

## TRANSCRIPT

# "VETTING OF UN PEACEKEEPERS: REPORTAGE FROM THE GROUND"

*A Conversation With Suhas Chakma, Auwal Musa Rafsanjani, and Mandira Sharma*  
*Moderator: Jerry Fowler*

\* \* \*TRANSCRIBER NOTE: INTERVIEWEES HAVE HEAVY ACCENTS.\* \* \*

### **ANNOUNCER:**

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### **JERRY FOWLER:**

Welcome to the Open Society Foundations. My name is Jerry Fowler and I am a senior policy analyst in the-- DC office of OSF where I work on multilateral affairs and-- also on-- on Asia issues-- particularly regarding-- Burma and Southeast Asia. And-- one thing that we're very excited about in the Open Society Foundations is that-- work that we've been done-- doing in a number of countries in Asia-- including Burma, Indonesia, Nepal-- and other countries-- to promote tolerant and vibrant democracies-- is being consolidated in an Asia regional office.

And we have our first-- director-- regional director for Asia, Benifer Nauroji (PH), whose been with OSF for many years as the director of our-- Open Society initiative for East Africa. And today's event, I think, is being brought at least in part by-- to you by the-- Asia regional office. And in that regard-- I should thank-- Britton Alfred whose the-- program coordinator for the Asia regional office who has-- been instrumental in pulling everyone together.

What we're here to talk about the vetting of UN peace keepers. And I think as everyone in this audience-- (NOISE) knows-- peacekeeping-- UN peace keeping-- has-- a long history. And it has become a bigger and bigger issue in the course of the

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last 20 years or so. Peacekeeping efforts started shortly after the creation of the United Nations in 1948-- with the creation of the UN Truce Supervision Organization-- which was deployed to the Middle East.

And with the UN military observer group in India and Pakistan, which was-- was deployed to India and Pakistan. The first armed deployment, those were unarmed observers. The first armed deployment was in 1956 (COUGHING) to the Sinai peninsula. And the first-- really large scale complex deployment was-- beginning in 1960 in the democratic republic of Congo. Since the first mission in 1948, there have been 69 UN peacekeeping missions. In 56 of those, 81% have been since 1988.

Currently, there are 16 peacekeeping missions and then a political mission that DPKO is responsible for-- for running in Afghanistan. And-- more than 100,000 personnel are deployed across those-- those missions. For the year that just ended on the 30th of June-- there was a budget of \$7.83 billion for the-- for peacekeeping.

As I'm sure everyone in this audience knows, missions, since the end of the Cold War, have grown increasingly complex. And many of them have a civilian protection component. Nine of the current missions include civilian protection in their mandate. And that involves 95% of deployed personnel. (NOISE) And as you know, the missions that have the civilian protection component are the ones that are in the most challenging environments as well, such as-- south Sudan, central African republic.

So this raises an important question. How are troops selected for these missions? In particular, what is their record regarding interactions, the record of the troops before they're selected-- regarding their interactions with civilians-- and-- with respecting human rights. At the end of 2012, the secretary general issued a new policy on the human rights screening of UN personnel.

But so far as we know, the reports that will be discussed today and I should say that will be available in hardcopy-- at the end of the program are the first ever studies from the field as to how UN peacekeepers are selected by their national governments. Studies and reports-- done previously by the UN and others-- such as the report prepared in 2004, 2005 by the now incoming-- high commissioner for human rights, Jordanian ambassador Zade Radzade (PH)-- Hussein have generally focused on sexual abuses perpetrated by the peacekeepers while part of a peacekeeping mission.

And of course, count-- accountability issues related to such abuses. These reports, which address-- Nepal, India-- Bangladesh and Nigeria-- go beyond these issues and start with the selection in the context of Nat-- the national background and the lack of accountability for abuses that have been committed there.

In this way, we hope that these reports will contribute to a broadening of the discussion of the imperatives of civilian protection, respect for human rights and account-- accountability for human rights abuses. The four countries-- that I mentioned, of course, are among the top troop contributing nations. I think they're four of the top seven troop contributing nations. So their processes and policies with regard to-- troop selection are vitally important-- in terms of what happens on the

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ground once missions are deployed.

To present the reports, we're privileged and fortunate today to have-- the-- authors and experts on the issue. We'll start to my left with Mandira Sharma. She is a leading human rights activist from Nepal and the founder of both the advocacy form Nepal and the accountability watch committee. Both organizations work to promote human rights and rule of law in Nepal and to contest impunity.

She also serves as an advisor to the alliance for social dialogue in Nepal-- which is-- a key partner of the Open Society Foundations. She's been a leading voice in Nepal on the issue of torture and extra judicial killings, enforced disappearances, sexual abuse, and impunity related to those crimes. She is a recipient of the human rights defender's award, which is the highest-- honor given by human rights watch for her struggle to promote human rights in Nepal.

To my right is Suhad Chakma-- who is a leading Indian human rights defender and the (COUGHING) director of the Asian center for human rights. In that capacity, he supervised the overall project-- and specifically directed the reports on India and Bangladesh. He serves as a member of the NGO core group that advises India's national human rights commission on human rights issues. And he previously served as the interlocutor between the ministry of home affairs of the government of India and the (UNINTEL PHRASE) misplaced people's forum to facilitate the repatriation of the (UNINTEL).

And then to my far left-- is Auwal Ibrahim Musa-- from Nigeria. He's a human rights anti corruption policy and legislative advocacy advocate who-- works for positive trans per-- formation in Nigeria-- and in Africa. He's-- currently the executive director of the civil society legislative advocacy center and the chairman-- chairman of the zero corruption coalition as well as-- Nigeria coordinator of the west African civil society forum-- and a member of publi-- publish what you pay-- Nigeria.

One other person I should acknowledge whose been very instrumental in these reports is-- Ingrid Massage who is-- a senior advisor with Amnesty International and also-- works as an advisor to the advocacy forum in Nepal. So Ingrid, welcome. Without further ado, we will proceed-- to the reports. The first one up will be Mandira presenting the report on Nepal.

## **MANDIRA SHARMA:**

Thank you, Jerry. Good morning everyone. You know, we are here from-- (UNINTEL PHRASE) (COUGHING) countries for the UN (COUGHING) peacekeeping-- (UNINTEL). Lately, there has been discussions on-- establishing accountability and preventing-- (COUGHING) human rights violations during the missions. We are here-- looking at the-- different countries selection procedures for the peacekeepers-- with an attempt to really prevent-- human rights violations during the missions.

Not only during the missions, how we really contribute in preventing human rights violations on the ground if we really look into the backgrounds of the-- peacekeepers.

Nepal is one of the major contributing countries. I think it (UNINTEL PHRASE) and at least of the-- two contributing countries to the UN-- peacekeepers. We-- started contributing to the-- peacekeeping since 1958.

Nepal has been-- regarded the police peacekeepers-- you know have-- have been regarded as the professional peacekeepers. And in c-- in commemorating the 50th kind of-- contributions of Nepal's-- peacekeepings, the-- secretary general of the UN recommended that-- Nepalese peacekeepers are the shining examples. So this is the pride for the nation and trustees-- for those in-- who are involved. And-- economically-- I think-- incentives for-- for those who-- serve as the peacekeepers and the institutions that send the-- the troops to the UN peacekeeping missions. (NOISE)

We realize the-- peacekeeping of being an effective and very important-- leverage in preventing human rights violations on the ground-- back in 2000-- 4-- since 2004, I would say. When then-- UN high commissioner for human rights, Louise Arbor who-- was visiting the country-- in Nepal-- first raised that there will be consequences for-- soldiers or-- security personnel's-- in-- peacekeeping-- if they are found to be involved in serious human rights violations.

You know, that reference contributed significantly in reducing the-- the ongoing violations of human rights violations in Nepal. We went-- through this ten years long-- insurgencies, 1996 to 2006-- 2000-- you know, it really became very-- difficult since 2001 when a state of emergency was imposed and insurgents were-- labeled as terrorists and-- Nepal army was sent in the field encountering terrorisms.

Unified command was-- composed together with other two securities (UNINTEL), Nepal police and armed police forces. Then we started to document-- a quite high number of cases of enforced (UNINTEL), extra judicial execution, sexual violence and torture in detentions among others.

UN working group only enforced involuntary disappearances back in 2004, came up with a report saying they recorded the highest number of new cases of disappearances from-- from Nepal. We had-- you know, UN office of (UNINTEL PHRASE) been established in Nepal. And it-- you know, publishes the report for Nepal conflict report documenting more than 30,000 cases of human rights violations. And (UNINTEL) then 2000 being-- you know-- you know, violations of serious (UNINTEL) violations and humanitarian law.

There were warring kind of news and information's that officers, security personnel's involved in making-- major casualties of those terrorists or (UNINTEL PHRASE) insurgents-- being promoted or rewarded by-- the UN peacekeeping-- (UNINTEL PHRASE) by sending them to the different UN peacekeeping-- missions.

This was extremely corroborated by a number of-- incidences, number of cases-- that-- that we have documented. One of-- such example-- was the-- the case of (UNINTEL) battalion, one of the battalion-- from where-- more than 49 people-- were-- disappeared-- from-- from-- and-- and the (UNINTEL) concluded that (UNINTEL) Bashnet (PH)-- (UNINTEL) Bashnet was the command being the

responsible-- in most of this-- cases.

