchdogs like Transparency International that the U.N. has failed to prioritize fighting corruption in peacekeeping operations<sup>20</sup> indicate that the issue should remain a focus of concern for Congress.

**Unintended Consequences.** Ten months after the 2010 earthquake, Haiti was ravaged by cholera for the first time in over a century. Over 9,000 Haitians have died, and more than 800,000 more have been sickened from cholera. Infections first occurred in the vicinity of an outpost of U.N. peacekeepers from Nepal, where cholera was widespread, and quickly spread across Haiti. A U.N. investigation concluded that the cholera cases involved a single strain of the disease, indicating a single source, and that the strain was closely related to strains contemporaneously circulating in South Asia. Subsequent studies and reports, including one by the scientists that originally conducted the U.N. investigation, confirmed these conclusions and identified the Nepalese peacekeepers as almost certainly the source of the cholera outbreak.<sup>21</sup> Because of the broad immunities and privileges enjoyed by the U.N., efforts to sue the organization have been unsuccessful to date.

The U.N. has repeatedly refused to admit responsibility.<sup>22</sup> However, a leaked internal U.N. report indicates that negligence and sanitation problems continued well after the initial cholera outbreak. According to a summary of the report, “a month after the cholera outbreak, more than one in 10 of the UN camps were still disposing of sewage—known as ‘black water’—‘directly into local environment’. In addition, more than seven in 10 of the camps disposed of their ‘grey water’—that is water from showers and kitchens—into the ‘local environment’.”<sup>23</sup>

According to the leaked report, these sanitation issues could have been dealt with for \$3.15 million. The current estimate of the cost to eradicate cholera from Haiti is over \$2 billion. There is no evidence that any U.N. official has faced any consequences for the failures in Haiti. As noted by former U.N. Assistant

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<sup>19</sup>Matthew Russell Lee, “On Selling of UN Jobs in DRC & Haiti UN Says It’s Up to Cote d’Ivoire: Cover Up?” Beacon Reader, February 11, 2015, [https://www.beaconreader.com/matthew-russell-lee/on-selling-of-un-jobs-in-drc-haiti-un-says-its-up-to-cote-divoire-cover-up?utm\\_source=publish&utm\\_medium=email&utm\\_campaign=on-selling-of-un-jobs-in-drc-haiti-un-says-its-up-to-cote-divoire-cover-up&utm\\_content=bottomlink](https://www.beaconreader.com/matthew-russell-lee/on-selling-of-un-jobs-in-drc-haiti-un-says-its-up-to-cote-divoire-cover-up?utm_source=publish&utm_medium=email&utm_campaign=on-selling-of-un-jobs-in-drc-haiti-un-says-its-up-to-cote-divoire-cover-up&utm_content=bottomlink).

<sup>20</sup>Transparency International, “Corruption & Peacekeeping: Strengthening Peacekeeping and the United Nations,” October 2013, [https://www.dropbox.com/s/4cetp3taz7o9upv/2013-10\\_%20Corruption-PK-report.pdf](https://www.dropbox.com/s/4cetp3taz7o9upv/2013-10_%20Corruption-PK-report.pdf).

<sup>21</sup>For a fuller discussion, see Brett D. Schaefer, “Haiti Cholera Lawsuit Against the U.N.: Recommendations for U.S. Policy,” Heritage Foundation *Backgrounder* No. 2859, November 12, 2013, <http://www.heritage.org/research/reports/2013/11/haiti-cholera-lawsuit-against-the-un-recommendations-for-us-policy>.

<sup>22</sup>As documented by the Institute for Justice and Democracy in Haiti, “[T]he former head of MINUSTAH repeatedly denied any link between peacekeeping troops and the cholera outbreak, accusing Haitians who pointed the finger at the UN of ‘wasting time and costing lives.’ As recently as 2014, Mr. Mulet told an interviewer that the peacekeepers did not bring cholera to Haiti, that ‘all those precautions had been taken and had been taken all along’ to prevent cholera, and that all the peacekeepers at the base had been tested for cholera.” Institute for Justice and Democracy in Haiti, “Leaked Report Highlights UN Recklessness and Cover up on Haiti Cholera,” April 6, 2016, <http://www.ijdh.org/2016/04/topics/health/leaked-report-highlights-un-recklessness-and-cover-up-on-haiti-cholera/>.

<sup>23</sup>Joe Sandler Clarke and Ed Pilkington, “Leaked UN report faults sanitation at Haiti bases at time of cholera outbreak,” *The Guardian*, April 5, 2016, <http://www.theguardian.com/world/2016/apr/05/leaked-un-report-sanitation-haiti-bases-cholera-outbreak>.



