

**AN EXAMINATION OF THE UNITED NATION'S EFFECTIVENESS
IN TACKLING SEXUAL HARASSMENT: A CASE STUDY OF UN
OFFICE WORKERS AND PEACEKEEPERS IN GHANA**

BY

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DECLARATION

I hereby declare that this dissertation is the result of an original research undertaken by me under the supervision of Ambassador Kodzo Alabo and that no part of it has been submitted elsewhere for any other purpose. I further declare that references to the work of other persons or bodies have been duly acknowledged.

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DEDICATION

This work is dedicated to my parents, Mr. and Mrs. Ameh who never stopped believing in me and pushing me to do better.

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I would like to express my profound gratitude to the Almighty God for giving me the strength and guidance to undertake this research. I would also like to thank my parents and my brothers Caleb, Joshua and Azariah for being the most supportive pillars in my life. I also thank Roland, Ebow, Aku, Mercy, Cle and Kwabena for their support throughout this research.

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LIST OF ABBREVIATIONS

AIDS	Acquired Immunodeficiency Syndrome
AWLA	African Women Lawyers Association
CDT	Conduct and Discipline Team
CNN	Cable News Network
DFID	Department for International Development
EEOC	Equal Employment Opportunity Commission
GH	Gender Harassment
HIV	Human Immunodeficiency Virus
HVI	Horizontal Vulnerability Index
MOGCSP	Ministry of Gender, Children and Social Protection
NWLC	National Women's Law Center
OIOS	Office of Internal Oversight Services
SAH	Sexual Advance Harassment
ST/SGB	Secretary-General's Bulletin
UN	United Nations
UNAIDS	The Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNMISS	United Nations Mission in South Sudan
UNSCR	United Nations Security Council Resolution
US	United States
VVI	Vertical Vulnerability Index
WOV	Window of Vulnerability

TABLE OF CONTENTS

Content	Page
DECLARATION.....	i
DEDICATION	ii
ACKNOWLEDGEMENTS	iii
LIST OF ABBREVIATIONS	iv
TABLE OF CONTENTS.....	v
ABSTRACT.....	viii
CHAPTER ONE	1
INTRODUCTION.....	1
1.0 Background to the Study	1
1.1 Problem Statement	4
1.2 Research Questions	5
1.3 Research Objectives	6
1.4 Scope of the Study	6
1.5 Rationale of the Study	6
1.6 Theoretical Framework	7
1.7 Literature Review.....	9
1.7.1 An Overview of the Literature on Sexual Harassment.....	9
1.7.2 Sexual Harassment in Organizational Context	10
1.8 Sources of Data.....	16

1.9 Methodology	16
1.10 Limitations to the Study	16
1.11 Chapter Arrangement	17
References	18
CHAPTER TWO.....	20
AN OVERVIEW OF CONTEMPORARY SEXUAL HARASSMENT	20
2.0 Introduction.....	20
2.1 History of Sexual Harassment	20
2.2 The UN and the Office of Internal Oversight Services (OIOS)	21
2.3 Peacekeeping and Sexual Harassment	25
2.4 Resolution 1325	28
2.5 Contemporary Movements against Sexual Harassment	30
2.5.1 “Time’s Up” And “Me Too” Movements	30
2.5.2 Orange the World	33
2.5.3 Code Blue Campaign.....	34
2.6 Conclusion	36
References.....	37
CHAPTER THREE.....	38
EXAMINING THE EFFECTIVENESS OF THE UNITED NATIONS IN TACKLING SEXUAL HARASSMENT	38
3.0 Introduction.....	38
3.1 Background.....	38

3.2 Case Studies	39
3.3 Factors Influencing the Occurrence of Sexual Harassment in the UN	45
3.4 Position of the OIOS	48
3.5 Conclusion	51
References	52
CHAPTER FOUR	53
SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS	53
4.0 Introduction.....	53
4.1 Summary of Findings	53
4.2 Conclusions.....	55
4.3 Recommendations	56
BIBLIOGRAPHY	58

ABSTRACT

Sexual harassment has become a bane globally and while most organizations have adopted some form of resistance towards it, others have treated it like a “white elephant”, and would rather adopt a “don’t ask, don’t tell” policy with respect sexual harassment. One very important global institution is the United Nations. The purpose of this research is to provide an insight into sexual harassment and how deep this phenomenon has eaten into society. In doing so, this paper seeks to marry the issue of sexual harassment with the policies of the UN against it, considering the fact that they have adopted a zero-tolerance policy to sexual harassment. While using data from both primary and secondary sources which will be analyzed qualitatively, this research makes use of the organizational theory in examining how robust the policies of the UN are in tackling sexual harassment within its walls. The study ultimately concludes that even though policies against sexual harassment exist in the UN, the organization has not been able to effectively implement them due to some reasons like the position of the OIOS. Issues like the abuse of authority and that of legal immunity have in more ways than one crippled the activities and the reach of the OIOS and by extension, the UN. The study recommends that the OIOS should adopt an all-inclusive approach in dealing with the issue of sexual harassment as well as conduct training sessions for employees and supervisors alike as this would act as a preventive measure against sexual harassment.

CHAPTER ONE

INTRODUCTION

1.0 Background to the Study

Harassment refers to any form of aggressive pressure or intimidation by one person on the other. This is regardless of age or status. Synonyms include persecution, badgering, intimidation, bother, annoyance, irritation, pressure, force, coercion and the list goes on. From the above, it can be observed that harassment covers a broad array of behaviors that are disrespectful and derogatory in nature. These can include the use of subtle means or in extremities, aggression which can go as far as rape. Harassment is not a respecter of time and place and can occur in venues like the office, gym, home, school etc. I think it is safe to say that anywhere there are at least two or more humans, there is always the possibility for harassment to take place. There are different types of harassment, including *Quid pro quo* harassment which means “something for something”; sexual harassment can be explicit or implicit, verbal harassment, third party harassment, hostile environment or stalking, especially at the workplace.

According to the Secretary-General’s bulletin ST/SGB/2008/5 under Ban Ki Moon’s administration, harassment

“...is any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment may take the form of words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another or which create an intimidating, hostile or offensive work environment”.

Sexual harassment is a form of discrimination that happens when an individual decides owing to his or her position or power to take advantage of another individual in a sexual manner either by force or coercion. As stated earlier, this type of harassment can be in two forms. This is either done forcefully or by coercion of some kind but the bottom line is that

it is against the wishes of the second individual, hence violates his or her human rights. It should be noted that sexual harassment only takes place when there is either at least one unwilling party or an oblivious one.

The Secretary-General's bulletin and by extension, the UN has defined sexual harassment in its guidelines as

“...unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment”.

Per the Equal Employment Opportunity Commission criteria on sexual harassment, the definition of sexual harassment covers a wide range of behaviors, including

“...actual or attempted rape or sexual assault, unwanted pressure for sexual favors, unwanted deliberate touching, leaning over, cornering or pinching, unwanted sexual looks or gestures, unwanted pressure for dates, whistling at someone, cat calls, referring to an adult as a girl, hunk, doll, babe or honey, kissing sounds and smacking lips at someone, neck massage, and even staring at someone”.

The U. S. Equal Employment Opportunity Commission is a federal agency that regulates and implements civil rights laws against workplace discrimination. The organization, which was founded on the 2nd of July, 1965 by the United State Congress, has its headquarters in Washington, D. C. and is currently chaired by Janet Dhillon who took office in May, 2019.

With sexual harassment and by extension, harassment comes some form of psychological trauma on the part of the victims.

The UN is an international organization founded in 1945. It is currently made up of 193 member states and its work is guided by the principles in the founding charter. Given its

name by President Franklin Roosevelt, it was first used in the Declaration by United Nations of 1st January, 1942 during the Second World War.

On the 28th of March, 2018, at the International Peace Institute policy forum, a panel of UN officials and diplomats discussed the subject of how to combat and overcome sexual harassment at the United Nations. The 18 pages long policies stipulated by the United Nations on the issue of sexual harassment provided avenues through which reports on sexual harassment can be made. It stated categorically that there is no deadline whatsoever when a case of sexual harassment is reported. Ways by which reports on sexual harassment can be received and handled include the following:

1. Early direct action which states that the affected individuals can voluntarily approach offenders and explain to them the import of their actions considering the fact that some perpetrators might be oblivious to the consequences of their actions.
2. Managerial intervention: This states that the target or victim approaches a supervisor or other higher ranked officials to discuss the situation. Here, managers are to provide advice, support and any form of required assistance to the target in a 'timely, sensitive and impartial manner'.
3. There is also confidential advice where the targets are encouraged to open up to an informal source and they are also advised on the applicable legal frameworks and other available options.
4. Lastly, by their own free will, the targets can deal with the issue informally through a mediator. In cases where this approach is unsuccessful, nothing stops the target from making a formal report.

Structures have also been made available that would guarantee the prevention of sexual harassment and these include the screening of candidates during the recruitment process and

making sure that individuals with history of sexual harassment are not hired, zero-tolerance for sexual harassment and taking appropriate measures in dealing with defaulters, provision of training for managers and personnel tasked to provide support to victims and also training for staff at large on diversity, respect, equality and bystanders technique for intervening in situations of sexual harassment.

As a subsidiary body of the United Nations, the Office of Internal Oversight Services (OIOS) reviews all reports on sexual harassment for possible investigation. With due respect to the operations of individual investigative bodies under the UN, these entities are encouraged to empower themselves in the conduct of their investigations and propose instruments and avenues through which sexual harassment can be curbed.

