

ABSTRACT

The thesis provides legal analysis of sexual exploitation and abuse by UN peacekeepers with particular focus on military members of national peacekeeping contingents. It provides brief survey of peacekeeping operations thereby underlying their importance in the contemporary activities of the UN and describing factors that have caused or might led to sexual exploitation and abuse by UN peacekeepers. Furthermore, UN action towards those acts is described and it is also evaluated whether such steps are successful, sufficient and whether more could have been done or what more can be done in the future. A part is also dedicated to international humanitarian law perspective and international human rights law. In this context, the author tries to answer the question if and when the sexual exploitation and abuse by members of national peacekeeping contingents while deployed to a UN peacekeeping mission may constitute war crimes or crimes against humanity and whether there is a role to play by International Criminal Court. In the same vein, issues of extraterritorial application of human rights treaties are discussed. The question of international responsibility is the central topic of this thesis. Apart from individual responsibility of members of national peacekeeping contingents for acts of sexual exploitation and abuse, responsibility of international organizations and responsibility of respective States is assessed. Legal consequences of wrongful acts are elucidated and role of possible avenues which may come into question as invocation of responsibility is analysed.

Key words: extraterritorial application of human rights treaties, military members of national peacekeeping contingents, responsibility, sexual exploitation and abuse, UN peacekeeping operations.