Secretary General for Field Support Anthony Banbury, “In the past six years, I am not aware of a single international field staff member’s being fired, or even sanctioned, for poor performance.”<sup>24</sup>

**Stasis and Ineffectiveness.** The unfortunate reality is that after billions of dollars in international assistance and decades of U.N. peacekeeping efforts, many long-standing peacekeeping operations have not demonstrably facilitated the resolution of the conflicts or situations that they were originally deployed to address. Specifically:

- The United Nations Truce Supervision Organization (UNTSO) has been operational since 1948.
- The United Nations Military Observer Group in India and Pakistan (UNMOGIP) has been operational since 1949.
- The United Nations Peacekeeping Force in Cyprus (UNFICYP) has been operational since 1964.
- The United Nations Disengagement Observer Force (UNDOF) has been operational since 1974.
- The United Nations Interim Force in Lebanon (UNIFIL) has been operational since 1978.
- The United Nations Mission for the Referendum in Western Sahara (MINURSO) has been operational since 1991.

The circumstances surrounding these situations remain virtually identical to what they were when these peacekeeping operations were established. There is an argument to be made that stasis is a positive outcome: After all the situations are not deteriorating.<sup>25</sup> But after two, three, four, five, or six decades of stasis, it is beyond time to reexamine these missions to determine what can be done to make them spur resolution of their respective situations. Peacekeeping should not be a permanent presence, but rather a temporary endeavor focused on addressing critical problems, bolstering domestic capacity rather than substituting for it, and exiting as soon as practical to allow finite resources to be shifted to more urgent or emerging crises.

**Quagmire.** The nature of the largest peacekeeping operations, such as those in the Democratic Republic of the Congo and Sudan, arguably goes against the strengths of U.N. peacekeeping. As summarized by one academic:

UN peacekeeping operations are ill-suited to operations requiring the use of offensive force: they lack the personnel, the equipment, and the effective leadership required. Moreover, the tradition that peacekeeping operations may only operate with the consent and cooperation of the government of the host state means that it is extremely difficult for a militarized peacekeeping force to be even-handed in its resort to force: if it were to use force against the host state—even if the government of the host state was acting contrary

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<sup>24</sup>Anthony Banbury, “I Love the U.N., but It Is Failing,” *The New York Times*, March 18, 2016, <http://mobile.nytimes.com/2016/03/20/opinion/sunday/i-love-the-un-but-it-is-failing.html?emc=eta1&referer=&r=0>.

<sup>25</sup>Although the 2006 and 2008 conflicts between Israel and Lebanon were in part a result of the UNIFIL’s failure to enforce its mandate: “establishment between the Blue Line and the Litani river of an free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of UNIFIL deployed in this area.”

to the interests of its civilian population—it would lose that government’s good will and its continued operation in the state would be extremely difficult.<sup>26</sup>

Nonetheless, the U.N. Security Council often overrides experience and caution and approves missions under these circumstances anyway out of concern that it remain relevant and/or not appear indifferent to situations even though it may violate the central lesson learned in the 1990s: “the United Nations does not wage war.”<sup>27</sup> But the mere presence of a U.N. operation does not guarantee success. On the contrary, it can lead to quagmire. As noted by Banbury:

Peacekeeping forces often lumber along for years without clear goals or exit plans, crowding out governments, diverting attention from deeper socioeconomic problems and costing billions of dollars. My first peacekeeping mission was in Cambodia in 1992. We left after less than two years. Now it’s a rare exception when a mission lasts fewer than 10.

Look at Haiti: There has been no armed conflict for more than a decade, and yet a United Nations force of more than 4,500 remains. Meanwhile, we are failing at what should be our most important task: assisting in the creation of stable, democratic institutions. Elections have been postponed amid allegations of fraud, and the interim prime minister has said that “the country is facing serious social and economic difficulties.” The military deployment makes no contribution at all to solving these problems.

Our most grievous blunder is in Mali. In early 2013, the United Nations decided to send 10,000 soldiers and police officers to Mali in response to a terrorist takeover of parts of the north. Inexplicably, we sent a force that was unprepared for counterterrorism and explicitly told not to engage in it. More than 80 percent of the force’s resources are spent on logistics and self-protection. Already 56 people in the United Nations contingent have been killed, and more are certain to die. The United Nations in Mali is day by day marching deeper into its first quagmire.<sup>28</sup>

Worse than quagmire, it can link the U.N. to the fortunes of abusive regimes. As noted by Richard Gowan:

Some of the largest and highest-profile UN missions, including those in South Sudan and Darfur, are trapped in quagmires of endemic violence and dysfunctional politics. UN contingents are often under-equipped and under-motivated, reducing their tactical impact. Yet the UN’s greatest strategic weakness in these cases is that it has become entangled in fractious and arguably unethical relationships with national leaders who, driven by greed or fear, have little real interest in stable, open and inclusive political systems....