The purpose of this research is to operationalize these policies in analyzing the effectiveness of the UN in tackling sexual harassment among its employees as well as those working on UN projects in Ghana. This research takes into consideration the fact that sexual harassment can have both the male and female gender at the receiving end, hence, it is not gender biased.

1.1 Problem Statement

Giving the UN concern and policies on sexual harassment, it is easy to conclude that the topic of sexual harassment is being dealt with at the UN but recent research shows that there is a noteworthy amount of sexual harassment cases in the UN and little action has been taken to rectify the situation. According to *THE GUARDIAN* on 18th January, 2018, it was reported that “out of the United Nations employees interviewed, 15 said they had experienced or reported sexual harassment or assault within the past five years. The alleged offences ranged from verbal harassment to rape”.

The report went on to state that “a number of women who reported the issue formally claimed that the case was hardly pursued by the victims for fear of becoming jobless considering the fact that most of the perpetrators are higher ranked officials which places the jobs of the victims at risk”.

On a non-gendered level, the United Nations released a survey report which stated that in the past two years, between 2017 and 2019, one in three UN workers claim to have been sexually harassed. This news was reported by the Guardian on Tuesday January 15, 2019 and by the CNN on Wednesday January 16, 2019. Even though only 17% of eligible employees of the United Nations and its agencies which translated to 30,364 people responded to the survey, UN Secretary-General Antonio Guterres expressed his dismay in a letter to his staff about the statistics the results offered and stressed on changes that should be made in making the environment harassment-free.

This particular phenomenon of the presence of sexual harassment cases in spite of the zero tolerance policies of the UN is one which leads me to ask: are these policies only implemented on paper? This is the motivation of this research to find out if the UN’s policies against sexual harassment are robust, comprehensive and effective.

1.2 Research Questions

1. What are the United Nations policies on sexual harassment?
2. What are the mechanisms put in place for the effective implementation of the United Nations policy on sexual harassment?

3. What are the challenges in the implementation of the United Nations policy on sexual harassment?

1.3 Research Objectives

1. To understand the UN's policies on sexual harassment.
2. To examine the mechanisms that have been enforced by the UN in combating sexual harassment.
3. To fully appreciate the challenges that are being faced by the UN in dealing with the bane of sexual harassment.

1.4 Scope of the Study

This focal point of this study is the United Nations, its policies on Sexual Harassment and its effectiveness in enforcing those policies as far as UN employees are concerned over the period of 1994 to 2018. The choice of 1994 as the beginning of the study is explained by the fact that the Office of Internal Oversight Services (OIOS) was established in this year under the General Assembly resolution 48/218B and this is the investigative body of the UN tasked to handle sexual harassment cases among other issues.

1.5 Rationale of the Study

Sexual harassment has become a global challenge and the UN faces a critical dilemma. Since the UN is the standard bearer on moral standards or ethics, the recurrent reports of sexual harassment by its employees and contractors is particularly embarrassing. It is for this reason that it is hoped that the findings of this research will help the UN in addressing and containing sexual harassment within its spheres.

1.6 Theoretical Framework

This research is situated within the framework of Organizational Theory. The early critical writers such as Taylor, Fayol, Urwick, Mooney and Reiley, and Brech thought of the organization in terms of its aim and constitution. Significance was given to work organization and design, the technical requirements of the organization, management ethics and the assumption of logically sound behavior. The analysis of organization in this manner is work carried out initially in the early part of the last century. Such writers were laying the foundation for a comprehensive theory.

Proponents of this theory posit that one of the central concepts that help to explain sexual harassment is power (Cleveland & Kerst, 1993). This theory submits that sexual harassment stems from the advantages presented by wielding power and the ownership of authority which originates from the hierarchy within organizations. The structural and environmental conditions found at the workplace provide several avenues for harassment or completely egg on harassment on the premise of workplace norms, gender bias, imbedded power relations between men and women. Since work organizations are characterized by vertical stratification, high ranking officials can use their level of control and authority to exact sexual pleasures from their subordinates, thus relating sexual harassment to aspects of structure of the workplace that provide lopsided relations between senior and junior ranking officials. Therefore, this perspective posits that the structure of organizational hierarchy invests power in certain individuals over others that can lead to abuse.

In critiquing this theory, March and Olsen (1976) and Weick (1979) suggested that '*decision making is best conceived not as rationally contrived towards the instrumental attainment of*

organizational goals; rather, events simply unfold for one reason or another, be it accident, habit, or personal preference and expediency'. In reality, actions may precede goals. *'Goals may be imaginative reconstructions that impute order and rationality to acts and decisions after they have occurred'*. Organizational arrangements should not, therefore, be misinterpreted as functionally or logically required. They become indispensable only by virtue of our conscious reflections, which superimpose the quality of logic on the already established order.

A theory that puts the Organizational theory to test with regards to the issue of sexual harassment is the sociocultural theory of sexual harassment. This theory describes the interaction between people and their culture. *'With the existing male dominated society, sociocultural theorists posit that sexual harassment exists because of the views of women as the inferior sex, but also sexual harassment serves to maintain the already existing gender stratification by emphasizing sex role expectations'* (Gutek, 1985; Malovich & Stake, 1990; Pryor; 1987; Schacht & Atchison, 1993; Tangri & Hayes, 1997).

The organizational theory is adopted in this research because it aptly describes the nature of the United Nations as an organization and clearly describes the roles and relationships between superiors and subordinates in the UN. It also speaks to the fact that instead of the individuals having an effect on the UN due to the psychological climate, the reverse is happening where the structure of the organization has led to the abuse of power in most cases resulted in sexual harassment.

Ian Richards, president of the Coordinating Committee of International Staff Unions and Associations said, "We believe that focusing on sexual harassment, the tip of the iceberg in

terms of prohibited conduct at the UN, avoids discussion of other types of abuse of power and prevents accountability at senior levels”

It should be noted that while research shows that the plaintiffs are mostly subordinates, in some cases, the superiors are also harassed.

1.7 Literature Review

1.7.1 An Overview of the Literature on Sexual Harassment

The article “an overview of the literature on sexual harassment: perpetrator, theory, and treatment issues” written by Pina, Gannon and Saunders in 2009 speaks to general issues concerning sexual harassment. The origin of this phenomenon can be traced to North America in the mid-1970s. Studies of the literature on sexual harassment show that scholars have not agreed on a common definition. However, legally, the definition of the EEOC stands and is used as a yardstick for such cases. The bone of contention with regards to the academic definition is the fact that the parameters for deciding what sexual harassment is are unclear. Some people might consider staring offensive while others will see nothing wrong with it. Pina et al., in quoting Roiphe (1993), say that some feminist critics go on to say that behaviors like staring, whistling and sexual jokes are part of the natural interaction process between both sexes.

The article by Pina et al. speaks to the theoretical foundations of sexual harassment and gives five defining theories that has formed the bedrock of studying sexual harassment. They include the socio-cultural theory which talks about the logical consequences of gender inequality and the already existing patriarchal society. This theory is mostly used by feminists. The second theory is the organizational theory which talks about power and status in the organization. This is the theory that I am implementing in this research because it is

not overtly feminist and it represents the major issues of this research. The other theories expanded upon in the article are sex-role spill over theory, natural-biological theory and the four-factor theory.

In the article “sexual harassment against men; examining the roles of feminist activism, sexuality, and organizational context” by Holland et al. (2016), the definition of sexual harassment falls into three sections namely sexual coercion, unwanted sexual attention and gender harassment. While Gender harassment (GH) stands on its own in terms of definition by including hostility and demeaning attitudes that are gendered in nature, sexual coercion and unwanted sexual attention fall under the umbrella term known as sexual advance harassment (SAH). SAH involves more subtlety in their approach limiting their level of aggressiveness to just threats.

1.7.2 Sexual Harassment in Organizational Context

The article “Sexual Harassment In Organizational Context” by Chamberlain et al., quotes Cleveland and Kerst, 1993; Gruber 1992 and Welsh 1999, and argues that the presence of sexual harassment, even though acted out by individuals, do so within the organizational context. They stress on organizational foundations to be taken into consideration while theorizing about sexual harassment. According to the article, there is no universally accepted definition of sexual harassment. *‘The most straightforward definition is a composite of women-unfriendly behaviors, including sexist but nonsexual comments and gestures’ (Kauppinen-Toropainen and Gruber, 1993).* The acknowledgement of male victimization of sexual harassment is noted but more emphasis is made on women at the receiving end. The introduction classifies sexual harassment into three parts namely patronizing, taunting and predatory conduct.

Emphasis is made on patriarchy and the existing gendered mentality which subconsciously prepares an individual to be both perpetrators and sufferers of sexual harassment. In their view, male dominance and our gender orientation forms the bedrock upon which sexual harassment is birthed but it is within the context of an organization that sexual harassment thrives. The power structure in an organization is also highlighted as a feature with the tendency of fostering sexual harassment. The article also makes mention of the fact that even though some women might find themselves in more powerful positions, their attitude might not sit well with others hence can incite sexual harassment against them. According to Uggen and Blackstone (2004), supervisory authority was linked with increased exposure to sexual harassment.

