



Estimated number of victims of sex crimes by UN Personnel

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The fundamental challenge here is to determine the extent of unreported crime; which by definition is a determination that can only be made by extrapolation of the statistics that *do* exist, and as such can only ever be an estimate.

The UN differentiates “*sexual exploitation and abuse*” (“SEA”) where the victim is normally a woman or child from the local civilian population, and “*sexual harassment*” - where the victim is normally a (female) UN staff member. These are investigated differently, and while the UN has an obligation to report SEA cases, they are unwilling to report the total number of sexual harassment cases.

In any event, even with SEA cases, the UN only reports those complaints that are substantiated. It does report the total number of complaints received.

What we can do, however, is take as a start point that the UN Secretary-General has admitted to 145 cases of sexual abuse and rape involving 311 victims in 2016 alone, and only in UN Peacekeeping operations.¹

In September 2017, speaking and the “high-level meeting on the United Nations response to sexual exploitation and abuse” he stated

*“First, sexual exploitation and abuse is not a problem of peacekeeping, it is a problem of the entire United Nations. Contrary to the information spreading that this is a question related to our peacekeeping operations, it is necessary to say that the majority of the cases of sexual exploitation and abuse are done by the civilian organizations of the United Nations, and not in peacekeeping operations.”*²

If that is so, and the majority of the SEA cases involve UN civilians and not peacekeepers, the real number for the year must be at least 623 and not just 311, for that year alone.

This is only the tip of a very significant iceberg.

Under-Reporting of Sex Crimes in general

Rapes and sexual assaults are seriously under-reported crimes.

A survey by Mumsnet in the UK in 2012 found that less than 20% of rapes were reported.³

There are other sources that believe that to be overly generous, but let us go with 20%. That was also the figure reflected in the United States in 2013, the National Crime Victimization Survey (NCVS) by

1 Secretary-General’s Report: ‘Special measures for protection from sexual exploitation and abuse: a new approach.’ 28 February 2017. UN Document Number: A/71/818. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/71/818 Para 8 on page 5

2 UN Press Release: SG/SM/18691-HR/5369. 18 September 2017. Online at : <https://www.un.org/press/en/2017/sgsml18691.doc.htm> Para 2

3 Unreported rapes: the silent shame. Nina Lakhani. The Independent. 12 March 2012 <http://www.independent.co.uk/news/uk/crime/unreported-rapes-the-silent-shame-7561636.html>

the National Research Council who found that less than 20% of rapes were reported.⁴

With a 20% reporting rate; if 311 victims in the UK or the US were to come forward to report having been raped; it would not be unreasonable to estimate the real number of victims to be around **1,550**.

If the real UN figure is of course 623 and not just 311, that would imply that the total number of cases was **over 3,000** in one year – but only if the same 20% reporting rate were to apply in the Congo and Haiti as it does in the UK and the United States.

Embarrassing as it is, that 20% figure may be a reasonable reflection of the reporting rate in advanced western democracies with a reliable legal system that operates on the Rule of Law and a robust (and increasingly sympathetic) investigative capacity in law enforcement.

The problem, however, is that the UN is NOT just operating in advanced western democracies. The UN is operating in the most dysfunctional of Third World countries where the level of corruption is very high and there is therefore much less confidence in the local police. These countries do NOT operate under the Rule of Law and law enforcement has negligible, if any investigative capacity to investigate sex crimes.

On top of that, there is often even more shame and stigma attaching to the complainant because of the society they live in, which is much more of a deterrent to reporting a sexual assault than it is in the US or Europe.

All of these factors will discourage victims from reporting it, so the reporting rate must be very significantly less than 20%, even if no UN personnel were implicated.

If we assume the rape reporting rate in these Third World countries is even half of what it is in Europe or the United States, only 10% of rapes would be reported. If 10% of these cases are reported, 311 reported victims would mean **over 3,000** actual victims. Over ten years, that would give a figure of **over 30,000 victims**.

If we include the non-peacekeeping estimate, and consider over 600 reported victims, would mean **over 6,000** actual victims, in one year. Extrapolating that out over ten years would mean **over 60,000 victims**.

When *any* authority figure - such as a local government official - is implicated, it is reasonable to expect that the reporting rate will be even lower.