At what point do efforts to maintain relations with abusive leaders and regimes become morally and politically unsustainable? Does such collaboration contribute to protecting

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<sup>26</sup>James Sloan, “UN Peacekeeping in Darfur: A ‘Quagmire’ That We Cannot Accept,” June 3, 2014, <http://www.e-ir.info/2014/06/03/un-peacekeeping-in-darfur-a-quagmire-that-we-cannot-accept/>.

<sup>27</sup>Commonly known as the Brahimi Report after Lakhdar Brahimi, Chairman of the Panel on United Nations Peace Operations. United Nations, “Comprehensive Review of the Whole Question of Peacekeeping Operations in All Their Aspects,” A/55/305–S/2000/809, August 21, 2000, p. 10, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/55/305](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/55/305) (accessed May 4, 2015).

<sup>28</sup>Banbury, “I Love the U.N., but It Is Failing.”

civilians over the long term, or does it simply allow abusive rulers to fortify their positions?

... While it may be hard to imagine pulling peacekeepers out of countries where civilians remain at risk, there have to be moral limits to the sort of regimes that peacekeepers are asked to fight and die for. The longer the UN continues to prop up leaders and governments that treat the organization with contempt, the more that contempt will be deserved.<sup>29</sup>

**Failing to Protect Civilians.** U.N. peacekeeping debacles in the 1990s led to a reevaluation of U.N. peacekeeping. However, as troubling situations have arisen in recent years, many of them in Africa, the Security Council has found itself under pressure to respond. This does not mean, however, that U.N. peacekeepers are necessarily more capable of acting with force to prevent violence or more willing to do so. A 2014 study of eight of the nine U.N. peacekeeping operations with a mandate to protect civilians found that of 570 reported instances, peacekeepers “did not report responding to 406 (80 per cent) of incidents where civilians were attacked.”<sup>30</sup>

This also assumes that those reports are accurate or complete. Whistleblower Aicha Elbasri, who served as spokesperson for the African Union–United Nations Mission in Darfur (UNAMID) between August 2012 and April 2013, provided leaked documentation to *Foreign Policy* that showed in a series of articles that the mission was deliberately underreporting and concealing attacks by Sudanese forces on civilians and U.N. peacekeepers.<sup>31</sup>

**Sexual Exploitation and Abuse.** By far the most horrible of the problems facing U.N. peacekeeping is the disturbing frequency of sexual exploitation and abuse committed by troops and civilian personnel participating in those operations. This is not a new problem. There have been numerous reports of U.N. personnel committing serious crimes and sexual misconduct, from rape to the forced prostitution of women and young girls. In recent years, U.N. personnel have been accused of sexual exploitation and abuse in Bosnia, Burundi, Cambodia, Congo, the Democratic Republic of Congo, Guinea, Haiti, Kosovo, Liberia, Sierra Leone, and Sudan. The U.S. and other member states successfully pressured the U.N. to adopt stricter requirements for peacekeeping troops and their contributing countries, and Secretaries-General Kofi Annan and Ban Ki-moon have repeatedly announced their commitment to a “zero-tolerance policy” on sexual exploitation and abuse and have commissioned and conducted numerous reports on the matter.<sup>32</sup>

Conduct and discipline teams charged with strengthening accountability and upholding the highest standards of conduct in peacekeeping missions are now present in nearly all U.N. peacekeeping and

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<sup>29</sup>Richard Gowan, “The Peacekeeping Quagmire,” *Georgetown Journal of International Affairs*, Summer/Fall 2015, [http://journal.georgetown.edu/wp-content/uploads/2015/08/Gowan\\_Online.pdf](http://journal.georgetown.edu/wp-content/uploads/2015/08/Gowan_Online.pdf).

<sup>30</sup>Report of the Office of Internal Oversight Services, “Evaluation of the Implementation and Results of Protection of Civilians Mandates in United Nations Peacekeeping Operations,” A/68/787, March 7, 2014, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/68/787](http://www.un.org/ga/search/view_doc.asp?symbol=A/68/787).