Aside worker power in an organization, workplace culture and gender composition also play a major role in making the working environment conducive for sexual harassment. Several hypotheses were made saying that Greater self-direction and job insecurity increases the likelihood of sexual harassment while the presence of a formal grievance procedure reduces the risk of sexual harassment. Under workplace culture, coworker solidarity and supervisor harmony come into play and the hypotheses stated here posited that they both reduce the possibility of sexual harassment. Further points are made with regards to the anonymity of large organizations and greater physicality of work where they hypothesize that these increase the odds of sexual harassment. Further reading showed that all the hypotheses made were not far from the truth even though coefficient size and significance varied with the form of sexual harassment considered (Chamberlain et al., 2008).

Holland et al. are of the view that when men are harassed, the perpetrators are often fellow men. Sexual harassment according to them is often done to serve as a deterrent to those who would oppose the status quo of male dominance and this includes male feminists. Traditional gender roles and gender hierarchy (Berdahl, 2007) are not to be meddled with and so deviants to this rule are prone to punishment mostly in the form of sexual harassment. With the presence of this general notion, men who try to take up 'feminine' roles like taking care of kids at home are seen as challenging the ascription of masculinity and heterosexuality to manhood.

Pina et al. posit that even though sexual harassment is a key issue to be dealt with, maybe the focus should be shifted to sexism which covers not only sexual harassment but other pertinent issues. The article takes into consideration the fact that both superiors and subordinates, males and females can be targets of sexual harassment although the figures may vary depending on the situation. They further go on to discuss the attributes of men who sexually harass and break them into four categories namely; socio-demographic characteristics, sexual harassment proclivity, personality characteristics and typological description.

The article by Holland et al. as can be seen in the title tries to shift the focus of sexual harassment from women on the receiving end to men. On the side of women, it posits that women who engage in feminist activism often times, have been sexually harassed and so in more ways than one, forms the bedrock of their activities.

Pina et al. go on to make certain arguments claiming that the effects of sexual harassment are not only on the plaintiffs but there is also a negative impact on bystanders and coworkers.

Sexual harassment can lead to the creation of a hostile work environment thereby affecting everyone.

Pina et al. quote Cohen (1999) and Schultz (1998) who are of the view that in trying to be all-encompassing with the definition of sexual harassment, there will be a negative impact on the equality of women like being ruled out from crucial employment opportunities such as informal networking with male colleagues and clients.

Holland et al. throw more light on the ideas and different views of people in general even though it refuses to acknowledge the fact that the mental health of individuals is very important in creating a safe environment. In recent times, the human nature has become more unpredictable and some people might not need a reason to sexually harass others. Also, sexual harassment can occur due to a lot of reasons aside trying to maintain a patriarchal society. The article also argues that the organizational context plays a major role in the rise and fall of sexual harassment occurrences.

Holland and Cortina (2013) are of the view that working environments that condone sexual harassment places activists of feminism at a greater risk of being sexually harassed and this is very crucial to my research considering the fact that the United Nations has a zero tolerance policy on sexual harassment. Male activists are further encouraged because it helps men understand the extent to which women have been marginalized.

One of the major arguments made by feminism activists is that power is male dominated. Much emphasis in the organizational context is laid on male superiors harassing female

subordinates but it has been well established that this is not always the case. In this article, McLaughlin, Uggen and Blackstone make use of the EEOC's definition of sexual harassment which is very thorough.

Louise Fitzgerald (2017) in her article "Still the last great open secret: Sexual harassment as systemic trauma" gives a more detailed and vivid imagery to the experiences of women with regards to sexual harassment. Even though her argument is silent on the fact that sexual harassment has grown in scope to include men and other genders, she does paint a gory sight of what women face in their everyday lives while using expressions like "bitch" to send her point home. She stresses the patriarchal nature of the society and posits that without a doubt, sexuality is more often than not, a platform for the exhibition of male dominance.

"Harassment can be hostile ("Suck this, bitch") as well as sexual ["(Her supervisor) also began making sexual advances to (her), asking her to join him at a motel and on a trip to the Bahamas."] as well as sexist ("All that bitch needs is a good lay;" "women are only fit company for something that howls;" "there's nothing worse than having to work around women.") as well as violent "[(She)...was handcuffed to the toilet, the drunk tank, and inside the elevator...had her head forcefully shoved in her coworkers' laps and an electric cattle prod shoved between her legs"]."

She further makes the distinction between the prevalent system of patriarchy in various settings and the actors that are set to maintain that system. Both of these in her view, contribute largely to the plague of sexual harassment. The combination of these issues coupled with the patriarchic traits of organizations and institutions and our cultural norms bring about what she refers to as 'systemic trauma', which requires in-depth involvement in order to be understood and halted.

"The concept of hegemonic masculinity, which argues that society privileges a single normative ideal of male behavior, provides a broad sociological framework for understanding harassment, gender and power. Men may be vulnerable to harassment if they are perceived feminine (Waldo, Berdahl and Fitzgerald 1998), and women may be targeted if they challenge their subordinate position in the gender system. Sexual harassment may thus act as a tool to police appropriate ways of "doing

gender” in the workplace and to penalize gender nonconformity” (West and Zimmerman 1987). (McLaughlin, Uggen and Blackstone, 2012).

The above quote makes a similar point Berdahl (2007) and Holland et al (2016) make saying that in most cases, sexual harassment is done to maintain the existing power structure of female subordination and gender ‘balance’ that is tipped towards male domination. In the eyes of these perpetrators, sexual harassment is a means to an end.

The article is not of the opinion that men are always in higher organizational positions. It states that in some cases, organizational authority is irrelevant to the offenders and goes on to make use of the term ‘informal power’. Two hypotheses are made. The vulnerable-victim hypothesis and the power-threat hypothesis. Groups of people that fall into these two categories are at greater risks of sexual harassment. The first group consists of racial minorities and those at the bottom stage of the organization while the second group consists of women who threaten men dominance (McLaughlin et al., 2012). The article also mentions Maass and colleagues (2003) who, for example, find that male participants in a computer image-sharing task sent more pornographic and offensive images to females identifying as feminists than to females adhering to more traditional gender roles.

The article goes on to account for the underrepresentation of women in organizational settings but that is not the focus of this research. The marginalization and exclusion of women from certain high ranking positions has no bearing on this research as the focus is on sexual harassment hence the importance of this article. As stated early on, this research is not skewed to any particular gender because sexual harassment is a bane to all parties involved.

1.8 Sources of Data

The materials for this study is sourced from both primary and secondary data. The primary data is obtained through semi-structured interviews with some key figures in the United Nations Offices around Ghana like the UNESCO, the UNDP, the Ministry of Gender, Children and Social Protection (MOGCSP) in collaboration with UN Women Africa and African Women Lawyers Association. In gaining access to these key figures, phone calls and letters are used as instruments for arranging a sit down. Secondary data is obtained from extensive desktop research conducted on books, journal articles, reports, documents and internet sources. The sample size for this study is at least 5 people.

1.9 Methodology

Data from both primary and secondary sources will be analyzed qualitatively in the hope of examining fully to what extent the United Nations has accomplished their goal in tackling sexual harassment. The qualitative method is also used because it helps the researcher gain a deeper understanding of the issue being studied. The use of the purposive sampling technique will be adopted and this helps the researcher in getting responses from respondents that are peculiar to the topic.

1.10 Limitations to the Study

This study has some limitations within which the findings need to be carefully interpreted. First and foremost, most of the target population to be interviewed were unwilling to partake in the research. About 80 percent of those to be interviewed showed no interest and rather gave excuses why they were unavailable. Those who decided to share their thoughts on the

issue did so strictly under the cloak of anonymity. As a last resort, this study made use of secondary data which was research conducted on already documented data.

Also, there were financial constraints to the research. There were limited funds available to undertake certain journeys as well as purchase certain documents that would have made the research easier.

1.11 Chapter Arrangement

The chapter one of this research deals with the introduction which will include my methodology and sources of data. The chapter two focuses on the overview of contemporary sexual harassment which includes the various movements that have sprung up in recent times in combatting the issue of sexual harassment and inequality especially in the workplace. It also touches on elements of peacekeeping and how there has been an increase in the number of sexual harassment cases among peacekeepers.

Chapter three focuses more on the policies of the United Nations and how the UN has been effective in dealing with the issue of sexual harassment. In-depth analysis will be made on the results of the interviews in examining how robust the policies on sexual harassment are or if they are just mere paper work. Chapter four summarizes and concludes the research while making recommendations on the way forward.

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CHAPTER TWO

AN OVERVIEW OF CONTEMPORARY SEXUAL HARASSMENT

2.0 Introduction

This chapter focuses on modern issues and movements that have arisen as a result of the occurrence of sexual harassment. Not neglecting its history and evolution, it should be noted that in trying to overcome this phenomenon, certain organizations have been birthed. The United Nations has also given some of its attention to the issue by creating the office of internal oversight services which has been tasked to deal with any form of misdemeanor within its offices.

2.1 History of Sexual Harassment

There are some discrepancies with regard to the personality behind the laws besetting the phenomenon of sexual harassment. While some might credit Catherine Mackinnon and her 1979 published book “Sexual Harassment of Working Women”, evidence shows that Mary Rowe in 1973 gave a report on discrimination with the title “Saturn Rings” where she identified that the issue of sexual harassment was a topic being discussed in Massachusetts in the early 1970s.

Sexual harassment tends to be private in nature but public in its ramifications (Walls, 2008). Due to its dire and sensitive nature, high officials in organizations have come to fear the implications of turning a blind eye to the presence of sexual harassment and would rather have it dealt with immediately than face a law suit.

