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The UN's Shame: Watered Down Legislation Continues UN Peacekeeper Rapes

By Robert Weiner



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By Robert Weiner and Michael Hariman

Now in the era where even sexual harassment is considered a national crime, what happens to the annual 100+ rapes by UN peacekeepers annually? The nations that perpetrate these rarely emphasized but documented atrocities go unpunished by the world body. This is a real situation that is the UN's shame. So if we're talking about resolutions of peace among nations, perhaps it's time to stop the funding for nations that allow rapes of helpless victims they are supposed to protect.

The Department of State Authorities Act, Fiscal Year 2017 was passed into law on December 16, 2016. S.1635 is a far cry from the original S.2937, which proposed sweeping measures to stop sexual harassment by peacekeepers in the United Nations and other international organizations. Unlike S.2937, which would have cut funding for international organizations guilty of condoning sexual crimes by peacekeepers, S.1635 simply stated that the US would withhold security assistance to nations whose security units are responsible for sexual crimes, without specifying what security assistance would be withheld.

Sounds like the new legislation simply twirls around the issue rather than stops the rapes.

The bill details two measures towards individual rapists. First, it enables the trial of guilty UN peacekeepers by court-martial. Second, it waives immunity for civilian UN personnel accused of sexual crimes, the immunity preventing

criminal UN personnel from being tried. Countries providing military units as peacekeepers who are found guilty of sexual crimes will be barred from sending more units, and their peacekeeper reimbursements withheld. The strategy also denies training, and resources to peacekeeper-contributing countries that fail to prevent sexual crimes among their peacekeepers.

Rather than dealing with the United Nations as an institution, which has inexplicably long been complicit in enabling sexual crimes, the strategy punishes the individual nations that contribute the peacekeepers. While targeting individual nations is better than allowing UN peacekeepers to remain unaccountable, it is a narrow measure, which is bound to yield narrow results that cannot stop the rapes. Until the UN knows that it can and will lose funding and power if it does not address these sexual crimes by its peacekeepers, it will continue to whitewash, and bury those accusations. Rapists will remain unpunished, and their victims unheard.

As the single largest donor to the United Nations, the US is in a unique position to influence policy and practices within the UN, however, the legislation fails to exploit that position. The only place where funding is leveraged against the UN is in the whistleblower provisions, which threatens a 15 per cent withholding requirement if international organizations, such as the UN, do not protect whistleblowers. If anything, the legislation is lip service, and its passage might not even affect how the United Nations conducts itself as an institution.

UN peacekeeping operations should provide sanctuary for innocent civilians from violence and rapes, not for rapists and pedophiles -- many of the victims are under 15-- who are rarely prosecuted. The US had an opportunity to rectify this UN failure in the State Department Authorities Act. Instead, the Act provides piecemeal provisions that fail to make the UN accountable as an institution, and will leave host countries bracing for another round of rapes.

Robert Weiner is a former Clinton White House spokesman and spokesman for the House Government Operations Committee. He was senior staff for Congressmen Ed Koch, Charles Rangel, Claude Pepper, and John Conyers, Jr. Michael Hariman is a policy analyst and opinion-editorial writer at Robert Weiner Associates.

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