

International Human Rights Program Fellowship
Final Report
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My fellowship this past summer was with the AIDS-Free World's Code Blue campaign to end impunity for United Nations (UN) peacekeeping personnel. Since its launch in May 2015, the campaign has been working to end impunity for sexual exploitation and abuse perpetrated by UN peacekeeper personnel. As the campaign continues to pursue ways to ensure criminal accountability, it is also interested in looking at ways that civil liability might be used to hold perpetrators accountable.

The goal of my research project was to determine whether a victim of sexual exploitation or abuse perpetrated by a UN peacekeeper can sue the peacekeeper, the UN, or the Troop Contributing Country, for damages and/or child support. The first stage of the project, which was completed this summer, evaluated the alternatives for legal action against the UN, the legal frameworks in both the host country of Haiti and troop contributing country of Canada, and the alternatives for suit against the Canadian government. The second stage of the project will expand the analysis to other UN peacekeeping host countries and troop contributing countries.

After more than a decade, and over 1600 allegations of sexual exploitation and abuse made against UN peacekeepers in missions around the world, the UN's culture of impunity persists. Military members are protected by absolute immunity from criminal prosecution in the host country and civilian members only have immunity for official acts, yet they are rarely held criminally accountable for their actions. UN peacekeeping missions seldom establish appropriate settlement mechanisms, leaving victims of sexual exploitation and abuse without recourse. The opportunity for civil action against the UN, peacekeeper, or troop-contributing country has not been sufficiently explored. This research has the potential to act as a reference guide for victims of sexual exploitation and abuse and their advocates, including civil society organizations. It will also highlight the impact of the UN's immunity provisions on victim's rights to an effective remedy when it does not provide adequate alternative mechanisms for resolving disputes.

My fellowship with AIDS-Free World's Code Blue campaign has opened my eyes to issues of accountability currently faced by the United Nations. It also allowed me to explore uncharted areas of international and domestic civil law and to apply the limited precedence to situation in question. I am hopeful that my research, as part of the work of the Code Blue campaign, will be a useful resource for victims of sexual exploitation or abuse perpetrated by a UN peacekeeper and their advocates.