2.2 The UN and the Office of Internal Oversight Services (OIOS)

The name "United Nations", conceived by Former President Franklin D. Roosevelt of the United States of America saw its penultimate usage in the Declaration by United Nations of 1 January 1942, during World War II, when representatives of 26 nations pledged their Governments to continue fighting together against the Axis Powers.

In 1945, delegates of 50 states met in San Francisco at the United Nations Conference on International Organization to draw up the United Nations Charter. Those state representatives deliberated on the basis of proposals worked out by the representatives of China, the Soviet Union, the United Kingdom and the United States at Dumbarton Oaks, United States in August-October 1944. The Charter was signed on 26 June 1945 by the representatives of the 50 countries. Poland, which was not represented at the Conference, signed it later and became one of the original 51 Member States. The United Nations officially came into existence on 24 October 1945, when the Charter had been ratified by China, France, the Soviet Union, the United Kingdom, the United States and by a majority of other signatories. United Nations Day is celebrated on 24 October each year.

There are six main organs of the United Nations and these are the General Assembly, the Security Council, the Trusteeship Council, the Economic and Social Council, the International Court of Justice, and the Secretariat. The Court has its seat at The Hague, Netherlands. All other organs are based at United Nations Headquarters in New York.

The United Nations Office of Internal Oversight Services (OIOS) is an independent office in the United Nations Secretariat tasked to assist the Secretary-General in fulfilling his internal oversight responsibilities in respect of the resources and staff of the organization.

These duties include internal audit, investigation, monitoring, evaluation, inspection, reporting and support services to the United Nations Secretariat.

Created in 1994, its functions are similar to many government audit organizations and it reports to both the General Assembly and the Secretary-General. The office provides reports that details resources management and utilization. The OIOS covers a wide range of duties and acts as an agent of change while dedicating itself to helping other offices become more responsible in their administration. The office is currently under the leadership of Under-Secretary-General Ms. Heidi Mendoza.

Under the OIOS, a reporting facility has been instituted in order to provide a more private and sensitive avenue for reporting any form of misconduct within the organization. The investigations division of the OIOS is in charge of reviewing all reports made through such channels and assess them to verify their eligibility for investigations. Examples of wrongdoings that may be reported through said channels include unlawful acts including thefts, embezzlement, extortion and bribes, misrepresentation including forgery and false certification in link with any official claim or benefit, mishandling of contract obligations and relations with third parties leading to loss of property or assets, failure to disclose an interest or relationship with a third party who might benefit from a decision in which the staff member takes part and allegations of sexual abuse and exploitation as defined in ST/SGB/2003/13.

Although some reports are made anonymously, the identities of those who make the reports are protected and the information received may lead to an investigation. False reports made also constitute misconducts for which disciplinary measures may be required. The Secretary-General's Bulletin ST/SGB/2008/5 governs complaints of discrimination,

harassment, including sexual harassment, and abuse of authority. These acts are all together classified as “prohibited conduct”. Under the bulletin, reports of prohibited conduct may be made to the head of department, office or mission except cases where the leader in question is the perpetrator. In this case, the complaint should be submitted to the Assistant Secretary-General for Human Resource Management or, for mission staff, to the Under-Secretary-General for field support.

On 26 February, 2018, a message sent by the Secretary-General of the UN, Antonio Guterres tried to encourage and empower staff members to back down in the face of sexual harassment in the workplace. A “speak up” helpline was created and this was to help personnel speak confidentially with an unbiased and well-trained individual who was to provide them with information on how to get the needed protection and support. The investigations division of the OIOS was to take charge of all investigations regarding sexual harassment and put measures in place to address such issues as soon as possible. In his message, the Secretary General repeated and stressed on the zero tolerance policy of the UN to sexual harassment.

The CodeBlue campaign however, felt that the message by the secretary-general was not entirely “progressive and magnanimous”. The term was used by Lauren Wolfe in making the point that an internal memo written the day before suggested that the organization was acting defensively. The memo, written by Ben Swanson, the UN’s top internal investigator, and addressed to his team at the investigations division of the OIOS warned that “the eyes of the world are, literally, on us over this so please be careful... should the organization mess up, mercy will be in short supply”. The reason for this memo was the accusation of the institution by the Coded Blue Campaign, of mishandling recent accusations levelled

against Luiz Loures, the deputy executive director of the UN program on HIV/AIDS (UNAIDS). Loures was acquitted after an internal investigation was carried out but documents obtained later showed discrepancies in the system that allowed for political interference among other flaws.

There have also been some unrest regarding the structure and hierarchy through which reports are made. Most plaintiffs of sexual harassment fear because most perpetrators are in higher ranked position. This begs the question of whether the number of reports being made reflect the actual number of sexual harassment cases that really happen. Another major issue is the fact that policies regarding sexual harassment vary across individual UN bodies and this has a high tendency of breeding confusion. The UN also distinguishes sexual harassment (pertaining to UN staff) from sexual exploitation and abuse (pertaining to non-UN staff). Sexual exploitation and abuse is mostly used in the context of peacekeeping where peacekeepers abuse locals of the host nation.

The above distinction does not go down well with some, such as Paula Donovan who is a women's rights activist and co-director with Stephen Lewis of AIDS Free World. Thinking that the type of sexual assault endured by peacekeepers is different from that endured by citizens of the host nation is a little bit demeaning in my opinion. The terms "exploitation" and "abuse" mean that it can be used in the first place but not to a particular extent. Considering the fact that no parameters have been set on what constitutes a threshold or boundary, one might say that sexual exploitation and abuse cannot be considered a crime and so does not require any punishment.

2.3 Peacekeeping and Sexual Harassment

Peacekeeping operations can be seen in two broad categories namely; the unarmed observer groups and lightly-armed military forces. The latter are only permitted to employ their weapons for self-defense. The observer groups are concerned with the collection of information or data for the UN about actual state of affairs prevailing in an area, for instance, ascertaining whether both parties adhere to an armistice agreement. The military forces are assigned with more extensive tasks, such as keeping the factions of a dispute apart and preserving the peace in an area.

Peacekeeping has proven to be one of the most efficient methods at the disposal of the UN to help host countries that are dealing with various forms of conflicts. The effectiveness of peacekeeping has been found to be very peculiar, including legitimacy, burden sharing, and an ability to position and sustain troops and police from around the globe, assimilating them with civilian peacekeepers to advance multidimensional mandates. UN peacekeepers offer security and the political and peacebuilding support to help countries make the unfavorable, early change from conflict to peace.

UN Peacekeeping is guided by three basic principles and these are the consent of the parties, impartiality and non-use of force except in self-defense and defense of the mandate. Peacekeeping is versatile and in the past twenty years, has been deployed in many configurations.

Peacekeeping operations today are not only used in the maintenance of peace and security, but they are called upon to aid the political processes of states as well as protect civilians

and help in the reintegration of former combatants; help in organizing elections, ensuring that the human rights of the individuals are safe in addition to restoring the rule of law.

It should be noted however that the UN has no standing army or police force of its own. As a result, Member States are tasked with the contribution of military and police personnel required for each operation. The official attire for peacekeepers is their countries' uniform and they are only identified as UN peacekeepers by the UN blue helmet or beret and a badge. Civilian staff of peace operations are international civil servants, recruited and deployed by the UN Secretariat.

At its inception, the United Nations identified the disparities that existed among member states and these differences became more visible during the era of decolonization. The era of the Cold War further worsened the situation. Majority of these conflicts could not be calmed by peaceful means. The evolution of peacekeeping arose in an attempt to resolve these conflicts and keeping the peace.

According to Ndulo (2009), "Peacekeeping missions are essentially holding operations designed to create space for mediators and others to work out a political solution and address the underlying causes of the conflicts. Typically, peacekeepers monitor and observe cease-fires, assist ex-combatants in implementing the peace agreements they have signed, demobilize combatants, and secure refugee camps. Peacekeeping has come to involve a diverse array of activities including: confidence-building measures, cease-fire monitoring, disarmament of combatants, election monitoring, and humanitarian relief distribution".

Considering the various peacekeeping missions ongoing today, the significant increase in peacekeeping operations can be noted. This has posed one major issue – the sexual harassment and abuse perpetrated by peacekeepers on the locals of the host nation. Peacekeepers have been accused of being involved in various sexual crimes like sex-trafficking and child prostitution. There is also the accusation of fathering children and abandoning them. Although the priorities of the UN does not include keeping track of children that have been deserted by peacekeeping fathers, there are however several instances and the town of Bunia in Congo showed an increasing number of children allegedly fathered by UN officials on peacekeeping missions.

It should be noted that the issue of sexual harassment by peacekeepers is not limited to specific states and peacekeepers. This issue has grown to cover several countries from around the globe. Due to the fact that the host countries of UN peacekeepers are mostly afflicted with corruption and weak institutions, there is the obvious power differentials between peacekeepers and the local population (Ndulo, 2009). According to Ndulo (2009), these power differences highlights the vulnerabilities of locals to sexual abuse by peacekeepers.

UN personnel acquire information on how to report misconduct during induction and refresher trainings. This information is also made available through internet sites and spread through broadcast messages. The Conduct and Discipline Team (CDT) is in charge of receiving all complaints of this nature on peace keeping missions. In other cases, it can be reported directly to the OIOS. In order to raise awareness on the acceptable conduct by UN officials, the CDT liaises with the host country, including local government officials among

others through which information can get to the populace so that they can feel at ease in reporting any misconduct from any UN official.