He was externally sent to the UN peacekeeping missions in Burundi. Similarly-- another very emblematic case is-- where-- the-- one of the accused against whom there was a pending (UNINTEL) warrant on-- major-- (UNINTEL) Bashnet who was also sent to the UN peacekeeping-- missions in Chad. When we-- (COUGHING) made this known to the UN, he was departed-- to the country back in 2009-- despite the (UNINTEL) orders.

He is still not-- been-- been arrest-- arrested in-- and-- brought to the justice. Similarly, there has been a number of other cases where-- UN has-- (UNINTEL) the-- the-- the personnel from-- from Nepal. The other example was the deputy (UNINTEL) attendant to police-- (UNINTEL) Dukur (PH) who was-- sent to UN peacekeeping mission in Liberia despite the-- the pending cases against him-- in the district court of Nepal on allegations of torture.

You may also-- heard the-- you may have heard this case of Kumar Lama (PH) who is-- - now arrested by the UK-- police-- under universal jurisdictions for his involvement in (UNINTEL) cases of torture in Nepal back in 2005 was also serving as the-- the expert in-- in the UN-- missions in-- in south Sudan. So some of these-- cases-- actually raised-- quite serious concerns how those-- peacekeepers are actually-- selected.

And it also raises the-- the questions-- of the integrity of the whole peacekeeping-- missions. And also, it-- you know-- negatively impacts the-- the image of-- of the UN-- and-- and the contr-- contributing countries. (NOISE) These were cases where-- - media reported quite widely-- back in Nepal. Even during the course of our-- consultations in (UNINTEL) forces-- number of-- high ranking-- security-- officials-- highlighted-- the-- the fear of the-- the-- the (UNINTEL) of the-- the-- the peace-- in-- in the peacekeeping-- missions.

I think this has-- contributed very positively in terms of-- preventing-- torture, illegal detention in-- in Nepal and other human rights-- violations. The fear of being not able to be-- in a selected for the UN peacekeeping missions for the conduct that the-- the-- they do is-- is really positively contributing implementing human rights-- in-- in-- in Nepal.

So we are basically-- advocating that it is important to really have the screening, the-- (COUGHING) peacekeepers-- in terms of preventing human rights violations in peace missions and also on-- on the ground. Of course, we also acknowledge the-- the-- difficulties. We acknowledge the-- the challenges in terms of having a sort of database of-- soldiers or the officials or the security-- personnel's involving human rights violations.

But-- on the ground, we regularly see it's being not that-- you know, difficult if we really have a sort of system in place to really check into the reports of the-- human rights institutions as-- as (UNINTEL) (COUGHING) rights commissions. You know, records from the courts-- or the reports from different commissions of inquiries. And including-- the-- the one from the different UN-- bodies in the UN-- mechanisms,

especially in-- in the cases of Nepal.

There is a huge database already prepared by the office of the high commissioners-- available publicly. So in some of the cases that I-- I-- I referred-- where-- the-- the peacekeepers were-- sent-- for the UN peacekeeping missions were involved in serious human rights violations, one of those cases was this case of this 15 years old girl who was-- arrested, illegally detained, disappeared and later on found-- tortured to death-- was actually happening in-- the-- the-- the place where-- troops are actually trained for the UN peacekeeping missions.

It was the training center for the-- you know, UN peacekeeping-- peacekeepers. So these-- al-- these are also some of the cases where (UNINTEL PHRASE) government of Nepal to have investigations and prosecutions prior-- to the-- the incidences where we found them being ending up as the peacekeepers. So-- I think these have been contributed quite-- negatively in terms of-- in-- in terms of questioning the whole integrity of-- of the peacekeeping-- missions.

As-- as an effort-- with these kind of examples we are-- have been having-- discussions and we have been having a sort of debate how best to-- you know-- s-- have a sort of-- this-- policies in place to-- prevent-- these kind of-- (NOISE) people, perpetrators of human rights violations ending up in the-- in the UN peacekeeping-- missions. We're-- very happy-- that there is this human rights (UNINTEL) policies in-- in-- in-- in place now.

So we really like to see this-- being implemented on the ground. (COUGHING) It-- makes true contributing countries responsible for screening those-- soldiers-- you know-- before-- sending them-- to any peacekeeping missions. The-- the true contributing country has to ensure that they don't have (UNINTEL PHRASE) violations recurred. And during the-- the (UNINTEL) we have actually gone through that different policies-- legal framework that we have in terms of selections-- of these UN peacekeeping missi-- you know, peacekeepers.

And we have identified a number of-- gaps there. There are-- issues (COUGHING) of transparencies. No one really knows how they are selected. There are issues of corruptions. There are issues of-- you know, a number of other-- other things including nepotism and things like that. So other colleagues will-- will-- tell us in-- in detail how-- how this really happens-- on the ground. But we really-- believe that-- you know, having further discussions on-- on-- on the issues of best-- implementations of (UNINTEL) policies-- would really positively contribute in preventing-- human rights violations not only-- during the missions but also-- in-- in-- in the true contributing-- countries. I will stop there. So (COUGHING) I will come back (UNINTEL).

## JERRY FOWLER:

Yes. And we'll leave some time for discussion at the end. Thank you so much Mandira. Now, I'll turn it over to-- Suhas.

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## SUHAS CHAKMA:

Thank you chair. And then first of all, I think we do recognize the role of the peacekeepers in establishing peace in a number of countries where it's desperately needed. So these supports are not in any way to undermine the efforts of the peacekeepers. But at the same time, the fact that they serve on behalf of the United Nations (UNINTEL PHRASE) they are required to comply with certain standards which are expected from them. That's one aspect.

The second aspect is, of course, they are-- actually they are ambassadors of their own countries to the other countries. So in that sense, I think the country itself has certain interest that the people who are selected actually meet the minimum criteria if not the maximum criteria in terms of upholding the petition of the UN as well as their own country.

I-- I think once we look at the (UNINTEL) of India, (UNINTEL PHRASE) examine the-- India's involvement in peacekeeping operations. It's nothing new. I think India was one of the key actor in the first (UNINTEL PHRASE) peacekeeping operation in (UNINTEL) in 1961 where (UNINTEL) actually Indian troops (UNINTEL PHRASE) for the defense of-- the United Nations as well as the establishing peace in (UNINTEL).

So in looking at that policy-- engagement-- and I think it still figures within the India's foreign policy with respect to its engagement with Africa. And in fact, peacekeeping is one issue which is referred if you look at the India/Africa summit declaration. That's one. The second issue which you look at it is basically selection of the troops at the national level. How does the government of India select for it's army, for it's (UNINTEL) forces as well as at the police level?

And coming back to that, of course, we do compare how the people who are selected for the UN peacekeeping are actually-- selected. Then we take up, I think, with respect to India, I think the-- India's report is more-- possibly the most comprehensive because we have been-- able to access some of the confidential reports, including from the office of the (UNINTEL PHRASE) services of the UN.

So two reports, one with respect to the sexual extradition and abuses conducted by the Indian security forces in the DOC as well as which the UN come as the (UNINTEL) misconduct. Where the Indian security forces-- change a number of things with the FDNR, which is one of the forces which was responsible for their own-- genocide. Then-- (CLEARS THROAT) and of course, we finally go back to see how the UN actually acts to all these abuses, which are found by its own (UNINTEL) inquiry.

And of course, how the government of India itself has-- taken action with respect demand of direct nations that there should be accountability both for the-- sexual abuses and as well as the other misconduct. I think the key finding is that I think India compared to the other countries has almost the entire policy and legal framework in place. Both in terms of selection-- for the-- for the treatment of national (UNINTEL) as well as-- sending the troops-- for the UN duties.

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But what we found is that though it (UNINTEL) legally, as well as-- as the (UNINTEL) policy and (UNINTEL), at best there are lots of shortcomings with these policies and practices. And one of the policy which has come out and which actually the government affiliate (UNINTEL) make it public but came out in the legal proceedings with respect to a case file by a peacekeeper who was selected but wasn't sent for the peacekeeping mission was that India actually was selecting the army-- for the peacekeeping.

I mean, then the policy is, I called, referenced to those who have proven themselves were serving in (UNINTEL) since the operations. Respect the army with respect to the parliamentary forces. It's basically person who (SIC) have subbed at least two years in hard or extreme hard areas like German, Kashmir, northeast India, (UNINTEL) affected areas. So there's a preference for the government of India as far as selecting the peacekeepers.

That those who perform are-- are posted in the insurgency affected areas. They will be selective. And of course, you know, I mean the human rights violations in India, especially in this country institutions do not require any introduction. Everybody knows about it. National human rights commission reported. The UN special report (UNINTEL PHRASE).

So there is a huge problem when you incentives (UNINTEL) in conflict afflicted areas for-- post-- being posted the at the UN. And there are troops who were involved in the India Pakistan war. Actually, the entire contingent demanded that they should be-- sent for the UN peacekeeping missions. The entire contingent was sent. So there's a problem with the spectrum.