Under-Reporting of sex crimes with UN involvement

When any UN official is implicated in a sex crime complaint, there is a clear and enormous power imbalance.

In addition to the victim probably having to make a criminal complaint in a culture where making a complaint against ANY authority figure is simply not acceptable, a woman raped by a UN official or a

⁴ Sexual assaults greatly underreported. USA Today. 19 November 2013.

<https://www.usatoday.com/story/news/nation/2013/11/19/study-sexual-assaults-greatly-underreported-/3648197/>

UN peacekeeper will often be in a position of having to make a criminal complaint against the Agency that she and her family rely on for food, shelter and protection.

Where a UN peacekeeping operation is deployed, victims have reason to be afraid that if they report the rape, the UN will retaliate against them and their families, which will put them in greater jeopardy.

If we accept an average reporting rate in dysfunctional Third World countries as being only 10%, if a UN official is involved, the rate is likely to be significantly less. If it was half the average rate, it would mean only 5% of rapes or sexual assaults were reported; so 311 reported victims would actually mean **over 6,000** actual victims.

More than 6,000 victims in one year, would mean the figure for 10 years would be **over 60,000**.

That is the number based on 311 victims, which is just the Peacekeeping number. The same calculation adding in the non-peacekeeping cases would mean that over 600 reported victims translates to **12,000 actual victims** in just one year, which is an obscene number to consider.

These figures - which are admittedly only estimates - relate only to the under-reporting of sexual offences.

Other hindrances in the Investigation of Sex Crimes by the UN

In any event, the local police have no power to investigate UN personnel, so the only option is to report it to the UN, but the UN has no forensic 'scene of crime' capability, even to preserve DNA evidence, and while anyone can go along and take notes, the UN has no "first response" investigative ability.

Assaults also often take place in remote areas, a considerable distance from a UN headquarters facility where the victim might find someone willing to receive her complaint. Even going to try to do something about it could involve a walk of several hours.

The local government in these areas tends to be very reluctant to upset either the UN or the aid agencies because they bring huge amounts of money into the area. In short; there is a serious need for victim support because there is often little official interest in helping the victim.

The UN considers "commercial sex" (i.e. sex with a prostitute) to be misconduct for which a staff member can be dismissed. Where these complaints are involved, the practical problem is one of evidence – and anyone who expects a prostitute in the Third World to report her best clients to their employer, or to co-operate with an investigation, is simply delusional.

UN handling of sex crime reports

Almost everything the UN has done in the area of sexual exploitation and abuse has been a consequence of the senior management's mismanagement of the 2015 child sex abuse scandal in the Central African Republic.⁵ If the senior management set the tone of the Organisation; what was

⁵ Code Blue Campaign. "The UN's Dirty Secret: The untold story of child sexual abuse in the Central African Republic and Anders Kompass. 29 May 2015. Online at: <http://www.codebluecampaign.com/carstatement/>

demonstrated by that case was the UN's callous disregard for the victims of sexual abuse and an obsession with covering up any hint of such behaviour.

We also know from the number of cases uncovered after the international press took an interest in what was happening there that large numbers of victims of sexual abuse by UN peacekeepers and civilian personnel can be found if there is a proactive desire to do so. What broke down there was the UN's ability to cover up the scale of the problem.

When a sexual assault is reported to the UN, the Organization will go to great lengths to dismiss the complaint before it is even investigated.

The UN has a vested interest in minimising the number of rape complaints they have to deal with. These have to be reported to the General Assembly and are an embarrassment to the Organization. There is therefore an incentive for complaints to be dismissed at a very early stage and there is evidence of that being done.

In peacekeeping environments, this can be seen in the dismissive bias of the Conduct and Discipline Unit who, despite having no investigative training or authority, carry out "assessments" of these complaints and will find any reason to dismiss them *instead of* referring them for investigation.

In September 2017, the Code Blue Campaign revealed information from leaked UN documents showing how many cases were dismissed without even interviewing the victim.⁶

These showed, for example that the UN will involve local officials – who have absolutely no jurisdiction or reason to be present – in the "assessment" process. In at least one documented case, the victim was questioned by a group of five men, a mixture of local officials and UN personnel - none of whom were criminal investigators. The UN had no objection when the local officials "*were either replying on her behalf or trying to feed replies to her.*"⁷

Unsurprisingly, these "assessment" tactics often results in the complaint being summarily dismissed.