<sup>31</sup>Colum Lynch, “They Just Stood Watching,” *Foreign Policy*, April 7, 2014, <http://foreignpolicy.com/2014/04/07/they-just-stood-watching-2/>.

<sup>32</sup>For instance, the 2002 Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises, the 2003 Special Measures for Protection from Sexual Exploitation and Sexual Abuse Bulletin, the 2005 Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations, and the annual report of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse.

political missions, and troops are required to undergo briefing and training on behavior and conduct.<sup>33</sup> Statistics on the United Nations Conduct and Discipline Unit website have chronicled a decline in allegations of sexual exploitation and abuse over the past decade.<sup>34</sup>

Recent leaked reports, however, belie these statistics and indicate that the problem is as bad as, if not worse than, it has ever been. A U.N.-commissioned experts' report from November 2013, which was never released, was leaked last year.<sup>35</sup> The report directly challenges U.N. claims on sexual exploitation and abuse:

- “The UN does not know how serious the problem of SEA [sexual exploitation and abuse] is because the official numbers mask what appears to be significant amounts of underreporting of SEA” due to poor record keeping, fear of retribution, a culture of silence, and a sense of futility due to “the rarity of remedial outcomes including rarity of victim assistance.”
- “Overall, there was noted a culture of enforcement avoidance, with managers feeling powerless to enforce anti-SEA rules, a culture of silence around reporting and discussing cases, and a culture of extreme caution with respect to the rights of the accused, and little accorded to the rights of the victim.”
- “This impunity has been debilitating for the many UN personnel who believe in, adhere to, and try to promote the zero tolerance policy, and creates unremediated harm to its victims.”

Last year, another report, based on an investigation by UNICEF and the U.N. Office of the High Commissioner on Human Rights into allegations of sexual abuse and misconduct involving young boys in the Central African Republic between December 2013 and June 2014, was leaked. The confidential investigation reportedly provided strong evidence of repeated rape and sexual abuse by French, Chadian, and Equatorial Guinean peacekeepers present in the country before the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) was stood up.<sup>36</sup> The reluctance of the U.N. to pursue the matter is deeply troubling. As stated by Paula Donovan, co-director of the advocacy group AIDS-Free World, who received the leaked report:

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<sup>33</sup>United Nations Conduct and Discipline Unit, <https://cdu.unlb.org/AboutCDU.aspx>.

<sup>34</sup>United Nations Conduct and Discipline Unit, “Statistics Allegations for All Categories of Personnel Per Year (Sexual Exploitation and Abuse),” <https://cdu.unlb.org/Statistics/AllegationsbyCategoryofPersonnelSexualExploitationandAbuse/AllegationsforAllCategoriesofPersonnelPerYearSexualExploitationandAbuse.aspx>.

<sup>35</sup>Dr. Thelma Awori, Dr. Catherine Lutz, and General Paban J. Thapa, “Expert Mission to Evaluate Risks to SEA Prevention Efforts in MINUSTAH, UNMIL, MONUSCO, and UNMISS,” November 3, 2013, <http://www.aidsfreeworld.org/Newsroom/Press-Releases/2015/~media/Files/Peacekeeping/2013%20Expert%20Team%20Report%20FINAL.pdf>.

<sup>36</sup>Sandra Laville, “UN Aid Worker Suspended for Leaking Report on Child Abuse by French Troops,” *The Guardian*, April 29, 2015, <http://www.theguardian.com/world/2015/apr/29/un-aid-worker-suspended-leaking-report-child-abuse-french-troops-car> (accessed May 4, 2015); Sandra Laville and Angelique Chrisafis, “UN Accused of ‘Reckless Disregard’ for Allegations of Peacekeeper Child Abuse,” *The Guardian*, April 30, 2015, <http://www.theguardian.com/world/2015/apr/30/un-accused-of-reckless-disregard-for-allegations-of-peacekeeper-child-abuse> (accessed May 4, 2015); and George Russell, “African Troops Involved with French in UN Rape Report Scandal,” Fox News, May 1, 2015, <http://www.foxnews.com/world/2015/05/01/african-troops-involved-with-french-in-un-rape-report-scandal/> (accessed May 4, 2015).