Now-- (NOISE) of course, that's the policy level with respect to the army which are selected both in terms of (UNINTEL) officers as well as contingent. The other issue with respect to the police. The police officers are actually (UNINTEL) to sit for examination for the UN (UNINTEL). This-- for the selection, this extends an assessment test, which is the unsub test. And in the examination which was conducted in 2013, we find the reports. We have mentioned it.

Some of the officials who were selected after passing the examinations included one accused in a custodial torture case. One officer who is accused of rape in custodial (UNINTEL). Another officer who is accused of kidnapping and extortion. And one police officer before being selected actually was arrested at the-- the (UNINTEL) international airport while flying to Manila with 52 live cartridges.

He was arrested by the Delhi police. He is facing prosecution. But he qualifies as a UN (UNINTEL) officer. Now of course, they all filled off the (UNINTEL) form. I think that's where the problem comes. And the problem is you are not-- (UNINTEL PHRASE) held guilty. So you are innocent until proven guilty. But of course, given the judicial delay which will have, it will take possibly 20 years by the time they will retire. And they will be serving at the United Nations.

So even if you conduct-- the examinations, sit for the examinations in a very fair and transparent manner, men are-- there is a huge problems in terms of identifying who



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are the accused. And when I am saying this, actually in the report, the names of the individuals, the (COUGHING) cases, I'll give in once we have separated after the-- after the presentation.

So if we select people-- who are actually have subbed in-- counter insurgency affected areas, it's a problem. I think-- I think one of the-- the officials who served here, I don't name the official who is retired now, he say the problem for India and the peacekeeping force, it's basically between peacemaking and peacekeeping. So Indian security forces, we are very good at peacemaking. You go be in a combat situation. Brow beat everybody.

Yes. Then now, of course, you go for peacemaking-- yeah, peacekeeping. It comes with lots of restriction (SIC) which essentially Indian security forces are not trained to do because they have given enormous amount of power to the-- with the insurgency including shoot-- the right to shoot at anybody by the (UNINTEL) officers and the armed forces (UNINTEL PHRASE).

There is a huge-- problem with respect-- to that. And what we found out is that all the troops which we are selected for the DOC and where the only Indian officer which has been given the highest-- military gallantry awards, (UNINTEL) Chakra, for the peacekeeping duties was with respect to the DOC in 1961. He fought single handedly barehanded to defend the UN at that point in time.

Now if we look 40 years down the line where the DOC still had lots of missions, there are two cases which has come up. One is with respect to the sexual (UNINTEL) by the Indian troops which we have posted in Kivu (PH) and other provinces. And the second (UNINTEL), cooperation of the illegal engagement between the Indian troops and the-- the FNL who are posted there.

I think what I am trying to highlight is the fact that there are not adequate checks and balances not only in the selection but also once you are posted there. I think the first report which came up within the UN system was in 2005 when (UNINTEL) actually came out with a report about a sexual exploration of the girls and women in the (UNINTEL). And they came up with eight specific combinations which was given to the force commander as well as the-- commandant-- the contingent commanders.

So if India had the (UNINTEL) commanders, obviously they knew that there was already an investigation by the UN. But in that 2005 report which is a problem with the UN, they actually didn't name the officials of the police personnel, these peacekeepers, which countries they came from. I would presume that some of the-- or two or three countries in (UNINTEL) India which are posted there we are involved in.

So in 2005, when this report came out from the (UNINTEL) with respect to sexual exploitation, then in 2008, obviously-- the 2005 report had no impact. So the OIOS had to start another investigation. This time, specifically by the Indian troops after lots of childrens (SIC) with Indian features were born in that province. And the DNA test which was confirmed by the-- (UNINTEL) confirmed that they are the genealogy or descent then, of course, the (UNINTEL PHRASE) and demand that-- that-- you

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know, the inquiry be conducted, punishment be given.

And after two years of (UNINTEL)-- about in 2011 maybe, the government start the court of inquiry by the military. And this court of inquiry took place in Mirat (PH) which is in (UNINTEL PHRASE) not India. We, as the center for (UNINTEL) for human rights, we went to the national human rights commission saying that, you know, the court of inquiry should be conducted in (UNINTEL) itself.

Because at the end of the day, the victims cannot testify. I mean, what's the point of having an inquiry? The NHS had dismissed the case. Then I wanted basically the findings of the court of inquiry. And the court of inquiry findings, we are not given. Then we file an RTI application on the right to information (UNINTEL PHRASE). And that information was-- denied. But last year, the chief of the army staff, which is (UNINTEL PHRASE), he saved that-- actually they had taken action against two officials who were involved in the sexual exploitation.

But when we sought the final report, which we could get-- his (UNINTEL) said that-- you know, that inquiry was not complete. It was given to us. So basically the junior is saying the army chief was lying. Then we went to the-- central information committee. That information was denied.

And finally, I think-- so in that report-- which I was referring to, the deputy force commander was actually (UNINTEL PHRASE) who went to become the head of the-- army chief until-- a couple of months back-- about one and a half months back. That was an issue when he was being appointed as the-- chief of the army (UNINTEL) for public (UNINTEL) before the Supreme Court. And essentially, the government (UNINTEL) lied before the Supreme Court by not giving adequate information with respect to his actual designation and responsibilities.

So in a way, to show that (UNINTEL PHRASE) was actually appointed by the UN. So he had no responsibility with respect to-- to contingents. So he cannot be held responsible. The second (UNINTEL) which I was deferring to is-- another enquiry which was conducted by the OIOS. We make this report-- confidential report by the OIOS which is the one we made public.

It's (UNINTEL PHRASE). Of course, the names, the places, and certain officials are blackened so that we cannot read. (UNINTEL PHRASE) could be protected. The-- that's the way we found it. It's that the Indian contingent which were-- the-- post (UNINTEL) India (UNINTEL) with the FDNR which was involved, as I said, (UNINTEL PHRASE). They basically purchase counterfeit gold, sold rations to insurgent groups on-- (UNINTEL PHRASE) supposed to protect.

And the actions, arms, and evolutions with the incident groups, these are the findings of the OIOS. But if actually India will take actions against the officials, it was-- this-- the standard (UNINTEL) at the moment (UNINTEL PHRASE) that the national government would take action. I am sure only some officials, if they did this thing inside the country, they would be charged under the army act.

And if they are found guilty for helping the enemies, they will be even sentenced to death. That's what exactly and precisely they did in that-- area. So there was no

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action-- at the moment. And in both these-- incident, I think it was-- the involvement of the-- general (UNINTEL). What-- so what we are trying to say is that there is a need for debate. And the current system of-- selection of the staff by filling of the P11 form is actually not adequate.

We need to go beyond that. If I am to speak as an Indian, of course, you know, I mean we are ashamed by what the peacekeepers do as much as the government of India. So I-- I think it's in our interest to have a good backing policy relying-- on the commitment of the states that they will not tolerate human rights violations by those who basically conduct-- the charge of responsibilities as the staff of the United Nations. Thank you.

## JERRY FOWLER:

Thank you Suhas. (NOISE) Now we'll turn to Nigeria and Auwal.

## AUWAL MUSA:

Thank you very much-- Jerry. While I'm sure-- for Nigeria, you know, it will sound very interesting to most of you given the ongoing insurgency and given the kind of-- allegation against the-- the security policies, you know, against this billion, you know-- population in Nigeria. Well, like other countries have mentioned, you know, Nigeria is (UNINTEL PHRASE) contributing troops countries.

And-- for us, you know, we thought it is important that-- we sat the-- the policy and practices, you know, on-- you know a selection process of-- peacekeepers. Because-- (UNINTEL PHRASE). We realize that there is no really, you know-- standard, you know, of selection process. A lot of-- you know corruption are also involved, especially, you know-- when we are doing the research.

We discover that a lot of-- allegation of-- you know-- extortion and, you know, corruption especially within the police, you know-- in terms of-- the selection process. You (UNINTEL) you know-- pay your way to get selected. And the most, you know-- unfortunate one is, of course, the role that Nigerian army, you know, had played-- in the '90s in Liberia where, you know-- cases of human right (UNINTEL) especially you know-- sexual violence against women.

A lot of women in Liberia were you know-- impregnated by Nigerian army. And you know, not-- serious action has been taken to, you know-- against those people who have-- you know-- committed that kind of-- thing. And it is repeating itself now with the insurgency going on in the country where the army, you know-- allegedly, you know, reported to be going to civilian houses to rape, you know-- women.

You know (COUGHING) and do all sorts of thing (SIC). You know-- we thought it is important that at least we should be able to look at, you know, the-- the process-- the selection process. And then-- because this has really troubled the major reputation, you know, of the country. They have done that not only in Liberia but also even in

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Sierra Leone. You know, there is that case. And also-- (COUGHING) as a result of-- that, a lot of people are not having really confidence (SIC), you know, about the role that the Nigerian army, you know-- is-- is playing.

You know, so we thought it is important that-- we look at how, you know-- these issues can-- be addressed. So the reports, you know, provide historical facts and figures. And-- regarding the Nigerian army, the implements that they had because they are rule (SIC) the country for over 30 years. Obviously, they will have tremendous influence.

