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Focus

Excerpts from the report

The Investigation Team established that the consultants had raised an important issue and thereby provoked a heightened sense of awareness in the international community of the potential for sexual exploitation of victims of forced displacement by those

who are supposed to palliate their suffering. The Investigation Team found, however, that the impression given in the consultants' report that sexual exploitation by aid workers, in particular sex for services, was widespread is misleading and untrue.

The limited scope of the investigation on sexual exploitation of refugees by humanitarian workers

Early this year a study conducted by two consultants commissioned by UNHCR and Save the Children revealed widespread sexual exploitation and abuse of refugees by humanitarian workers in three African countries (Guinea, Liberia and Sierra Leone). As the media took up the story and it was clear that the debate had tarnished the reputation and credibility of the large majority of aid workers, national and international staff of United Nations agencies and NGOs, and United Nations peacekeepers in West Africa, UNHCR requested the Office of Internal Oversight Services (OIOS) to review the allegations made in this first report.

The results of the OIOS investigation were published in a report on October 11, 2002. The team identified several factors which contribute to sexual exploitation in refugee communities, including camp security, food and services distribution, employment opportunities for women, lack of education for girls, profiles of camp workers, and the quality and quantities of food and other relief items distributed. The study recommends co-ordinating and harmonising the codes of conduct as well as clear procedures and guidelines for the investigation of sexual exploitation of refugees, establishing reporting procedures and conducting a comprehensive review of the services provided to refugees.

The OIOS team also established that the information contained in the study carried out by the two consultants could not be verified. Indeed allegations of sexual exploitation were based on stories related by third parties or had not been confirmed by other types of evidence. In addition, it conducted its own independent set of interviews to find out whether there was sufficient evidence to prove that sexual exploitation was common in the three aforementioned countries. The team concluded that the conditions in the camps and in refugee communities made refugees vulnerable to sexual and other forms of exploitation but found very few cases. One needs however to bear in mind that when looking at this issue, the investigation took into account, besides domestic laws, the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, which means that cases of sexual violence upon adults were not considered (with some exceptions though). In addition, it did not consider sexual exploitation of internally displaced persons. Cases highlighted in the report mainly deal with grave sexual assault such as rape, often followed by pregnancy.

The OIOS was furthermore requested to determine whether sufficient evidence of such wrongdoing could be established, so that criminal and/or disciplinary charges could be brought against specific persons. In fact many offenders had been referred to their organisations but the majority had been sent back home or subjected to internal administrative penalties. Only one case out of 10 led to criminal proceedings. As far as young children are concerned, the report notes that most cases involving rape are settled privately by the parties or referred to sexual and gender-based violence teams run by NGOs in the camps for support and counselling. Yet, the study does not encourage the national authorities to open criminal investigations into cases of sexual violence although they clearly fall within the ambit of domestic criminal law.

Another troubling fact is that the team distinguishes rape between refugees in which the perpetrator (hired by an NGO or an international organisation) is physical stronger than the victim and rape between refugees in which the perpetrator abuses his power resulting from the authority conferred on him by an NGO or an international organisation. The distinction is however difficult to draw and anyway should not be taken into account when examining a sexual violence case.

By choosing a very restricted scope of investigation, the team gives the false impression that there are very few cases of sexual violence in refugee camps. A much wider approach is welcome, should a follow-up report be written.

Responsibility

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