In handling complaints, the information is reviewed to ascertain whether such acts, if true, amount to a breach of the UN standards of Conduct. Upon verification of the misconduct, the issue is then referred for investigation. The OIOS has categorized allegations category 1 and category 2, based on the risk such allegation poses to the organization. Category 1 includes all cases of sexual exploitation and abuse, cases involving risk of loss of life to staff or others, abuse of authority, conflict of interest, gross mismanagement, bribery, illegal mineral trade, trafficking among others. Category 2 entails discrimination, harassment, sexual harassment, abuse of authority, abusive behavior, basic misuse of equipment or staff, simple theft among other conducts that could bring the UN into disrepute.

2.4 Resolution 1325

According to Ndulo (2009), one of the phenomenal moves that have been made to solve the issue of sexual harassment was the United Nations Security Council's adoption of resolution 1325 on women, peace and security in 2000. This resolution places attention on the extreme forms of sexual violence which includes rape as well as violence in general like armed conflict. The resolution identifies women as victims of wars and so urges member states to implement and entrench laws pertaining to human rights. The resolution focuses on the vulnerabilities of women and children as the Security Council *'encourages all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependents'*.

It is however sad to say that the UNSCR 1325 is limited in scope due to the fact that in some cases, men can also be victims of conflicts. Sexual violence against men and boys during conflicts has received little to no attention with regard to resources and policy provision despite being recorded in almost all armed conflicts that included sexual abuse. This quietness is characterized by the importance placed on women and girls, under-reporting, and international policy frameworks like the UNSCR 1325. This structural discrimination against male victims comes to increase the amount of injustice suffered by the male gender, affecting them and their families in several ways unimaginable. In Liberia for example, a survey conducted showed that one-third of all male ex-combatants has suffered some form of sexual abuse while one-quarter of men in conflict areas in DR Congo had suffered some form of sexual violence.

During UN peacekeeping missions, the lead for sexual violence is the women's protection adviser. This act alone sends a message that sexual harassment and abuse is an issue reserved for women which is false and highly misrepresented. The responses to sexual violence in conflicts is therefore devoid of the male voice and it paints an exaggerated view of a patriarchal society and women subordination.

This research does not in any way play down the plights and sufferings of women as victims of sexual harassment but rather seeks to throw more light on the fact that the issue of sexual harassment is no respecter of persons and that both the male and female gender are at equal risks of being victims.

2.5 Contemporary Movements against Sexual Harassment

In recent years, we have had several movements against sexual harassment. Such groups include the “Me Too” and “Time’s Up” movements. Also, the “Orange The World” movement was launched and all these have been done in an attempt to fight for gender equality and achieve equal rights for women. These groups however sprouted from different stands and were formed based on different ideologies. These groups have in more ways than one shed light on the everyday obstacles that women encounter at both personal and professional stages. Although these groups have certain similarities, their formation and driving forces differ.

2.5.1 “Time’s Up” And “Me Too” Movements

The Time’s Up movement was birthed in the latter part of 2017 due to the high number of sexual harassment complaints and not much solutions offered. With working women as the target of such abuses, high ranking executives and other leaders came together to discuss the way forward in ensuring equity.

In a letter of solidarity to the Hollywood women involved in exposing the sexual abuse allegations against Harvey Weinstein, the Alianza de Campesinas gave detailed experiences of the harassment among female farmworkers. The letter stated that it was written on behalf of approximately 700,000 female farmworkers in the United States.

The penultimate gathering saw the launch of the Time’s Up Legal Defense Fund which is housed and administered by the National Women’s Law Center (NWLC). The fund serves as a link between victims of all forms of sexual misconduct including harassment, assault, abuse and any related retaliation in the workplace or in trying to advance their careers with

legal and public relations assistance. The movement's small start at inception has now seen all kinds of women from all works of life cutting across race, religion and economic backgrounds.

According to the BBC and the Washington Post, dated on 13th and 14th January respectively, Mark Wahlberg and William Morris Endeavor, donated more than \$2 million to Time's Up in early January 2018 in the name of Wahlberg's co-star Michelle Williams. This occurred after it was revealed that Williams (who is represented by the same agency) received \$800 for 10 days to redo certain scenes in the movie, while Wahlberg received \$1.5 million for the same 10 days of work.

At the 2018 Grammy's Kesha performed her song "Praying", while she stood in unity with fellow female songwriters and artists all wearing white to show their alliance in believing women, and that women will no longer be silenced. Other artists showed their commitment to the cause by wearing dresses with inscriptions of messages showcasing the plight of women as well as giving encouraging words.

According to statistics provided by Time's Up, more than 4,000 people have contacted the Legal Defense Fund. More than 800 lawyers in the Time's Up network have assisted more than 3,900 people from 30 different industries. This movement in recent times is spreading its tentacles to include other areas like health care.

It is safe to say that this movement is feminist in nature and leaves little to no room for the plights of men on the receiving end of sexual harassment. Due to this, there is a huge gap with regard to the normative and the reality. Even though women are still being sexually

harassed, the scope of sexual harassment has grown wide to include men and some researchers have gone on to point out that in some settings, men are more at risk of being sexually harassed especially those that tend to lean more towards equality of both sexes.

According to the New York Times, “#MeToo was started by activist Tarana Burke after she had a conversation with a 13-year-old girl who opened up to her about the sexual abuse she was experiencing at the hands of her mother’s boyfriend. Years later, Burke founded the non-profit ‘Just Be, Inc.’ an organization that supports victims of sexual misconduct, with a focus on young girls of color.” Years later, on Oct. 15, 2017, it became popular on social media and became a global sensation due to a tweet by Actress Alyssa Milano. She being unaware of the origins of #MeToo at first, told her followers: “If you’ve been sexually harassed or assaulted write ‘me too’ as a reply to this tweet.” More than 66,000 users replied and the tweet kicked off an online tidal wave overnight as women flooded social media with their stories of being harassed and abused, using the #MeToo hashtag. Credit was later given to Burke after Milano was made aware of her activism more than a decade ago. (Langone, 2018)

Even though both movements share a similar vision, they differ in terms of goals. . Time’s Up can be thought of as a solution-based, action-oriented next step in the #Metoo movement. The focus of the organization is to create static change amounting to safety of both sexes as well as equality in the workplace. Pioneers of the group include Reese Witherspoon, Natalie Portman and Shonda Rimes with over 300 participants.

According to Haubegger, the intent of the formation of the Time’s Up movement was to ensure the rights of everyone was protected. These rights include the right to earn a living, take care of themselves and their families without any form of harassment or discrimination. Although the movement is meant to throw light on the professional setting, its work expands on #MeToo and its effect it has had up to that point.

“We are very specifically focused on what I would call workplace issues. Fairness, safety, equity in the workplace,” she said. “If you were to draw a Venn diagram, #MeToo more broadly is a campaign and a movement around all kinds of sexual assault.” (Langone, 2018)

“Why workplace inequality? Haubegger says if you want to eradicate sexual harassment, first you have to solve inequality, because power imbalances are at the root of harassment behavior. “This is a symptom of a larger, systemic inequality and a systemic pattern of exclusion for women, for people of color, and a lack of equilibrium in the power distribution in our business,” Burke told TIME. “If you want to solve sexual harassment, you actually needed to solve all of those things. So we decided to really focus on that aspect.” (Langone, 2018)

2.5.2 Orange the World

This movement came as a build up to previous campaigns such as #MeToo, #TimesUp, among several others. Under the auspices of the UN, Orange the World was the name given to the 16 days of Activism which was from the 25th of November to the 10th of December, 2018 under the UNiTE to End Violence against Women. This campaign, like the others, highlights women and girl survivors and their stories as well as those who are fighting for equality of the rights and privileges of women and girls. Statistics have shown that one in three women experience some sort of violence in their lifetime and these issues cut across race, age, class, country and social status.

Participants of this campaign tried to sensitize the public by bringing together people from all walks of life including governments, survivors and activists through the organization of events, using the color orange. In Bosnia for instance, an orange bus travelled through eight cities using local bus routes during the 16 days of activism inciting curiosity and starting conversations among the people, thereby raising awareness to the situation of sexual violence against women. In Pakistan also, there was an end to child marriages as UN

Women Executive Director Phumzile Mlambo-Ngcuka entreated the whole community to improve the lives of women and girls by ending child marriages.

Other countries that felt the effects as a result of the Orange the World Campaign include Uganda, Moldova, India, South Africa, Nigeria, Georgia, Papua New Guinea, Cameroon, Senegal just to mention a few. 25 November was set aside as the Orange day by the organization and the color orange acts as a symbol for a brighter future. Another symbol that was used for the campaign was an umbrella which signified that they were united to stand and fight any form of violence be it physical, verbal or emotional.

This campaign had its roots in the Declaration of the Elimination of Violence Against Women issued by the UN General Assembly in 1993 which defines violence against women as “any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”. It also made provisions for the women and girls in minority who identified as lesbian, transgender, bisexual among other aspects.

2.5.3 Code Blue Campaign

AIDS-Free World’s Code Blue Campaign was established in 2015 to curb the issue of sexual harassment among UN personnel with the focus being peacekeeping missions. Their objectives and goals are

1. To seek the removal of any possibility of immunity for the UN’s own peacekeeping personnel – its non-military staff, including staff of UN funds and programs involved with peacekeeping; its police; and its experts in mission – when they are accused of

sexual exploitation or abuse. This will send a consistent message about zero tolerance to countries that supply military peacekeepers.