And the-- you know, we are (UNINTEL) things happening in the country. And of course, their (UNINTEL) in the-- UN peacekeeping. We have also (SIC) look at the-- they also-- the research also look at the relevance-- you know-- policy-- personal policy. And the cases of this abuses (SIC), you know, that the-- both the p-- the police and the army were reported to have-- done. We are concerned that some of those army that are currently (COUGHING) perpetrating these, you know, sexual abuses and human rights violation in the name of-- dealing with insurgency, they may end off also being recruited for peacekeeping.

(UNINTEL) mean that the-- when they go there, they can (UNINTEL) repeat what they have been doing, you know, domestically which would further damage the reputation of the country. We thought it is important that-- we look at this and then, you know, provide, you know-- (UNINTEL) a recommendation for the Nigerian government so that, you know, its reputation could actually be improved.

And by, you know-- by extension, you know, Nigerian reputation would be improved. Because Nigeria didn't-- the largest, you know-- you know-- or rather the most populous, you know, country in Africa. We used to pride out self as the mother of Africa. And if the mother is not really doing the right thing, you know, then there's a problem.

We've lived that. Even the Nigerian army are doing the right thing. Other countries, you know, in Africa and, in fact by extension, you know, (UNINTEL PHRASE), they are also learning a good lesson. So this-- research enable us to discover so many things. You know-- there are a lot of-- you know, abnormalities would-- because of the interest of time, I will not be able to go, you know, in detail.

But this, you know, presentation will be available for you. But I just want to highlight some of the key challenges that we have-- encounter, you know, as a lot of this-- research. We discover that-- this-- this issue of lack of transparency in the (UNINTEL) baiting system. There was a corruption during the recruitment selection and the demonstration of the payment of peacekeepers. Even currently now some of the security, you know-- especially the army are refusing to engage in dealing with-- incidents because of the alleged, you know, nonpayment of allowances.

And-- this is also happening even when they are sent to the, you know-- UN peacekeeping. We also discovered that this issue of lack of human rights policy. And that is why they didn't really care to come brutalize and molest anybody because there's no (UNINTEL) policy in place that will guide, you know, peacekeepers both

the police and the army.

We also discover that there was-- inadequate content for (UNINTEL) deployment training. There was issue of insufficient mechanism for public impute and over side bodies. And of course, the-- there is a huge gender, you know, discrimination and gap, you know, in this whole process. So far, the oversight institution, they didn't seem to be also be-- be playing the role that they're supposed to play.

So we come up with some number of recommendation which we believe could help to do with the issues of-- challenges facing debating and selection of-- peacekeepers, you know, from the Nigerian army and the Nigerian police. The court also demands-- prompt deployment of the national policy on peacekeeping. (UNINTEL) operation in line with the 2012 (UNINTEL) policy on the-- UN policy on human rights (UNINTEL).

Such a policy should detail among other things the principal criteria, processes, and (UNINTEL) policy selection of peacekeeping personnel as well as create civilian oversight mechanism. (UNINTEL PHRASE) as we were concluding this research-- (UNINTEL PHRASE) is here who are talking about the fact that there was-- no policy on insurgent-- counter insurgent, you know, terrorism in Nigeria. And we've been trying to talk with the Nigerian government to see how-- a certain kind of policy can be (UNINTEL PHRASE). You know?

But you know, the (UNINTEL) were getting (UNINTEL). You know, there's too much arrogance. And they didn't simply want to, you know-- (UNINTEL) that those, you know-- policies are important or they are not in place. So-- but we will continue to (UNINTEL) them. So part of the recommendation we, you know, offer to the Nigerian government, you know, as a lot of this research is the development of (UNINTEL) policies on (UNINTEL PHRASE) and abuse.

And the investigation of human rights violation by the Nigerian army-- army and the Nigerian police force. Sp-- speedy and (UNINTEL) integration of women into the pool of peacekeeping operation in both military and police. Establishment of peacekeeping operation (UNINTEL) in all arms of the Nigerian armed process. Thorough screening for human rights violation such a system to monitor, you know, the selection of all, you know-- contributor or confidence for the peacekeeping.

You know, we believe it is going to help, you know, in terms of-- bringing some sanity, you know, in the peacekeeping operation. Development of a functional (SIC) and easy timeline that I base on the conduct of the members of the armed forces and the police. We also recommend that-- in (UNINTEL PHRASE) human right commission in debating for both Nigerian army and the police, you know, would be also very important.

(UNINTEL) the establishment of this peacekeeping training institute for the police-- alongside institutional support would also have-- adequate review of the curriculum of all military and police training institution with (UNINTEL) to mainstream human right and gender-- issue in the programs would also be very, very usable. Strengthen the oversight mechanism to ensure (UNINTEL PHRASE) accountability in the

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payment of peacekeepers.

Allowance-- allowances and other things, you know, would also be very, very easy for (UNINTEL PHRASE) to have to debate the (UNINTEL). To be able to do, you know, the work they do. Right now, if you are sent to assignment, even if you get killed before you get there, entitlement is a big problem, you know-- because of corruption involved in the process. And I'm sure (UNINTEL PHRASE) would-- bear me out, you know, here.

A lot of-- army are refusing to, you know, engage in the Boko Haram now because they didn't get paid. And if they-- if they are get-- if they get killed, nobody pays compensation or their families are not being taken care of. So there is no motivation. There's no incentives for them to really do what they're supposed to do. So we (UNINTEL PHRASE) workable and the implementation of this recommendation will help to sanitize the Nigerian army proc-- armed process and the police.

As-- and the result, a more accountable process-- at home and more displayed and effective process abroad. Finally, we-- you know, we are really grateful that, you know, we are part of this-- intervention. We've lived that, you know-- this-- you know, effort will help, you know, in the overall, you know, addressing of-- peacekeeping, you know, issue. And we really thank, you know, Open Society, you know, Foundation for this, you know-- support.

And also, of course, you know, the (UNINTEL PHRASE) that help us to carry out this research. Engineer (UNINTEL PHRASE) as well as many, you know-- supports that we could from different, you know-- people to come up with this research. I want to-- because of the interest of time, I want to stop here. So that's, you know, we will allow other people to come in. Thank you.

## JERRY FOWLER:

Thank you, Auwal. And now I have-- one more country presentation. Back to Suhas for Bangladesh.

## SUHAS CHAKMA:

Thank you-- chair. I think in Bangladesh is in many ways (COUGHING) respect to-- selection of the staff of the army at the national level is almost similar to India. But we have not found in the documents where the Bangladesh army has a clear cut policy as to how they should be selected-- for the UN peacekeeping operations.

But I think Bangladesh is a completely different case from-- the other three countries. I think it's given the fact that the Bangladesh-- army had a prominent role. It's always-- described as power behind the (UNINTEL) in Dakar. And how much actually UN peacekeeping operations contributing to that-- to continuation of-- of the-- the strengthening of the role of army. I think both for India and Bangladesh, the deployment for the UN operations is a financial incentive.

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I think I did mention in the daily (UNINTEL) case, in (UNINTEL PHRASE) said it's a lifetime opportunity. In Bangladesh, I think if we look at the-- (UNINTEL) structure-- an officer going for the UN peacekeeping operations gets about \$2,200 per month against about \$200 at the national level. And it could (UNINTEL PHRASE) for the soldiers which get about \$1,100 in the previous state. In comparison to \$100 at the national level.

I think this has led to (UNINTEL) of the UN peacekeeping-- once-- posting by the army and has created enormous amount of problems. I think at any given point of time, if we look at the statistics, approximately within six to seven person of the entire Bangladesh army is deployed for the UN peacekeeping operations. In all of this, our most 93% come from the Bangladesh army. The rest are from the police.

And because I think the Bangladesh army had monopolized the peacekeeping jobs, it led to a major (UNINTEL) with the Bangladesh rifles, which (UNINTEL PHRASE). And that led to a very unfortunate and massive massacre which is unheard of civilly in-- in peace time situation on 25th February-- 2009 in which 74 army of-- (UNINTEL PHRASE) including 57 army officials which-- deployed with the-- media. We actually massacred the media headquarters in Dakar itself.

So it's-- it's a huge-- thing. And the government of Bangladesh actually started an investigation. The committee in investigation it would say one of the purpose for this media revolt against the army was "providing Bangladesh to be-- proving Bangladesh to be un-- unfit for working in the UN missions and reducing Bangladesh's foreign current-- currency which comes usually from the UN missions."

Now-- that issue is still not resolved because the investigation committee in (UNINTEL) would say the UN-- "The UN has objected to the proposal of the Bangladesh rifles members being taken to foreign mission. And Bangladesh government has no jurisdictions in this matter." But I think this is not the complete story 'cause the government of India has been sending its parliamentary forces including the border security force which is (UNINTEL PHRASE) for the UN peacekeeping mission.

So I-- you know it's-- (UNINTEL PHRASE) resolving this problem, this problem continues. And maybe there is no immediate (UNINTEL). But I am sure if this continues as it is, this will create further (UNINTEL) in-- in the-- future. And of course, monopolizing it is not without consequences. And the first consequence which you see is-- though we know that the Bangladesh army had intervened at different point of times in history of Bangladesh to take over the power or at least the civilian forces look-- looking over their soldiers while maintaining the powers.

