When Will the UN Be Held to Account for Failing to Protect Civilians?

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<http://www.theguardian.com/global-development/2016/mar/23/un-united-nations-held-to-account-for-failing-to-protect-civilians-south-sudan?utm_content=bufferc87f9&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer>

This month, the UN office of the high commissioner for human rights [revealed](http://www.ohchr.org/EN/Countries/AfricaRegion/Pages/SouthSudanReport.aspx) [the massive scale of abuse against civilians](http://www.theguardian.com/global-development/2016/mar/11/south-sudans-soldiers-allowed-to-rape-civilians-civil-war-says-un-government-torture) in [South Sudan](https://www.chathamhouse.org/expert/comment/what-will-it-take-secure-lasting-peace-south-sudan) last year. Its report is unflinching in describing rape, killing and torture – all part of what it calls a “[scorched earth policy](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17207&LangID=E)” against civilians by government forces. Quite rightly, it suggests mechanisms that should be instigated to hold perpetrators of these crimes to account. However, the report fails to raise questions about the UN’s own accountability in situations such as these.

The [UN mission in South Sudan (Unmiss)](http://www.un.org/en/peacekeeping/missions/unmiss/) is made up of 12,500 peacekeepers under a [Chapter VII mandate to protect civilians](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1996%282011%29). As part of this mandate, Unmiss peacekeepers are supposed to “[address violence against women and girls as a tool of warfare](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1996%282011%29)”, among other requirements to protect civilians under threat of physical violence.

While the UN provides shelter to about 200,000 people in their protection of civilians (POC) sites, the recent report is surely testament to the failure, at least in part, of this mandate, cataloguing horrific abuses against thousands of civilians.

This report comes as Unmiss is already investigating fighting and deaths that took place in their [Malakal POC base in February](http://www.theguardian.com/global-development/2016/feb/19/south-sudan-msf-workers-18-people-dead-violence-un-camp-malakal), and follows claims by [Médecins Sans Frontières](http://www.msf.org/) (MSF) of a “[complete and utter protection failure](http://www.theguardian.com/global-development/2015/dec/15/un-accused-of-shocking-lack-of-action-over-murder-rape-south-sudan)” in Unity state.

In both incidents, Unmiss is accused of failing to react to what is described as systematic targeting of civilians. In a [letter to the Guardian](http://www.theguardian.com/world/2015/dec/17/in-defence-of-the-uns-role-in-south-sudan) rebutting the MSF allegations, the UN special representative and head of Unmiss, Ellen Margrethe Løj, explained the trying circumstances and undoubted challenges that the UN – and all humanitarian operators – face in South Sudan.

However, that is the job and that is the purpose of peacekeeping operations, so at what point is a mission aimed at protecting civilians classified as a failure?

The key missing element here is the lack of a culture of accountability. The UN is grappling with its internal mechanisms for holding peacekeepers accused of sexual abuse to account. Last week, a [UN security council resolution](http://www.theguardian.com/world/2016/mar/11/un-security-council-resolution-peacekeeping-units-sex-abuse) committed its members to do just that.

In Central African Republic (CAR), allegations of sexual abuse by [French and UN troops continue to be made](http://www.theguardian.com/world/2016/jan/29/un-finds-more-cases-of-child-abuse-by-european-troops-in-car), with the UN high commissioner on human rights, Zeid Ra’ad al-Hussein, blaming a [culture of impunity](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=0ahUKEwjo_NL40crLAhWG1hoKHTqXAZ8QFggwMAM&url=http%3A%2F%2Fwww.ohchr.org%2FAR%2FNewsEvents%2FPages%2FDisplayNews.aspx%3FNewsID%3D16867%26LangID%3DC&usg=AFQjCNGocEEQzDJT3SeQQizaDf2UdVmsaw&sig2=Aa7hFZ2teGVdkWbT6fTgwg&cad=rja) for the proliferation of cases.

Indeed in CAR it was the [whistleblower, Anders Kompass](http://www.theguardian.com/world/2015/dec/17/un-gross-failure-sexual-abuse-french-troops-central-african-republic), who faced an investigation (and subsequent exoneration) while no one has been arrested in connection with the abuse allegations themselves.

Allegations such as these are not new, and similar claims have been made of various peacekeeping missions over the past 20 years. Therefore whether the new resolution goes beyond [platitudes](http://usun.state.gov/remarks/7175) to taking demonstrable action against individuals who commit sexual abuses − as well as against member states that fail to prosecute their peacekeeping troops − will be a further indication of the UN’s ability to hold itself to account credibly.

As an unelected yet influential body, the UN has always been in danger of lacking legitimacy with those it is meant to serve. Member states must drive processes of accountability, yet they will also be the ones who are found to be culpable in some cases. Therein lies the problem.

It should be a priority for the UN and its member states to develop and instigate robust accountability measures, which can serve both to vindicate and challenge their actions and programmes as required. Rather than appearing to evade accountability in a smokescreen of bureaucracy and fragmented responsibility, the UN needs to find a way to address either failures by its own senior personnel to do their job effectively or − a more likely but concerning reality − serious systematic failures within the UN’s approach to peacekeeping.

If peacekeeping operations and the budget continue to grow, as they did last year, then the need for more exacting accountability mechanisms becomes ever more acute.

Peacekeepers have an important role to play and this month’s report on [South Sudan](http://www.theguardian.com/world/south-sudan) serves as a sad reminder of the importance of ensuring that these operations fulfil their Chapter VII mandates.

Government forces and warring factions who have committed these terrible crimes must be held to account, but there is also a need to examine the prevailing conditions under which the crimes were allowed to happen.

Without accountability the UN will lose legitimacy, peacekeeping operations will not learn from previous failures and the vicious cycle that impunity facilitates will continue.