Moreover, even if a complaint is passed on to OIOS to be investigated, the result of the "assessment" process is often to identify the witnesses, so the subject of the investigation gets advance warning – even before the professional investigators turn up – of who needs to be bribed or intimidated so they will not speak to the investigators. \$50 goes a very long way in places like Haiti, and is certainly enough to ensure that the investigation will find no evidence so the subject will be cleared of any wrongdoing; which of course is to the UN's advantage.

The point is there is enormous scope for inept and/or biased investigators to return a result that the UN wants to hear; that the claim cannot be substantiated.

6 Leaked Files Reveal Hidden Scope of UN Sex Abuse. 13 September 2017. Online at: <http://www.codebluecampaign.com/press-releases/2017/9/13>

7 Leaked Files Reveal Hidden Scope of UN Sex Abuse. 13 September 2017. <http://www.codebluecampaign.com/press-releases/2017/9/13> Title of File: "alleg of SEA against PAKBATT in Ndele" Page 3. Para 4 at <https://static1.squarespace.com/static/514a0127e4b04d7440e8045d/t/59b93f0a2aeba5bcafe73bd0/1505312527183/FIN+AL+2017-09-13+Cases+Intro+and+Summaries.pdf>

In view of the foregoing, we must assume that the incidence of unreported reported rape cases around UN environments is even higher than the “Third World average” - particularly in post-conflict situations where sexual violence has been widespread. This can only be exacerbated by the UN consciously deploying troops known to have a bad record for human rights abuses in a peacekeeping role.

Accordingly, if we accept that 90% of rapes in Third World countries go unreported, in UN environments, it will be even higher, like 95%. If that is so, just 311 reported victims (which ignores the greater number of non-peacekeeping cases) would represent a likely total of around **6,220** victims per year, and over ten years, that would mean **over 60,000** victims.

These estimates have been calculated on the number of sex crime complaints the UN will acknowledge, but the Organization does not publish the actual figures so there is no alternative but to make an estimate on the basis of what they are willing to admit.

Defining “victims” and “convictions” in the UN system

The UN only investigates sex crimes from the administrative perspective, i.e. to determine whether or not the staff member can be dismissed for it. This is not exactly the equivalent of a criminal conviction but it is at least comparable to the subject being *charged* with a criminal offence.

Conviction rates for sex crimes are low.

One study in the UK found that less than 6% of reported rape cases resulting in a criminal conviction.⁸ We may, admittedly be combining rapes and lesser “sexual assaults” here but that is a rather frightening figure. If we go back to the 20% reporting figure for the UK, it means for every 1,000 women raped or sexually assaulted; only 200 will report it, and out of them, only 12 of the attackers will be convicted for it.

On that basis, if 311 victims represented a 6% conviction rate, the original total number of cases would be in the order of **5,180**. Over ten years, that would suggest **51,800** victims in total. Adding the non-peacekeeping numbers will more than double that number.

In the ‘Overview of Sexual Offending in England and Wales’ published by the Ministry of Justice, Home Office & the Office for National Statistics⁹ in the UK in 2013 included a graphic showing this information:

	Estimated number of Victims	Police Recorded Crimes	Detections	Court Proceedings	Convictions
Sexual Offences	430,000 – 517,000	54,310	16,450	9,950	5,620
Rape	60,000 – 95,000	15,670	3,850	2,910	1,070

“Police Recorded Crimes” is the total number of complaints received, and “court proceedings” the

⁸ Kelly, Lovett and Regan, *A gap or a chasm? Attrition in reported rape cases*, 2005, Quoted online at: <https://rapecrisis.org.uk/statistics.php>

⁹ Online at: <https://www.gov.uk/government/statistics/an-overview-of-sexual-offending-in-england-and-wales>

number of cases where there was enough evidence to charge the assailant.

Dividing one by the other would imply that **18%** of complaints result in someone being *charged* with the crime.

When the number of individuals charged with these crimes is compared with the mid-point figure given for the range of estimated total numbers of victims, the figures are:

	Estimated number of Victims	Court Proceedings
Sexual Offences	473,000	9,950
Rape	77,500	2,910

Conclusions (for England and Wales)

- **2.1%** of all sexual assaults result in the assailant being charged with an offence.
- **3.75%** of all rapes result in the rapist being charged with an offence.