The regular sex abuse by peacekeeping personnel uncovered here and the United Nations' appalling disregard for victims are stomach-turning, but the awful truth is that this isn't uncommon. The UN's instinctive response to sexual violence in its ranks—ignore, deny, cover up, dissemble—must be subjected to a truly independent commission of inquiry with total access, top to bottom, and full subpoena power.<sup>37</sup>

This conclusion was echoed by a U.N.-established independent review that concluded:

These repeated failures [by the U.N. and its senior officials] to respond to the Allegations are, in the Panel's view, indicative of a broader problem of fragmentation of responsibility within the Organization, in which UN staff too often assumed that some other UN agency would take responsibility to address the violations. The end result was a gross institutional failure to respond to the Allegations in a meaningful way.<sup>38</sup>

The review proposed a number of reforms in training, procedures for reporting and investigating sexual exploitation and abuse, and securing commitments by troop-contributing countries to try to minimize repetition of this problem.

The Secretary-General endorsed the measures recommended by the review in a February report that also for the first time provided details on sexual exploitation and abuse by peacekeeping missions, specifically named the nationality of those accused, and provided the current status of investigations. This transparency is a vast improvement. Similarly, the steps announced in the report should help in preventing sexual exploitation and abuse and addressing them in a timely manner if they occur.

As illustrated by the numerous announcements of reforms and zero tolerance in the past, however, the U.N.'s problem has never been an inability to announce its commitment to stopping sexual exploitation and abuse; it has been a deplorable inability to follow through. With this in mind, it is worth noting that a great many of the reforms involve *requesting* member states, particularly troop-contributing countries, to commit to and implement various measures like stronger investigatory procedures.<sup>39</sup> Whether these reforms will be implemented or delayed indefinitely in bureaucratic deliberations and efforts to achieve consensus support in the General Assembly is yet to be determined.

There have been some positive signs, including the decision to send home troop contingents from the Democratic Republic of Congo and Burundi and the confining of troops from Burundi and Gabon to barracks after they were found to be involved in sexual exploitation and abuse.<sup>40</sup> But new allegations of

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<sup>37</sup>Laville, "UN Aid Worker Suspended for Leaking Report on Child Abuse by French Troops."

<sup>38</sup>Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic, "Taking Action on Sexual Exploitation and Abuse by Peacekeepers," December 17, 2015, <http://www.un.org/News/dh/infocus/cenafrirepub/Independent-Review-Report.pdf>.

<sup>39</sup>United Nations, "Report of the Secretary-General: Special measures for protection from sexual exploitation and sexual abuse," A/70/729, February 16, 2016, [http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/a\\_70\\_729.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/a_70_729.pdf).

<sup>40</sup>George Russell, "UN sexual abuse: more allegations, more bureaucratic process in Ban's latest report," Fox News, March 4, 2016, <http://www.foxnews.com/world/2016/03/04/un-sexual-abuse-more-allegations-more-bureaucratic-process-in-bans-latest-report.html>; Reuters, "U.N. mission sends Burundi officers home over unrest," February 12, 2016, <http://af.reuters.com/article/topNews/idAFKCN0VL0QF>; and Reuters, "United Nations widens sex abuse inquiry into peacekeepers in CAR," March 31, 2016, <http://www.theguardian.com/world/2016/mar/31/united-nations-widens-sex-abuse-inquiry-peacekeepers-central-african-republic-car>.

serious sexual exploitation and abuse by U.N. peacekeepers clearly indicate that much remains to be done.<sup>41</sup>

### Many Changes Necessary

The high and sustained pace, scope, and ambition of U.N. peacekeeping operations have revealed numerous serious flaws, concerns, and problems that need to be addressed. Even longtime employees and strong supporters of the U.N. have realized that the current organization falls short. As noted by former U.N. Assistant Secretary General for Field Support Anthony Banbury:

If you locked a team of evil geniuses in a laboratory, they could not design a bureaucracy so maddeningly complex, requiring so much effort but in the end incapable of delivering the intended result. The system is a black hole into which disappear countless tax dollars and human aspirations, never to be seen again.<sup>42</sup>

To address the myriad problems identified above, the U.S. should:

- **Carefully reevaluate long-running U.N. peacekeeping missions.** The U.S. should reevaluate long-standing U.N. operations to determine whether each U.N. mission is contributing to resolving the situation or retarding that process. If an operation is not demonstrably facilitating resolution of the situation, the U.S. should use its power in the Security Council to wind it down or refocus it on discrete, manageable goals designed to bolster domestic capacity to assume responsibility for peace and security. Alternatively, if some concerned countries wish to continue U.N. peacekeeping operations that have not resolved the conflicts despite being in place for extended periods, they should be asked to assume all or part of the financial burden of the continued operations. This is already the case to a limited extent with UNFYCYP, where the governments of Cyprus and Greece provide voluntary contributions to cover nearly 45 percent of the total net costs.<sup>43</sup> Other historical examples include Kuwait paying for two-thirds of the costs of the United Nations Iraq–Kuwait Observation Mission (UNIKOM); the governments of Indonesia and the Netherlands paying the full costs of the United Nations Security Force in West New Guinea (UNSF); and the governments of Saudi Arabia and Egypt paying the full costs of the United Nations Yemen Observation Mission (UNYOM).<sup>44</sup> Long-standing missions are generally relatively small and among the least costly, but such a reevaluation would help to reduce the enormous peacekeeping budget and send a welcome message of accountability and assessment.<sup>45</sup>