In fact, that moment in the peacekeeping operations has become the resonator for military tradition in the country. So if you look at the statement-- which was made in 2011 and 2012 when the badges was being placed in the parliament-- it let that year in 2012 11% hike in the defense budget. And this 11% had to be increased because the government of Bangladesh decided to buy 44 main battle tanks, three armored vehicles, two helicopter (SIC) for UN peacekeeping operations.

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So in a way, you could see that, you know, the UN peacekeeping operations are becoming the reason for (UNINTEL) traditions (UNINTEL) of the army in Bangladesh. The second, I think, important fact is, of course, the country becomes more and more dependant on the UN. Because-- at the moment, on most equivalent of the (UNINTEL) the Bangladesh defense budget, I think it's about \$995-- million comes from-- the UN. It's not necessarily that defense budget. But I'm saying, you know, equivalent of that much money is on as far as the (UNINTEL) given by the Bangladesh-- government.

And this has to be seen in the context of the Bangladesh army actually having a say, you know, in most all matter relating to the FAS of Bangladesh. Under the army act, the Bangladesh army can (UNINTEL) officers both for the Bangladesh-- navy and a air force.

And when the-- rapid action battalion was-- created in 2004, of course, number of officers actually came only from the Bangladesh army. And as I say, the one (UNINTEL) of the-- (UNINTEL) rifles against the Bangladesh army was the officials going and being posted there. And at the time of the massacre, out of the 446 officers in the (UNINTEL) in the entire country, 386 officers came from the Bangladesh army.

So there was a huge overwhelming presence. And now what we have is essentially Bangladesh army since 2004 being deployed for essentially (UNINTEL) policing. (UNINTEL) policing I mean the rapid action battalion which is a hybrid force drawn from the air force, the Bangladesh rifles and the army and the police has enormous amount of-- army presence. I think when we collected the names which was available in the website of Iran-- I mean a number of officials in August 2013, out of the 208 officers in (UNINTEL) about 83 were from the army officers.

We have given the list as available in you. So you could see that the army isn't only for the military purposes and today actually are doing day to day law enforcement activities all over the country to combat so called terrorists of the-- the-- the criminals. Now there is a huge problem with this RAV. I mean the rapid action battalion because the rapid action battalion has been known for a number of human rights violations.

It's, at the moment, not qualified to receive support from the US-- because of the human rights violations. And in fact, neither of the opposition (UNINTEL PHRASE) are, of course, US (UNINTEL PHRASE). (UNINTEL PHRASE) court to say that the (UNINTEL) should be banned from the US peacekeeping-- missions. And out of these, I think you have one (UNINTEL) of the Bangladesh army because it's a small country.

Almost deployed (UNINTEL PHRASE)-- despite the peace (COUGHING) (UNINTEL). Still-- serious reports of human rights violations. And I think at the young officers level between major, captain, or below that, it will be hard to find a Bangladesh army officers who either did not sub with the RAB or in the (UNINTEL PHRASE). And if we had to look at the statistics, I think when the media massacre, which was very unfortunate, took place but in the reprisal (UNINTEL) about 70 media suspect died



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in the custody of the Bangladesh army in which the economist say is almost certainly (UNINTEL).

So if we look at the reports of the (UNINTEL), I mean, since the (UNINTEL) was created in 2004, in Genoa 2004 and June 2013, about 776 persons were killed in crossfire. Crossfire which presupposes an armed encounter with the other side. But surprisingly, in the 776 incidents of crossfire, not a single (UNINTEL) officer was injured or killed.

In fact, 20 RAB officers which were killed and given in the website, 18 of them basically were killed in the (UNINTEL) massacre. And two died in a road accident. So the whole purpose of the crossfire investigation actually-- (CLEARS THROAT) doesn't-- hold up. So this, I think, policy of having lots of-- security forces, the Bangladesh army for the UN-- I think it's not-- without-- consequences.

I think first consequence is, as I said, Bangladesh army remains the power behind the (UNINTEL PHRASE). We had a situation where the (UNINTEL) government actually had formed a government before the first boat was cast. Of course, army didn't come in. Very good. Army was going to intervene in 2007 for the fear of being denied the opportunities of-- to be deployed with the UN.

But that may not necessarily hold all the time because those who have stick in Bangladesh in true geopolitical sense, they need not necessarily all the time rely on what the UN says. There will be a time-- and there will be a time that irrespective of (UNINTEL), the Bangladesh army is deployed for the UN's purposes (NOISE) (UNINTEL). They will still support the particular government in which need not necessarily be democratic.

So finally, I think the key point which I wanted to send-- wanted to say is that there is a huge challenge when you recruit-- that take army personnel from its small country, seven percent almost all the time, and (UNINTEL) UN for the sake of establishing peace elsewhere is actually contributing to what's solidifying the role of the army in that country where you only have lots of questions which remain unanswered.

And this goes into the very problem which the-- the (UNINTEL) and the UN fix to address, the security sector reform. You cannot have security sector reform if you are (UNINTEL) going to solidify the role of the army. I think Bangladesh wants to be a democratic country. It's in the interest of Bangladesh.

You know, I mean to have less a role, to be more accountable, and-- less a role with aspect to the politics. And that's not going to happen unless UN, you know, completely reduces its alliance taking into consideration that you are indirectly interfering in the political affairs of that country knowingly or (UNINTEL). Thank you.

## JERRY FOWLER:

Thank you, Suhas. So we've covered a lot of ground-- very quickly. But we have time

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for-- for discussion, for questions, for comments. I'm gonna take the prerogative of the chair and ask the first question-- perhaps to you Suhas just following up on-- on your closing remarks-- where you're suggesting that the UN has the leverage over Bangladesh to require changes as a condition for accepting troops. (COUGHING)

But if you take these four countries that we've looked at plus-- Pakistan, Ethiopia and Rwanda, which are the other major contributors in the top-- seven-- each of them you could do a similar report on I think. If-- if the UN said we won't take troops from you until you get-- your vetting in order, where would that leave the UN in terms of-- getting the troops that it needs for-- peacekeeping missions?

### **SUHAS CHAKMA:**

I think it's a shared responsibility. You know, there are two aspects into it. I mean, the Bangladesh is-- the Indians might, as I would say, why should our soldiers go and die in DOC? So it's as much as India's responsibility as much-- as the, say for example, the United States. And if the United States can send its troops to Afghanistan, why can't it send it to the (UNINTEL)?

I think where the UN needs to have consensus and common ground is basically-- that the member states of the UN should be equally contributing to what's the peacekeeping operations rather than exploiting, if I may use the word, you know, I mean certain countries which are not able to pay and the soldiers are willing to risk their life and die for somebody possibly where they have nothing at stake. So I think the UN needs to move towards-- having a more (UNINTEL PHRASE). Because-- unless everybody contributes to it, this problem will continue. And at the end of the international peace, it's shared responsibility.

### **JERRY FOWLER:**

Do either of you wanna comment on that? You don't have to. (LAUGH)

### **MANDIRA SHARMA:**

I think-- we-- (LAUGH) when we're having this-- this discussions, this question keeps-- coming up actually. Because UN desperately needs-- troops. And (UNINTEL PHRASE) start becoming-- more demanding on human rights kind of issues-- whether-- whether we would-- the UN would get (UNINTEL) troops. And also, this is a voluntary services-- you know, offered by the countries.

So-- you know-- you know you see the problem there. On the ground actually-- I don't really see that logic's really-- working. We don't believe-- that, for example in the case of Nepal, every single soldiers are involved in human rights violations. There are this few bad apples. There are a few-- individuals who have been involved in human rights violations.

By removing them, having a place-- you know, having a system in place to really prevent them to be in the UN peacekeeping mission does not actually prevent entire-- you know, troops-- or-- entire-- other-- other community-- off of the security forces-- in-- (COUGHING) working as the peacekeepers. I think-- it's (UNINTEL)-- if-- if we are not ready to really take it then we-- we-- you know, (UNINTEL) are saying that we are ready to take all human rights violators.

You-- you know or we are vetted to take even those who are involved in serious human rights violations. I think there is a moral-- dilemma-- there. You know? So-- I think on the ground-- we don't really see every single-- security personnel that's been involved in human rights violations. There are a few individuals. And by having a sort of policy in-- in place and in practicing-- it-- I think you would actually-- contribute significantly even to promote good-- kind of-- you know-- officers who aspires to sort of (UNINTEL) UN peacekeeping missions having a sort of opportunities.

And-- and also contributing to prevent human rights violations on the ground. And also-- in-- in the (UNINTEL) countries. So I-- I think-- this-- this-- this fear of not having enough troops because of having human rights-- I-- I think checks is in a way false kind of-- you know-- argument. That's how I see it.

## AUWAL MUSA:

So just to-- just to come in on that, you know, I think one of the major problem that we-- are facing (UNINTEL) is because also-- the UN has no special-- armed personnel that it could deploy. So it would have to rely on these, you know-- countries. But I think, you know, even the UN can actually insist that because they also contribute, you know, the (UNINTEL PHRASE) in terms of monetarial (SIC)-- you know-- support, they also contribute.

