

An Urgent Interim Response to the UN's Sexual Abuse Crisis: The Code Blue Campaign's Proposal for a Temporary Independent Oversight Panel

The Problem:

Member States have entrusted the UN Organization to eradicate sexual violence, discrimination against women, and violations of children's rights around the world. It must do so while holding sacrosanct the principles of justice, good governance, and equality before the law. Yet the UN's internal sexual abuse crisis, from sexual offences within its workplaces to sexual exploitation and abuse of the populations it is meant to assist and protect, undermines that mandate and work. The crisis spans from peacekeeping to the UN's humanitarian and development arms, and extends to its entities such as UNAIDS. Weak accountability structures and a reliance on incremental, internal reforms have created a culture of impunity; allegation upon allegation tarnishes the UN's reputation. With more accusations expected as victims from within the UN come forward, bolstered by the #MeToo movement, UN Member States must move quickly with credible and creative interim measures to restore public confidence in the UN.

The Proposed Emergency Solution:

The Campaign proposes that **Member States establish, on an emergency basis, a Temporary Independent Oversight Panel** to closely monitor and evaluate, in real time, the UN's response to individual allegations of sexual offences, and make expert recommendations on UN policies and procedures. The Panel would have powers to intervene immediately when current practices or actions pose or could pose further harm to victims or witnesses.

Purpose: This interim proposal provides a way for the UN to immediately begin to win back the trust of donors, partner governments, beneficiaries, and the general public by demonstrating an openness to the external, unbiased scrutiny of experts. By independently monitoring and rapidly evaluating current UN policies and practices in real time, and course-correcting where needed, an Oversight Panel provides a way for the UN to continue to respond to individual allegations, without interruption and without further risk or damage to individuals, as longer-term solutions are being put in place.

Detailed Proposal: Authorized, established, and funded by Member States, the Temporary Independent Oversight Panel will be independent of all other UN organizations, working for and reporting directly to Member States. The Panel will be composed of experts in the fields of law, criminal investigations, workplace investigations, law enforcement, sexual violence, etc.

Scope

The Oversight Panel's scope will include all sexual offences – including internal complaints such as harassment and abuse of co-workers, and external complaints such as abuse and exploitation of persons in the local populations served by the UN.

Operation

UN entities will continue to receive complaints, and be instructed to immediately alert the Oversight Panel. The Panel will then act as a close shadow, following the actions of the UN entities in real time, as those entities follow their current, established rules, regulations and procedures to respond to complaints. In other words, the Panel will monitor how these entities receive, assess, investigate, refer, and otherwise respond to reported or suspected incidents.

For this temporary measure to restore trust in the UN system, it must have access to all materials and persons involved in UN response efforts, and guarantee confidentiality of the information received.

Interventions to prevent further harm

In the event that the Oversight Panel feels that an entity is not complying with its own established policies or practices, the Panel will be empowered to correct course. In the event that an entity fails to follow protocols, or the Panel determines that established protocols are placing a complainant or witness at obvious risk, the Panel could intervene to halt the process and, if necessary, take over.

Evaluation and recommendations

As a time-bound Panel, at the end of a pre-established period, the oversight body will review what it has learned by analyzing its real-time observations of UN entities' established policies and practices related to sexual offenses, and adherence to these. It will provide expert analysis about whether these current policies and practices are meeting the UN's stated objectives, and, critically, whether they are adequate to ensure proper complaint receipt, investigation, discipline, prosecution, and punishment, according to international best practice. It will submit a comprehensive independent evaluation with recommendations, highlighting the areas in need of reform or replacement.

Results anticipated:

- Restore the public's trust and confidence in the UN system's willingness to STOP what it is doing and END the crisis (i.e. not just diminish the crisis' impact)
- Convey to UN entities that Member States see this as a system-wide crisis, and work toward a unified, system-wide solution
- Demonstrate to constituents that the UN acknowledges its harmful reliance on ineffective habits, the need for outside expertise, and that the UN organization is welcoming experts to examine its policies and make recommendations in a transparent way
- Encourage all complainants to feel that it is now safer and more worthwhile to report
- Change attitudes of inevitability, toward a goal of ending sexual offences by UN and associated personnel and ending retaliation against complainants

About the Code Blue Campaign:

Launched by [AIDS-Free World](#) in 2015, the [Code Blue Campaign](#) seeks to end impunity for sexual abuse by UN personnel. AIDS-Free World is an international advocacy organization that fights systemic inequalities that have allowed HIV to flourish. Its Co-Directors are Paula Donovan and Stephen Lewis.

Within peacekeeping contexts, the Code Blue Campaign advocates for an independent [Special Court Mechanism](#) to take the response to sexual offences committed by UN personnel out of the UN's conflicted hands, and help ensure impartial justice for all involved. When the UN's non-military personnel are accused of sexual crimes, they should be turned over to local authorities where the alleged crimes took place. But in conflict-affected peacekeeping contexts, where local law enforcement and judicial systems may be unwilling or unable to impartially administer justice, the UN is refusing to hand over these cases. To address the need for justice, we are proposing this independent criminal accountability mechanism.

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