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<sup>41</sup>George Russell, “UN sex-abuse scandal: officials scramble amid claims of many more sordid incidents,” Fox News, March 31, 2016, <http://www.foxnews.com/world/2016/03/31/un-sex-abuse-scandal-officials-scramble-amid-claims-many-more-sordid-incidents.html>.

<sup>42</sup>Banbury, “I Love the U.N., but It Is Failing.”

<sup>43</sup>Specifically, the government of Cyprus provided one-third of the net cost and the Government of Greece provided \$6.5 million toward the net cost of UNFYCYP for the period from July 1, 2014, to June 30, 2015. See United Nations Security Council, “Report of the Secretary-General on the United Nations operation in Cyprus,” S/2015/17, p. 6, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2197\(2015\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2197(2015)).

<sup>44</sup>See United Nations, “Yemen—UNYOM,” <http://www.un.org/en/peacekeeping/missions/past/unyombackgr.html>; United Nations, “West New Guinea—UNSF,” <http://www.un.org/en/peacekeeping/missions/past/unsfbackgr.html>; and United Nations, “United Nations Iraq–Kuwait Observation Mission—UNIKOM,” <http://www.un.org/en/peacekeeping/missions/past/unikom/>.

<sup>45</sup>For instance, together, five of the older U.N. missions (MINURSO, UNFICYP, UNDOF, UNMOGIP, and UNTSO) cost approximately \$204 million this year. If the U.S. could shift these missions to voluntary funding, it

- **Be more judicious in authorizing U.N. peacekeeping operations.** A U.N. peacekeeping operation may not be the best option for addressing every situation, particularly where there is no peace to keep. The pressure to “do something” must not trump sensible consideration of whether a U.N. presence will improve or destabilize the situation or partner the U.N. with a morally repugnant government. Such consideration includes clearly establishing and sticking to the objectives of the operations, ensuring that they are achievable, carefully planning the requirements for achieving them, securing pledges for providing what is needed to achieve them before authorizing the operation, and being willing to acknowledge when the U.N. operation is failing and adjust or pull out as appropriate.
- **Press the U.N. to clarify the steps and circumstances required for the organization to waive immunities for employees in order to facilitate claims and efforts to punish serious misconduct.** The U.N. and its affiliated organizations are engaged in a multitude of activities that could result in casualties, property damage, or other negative consequences. Elimination of U.N. immunities would likely lead to a reduction in U.N. field activities, which could lead to even broader suffering. Although the U.N. has a mixed record, the U.S. has an interest in preserving the organization’s ability to respond to crises where it is unwilling or unable to respond directly. But this interest must not supersede the need of victims of sexual abuse, criminality, or neglect to hold those responsible for their suffering to account. U.N. privileges and immunities are important, but they must not create an unreasonable barrier to accountability.
- **Take steps to hold troop-contributing countries accountable.** The standard memorandum of understanding between the U.N. and troop contributors appropriately grants troop-contributing countries jurisdiction over military members who participate in U.N. peace operations. Until recently, little was done if these countries failed to investigate or punish those who are guilty of such crimes. In fact, the U.N. would generally decline to identify the nationality of those who were accused of crimes or sent home. The most recent actions by the U.N. have improved matters by identifying the nationalities of the accused, repatriating units with patterns of misbehavior, and indicating that compensation can be withheld.<sup>46</sup> However, more must be done to prevent rather than merely react to these problems. As noted by Banbury:

When we took over peacekeeping responsibilities from the African Union [in the Central African Republic] in 2014, we had the choice of which troops to accept. Without appropriate debate, and for cynical political reasons, a decision was made to include soldiers from the Democratic Republic of Congo and from the Republic of Congo, despite reports of serious human rights violations by these soldiers. Since then, troops from these countries have engaged in a persistent pattern of rape and abuse of the people—often young girls—the United Nations was sent there to protect.