So they could insist, you know. Because the attitude of some of these countries sometimes is-- is such that they would just dismiss everything. For example, when we approached the Nigerian army and asked them to comment on this (UNINTEL) report, they wrote back to say everything-- they had everything in place.

There is not any problem. And they are taking care of anything-- other violation or any possible violation. But in reality, that is not the case. What we are seeing now is (UNINTEL PHRASE), you know, is such that-- there's no such kind of-- discipline. You know? Oversight, you know, by-- the military or the police them self. So it's-- it's a really-- a big problem. But I think the UN can insist on a minimum standard. You know, what's the country-- you know, that are contributing to the troops must comply with. You know?

And-- I think, you know, countries are also, you know, taking pride that they're contributing to the UN. And I'm sure Nigerian-- personnel too, they are happy to be, you know, named that they are going to the UN to do this and do that. And (UNINTEL PHRASE) proud that they are actually going-- going to other countries to,

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you know, have-- restore peace.

But apparently, back at home, I'm sure you all know what is going on. You know-- 200-- over 200 girls have been kidnapped. There is no indication that they are going to do anything. We met the army at the high level. And what they told us was such a revealing-- you know-- (UNINTEL PHRASE). So there are a lot of-- issue. And I think the UN can play a role to ensure that this minimum standard is complied with.

## **JERRY FOWLER:**

Thank you. So now I open it up.

## **FEMALE VOICE 2:**

Hi. Just-- I wonder if any of you can give examples from your home countries where a UN peacekeeper accused of human rights abuses was tried and prosecuted in a court of law.

## **SUHAS CHAKMA:**

You know, as-- as I am-- have mentioned-- (UNINTEL) Indian troops belonging to the sixth (UNINTEL) regiment who are posted in the DOC, they were accused of sexual violations. And the-- the military has conducted a court of inquiry. And as far as the army chief of-- staff was concerned with (UNINTEL PHRASE), they found three officials guilty.

But they have not been able to find out the exact-- proceedings-- because they were denied under the (UNINTEL) information act also. So there are cases-- of this stature (UNINTEL) in India where you will say that, you know, court of inquiry, it's basically tried under the military act. So some trial in a case where they could no longer hide and they had to do it. So in the report-- the proceedings are mentioned. We could-- provide that.

## **JERRY FOWLER:**

Either of you two? (UNINTEL).

## **MANDIRA SHARMA:**

I think-- in the context of Nepal, we have the same-- problem as-- as Suhas mentioned. There were-- allegations of-- peacekeepers from Nepal being involved in sexual-- abuse in the missions. They were sent back to face the-- face the-- the trial. They were never tried in civilian jurisdictions.

We were told that-- they were tried in-- you know, they were court marshaled. But no one actually knows whether there was any court marshal or not because all the informations regarding the court marshals and court employees are strictly-- (NOISE) confidential. So we actually don't know whether court marshal actually took place in-- in those cases. And one of the-- the-- the recommendations that we have been making is that-- those who are involved in-- in-- sexual violence and sexual abuse in the missions-- should be tried in civilian-- courts-- which has not been the case so far.

## AUWAL MUSA:

Yeah well-- well not necessarily on the sexual, you know, (UNINTEL) but when the soldiers, they protested of nonpayment of their allowances, you know, they were court marshaled. And-- though eventually, you know-- they were not killed, you know, but, you know, they were-- you know-- sacked.

So maybe perhaps the social-- you know, I mean the sexual-- violence is not, you know, that much interested, you know, to the authority. But they are more concerned with the reputation that some of the army are (UNINTEL PHRASE) you know, for not collecting their own allowances. So they were more interested in that than maybe perhaps-- punishing and dealing with those people that are engaging in brutal violation of people's right.

## JERRY FOWLER:

So I think maybe I'll take a couple of question.

## AKTAR:

My name is Aktar (PH). I am from Bangladesh mission. Thank you very much for inviting for this-- (UNINTEL) launching seminar and-- informing us with-- certain details. If I may be allowed to respond some of the comments (SIC) as-- put by Mr. Suhas. In regards to our case, we maintain-- or my government maintains zero tolerance on the sexual abuse-- abuse cases and other discipline issues.

In a mission, if someone is found guilty of-- of-- or-- or with the offense of these (UNINTEL) cases, he-- will be (UNINTEL) down there at-- at his own cost-- (COUGHING) at his own cost, I repeat. So he'll not even-- given with the-- air transportation. Regarding selection procedures-- I would-- request that you should have a fairer idea as to how selection is made as per the requirement of the UN.

Question of monopolization by army is absolutely I think-- flawed and doesn't-- doesn't make any sense. Because the country doesn't have-- or (UNINTEL) doesn't have much freedom in terms of selection. (UNINTEL) army cannot replace others. So-- in our case, army has the different branches. And the participation percentage also varies because it's-- it's based on the UN requirement.

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Likewise, therefore the navy contributions much-- must (UNINTEL) particularly the navy because they cannot fulfill the role of the (UNINTEL). So we provide peacekeepers as per the (UNINTEL) comment like infant battalion, engineers. All the-- aviation in the-- whatever is asked for by the UN. So a question of-- monopolization by the Bangladesh army is really not true in any way.

However, as you mentioned about the participation of BGB now, the border guard-- Bangladesh, so that's-- they really don't qualify to become-- to be peacekeepers. Our government would be happy if-- if they could really qualify to be taken as peacekeepers. There's the UN procedures. And so the-- perceived army's role-- or-- or-- have been (UNINTEL) I think. We have quite reservation in that. That really undermines us.

So you can't really have so-- those sort of assumptions that they would-- what they would be doing in the-- in the fu-- future (UNINTEL PHRASE) of this. Once-- we have all full respect for the democrat-- democratic pract-- practices. Finally, I have a serious reservation on the-- caption-- really put-- the-- the beginning. Like-- sending (UNINTEL) to the peacekeepers. It's like-- we are-- watching a movie or something like that.

That really undermines not only our peacekeeping history of our (UNINTEL PHRASE) but also (COUGHING) 112 peacekeepers, those who have met (UNINTEL) sacrifices. This really-- I have a serious reservation on this. I would request-- (UNINTEL PHRASE) please. (COUGHING) (UNINTEL) also. Thank you so.

## JERRY FOWLER:

Thank you. So I'll take a couple more comments and then (COUGHING)-- your questions. Yes sir.

## MALE VOICE 2:

(UNINTEL PHRASE) public health program here at OSF. One comment, one question. Picking up on-- Auwal's comment about minimum standards. I mean going back also to, Jerry, you're sort of implicit in your question about-- the increase in missions requiring greater personnel and the decrease of contributions from north based countries.

I think that part of the problem is the DPKO and the UN actually. That the reason they're hesitant to actually enact minimum standards is because when political decisions are made to actually deploy peacekeepers, they need to fill those warm-- like they need warm bodies. And they don't want minimum standards because that would compromise their ability to actually meet the requirements. And I think that's a problem.

You see it in Haiti, for example. The cone of silence that descended-- after the Nepalese peacekeepers were said to have brought cholera to Haiti. Like, there's been

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no transparency from the UN on this question. And I think-- I mean even the irrational decisions. I mean, in Bangladesh, there's a real issue of a lack of women police officers.

And by-- you know, with the mission in Haiti, 300 women peacekeepers were sent from Bangladesh to Haiti when Bangladesh actually needs these women police officers. These women police officers don't speak any Creole or French. And I mean it just-- the irrational decision that emanate from the DPKO-- is part of the problem in my opinion. And the question I have is linking back to the points raised about extortion and the (UNINTEL) benefit that come with serving as peacekeepers.

We know in the countries that have been profiled today that-- issues of patronage and corruption are real issues that prevent the professionalization of police within the region-- of south Asia particularly but I suspect it's true also of Nigeria.

To what extent is the system of peacekeepers going abroad and making really good money-- a impediment to actually reform of policing systems domestically? Or is it just a symptom of-- of a deeper malaise? So I guess because there are senior officers that go for this and really rely on the foreign income that come in, is this actually big enough of an issue that it serves as an impediment to genuine police reform in these (UNINTEL) countries?

## **JERRY FOWLER:**

Thank you. Yes ma'am.

## **FEMALE VOICE 3:**

There are two sets of violations actually at stake. The violations committed by the individuals who have a record either of criminal conduct or of IHL or IHRL violations. But then there's also the violation of the government's obligation to pursue investigation. And we're-- you know, a bona fide-- substantiation of the allegation was made, you know, continuing onto prosecution.

Thus far, the UN, for obvious reasons, has refrained from naming and shaming either the individuals-- by name or by nationality, or the countries who have failed to live up to their obligations under their memorandum understanding that the UN to prosecute the individuals concerned. In your view, would such naming and shaming help efforts to ensure that this-- criminality is prevented? Or will it just have the expected result of making it more difficult for the UN to obtain troop contributions from the countries concerned?

## **JERRY FOWLER:**

So I'd like you to respond to those. And then we should have time for-- one more

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round.