Let us be generous and suggest that the UN is very efficient in investigating rapes and sexual assaults (ignoring all the evidence to the contrary) and suggest that OIOS is more efficient than the Police in England and Wales at investigating and bringing charges in sex crime cases, and assume the UN was able to bring charges in 5% of all such incidents. In that case 311 cases would mean **6,220** criminal acts actually having been committed.

If 6,220 is the number for one year – and again, that is only the peacekeeping number and not the total - it would equate to **over 62,000** cases over 10 years.

If we the add the same number again, for non-peacekeeping cases, that number is doubled to **124,000 victims** over ten years.

An analysis based on the number of cases in which criminal charges were brought in England and Wales is, however, not exactly comparable to the number of victims that the US Secretary-General has acknowledged.

The reason for that is the definition of ‘victim’ in the UN.

A “victim” for reporting purposes in the UN is someone whose complaint has been established by a UN investigation. The organization’s definition of the word reads:

“In the implementation of General-Assembly mandated activities, an individual, whose claims that he/she has been sexually exploited or abused by United Nations staff or related personnel have been established through a United Nations administrative process or Member States’ processes, as appropriate.”¹⁰

In order for there to be a “victim” therefore, there has to be an investigation. If a complaint is dismissed as a result of the “assessment” process, or if the OIOS investigation results in a Closure Report- there can never be a “victim” for the UN to recognise.

¹⁰ United Nations ‘Glossary on Sexual Exploitation and Abuse’ (Second Edition. 2017) Para 27

In order for there to be a victim, OIOS has to carry out an investigation and substantiate the complaint, so the staff member's behaviour is officially determined to have breached the Staff Rules. In that regard, it should actually be compared to someone being convicted of a crime.

In that case, the figures should be:

	Estimated number of Victims	Convictions
Sexual Offences	473,000	5,620
Rape	77,500	1,070

Conclusions (for England and Wales)

- **1.2%** of all sexual assaults result in the assailant being *convicted* of the offence.
- **1.4%** of all rapes result in the rapist being *convicted* of the offence.

Again, being generous and suggesting that on those estimates, the UN could boast a conviction rate that was twice that of the police in England and Wales; 311 victims in peacekeeping operations would suggest there were actually **over 11,000** sex crimes committed.

Over ten year period, that would give an even more frightening figure of **over 100,000 victims**. To even consider that there may be an equal number of non-peacekeeping victims would be unconscionable.

Conclusion

That estimated 60,000 figure may or may not be accurate. This is not an exact science, but I defy anyone to dispute that sexual offences are grossly under-reported.

With particular regard to the UN, it is clear that despite all the rhetoric, the Organization is simply uninterested in receiving SEA complaints, and is inclined not to find wrongdoing.

My particular concerns with the UN are (first) that staff members are discouraged from reporting serious misconduct by the retaliation risk, and (second) the evidence of bias at the assessment stage and the extent to which this methodology is instrumental in filtering out complaints that are likely to be perfectly legitimate.

In both circumstances, these complaints are investigated by methods that are fundamentally ineffective, and this has to be considered in the context of the UN's extraordinary tolerance for incompetence and misconduct on the part of OIOS investigators.

All of these are indications of the institutional unwillingness to face unpalatable facts that are presented to them. It should also be remembered that the reason that Secretary-General Guterres has inherited this SEA mess is due largely to his predecessors lack of judgement over the 2015 CAR child sex abuse scandal, which revealed the hypocrisy of the Organization's "zero tolerance" statements.

While the UN has an obligation to report the number of sexual exploitation and abuse cases, they are careful not to report the total number of complaints received. If they did, it would certainly be possible to draw a different conclusion, but if the UN were to publish the total number of complaints received,

that would expose the scaled of the problem and would expose the extent of the filtering that is done and how many cases are never investigated.

The 60,000 number has the benefits of:

- 1) being based on the Secretary-General's own public statements,
- 2) emphasising the need to add the non-peacekeeping numbers and not just focus on peacekeeping;
- 3) being easy to extrapolate from the 311 figure, without notes or complicated statistics when we are required to justify it.

Estimating the number of unreported crimes is always going to be very difficult and can never be accurate, but that "**60,000 victims over 10 years**" figure does not appear to be entirely unreasonable.

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