Last year, peacekeepers from the Republic of Congo arrested a group of civilians, with no legal basis whatsoever, and beat them so badly that one died in custody and the other shortly after in a hospital. In response there was hardly a murmur, and certainly no outrage, from the responsible officials in New York.

As the abuse cases piled up, impassioned pleas were made to send the troops home. These were ignored, and more cases of child rape came to light. Last month, we finally

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could save tens of millions of dollars per year and perhaps focus the most affected parties on resolving these outstanding disputes.

<sup>46</sup>For a summary, see United Nations Conduct and Discipline Unit, “Combatting Sexual Exploitation and Abuse,” March 18, 2016, <https://cdu.unlb.org/LinkClick.aspx?fileticket=ec4H6hmAjtU%3d&tabid=54>.

kicked out the Democratic Republic of Congo soldiers, but the ones from the Republic of Congo remain.<sup>47</sup>

The Secretary-General has requested troop-contributing countries to implement measures to track the processes by which they investigate, try, and punish their personnel in cases of misconduct. Instead, these measures should be a prerequisite for participating in U.N. peacekeeping. States that fail to fulfill their commitments to discipline their troops should be barred from providing troops for peace operations or receive substantially reduced peacekeeper reimbursements—not the negligible withholding of the monthly compensation of the peacekeepers who are directly accused. Likewise, if compensation is deemed appropriate for damages resulting from negligence by the troop-contributing government, extracting penalties from peacekeeping payments to the troop-contributing country should be the first option.<sup>48</sup>

- **Press the U.N. to automatically establish standing claims commissions in peacekeeping missions.** The U.N. currently gives the appearance of avenues of redress for damages caused by U.N. action or inaction via claims in a standing claims commission, which are included as an option for redress in U.N. peacekeeping status of forces agreements with host nations. However, the failure of the U.N. to establish such commissions indicates that the system is not operating as it should. A key reason for this is likely that a government in a country where the U.N. has a peacekeeping operation is almost always highly dependent on the U.N. for security, resources, and political support. As a result, the government will be reluctant to anger the U.N. by requesting the establishment of a standing claims commission. To avoid this complication, a standing claims commission should automatically be established when a mission stands up, although it would be prudent to tightly define the claims eligible for consideration to avoid frivolous petitions.
- **Seek to review and adjust the U.N. scale of assessment to distribute the costs of the peacekeeping budget more equitably.** To address the even greater disparity in the peacekeeping assessment, the U.S. should seek to increase the peacekeeping floor to 0.001 percent, which was the case prior to 1998. This would have the effect of increasing the minimum assessment from roughly \$8,276 per year to about \$82,755 per year. In addition, considering that the peacekeeping assessment is based on the regular budget, where many countries already receive significant discounts, the extent of additional peacekeeping discounts should be trimmed as should the number of eligible countries, which currently include nations like Brunei, Poland, Saudi Arabia, Singapore, and the United Arab Emirates. Finally, the U.S. should also seek a change in the methodology to reflect the prestige of membership on the Security Council by proposing (1) a new minimum peacekeeping assessment of 0.5 percent for non-permanent members of the Security Council; (2) a new minimum peacekeeping assessment of 5 percent for permanent members of the Security Council; and (3) barring the permanent members from using the debt adjustment, low-income adjustment, or other regular budget scale of assessment discounts for the purposes of calculating their peacekeeping assessment.
- **Enforce the 25 percent cap on America's peacekeeping assessment.** The U.S. should resume pressure on the U.N. to fulfill its commitment to lower the U.S. peacekeeping assessment to 25 percent by withholding the difference between our peacekeeping assessment and the 25 percent cap until the U.N. implements a maximum peacekeeping assessment of 25 percent.

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<sup>47</sup>Banbury, "I Love the U.N., but It Is Failing."

<sup>48</sup>This policy is consistent with the position laid out in the 1997 Report of the Secretary-General, endorsed in Resolution 52/247, which states, "If such claims [arising as a result of gross negligence or willful misconduct] are established, the Organization would assume liability to compensate a third party, retaining the right to seek recovery from the individual or the troop-contributing State concerned."