## SUHAS CHAKMA:

Well, I think with respect to the-- Bangladesh-- border guard-- as I said the bangla-- in-- Indian border security forces which are equivalent of the Bangladesh efforts, they have been serving in Haiti, Kosovo, and Liberia. So (UNINTEL PHRASE) I mean I would like to know why the border guards in India are actually qualified to be selected for the UN operations.

And the same border guards just across the border in Bangladesh are not qualified. You know, I mean what-- prevents the, you know bangla-- I mean this serious dichotomy. Because if India is sending, we have given the footnote with the DSF is in Haiti, Kosovo, and Liberia, then why the border guards in Bangladesh cannot go there? With respect to the-- whether the deployment in the UN is an impediment to policy reform-- I think it's very difficult to say because they are not that many police officers which are going for the UN-- peacekeeping-- operation that the (UNINTEL) police officers.

But surely, I mean, I think-- not only police reform but I think the whole accountability regime which (UNINTEL) these south Asian countries-- or other countries which are-- primarily contributing for the UN, it remains a problem. It-- it-- it remains a problem.

As I say, people who are charged with serious criminal offenses in India, you know, carrying live cartridges, 52 of them inside the aircraft, in the (UNINTEL PHRASE) charged. And he was still qualified because he had not been found guilty. So there is a serious problem. I think the last issue with respect to-- naming and shaming-- I think naming and shaming-- will actually help both the country and the UN.

Because-- we are not looking at the UN to prosecute these officials. But surely, I think if you know the names of officials at the national level, the own mechanism-- takes place. For example, with respect to some of the prosecutions which the Indian army was forced to do. It's thanks to the pressure from the (UNINTEL) women rights groups and the media covering the conduct of the Indian forces, going all the way to DOC to report taking photographs of the children who were born with Indian features.

It creates a tremendous amount of pressure. So unless and until you name and shame them, it becomes very difficult to establish accountability. Once you name them, and I'm sure each country has its own mechanism to establish accountability, I think as Mandira said, you know, I mean the (UNINTEL) is not against only security forces. There are patrons or incidents where the country concerned, including Bangladesh, have taken prompt action.

But until and unless the state recognizes, you know, I mean-- why should the state-- what's the interest? To protect the name of a criminal. At the end of the day, you know, I mean, he's (UNINTEL PHRASE) country (UNINTEL PHRASE) longer. So I



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mean there is no way, you know I mean, you should hide the name. I think that's the biggest problem of course as I say, you know, for the names to come out from the UN. And in fact, UN becomes almost the most (UNINTEL PHRASE) in terms of getting (UNINTEL PHRASE). And that's a big problem.

## AUWAL MUSA:

Yeah, well I mean for us-- I mean we think if there's-- you know, strong, you know-- you know mechanism, you know, to oversight, you know, the conduct of the personal-- I think, you know, even the question of naming and shaming will not have been come (SIC) because you will have a very strong, you know-- standards and procedure. And if you violate those standards, then you know the consequences as an officer.

But because, I think, it has not also been seen as a major-- serious-- offense, that's why, you know-- till today, those who have been permitted, those women in Liberia, Sierra Leone, you know-- (UNINTEL PHRASE) to them. And you know, we have had cases where many of these women had to come down to Nigeria looking for those guys. You know?

But-- it's like-- it's normal. You know, it's like normal. It is not taken really as a serious offense until we begin to do-- to do advocacy and to insist that, you know, that is a serious-- offense and is-- you know, bringing back to the reputation of the country down. So maybe then we can now begin to see, you know, action taking place. You know, but the UN may not necessarily be affected (UNINTEL PHRASE). You know, if an additional government is not able to have mechanism in place to take made those abuses (SIC).

You know, I think, you know, the UN might not that-- be that much effective. I think we need national pressure from the civil society and from the media who covers, you know, the activities of the military, you know, and the police. You know, while-- you know in-- in-- in service. I think that might be more effective and efficient.

Otherwise, you know, I don't really see how (UNINTEL PHRASE) anybody would-- be affected, you know, on individual-- personnel. And I also agree that it's not all the army. I mean it's not all the security people that are involved in these abuses. You know, I think it's just some of them that they cannot hold them self and respect the institution.

## MANDIRA SHARMA:

Very briefly-- the-- the-- some of the problems that we have highlighted-- I'm not actually limited to these four-- countries. Actually-- many of those true contributing countries do have a similar kind of-- challenges and-- and problems. We have to thank-- the civil society (UNINTEL PHRASE) other actors and also democratic aspects that is available in this-- at least in this (UNINTEL PHRASE) contributing

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countries where we could conduct this research and have this kind of debate and discussions.

This is not actually possible in many-- of the-- of the count-- countries. So-- UN has already-- adopted the policy. I think December-- 2002 was-- human rights claiming policy exists now. It is a public document. It requires-- a certain-- you know, obligation, you know certain-- things to be (UNINTEL) by the true contributing countries as well as the-- the UN.

I think-- if these policies-- are put in place or monitored-- the effective implementations of this would actually contribute-- in a win/win kind of situations. It's really-- improved the-- the integrity of the peacekeeping-- missions. It's-- actually-- improves the-- the image of the-- of the UN and true contributing countries. And it contributes-- contributes significantly in strengthening the rule of law-- and human rights-- on-- on the ground.

You know, when you rely on national human rights institutions-- you know, in terms of informations, you actually ask-- security personnels to cooperate with these national human rights institutions in the investigations, for example. When you rely on the courts, you really strengthen the judicial-- system-- on the ground. So there are actually a number of benefits that we could see.

So-- we see this as a leverage. You know, we don't really see this as a threat. It's a-- it's a (UNINTEL) if we really use it-- in-- you know, in such a way that actually-- paves way for the wider security sector reforms and democratic kind of space-- been opening in-- in a number of these true cont-- contributing countries as well. So this is how we really-- look into this.

## **JERRY FOWLER:**

Thank you. So I think-- we can squeeze in if you're very quick a couple more. I want one round. Yeah.

(OFF-MIC CONVERSATION)

## **MAHRIT:**

Mahrit (PH) (UNINTEL) from the office of the high commissioner for human rights at the UN. And I really appreciate the opportunity and-- and the research. And I wanted to make one comment and one quick question. So short comments. You've spoken about the screening policy. And indeed, I line myself exactly with what Mandira said now. The idea behind the screening policy is to make a change both for the credibility and efficiency of peacekeeping operations but at the same time to ensure that-- those who contribute to these operations make the necessary changes to address impunity and to bring their best people to these operations in order to be efficient, to protect credibility, everything.

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All the practical arguments as well as the legal arguments. And I think that the fact that the screening policy puts in requires an individual to sign an attestation but also requires the government to sign an attestation for the troops they are putting forward. That presumes that there should be a serious process at national level before that certification is done.

Now if that's not the case, then clearly I think these studies have shown that-- that needs to be done and that must be in place-- in order for the certification coming from governments to be credible. And the UN does proactive screening under the policy but only for the top level-- positions where the civilian or military. So force commanders, deputy force commanders, (UNINTEL PHRASE) because we simply don't have the resources to do the kind of investigation that are required.

Also, the policy doesn't require a judicial investigation by the UN. But that should be done at national level. And so, if the policy can affect change, like you said, at a national level, that would be one major object-- objective achieved. The second is (UNINTEL) think whether, for example, on the African continent, the AU, we should lobby for them to adopt similar policies because peacekeeping is becoming more African-- in the African context. So that's one.

And my question to you was really-- but as you did the research, did you find any country where there were good precedents in place at national level for selecting peacekeep-- people for service in peacekeeping operations? 'Cause that would be interesting to look at obviously as well. Thanks.

(OFF-MIC CONVERSATION)

## FEMALE VOICE 4:

Yes-- my name is (UNINTEL PHRASE) and I am from the department of peacekeeping operations. And I just wanted to-- quickly follow up on-- what Mahrit mentioned. Also on the human rights screening policy-- just-- wanted to reiterate and emphasize that-- from the-- DPKO perspective, it is an issue that we have been Ti-- taking quite seriously.

One clarification is that the human rights screening policy actually applies to all UN personnel not just peacekeepers. So it's-- it's any kind of-- any category of UN personnel. But at the same time, the genesis of the policy was indeed these concerns-- about the-- conduct of UN peacekeepers. So-- it has taken quite a long time to develop the policy. It was a system wide effort.

But-- DPKO and also the department of field support were seriously engaged-- in the development of the policy. Another quick clarification is that-- the policy takes a three pronged approach. One is-- member state responsibility. And this is-- where there is a screening-- and-- and sort of-- a certification that's required from the government-- in terms of the personnel that they put forward.

The second part is the individuals. The individuals who serve at the UN-- do sign

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individual attestations. And then the third part is the UN secretariat-- then is making-- a further effort-- for proactive screening which currently at the time is limited to the senior level. So there are these three different levels of activities going on. And in the year and a half that the policy has been in place-- the different parts of the UN system are coming together to look at the implementation of the policy and see if there are areas-- where we can improve.

But as far as troop contribution is concerned-- obviously we are dependant on the member states-- for-- for-- at the national level to take action to comply with this policy. But I just wanted to emphasize again that this is something that-- as the department-- DPKO takes quite seriously, (COUGHING) yes there is always a need-- for force generation. There is always a need for a quick deployment.

