

His Excellency Mr Ban Ki Moon
UN Secretary-General
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United States

Cc: Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights

6 May 2015

Statement by civil society organisations calling on the UN Secretary-General to clarify measures taken in response to reports of sexual abuse of children by foreign troops in the Central African Republic

We, the undersigned civil society organisations, call for immediate action to address revelations about the sexual abuse of children by French, Chadian and Equatorial Guinean troops in the Central African Republic, and the United Nations' handling of the situation.

The revelations, in a report commissioned by the Office of the High Commissioner for Human Rights (OHCHR), contain evidence of rape and sodomy of young boys by foreign troops at a centre for internally displaced people in Bangui, the country's capital, between December 2013 and June 2014. Children interviewed for the report disclosed that they were sexually exploited in exchange for food and money.

We are concerned about the case of Anders Kompass, Director of Field Operations and Technical Cooperation Division at the OHCHR, who is apparently now under investigation by the UN Office for Internal Oversight Services (OIOS) for leaking a confidential internal OHCHR report on the abuses to French authorities.

The initial response of the UN Secretary-General to the disclosure of this report is deeply unsatisfactory. To date, public comments made by UN officials have focused predominantly on the observance of internal procedures. We are disturbed to see that the UN appears to be more concerned with investigating how information is leaked than addressing what it actually did to ensure accountability and assistance for victims.

Regardless of internal confidentiality procedures, the provision of support to the victims of sexual abuse and of a timely response to such serious crimes is a core obligation of any public official, in particular UN staff.

The UN sets the standards for how States, institutions and societies across the world view and treat human rights. As such, it has a responsibility to swiftly report abuse to the competent authorities, ensure access to justice and support for victims - especially children - and protect those who have the courage to speak out.

This is in line with the UN Secretary-General's 'Human Rights up Front' initiative which "encourages staff to take a principled stance and to act with moral courage to prevent serious and large-scale violations, and pledges Headquarters support for those who do so".

We are therefore calling on the UN Secretary-General to:

- Ensure that the provision of support and care to children who are victims of such abuse is a priority;
- Clarify the circumstances and the facts regarding the UN's response after it was made aware of the findings of the internal report;
- Ensure the UN learns from its past institutional failure to investigate and pursue accountability for allegations of sexual abuse by peacekeepers and foreign troops, and protect and support those who seek justice and transparency;
- Commission an independent, transparent and effective follow-up investigation and ensure accountability for the sexual abuse of children, identifying measures to prevent abuse in the future. If other or less serious human rights violations are discovered in the process, they should be investigated as well;
- Ensure all UN personnel, including UN peacekeepers, undergo rigorous child protection training and vetting before being deployed on missions so that those who have been subjected to criminal convictions or disciplinary measures for sexual offences, or for any grave violations of international humanitarian and human rights law, are excluded and those who are facing investigation are temporarily suspended, unless and until they are cleared of all allegations;
- Establish a mandatory requirement for pre-deployment and in-theatre training of military peacekeepers on protection and rights of children in accordance with the DPKO Specialised Training Materials on child protection;
- Grant the victims of serious human rights violations and their families full reparation, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, noting that the duty to provide reparations for victims of human rights violations is not dependent on the identification of the perpetrator or their prosecution;[1]
- Ensure that the UN and Member States undertake prompt, effective and independent investigations into all allegations of abuse against children by their troops and that perpetrators are held to account;
- Strengthen the UN's protection system for whistleblowers who expose abuse, including by UN staff, peacekeepers and foreign troops, in line with:

- The Recommendations of the 2013 report of the UN Special Rapporteur on Freedom of Expression and of Opinion to the General Assembly¹, which provide that: "the disclosure in good faith of relevant information relating to human rights violations should be accorded protection from liability. On the other hand, the silence of State officials on violations that they witness can be interpreted as complicity...Government officials who release confidential information concerning violations of the law, wrongdoing by public bodies, grave cases of corruption, a serious threat to health, safety or the environment, or a violation of human rights or

¹ A/68/362 (paragraphs 93 and 107)

humanitarian law (i.e. whistle-blowers) should, if they act in good faith, be protected against legal, administrative or employment-related sanctions.”

Signed by:

Centre for Mozambican and International Studies (CEMO)
Child Rights International Network (CRIN)
Child Soldiers International
Collective of New Men of La Laguna, Northern Mexico
Defence for Children International (DCI)
Droits de l'homme sans frontières (Chad)
ECPAT International - End Child Prostitution, Child Pornography and Trafficking of
Children for Sexual Purposes
Fundacion Arcoiris, (Mexico)
Ligue Tchadienne de Droits de l'Homme (LTDH)
MenEngage Alliance
NEEDS (Network for Enterprise Enhancement and Development Support)
Norwegian Church Aid (NCA)
Plan International
Promundo
Save the Children
Society for Promotion of Educational and Environmental Development (SPEED)
Sonke Gender Justice
Support Needy Lovely Centre, Uganda
Sustainable Environment and Development Foundation
White Ribbon Campaign UK
World Organisation Against Torture (OMCT)