2. Call for a creation of system-wide, external and independent investigation, with full access to the UN as well as subpoena power, to examine every facet of sexual exploitation and abuse in peacekeeping operations. The review must investigate the way the UN is handling the crisis throughout the system, from its missions on the ground, right up through the chain of command to the Secretary-General.
3. Engage campaigners and supporters from all over the world to press the United Nations' leadership, troop-contributing countries, Member States that fund peacekeeping, and countries facing conflict, to create a revived, strengthened and more accountable response to sexual exploitation and abuse by UN peacekeepers

Due to the countless complaints of sexual exploitation and abuse including the fact that some UN personnel have fathered children in the host nations of UN field missions, it is only fitting that certain measures are instituted to curb this menace. The campaign seeks to solve two issues. First, the sexual offences by UN personnel against members of the population of host nations, and second, the structures practices that create and sustain an institutional culture of impunity.

According to the leaders of the campaign, three root causes of the UN's culture of impunity have been identified and these include,

- The institution has taken the liberty to manage its crisis internally.
- UN senior managers in charge of responding to individual cases have been rendered non-neutral by the conflict of interests inherent in their positions.
- UN immunity makes the organization's "words and deeds" uniquely impervious to oversight or audit, shielding its functions and functionaries from external scrutiny

and effectively negating the freedom of information that is a cornerstone of due process and a necessary precondition to equal justice for all.

The Code Blue Campaign is set on debunking several UN practices that have been put in place that does not allow due processes to be followed or justice to be administered. This campaign is rooted in a feminist perspective, a steadfast belief in multilateralism, and a commitment to ensuring that the UN Organization abides by its founding principles. The campaign affirms that the UN can and should be the best in paving the way towards the protection of civilians and tackling whatever form of abuse that may arise.

2.6 Conclusion

There is the question of what constitutes sexual harassment as stated in the first chapter of this research and some scholars have gone on to argue that when it comes to the case of men versus women, some sexual actions men might not be bothered with might be a big issue for women hence the difference in analysis. More research points to the fact that inherently, more women are sexually harassed than men which is partly why most people tend to focus on the plight of women.

“Ensuring a holistic and victim-centered approach means placing relevant aspects of criminal justice, truth and reconciliation, human rights and political processes at the heart of responses to allegations of sexual exploitation and abuse (SEA) by peacekeepers”(Freedman, 2018).

It can be seen that the UN as an organization has had a major role in contributing to the bane of sexual harassment, exploitation and abuse even though it has policies in place to try to curb these occurrences. The structures and institutions at work in the UN are deep rooted and an overhauling of these structures might take a longer process than expected due to the politics at work in the organization.

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CHAPTER THREE

EXAMINING THE EFFECTIVENESS OF THE UNITED NATIONS IN TACKLING SEXUAL HARASSMENT

3.0 Introduction

This chapter concentrates on real life experiences of victims of sexual harassment and the options that they felt were available to them in trying to get themselves out of their predicament. The researcher makes in-depth analysis on the topic based on the given instances which helps in the conclusions and recommendations of this research.

3.1 Background

In February 2018, Tom Newton Dunn, a political editor reported through “The Sun” news site that in the past 10 years, about 60,000 rapes had been carried out by the United Nations aid workers and that an estimated 3,300 pedophiles had been employed by the organization. According to him, his claim was supported by a dossier given to Priti Patel, a Department for International Development (DFID) secretary by a former UN official, Andrew Macleod. Although this research is not privy to the dossier in question, it is safe to say that considering the reports that have been released as a result of countless surveys, the dossier might not be far from the truth.

The news site also mentions several cover up schemes likening the magnitude of such a scandal to that of the Catholic Church. In saying this, he hinted at the fact that most people with pedophile tendencies find the perfect cover up in the United Nations Uniform considering the fact that the attire is looked up to as a symbol of peace and protection. To

the wearers on the other hand, the attire gives them some freedom and impunity to do whatever they want. This mentality is not oblivious to the United Nations authorities and while some of them are involved in the cover up, others are not exactly bothered by their actions until it happens close to home. This same story was reported by two other news sites in the United Kingdom, “Independent” and “The Times” on 13th and 14th February respectively, verifying the story.

With the above premise, this research conducted several interviews in Ghana, under the cloak of anonymity. With respect to the above statement, the names used in the following incidences are fictitious but the situations and dates are factual. These cases helped in shedding more light on the issue of Sexual Harassment and how deep rooted it is in the United Nations.

3.2 Case Studies

Incident 1

In March 2013, after work, Anita’s engaged boss offered to go and drop her off. She obliged. She assumed he knew the route to her house considering the fact that he had been there before. After driving for a while, he negotiated a curve she didn’t recognize as the way home. When she asked, he said he was going to pick up ‘something’ from a friend. They drove around for about 10 minutes and she, feeling more uneasy with every passing second, asked him again where they were headed. The area was more remote now with fewer houses stretching over large plots of land.

“At that point, I didn’t know what to think so I insisted on an answer. He avoided my question and asked me what I liked doing. I told him reading and watching movies. I was wondering why he asked me that question and then

he told me he liked kissing and he wanted to kiss me. It sounded funny initially because he was engaged to be married and I had a boyfriend at the time. Then I saw the seriousness in his face and I got scared. I tried pleading with him but for some weird reason, my plea only made him angrier. It was getting darker and the area was quiet. Still driving, he told me he wanted to have sex with me in the car. When he stopped the car, he was out so fast and before I could say 'jack', he was at my side of the car, opened the door and reclined my seat, ready to have his way. Then I told him I needed to urinate. Where the idea came from, I have no idea but I remember telling him I really needed to pee. He obliged and told me he was waiting for me. Very funny. I got out and after a few steps, I realized I had forgotten my phone. I turned and told him I needed my phone, he saw an opportunity and told me that if I don't come back, he was going to destroy my sim. I decided it wasn't worth the trouble. I turned and ran as far as my legs could take me till I got to a slightly crowded area. People thought I was a mad woman because of the way I looked. The following day, my boss didn't come to work and I told my colleagues that my phone had been stolen and so I changed my contact. I decided not to report the case because he had people at the top who would vouch for him and I realized nothing was going to be done about it. Later, I was transferred to another department and I hardly ever saw him. I had to move on with my life and that's just what I did."

Incident 2

Speaking with Lucy, a former assistant in one of the many embassies located in Accra, she described her situation as inhumane. In the latter part of 2015, her superior decided to take

advantage of the situation when she explained that she had family problems and that she needed some time off. In trying to subdue her, he used sexual insults and a harsh tone on her. Sexual insults like “look at your big buttocks”, among others. This went on for a while. After a couple of days, he promised to solve her ‘little’ problem and said he would even throw in a financial bonus if she slept with him.

According to her, it felt more like a movie because even though she had heard of similar situations, it never occurred to her that she would find herself in the same predicament. *“For crying out loud, I knew his wife who happened to be a very nice person. Why he would want to do that to her still shocks me. I just knew that the only way to get out of this was to quit my job”*.

Incident 3

A female employee working for a UN agency in Accra, started receiving subtle signs of sexual interest from another colleague but did not have the will power to shut it down permanently. Her ‘NO’ sounded more like a ‘maybe’ and her actions still egged her colleague on, unknowingly to her. He said

“The way she looked at me and paid more attention to me than my other colleagues even led them to think she was into me. With that in mind, I just thought she was playing hard to get”.

They were sent on a trip together and he visited her in her hotel room. Still thinking she was playing hard to get, turning a deaf ear to her plea, he raped her. According to him, the sex was great aside her occasional shoving. *“She kept acting like she didn’t want it but it was all an act. What I didn’t even understand was why she was crying after”*.

While interviewing the aggressor in this case, I came under the strong impression that his rather apathetic attitude to the issue of sexual harassment was not accidental. There are still a few societies in Africa that raise the male child to feel entitled and still fewer societies that raise the male child with the mindset that he can do no wrong. The issues raised from this case study can be seen in two respects. First, where does one draw the line between right and wrong or good and evil and secondly, the difficulty of certain individuals to show remorse or be apologetic. Even though this case study has a lot to do with patriarchy in our societies, some aspects have their roots in the organizational setting. Being colleagues from the same office, certain ground rules that would have been laid if the situation was a superior – subordinate relationship were absent.

Incident 4

I visited a friend who happened to be an intern in one of the UN offices about 2 years ago. During my visit, a visiting executive from another company came around and asked to see her boss. She notified her boss and she directed him in. When she settled back in her seat, she was frowning. My curiosity was piqued and I asked her why she wore a frown. After keeping quiet for about two minutes and sensing that I wouldn't let it go, she decided to open up. Apparently, she was constantly being harassed by the visiting executive. Her boss happened to be high up in the command chain and a friend to the visiting executive and so she thought it wise that she makes a complaint to her boss and pleaded with him to speak to his friend so the sexual harassment stops.

Her boss decided that it was the best time to strike a bargain. He told her that he would only speak to his friend and do everything in his power to protect her if she would allow him "enter heaven's gate". Whilst making that comment, he hit her buttocks and left. When I

asked her what she was going to do, she said she had already filed her resignation letter cutting her internship short. When I asked her if there was no one else she could have reported to, she laughed and said that most of the people would rather not have an issue with him because he was very well connected and having an issue with him was more like *“signing a death warrant to your career”*.

