Griffith Law Review

Publication details, including instructions for authors and subscription information:
http://www.tandfonline.com/loi/rlaw20

Regulation of sexual conduct in UN peacekeeping operations
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Published online: 01 Dec 2014.

To cite this article: Nichole Georgeou (2014) Regulation of sexual conduct in UN peacekeeping operations, Griffith Law Review, 23:1, 149-151, DOI: 10.1080/10383441.2014.944015

To link to this article: http://dx.doi.org/10.1080/10383441.2014.944015

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The other part of the UNTAET approach was the Comissão de Acolhimento, Verdade e Reconciliação (CAVR; Commission for Reception, Truth and Reconciliation), which was dissolved in December 2005. This body had a much wider mandate than the special panels, and was created to seek the truth of the occupation, deal with less serious crimes through community reconciliation, produce a report and publish recommendations. As a restorative justice approach, CAVR offered more scope for creating an official chronicle of the sufferings of the people of East Timor, but, as Kent deftly explains, the creation of a national history of struggle involved the collection of testimonies in hearings all over East Timor, and not all were happy about the results as recording their stories seemingly did little to alter their material conditions.

The CAVR final report, Chega! (Enough!) now forms part of a national story that includes both resistance fighters and the ‘small people’ of East Timor, and has been widely accepted; but the novelty of Kent’s work lies in the discussion of how neither the trials nor the CAVR actually satisfied the diversity of demands for justice. Kent demonstrates how people began to create their own ‘locally grounded form of “justice”’ (p 178), working both with and outside official mechanisms to construct memorials, create victims’ support groups, and pursue political recognition of their losses and hardships. Kent explains how the official processes of transitional justice have been joined by ‘unofficial memory practices’ (p 174), many of which draw on Timorese tradition and the central role of ancestors in ordering society to restructure their shattered worlds. This analysis of why East Timorese expectations of justice differed from the reality that came to pass forms the central part of Lia Kent’s study. The book also provides a rich summary of transitional justice approaches in other parts of the world and is a valuable addition to a growing literature in post-conflict state-building.

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http://dx.doi.org/10.1080/10383441.2014.944013

Regulation of sexual conduct in UN peacekeeping operations, by Olivera Simic, Heidelberg, Springer, 2012, 194 + xxii pp., USS132.05 (paperback), ISBN 9783642427855

In the context of the increasing number of peacekeeping operations (PKOs) since the end of the Cold War, and the corresponding rise in the number of accounts of sexual exploitation of local women by peacekeepers during PKOs, Olivera Simic systematically unpacks the United Nations Secretary-General’s Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (SGB) promulgated in 2003. Simic begins her analysis by providing a backdrop to the
changing nature of PKOs following the Cold War and positions the SGB in its historical policy context. In so doing she identifies three distinct stages in the United Nations approach to addressing the issue of sexual exploitation of local women and girls by peacekeepers, the last of which is the SGB, also known as the zero tolerance policy towards sex between peacekeepers and locals. This is followed by a critical assessment of the policy, employing radical and sex positive feminist theories to unpack the central assumptions underlying the SGB. Simic’s analysis is framed through the lens of human rights and she argues that the SGB is driven by radical feminist perspectives that position women as victims of patriarchy, and which view all (hetero)sexual relationships as exploitative. In the context of PKOs, she identifies that such a position is particularly problematic as it conflates consensual sexual relationships with exploitative ones, and it constructs contradictory dichotomies of ‘us’ (peacekeepers) and ‘them’ (local population) in which predominantly male peacekeeping forces are positioned both as active saviours and protectors of local women (who are vulnerable and lack agency), and as sexual predators from whom local women must be protected. She points to a concern that such a policy not only pushes gender and racial stereotypes, but is also intrusive and punitive of consenting adult sexual relationships, which she views as a violation of sexual rights and women’s agency as participants in such relationships. Most controversially, in unpacking the issue of consensual sex between local women and peacekeepers, Simic challenges the radical feminist position that all prostitution (consensual or coerced) is exploitative.

What sets this book apart from previous studies on the SGB is that it is the first research to take into account the experiences and perspectives of local women to explore how they understand their relationships with peacekeepers in a case study of Bosnia Herzegovina. Simic identifies as a Yugoslav and as a Bosnia Herzegovian woman, but through her research found herself positioned as an ethnic Serb. As both a cultural and ethnic ‘insider’ and ‘outsider’ Simic compiles rich data to carefully unpack the complex nature of relationships in post-conflict contexts. She elucidates the issues of consent and agency through interviews with three groups directly involved in peacekeeping: local women who were involved in sexual relationships with peacekeepers during the United Nations mission in Bosnia Herzegovina (UNMIBH, December 1995–December 2002); women from Bosnia Herzegovina who were employed in UNMIBH but did not have sexual relationships with peacekeepers during this period; and peacekeepers in general who are bound by the SGB.

Simic allows the data to reveal the assumptions and contradictions of the zero tolerance policy. The voices of local women in particular draw attention to their nuanced and diverse interactions with peacekeepers. Those who the SGB claims to protect, local women, in their own words challenge the broad definition of sexual exploitation in the policy and its accompanying assumption that unequal power relations, gendered and financial, shape intimate relationships between peacekeepers and local women. Significantly, local women describe their own sense of agency as they experience life and love during the UNMIBH. What is most striking is that their stories of love and intimacy are not dissimilar to those experienced in the context of peace. This finding rejects radical feminist notions of ‘power over’ in heterosexual relationships that inform the SGB, and refers more to sex positive notions of power in terms of ‘power to’ and the capability to assert oneself, understood in terms of
education and agency. While all groups interviewed acknowledged that there was an unequal power between peacekeepers and local populations, this was due primarily to the legal immunity from local prosecution enjoyed by peacekeepers. This is a key finding, and one of significant policy relevance, as it demonstrates that local people do see power disparities but not for the reasons the SGB articulates – legal distinctions appear more important to local populations than the fact that peacekeepers are financially better off or predominantly male.

Most controversially, Simic unpacks debates surrounding consensual prostitution and the human rights of women. In comparison to other studies on the SGB, this book makes an important distinction between trafficked women and women who choose prostitution, often as a means of supporting their families. Her research argues that not only is prostitution a fact of life in peacekeeping contexts, but also that it is not necessarily exploitative. The dominant view of her interviewees was that minimum age, adequate remuneration, and consent were important aspects of the conditions of non-exploitative sex work, and that if these conditions were met, such work should not be banned. In such contexts, prostitution becomes an exercise of agency by some women who make a conscious decision and who do not believe they are being exploited. Simic closes with a call to reform the SGB to take account of the realities of conflict situations, particularly the lack of economic opportunities for women and the diversity of women and their experiences in conflict and post-conflict situations.

Regulation of sexual conduct in UN peacekeeping operations will not please all feminists. However, Simic is very careful to locate her study within a specific cultural, political and historical context, and notes that other contexts and conflicts will differ. She thus problematises the zero tolerance approach to sexual relations between peacekeeping forces and local populations, and strongly recommends that local women be consulted about their preferences for protection and support during PKOs. There is no doubt gender has become more central to United Nations policymaking, and Simic argues that it is perhaps timely to reassess the SGB and listen to the voices of local women, rather than tell women what is best for them.

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http://dx.doi.org/10.1080/10383441.2014.944015