And there are serious efforts for expanding the base-- for troop contribution. But-- I-- I didn't-- I wanted to make sure that-- (COUGHING) it was clear that-- the human rights screening policy is something that is taken quite seriously in the department.

## **JERRY FOWLER:**

Was there-- yes.

## **FEMALE VOICE 5:**

I was just curious about the-- the location of the missions, the country governments. What-- what is their contribution or what is their involvement in such situations that-- occur by peace-- by the peacekeepers that are there? Do they-- does the government have any kind of-- any kind of-- contribution towards protecting its-- you know, its citizens? And what has happened, you know, (COUGHING) as a result of, you know-- as a result of that if at all? And--

## **JERRY FOWLER:**

I'm sorry. You mean the governments of (COUGHING) the-- receiving countries?

## **FEMALE VOICE 5:**

Government-- so for example, when-- when-- when peacekeepers are in Liberia and they are committing such atrocities, what responsibility does the government of Liberia have, you know, towards its people in protecting its people? So Nigeria can call back their troops and prosecute them. But what does Liberia do to protect its citizenship? And then my other thought is in terms of-- in terms of-- UN having different-- standard policies, member countries are the ones that fund the UN.

So if they have their own process and procedures of selecting, realistically how much

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power does the UN have to dictate how these peacekeepers are selected or have any impact as to how these peacekeepers are selected if member countries are the ones that are, you know, funding the UN in contributing towards, you know, the UN?

## **JERRY FOWLER:**

Thank you. So--

(OFF-MIC CONVERSATION)

## **JERRY FOWLER:**

Okay, very quickly.

(OFF-MIC CONVERSATION)

## **MALE VOICE 3:**

I-- I-- I just want to look at (UNINTEL) from the (UNINTEL) point of view because I'm a retired soldier. First and foremost, you know, if the military is perfect, there would be no need for military police. (LAUGH) Okay? And therefore, if UN wants to cut back (UNINTEL PHRASE) what UN needs to do is to create an independent military police force different from the countries that are contributing troops.

Who (UNINTEL PHRASE) is possible for enforcement? What about (UNINTEL) and conditions that (UNINTEL) have put in place? And once the soldier is arrested, he can be kept (UNINTEL) country and deported. Okay, that's number one. Number two, we tend to-- we need to differentiate between peacekeeping (UNINTEL) operations. Look at the case of DOC.

UN have been DOC for 50 years peacekeeping. What peace are you keeping for 50 years, for God's sake? And you are fighting counter insurgency in the name of peacekeeping. And (UNINTEL PHRASE) the soldiers have been taught can be different from peacekeeping. And therefore, the conditions are not the same. Not the same contest.

Mr. (UNINTEL) mentioned something that is very important. Security sector reform and democratic control of the armed forces. A lot of money has been spent from Africa where I come from. And one of the key elements at (UNINTEL) training for soldiers under democratic control of the armed forces and security sector reform. And of course, the case of women in peacekeeping or in the armed forces, these are all issues maybe with new dimension and new perspective. So what we need to do is to be creative about having an international approach into how would can resolve those issues. And I don't think (UNINTEL PHRASE) at all. There is no time to discuss that anyway.

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## JERRY FOWLER:

We might have another session to-- (LAUGH) cover those. And Ingrid, a very quick remark.

## INGRID:

Yeah, I wanted to pick up on the-- comment or question that was made about naming and shaming. I would hope that as we go forward with implementation of the policy that the point may come in time where the UN through whatever precise pro-- process would be able to name those countries where it feels this UN screening policy is not really being implemented.

## JERRY FOWLER:

Very good. And then I'll let the panel have the last word. Why don't we start with you Auwal and work our way down.

## AUWAL MUSA:

Yeah, well I-- I think-- you know it's becoming very increasingly clear that, you know, we need to have, you know, these policies and practice, you know, in place and in proof. You know-- we are very disappointed that, you know, when we sent our (UNINTEL) to the Nigerian army to (UNINTEL PHRASE). And the response we got, you know, which if you have a (UNINTEL)-- if you have this document, you will see, clearly, you know, they insist that they have everything in place.

Yet the violation, you know, continued-- (UNINTEL) now and then. And not any individual is taking to do with that. Which means that, you know, even if they have the document in place, it's not being practiced. And nobody will try to access this document. It's not accessible. It's not a public document at all. So I think, you know-- it is important that, you know, agency responsible for ensuring that, you know-- this, you know, practice, you know, is actually in (UNINTEL) improve.

Especially the selection process where corruption is (UNINTEL)-- you know, into (UNINTEL). I think, you know, it is to be very, very, you know, important that the civil society and the media continue to work. And I think for the-- UN, I think they should not just-- just do as if, you know-- pretend really they are not concerned. You know? Because they are not having their own-- I mean I think they should be concerned because invariably if this violation happens, people will also link it to the inability of the UN to take more proactive to protect the, you know, lives and the-- I mean life of the people.

I think it is important that the UN become more-- active and passionate about the way and manner in which these people are actually doing their things. So let them

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not be seeing it from the far away. You know, I think also it is important (NOISE) that they begin to know-- work closely with civil society to monitor these-- abuses.

And it is now-- (UNINTEL) that, you know, relationship is very, you know-- much in place. I think you need to, you know-- the difficult-- you are-- they need to look at (NOISE) possibility of working closely with civil society and the media to ensure that there's a compliance, you know, of the standard (NOISE) that is being put in place.

## JERRY FOWLER:

Thank you. Mandira?

## MANDIRA SHARMA:

Well-- I (UNINTEL) (NOISE) years ago, this was a subject which no one really wanted to discuss debate on. (LAUGH) It was very sensitive-- within the UN-- in the country-- (UNINTEL) as well. But now we are-- I think-- in the process. And we have already have sort of policies in place at the UN levels. And back home, we have been able to have some discussions, some-- someone-- some-- had to begin from somewhere.

You know, initially, it was very difficult, I think, for-- for-- many of us-- to really-- you know have any discussions on these issues. But-- I think the discussion has started. Debate has started that has actually contributed a number of these countries to have certain policies reformed-- on the ground. You know, in the context of Nepal-- there was this policy-- drafted in 2008 which was kept confidential.

You know, it was a sort of selection process. You know, it would detail out how-- you know-- peacekeepers-- had to be selected. But it was kept con-- confli-- com-- completely confidential. Now, recently in 2013, we have another policy. So we-- (UNINTEL PHRASE) 2008 policy, 2013 policy is-- accessible to public. You know, it is-- it is transparent. You know, it-- it is there-- on-- online. So you could actually come and go through it-- review it and-- and-- and identify the-- identify the gaps.

So-- I think-- it's possible. It's possible-- to have a sort of-- (COUGHING) discussions and use this as a leverage in-- in really-- you know-- push for-- reforms-- at the con-- national level-- in-- I think promoting rule of law human rights. And also prevent human rights violations in true (UNINTEL) countries which is the major concerns in many-- you know agencies-- in the present here today. So I think-- we have actually been moved, you know, from this kind of taboo kind of issues (UNINTEL) issues that needs some debates and discussions which I think is a positive kind of-- state.

## JERRY FOWLER:

Thank you. And Suhas, very quickly (UNINTEL PHRASE).

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## SUHAS CHAKMA:

I think, I mean, there are no good best practices. But I think the country itself still gives preference to officials who are supposed to have performed exceedingly well for selecting the-- the UN peacekeepers. Obviously, there's a need for-- review of that national policy because, as I said, you know, some of the people who are selected at (UNINTEL PHRASE) devious-- records. That's one aspect.

The second issue is-- what is the action of the-- the responsibility of the true recipient country? I think when the Indian troops were forced to withdraw in March 2009 from DOC after they were found guilty of-- UN basically has asked them to withdraw. The (UNINTEL) decided they will send about 200 Indian air force personnel there. The response of Joseph (UNINTEL), President (UNINTEL) was saying, "No, we don't want this-- more of the same troops."

And at the (UNINTEL PHRASE), the government (UNINTEL PHRASE) basically said, "We withdraw the entire troops." And if India had withdrawn the entire troops, then of course the entire peacekeeping mission itself would have collapsed. In fact, thereafter then the foreign minister of-- the DOC had to write a letter to the Indian government saying you are most welcome.

So-- the troop-- the recipient countries, they are already extremely vulnerable. And I don't think they are in this-- position to defend the rights of the citizen. And because they have basically no jurisdiction of the-- basically the (UNINTEL) of the state (UNINTEL PHRASE) you have the UN coming there. And the final-- point is, of course, can the UN dictate? Obviously, you know, I mean the (UNINTEL PHRASE).

But the fact that, you know, there is more engagement today, as Mandira had said-- or debate on this whole issue, I think, I mean, it's a good beginning after 60 years. I am sure in the next 20 years time, it could be making a bit more progress than what it used to be.

## JERRY FOWLER:

Maybe 20 years or maybe-- maybe shorter than that. (LAUGHTER) To be in this business, I found you have to take the long view sometimes. (LAUGH) And-- so with that-- I thank all of you for coming. And please join me in thanking our panelists. (APPLAUSE)

\* \* \*END OF TRANSCRIPT\* \* \*