Incident 5

As part of this research, a colonel who had been on many peacekeeping missions was interviewed. During one of such trips, he was in his bunker when two female junior officers came in. They started touching him in several unwanted places and when he asked them to stop, they were surprised. According to him, they told him to stop acting like he didn't know what they were after. After shoving them off a few more times, they finally gave up and resorted to calling him names. He was referred to as a weak man who could not 'perform'. It came more as a shock to the ladies because it wasn't unusual in the camp.

Incident 6 - Juba, South Sudan

According to “MyJoyOnline.com”, a news site in Ghana, in February 2018, Ghanaian police officers engaged in peacekeeping in South Sudan were accused of sexual exploitation and abuse of locals, terming the nature of the abuse as transactional or quid pro quo. Due to these allegations, the police unit working under the UN peacekeeping mission in Juba was recalled. In June 2018, 14 out of the 46 repatriated officers were interdicted and the residences of these officers were searched for items like weapons and uniforms that were given to them by the service.

Aside consequences meted out by the Ghanaian government, the United Nations Missions in South Sudan (UNMISS) also promised to help in making sure that the officers in question

were prosecuted for criminal charges. Investigations conducted by the OIOS showed that there were cases where the members of the police unit were involved in transactional sex with the women they were meant to protect. In line with the UN's rules and code of conduct, the final result of the investigation was to be shared with the Ghanaian government and a pledge was further made to make sure that no criminal act went unpunished.

A year later, by June 2019, the time frame within which this research was conducted, several interviews and some text reviews showed that nothing has been done by either the United Nations OIOS or the Ghanaian government about the situation. Quoting an anonymous source who happens to be a high ranking officer in the police service about the issue, he said

“Nothing has been done about it. The only measure that was put in place was the refusal of the Ghanaian government to pay the officers for the work they did during their time with the mission and with that, protests were made against it considering the fact that the UN had paid them but the government refused to release the money. They felt they had earned it. Aside that, nothing else has been said about it”.

In analyzing the above statements in order to determine how effective the United Nations has been in tackling sexual harassment, the question of who gets punished arises. On the one hand, it is easier to say that the OIOS and by extension the United Nations have done little to nothing in seeking for justice for the victims in South Sudan as opposed to doing what they i.e. the OIOS was tasked to do. On the other hand however, some are also of the view that in punishing the officers responsible, the innocent have also been punished for the crimes of the guilty. Talk of collateral damage. Arguments were made by some police and army officers for the fact that the innocent officers out of the 46 that were repatriated would suffer lasting damages to their career considering the fact that they can never get to a certain

height in the police service. That singular act of being part of a police peacekeeping unit where some of the officers were accused of sexual exploitation and abuse has dented their images. Some think that the fact that repatriation has lifetime implications is punishment enough.

3.3 Factors Influencing the Occurrence of Sexual Harassment in the UN Perceptions

One of the most important factors influencing the occurrence of sexual harassment is gender and how each gender faction considers the meaning of sexual harassment differently. Considering the fact that there has been no universally agreed upon definition of sexual harassment, difficulties have arisen from what constitutes the parameters and boundaries of sexual harassment. In most cases, the male gender tend to have their own meaning which has less acts than the definitions of the female gender. This goes beyond the four walls of the United Nations into our everyday lives. Most men only consider the extremities such as rape and indecent assault such as fondling, as sexual harassment and find it hard to believe that just staring at someone in a particular way could be classified as sexual harassment. To them, the lines between normal and abnormal is non-existent at the stage of hugging or calling a lady sexy. Quinn's (2002) research on "girl watching," for instance, ties patriarchy to everyday workplace interactions. According to Quinn, men perceive "girl watching" as light-hearted with no serious implications, and seem surprised when women become displeased.

Nature of Peacekeeping Camps

Quoting one of the interviewed army officials, he said

“The state of UN camps during peacekeeping is not as conducive as it should be. In most cases, they are overcrowded with about twenty officials in one room. Usually, the duration is about 6 months to one year. The psychological trauma of having to live in the same space with a host of other people with little to do is overwhelming. The tendency to get easily irritated is high. In trying to release stress and blow off some steam, most of them tend to engage themselves in sexual activities. In instances where there is one unwilling party, the result is sexual harassment. The United Nations understood these issues initially and provided condoms for peacekeeping officials. Our uniforms had specially designed pouches for condoms to avoid unwanted pregnancies and sexually transmitted diseases”.

All these were done in a bid to reduce the occurrence of sexual harassment considering the fact that engaging in sexual activities was inevitable. They also understood that their officers were more prone to sexual harassment due to the strict rules in place. In recent times however, with the rules still in place forbidding sexual contact among peacekeeping officers, they now prefer a ‘don’t ask, don’t tell’ policy. Speaking to an army official, he said

“We all do it. Having sex with your fellow officer is normal. It’s a need we all recognize but no one speaks about it and no one reports it because it is just between us”.

The above statement begs the question, what if there is an unwilling party. How does one report such a case when all others are against it? Let us consider case study no. 5 where the officer spoke of how he was in his tent and two female officers walked in trying to seduce him. After doing all he could to refuse their advances, they resorted to verbal insults calling

him a weak man. With such disregard for the rules even in the United Nations camp under the ‘keen’ eyes of the OIOS, there’s no telling what horrors await the refugee out there that the officer has been sent to protect.

Vulnerability Index

The above incidents all speak to the cases of vulnerability. In so many ways, this phenomenon presents itself be it economic, structural or social. Considering incident 1, if she had her own car, she probably would not have been in that position of having to run for her life and losing her phone in the process. That is an example of being vulnerable economically. Most plaintiffs find themselves at a weakened position while the perpetrators find themselves at a higher position of giving mercy. Once the perpetrator notices a window of vulnerability (WOV), opportunistic reflexes kick in.

The vulnerability of a subordinate lamenting to his or her boss, or even colleagues opens the doors for any kind of misdemeanor to take place. This research refers to this as the horizontal or vertical vulnerability index (HVI or VVI) depending on the kind of help needed. Where vertical vulnerability index refers to the boss – subordinate relationship, the horizontal vulnerability index refers to the relationship between and among colleagues. According to Lips (1991), *“the norms that define societies suggest that there are powerful and powerless individuals, the relationship of which should be defined by hierarchy, and consequently the exercise of power within that hierarchy should be expected and accepted”*.

Consent

Another tricky aspect when it comes to sexual harassment in the United Nations is the consent of the victim when the assault was taking place. In some cases, ‘victims’ claim to

have been victimized or sexually harassed when another issue, totally unrelated to sexual harassment comes up. In some cases, they might have welcomed or given their consent to the sexual act but some form of disagreement down the line negates that consent all in a bid to hurt the other party involved.

Also, in a vulnerable state, consent is not altogether clear. Statements like “*I will do anything to make this right*” or “*I need it badly and will do anything to get it*” in the initial stages fall under consent to the perpetrator. But in the mind of the victim, he or she is being taken advantage of. In such situations, the ‘victim’ can also be seen as the perpetrator in the sense that he or she is playing an active role in his or her assault. The above statements, even though spoken with a clear mind, and in full consciousness of one’s surroundings, is not willingly said. In most cases, it is said out of lack of better options. The ambiguity of such statements should place it under the category of unconsented sexual activities. This falls under the category of transactional sex or quid pro quo.

The above list is not exhaustive of all the factors influencing sexual harassment but they are significant to this research. Other general factors include homogeneity of workforce, cultural and language differences, the general age group of workers, the presence of ‘high value’ employees, and isolated workspaces. This research narrowed the list to the above four based on power disparities within the organization.

3.4 Position of the OIOS

This research is of the view that the OIOS is in most cases, crippled or handicapped when it comes to dealing with sexual harassment. They are ‘crippled’ in the sense that they are not making good use of their resources in empowering others to do the job. This is due to the fact that they have adopted an outside – in approach in tackling the issue. In most of the

cases, plaintiffs and bystanders would not want to talk to the OIOS because in their minds, the organization is foreign both in their approach and membership. To them, the OIOS does not belong and skepticism arises about how effective their methods will be in making people open up. In trying to work alone as an independent organization, without employing the help of those that are involved in the situation, the OIOS then becomes the enemy by ‘interfering’ when they cannot be of help.

On the peacekeeping front, the above point arises from the fact that from the onset, all peacekeeping officials are placed into groups which for the purpose of this research, will be classified as clans. These clans have leaders and there is a chain of command and protocol to follow especially when lodging a complaint. When a situation of sexual harassment arises and the culprit happens to be a clan leader, that case is dead on arrival because the case will be swept under the rug and the leaders will find ways and means of silencing the plaintiff. The outside – in approach in trying to solve a problem like this will be futile due to the fact that it is easy for the plaintiff to believe that if the clan leaders are in on it, there’s nothing the OIOS can do to help.

There is also the issue of legal immunity being enjoyed by UN managers with regard to the legal systems of member states where the OIOS operates. This has led to the issue of the effective leadership of the OIOS. For most perpetrators in the UN, this is the only investigative body they will ever encounter and so the lack of integrity and independence on the part of the OIOS goes a long way to prove the leadership and by extension, the United Nations, weak. The inability of the OIOS to solve issues where a member enjoying immunity falls into wrongdoing would in the long run contribute to the instances where the legitimacy of the organization is called into question.