- **Establish a dedicated unit for international organizations in the Office of Inspector General for the Department of State.** The U.S. remains dependent on the internal U.N. oversight mechanisms, many of which lack independence, have inadequate resources, or face problems with competence, corruption, or bias. The value of having a separate U.S. inspector general unit that can investigate the activities funded in substantial part by U.S. taxpayers is illustrated by reports of the U.S. Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR), which has identified numerous management and oversight failings of U.N. Development Programme projects in Afghanistan.<sup>49</sup>
- **Make the Office of Internal Oversight Services (OIOS) truly independent or establish an independent unit like the defunct Procurement Task Force (PTF).** The OIOS is not a truly independent inspector general like the inspectors general that we have in the U.S. government, and it has been subject to politicization. According to a 2014 Associated Press report on a senior OIOS official impeding an investigation and retaliating against two OIOS whistleblowers, it was revealed that a “review of the reports submitted by OIOS to the General Assembly through mid-2013 shows that the U.N.’s oversight functions still have not completed any major corruption cases since the [Procurement Task Force] was disbanded.”<sup>50</sup> The PTF was established after the Oil-for-Food scandal and was very successful in unearthing numerous instances of fraud and mismanagement. In the end, however, the PTF did its job too well. As punishment for its pursuit of cases against Singaporean and Russian nationals, those countries led a successful effort to eliminate the PTF in December 2008.<sup>51</sup> The U.N. needs independent oversight, and Congress should work with the Administration to address this problem.

## Conclusion

U.N. peacekeeping operations can be useful and successful if entered into with an awareness of their limitations and weaknesses, and the United States should not hesitate to encourage and demand reforms. The cost of failing to reform the U.N. is high not just for the U.N., which risks being sidelined if it cannot be relied upon to address key issues, but also for America, which would be forced to expend greater resources and effort to resolve problems.

An Administration focused on advancing its policy priorities in the United Nations can block many counterproductive initiatives put forth in the U.N. Rallying support for positive change is much more difficult. Such efforts require the assistance of other member states or the use of leverage to impose reforms on an unwilling organization.

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<sup>49</sup>See, for instance, Special Inspector General for Afghanistan Reconstruction, “2011 SIGAR Review of the Law and Order Trust Fund for Afghanistan,” Fox News, April 25, 2011, <http://www.foxnews.com/world/interactive/2014/10/16/2011-review-law-and-order-trust-fund-for-afghanistan/> and Special Inspector General for Afghanistan Reconstruction, “Afghan National Police: More than \$300 Million in Annual, U.S.-Funded Salary Payments Is Based on Partially Verified or Reconciled Data,” SIGAR 15-26 Audit Report, January 2015, <https://www.sigar.mil/pdf/audits/SIGAR-15-26-AR.pdf>.

<sup>50</sup>John Heilprin, “UN Whistle-blower Case Shows Accountability Limits,” Associated Press, January 10, 2014, <http://www.bigstory.ap.org/article/un-whistle-blower-case-shows-accountability-limits>.

<sup>51</sup>For a fuller account, see Brett D. Schaefer, “The Demise of the U.N. Procurement Task Force Threatens Oversight at the U.N.,” Heritage Foundation *WebMemo* No. 2272, February 5, 2009, <http://www.heritage.org/research/reports/2009/02/the-demise-of-the-un-procurement-task-force-threatens-oversight-at-the-un>.

Congress has a critical role to play in U.N. reform. Congress has played an active role in U.N. reform since the very beginning of the organization and can be a very effective ally in executive branch efforts to pressure the organization to adopt targeted reforms.<sup>52</sup> Financial carrots and sticks have been effective in the past in spurring reform, including the establishment of the OIOS in 1994 and the adoption of a maximum assessment for the regular budget.<sup>53</sup> Congress and reform-minded member states should not be reluctant to use such tactics to spur reform.

Mr. Chairman and other Members of the Subcommittee, thank you for the opportunity to testify today. I look forward to your questions.

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<sup>52</sup>Only two years after the U.N. was created, Congress issued a report calling for sweeping reform of the U.N. system. A September 1947 study by the Senate Committee on Expenditures in the Executive Departments found "serious problems of overlap, duplication of effort, weak coordination, proliferating mandates and programs, and overly generous compensation of staff within the infant, but rapidly growing, UN system." Edward C. Luck, "Reforming the United Nations: Lessons from a History in Progress," Academic Council on the United Nations System *Occasional Paper* No. 1, 2003, [http://www.acuns.org/PDF/publications/UN\\_Reform/Luck\\_UN\\_Reform.pdf](http://www.acuns.org/PDF/publications/UN_Reform/Luck_UN_Reform.pdf) (accessed May 4, 2015).

<sup>53</sup>Brett D. Schaefer, "A Progress Report on U.N. Reform," Heritage Foundation *Backgrounder* No. 1937, May 19, 2006, <http://www.heritage.org/research/reports/2006/05/a-progress-report-on-un-reform>.