According to the Global Staff Satisfaction Survey that was conducted in 2017, it was concluded that the OIOS lacked effective leadership, vision and had most managerial positions occupied by incompetent people. Even though the survey saw less than 50% participation, the comments were unanimous in establishing that the OIOS was ineffective. On the plus side, the OIOS scored higher when it came to supervision of subordinates considering the fact that most of the workers were pleased with their direct supervisors. The consistency of the message of ineffective leadership by participants goes on to support the inefficiency of those in higher position to address certain issues like sexual harassment.

Abuse of authority in the OIOS comes up as a result of secrecy and the central control of information which is supposed to denote independence. The existence of an informal system for obtaining solutions regarding sexual harassment and by extension, harassment and other violations to rules and regulations were given from the onset and thus, presented a challenge to the organization from the very beginning. In abusing authority, little attention is given to the skills of investigators who conduct investigations on behalf of the OIOS. The questionable competencies of the investigators have placed the cases of so many victims in jeopardy and this has spiraled into the lack of confidence shown in them by the victims.

In making use of the organizational theory, this research has been able to point out certain structural deficits of the United Nations which has aided in the occurrence of sexual harassment. Due to ineffective leadership and certain unscrupulous high ranking officials, the interests of the lower ranking officers are not protected. Their position becomes vulnerable to attack in whatever form which includes sexual harassment. There is also the issue of the power at play in the organization by virtue of the fact that some people have

more organizational power than others due to their position in the UN. Although some of the cases used in this research do not denote superior – subordinate sexual harassment, this relationship has contributed to a larger portion of sexual assault cases based on vulnerability. However, according to Cleveland & Kerst (1993), within the organizational context, sexual harassment by colleagues could also be seen as an attempt to gain or negate power differences between the perpetrator and the victim in the organization.

3.5 Conclusion

Numerous surveys in the United Nations have been conducted to prove that while the number of people who have experienced sexual harassment is high, the number of people who are willing to take action and report the issue is considerably low. On the one hand, the workers fear for either their jobs and reputation or the stigma it carries throughout their lives. On the other hand, in the unlikely case that the issue is reported to the appropriate authorities, the organization is scared for its reputation that has been built over the years and so might want to either hush things up or want to deal with it quickly.

In all these however, it is safe to say that the United Nations has not lived up to its promises in banishing sexual harassment from the UN community. This research is of the view that the policies of the UN on sexual harassment are only on paper and not as robust as it seems. This is due to the fact that these acts perpetrated by UN workers themselves are done with impunity and in some cases, immunity from the law. Based on the investigations conducted, the next chapter of this research will highlight some recommendations that will help to tackle the issue of sexual harassment.

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CHAPTER FOUR

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

4.0 Introduction

This chapter provides brief findings concerning sexual harassment and how effective the United Nations has been in tackling the issue. In addition, it provides certain recommendations which other researchers and agencies may find useful when conducting further research on the United Nations and sexual harassment. This research rests on the organizational theory and how the structures that have been put in place have aided either the rise or fall of sexual harassment cases. The organizational theory is very relevant to this research because it has helped to understand how the UN is positioned in terms of organizational structures and what challenges those structures have faced in trying to curb the occurrence of sexual harassment.

4.1 Summary of Findings

In directing the focus of this research, three main research objectives were laid out at the onset of this research, in addition to their correlating research questions. The three research objectives included the following: To understand the UN's policies on sexual harassment; to examine the mechanisms that have been enforced by the UN in combating sexual harassment and to fully appreciate the challenges that are being faced by the UN in dealing with the bane of sexual harassment. Specific findings were made with respect to the above objectives and they have been summarized below.

Considering the first objective, the question was asked as to what constitutes the United Nations policies on sexual harassment. This research found out that aside just having a zero tolerance policy against sexual harassment, certain procedures have been put in place for

both the plaintiff and the perpetrator. This research uncovered the chain of command through which a complaint can be formally lodged and also talks about the disciplinary measures that should be meted out to the offender. These disciplinary measures are however meant for general misconducts that fall under the jurisdiction of the OIOS which includes sexual harassment. The policies also made mention of preventive measures all in a bid to reduce the occurrence of sexual harassment.

With respect to the second objective, the question was asked as to what effective mechanisms have been put in place for the effective implementation of the United Nations policies on sexual harassment. In response to this, this research found out that even though there have been structures in place for implementing the policies, they have not been all that effective due to certain reasons raised by this research which include perceptions and vulnerability index among other factors.

The above point is in tandem with the third objective which speaks to the challenges that have been faced by the United Nations and by extension, the OIOS in implementing these policies. The challenges include their outside – in approach, which acts as a blockade to accessing certain information needed to conduct the investigation. Another challenge comes as a result of the immunity enjoyed by certain high ranking officials which acts as an impediment when trying to deliver disciplinary measures to offenders who fall into that category. There is also the issue of abuse of authority which arises from the secretive nature of information being passed around. Due to these factors, implementation of the zero tolerance policies by the appropriate office has become lax and this has led to the organization being found wanting in several areas.

4.2 Conclusions

In conclusion, this research has been able to identify and explain certain instrumental factors concerning how effective the United Nations has been in tackling sexual harassment. This research took into consideration the journey and phases that the bane of sexual harassment has been through. The movements that have sprung up, even though overly feminist, have shed immense light on how deep-rooted the issue is. These movements, over the years have gained worldwide attention and have set out to debunk the idea of patriarchy from our societies.

Speaking to Ms. Edna Kuma, the Executive Director of the African Women Lawyers Association (AWLA), she highlighted certain factors that accounted for the prevalence of sexual harassment which included patriarchy, ignorance on the part of women about their rights, the perception of society and the lack of funding of women's rights organizations which leads to their eventual fold up. Even though her thoughts were focused more on women rights, her analysis does some justice to some of the issues Ghana as a country and certain organizations including the United Nations face.

However, in making use of the organizational theory, this research has been able to maintain an objective view on sexual harassment and in so doing, was not gender biased. The organizational theory was instrumental in analyzing both the offices of the UN and peace keeping missions. It also helped in understanding the existence of the OIOS and how its structures have been effective in dealing with the issue of sexual harassment.

The study finally concludes on the fact that even though the United Nations has elaborate policies on sexual harassment, these policies are not as robust as expected, leaving room for abuse and disregard.

4.3 Recommendations

Based on the findings of this study, there are a number of recommendations that the research offers for policy considerations and they are stated below:

- To start with, the Office of Internal Oversight Services should adopt an all-inclusive approach in trying to solve certain issues which include sexual harassment. They should be efficient in their resource allocation in the sense that they can include certain members of the regular staff who are constantly on the ground and are versed in whatever is happening. Due to their relationship with fellow workers, it will be easy to get access to certain vital information that may be needed in case any situation arises. Also, this relationship would deter perpetrators from carrying out the despicable act of sexual harassment considering the fact that there is easy access to help from the OIOS and they can be easily caught.
- The OIOS and by extension the United Nations can also conduct certain training programs for the investigators. One major concern by plaintiffs is the questionable behaviors and competencies of the investigators of the crimes. In training them, some level of professionalism is instilled in them and with that comes trust from the victims and the working population in general.
- The policies by the United Nations should be clear and straightforward to prevent ambiguities regarding the law on sexual harassment. Its zero tolerance policy should be emphasized and entrenched. In addition, reforms should be made with respect to the policies of the UN on sexual harassment. There is the need to improve protection schemes with more emphasis placed on support mechanisms for the victims. These can be psychological, financial and even legal.

- The United Nations can also put pressure on member states to conduct constructive investigations and make sure that offenders are prosecuted. The UN can also conduct training sessions for its employees in general as well as their supervisors and managers, explaining what sexual harassment is and making them understand that they have the right to a workplace environment that is free of sexual harassment. Having this knowledge by the employees will stop any misdemeanor before it happens.
- Finally, a more direct, straightforward and practical system of addressing issues of sexual harassment should be implemented as opposed to the cumbersome processes already in place.

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APPENDIX

- ✓ In your professional opinion, what would you say is the main cause of sexual harassment and what is the motivation behind it?
- ✓ How has your firm been handling cases of sexual harassment? Would you say you have been successful in handling it?
- ✓ What are the perceptions of the victims regarding the services (in terms of support or assistance) received after cases of sexual harassment have been reported?
- ✓ In dealing with issues of sexual harassment, have your paths crossed with the UN in any way? If yes, what would you say has been the outcome of these interactions?
- ✓ How effective do you think the UN has been in tackling the issue of sexual harassment?
- ✓ Do you think there should be reforms in the UN's approach to sexual harassment?
- ✓ What effects have arisen from your approach to sexual harassment?
- ✓ What are the mechanisms available to support victims?
- ✓ How strict is the anti-harassment law with respect to offenders?
- ✓ In your opinion, how does the structure of the UN and other international organizations affect the occurrence of sexual harassment?
- ✓ What are the obstacles to the implementation of policies on sexual harassment?
- ✓ How does sexual harassment affect the families and communities of both victims and offenders?
- ✓ In your opinion, who are mostly the perpetrators... men or women?
- ✓ To what extent does the social construct of patriarchy and male dominance affect the occurrence of sexual harassment?
- ✓ Office workers vs non-office workers... which group is more prone to sexual harassment?
- ✓ Often, organizations publicly declare a zero tolerance policy towards sexual harassment but the reality is that the incidence of sexual harassment has hardly decreased in these organizations. What in your opinion, explains this seemingly contradictory phenomenon?