

Chapter 5: Women and Peace Operations

I was against the creation of a Gender Affairs Unit for the UN's Transitional Authority in East Timor. I did not think a Gender Unit would help rebuild institutions from the ashes of what the militia left. I was wrong. The first regulation I passed guaranteed human rights standards, including CEDAW as a foundation of all new government institutions we created. The Unit brought this to life reaching out to East Timorese women, and, together with UNIFEM, provided support that resulted in a higher percentage of women in the Constituent Assembly than in many other countries. The Unit worked with East Timorese women to create what is now the East Timorese Government Office for the Advancement of Women.

Sergio Vieira de Mello, Special Representative of the Secretary-General, East Timor¹

Of the 14 war-torn areas we visited, international peacekeepers were present in nearly half of them.² Women in the local communities we visited were deeply affected by what is usually referred to as a 'peacekeeping environment'. The vast majority of them had awaited the UN peacekeeping mission with hope. They wanted to see the end of war, and once the peacekeepers arrived, many women saw direct benefits from the UN presence. In Kosovo, we met Tatania who was able to support her family with her earnings as a translator in the peacekeeping mission. In the Former Yugoslav Republic of Macedonia (FYROM), we met Vezna, who had been rescued by peacekeepers from traffickers who had kept her locked up in Kosovo as a sexual slave. In the Democratic Republic of the Congo (DRC) and Sierra Leone, we met humanitarian personnel who had been able to assist women in dangerous areas because of the protective presence of peacekeepers. We met inspired and dedicated mission leaders and force commanders who understood that protecting women from violence was part of their work. We saw how the UN mission in Sierra Leone had made efforts to strengthen the monitoring and documenting of abuses of women's human rights. And we met women whose participation in political negotiations had been facilitated by the nation-building missions of Afghanistan, East Timor and Kosovo.

Yet sometimes opportunities to promote gender equality were squandered by inaction: not consulting women in the host community about the peace operation or not employing them in professional positions. We also heard the frustrations of the few senior women working in missions – they complained of limited opportunities for advancement, insufficient authority and resources to carry out their responsibilities, lack of support from headquarters and even sexual harassment.

Perhaps most disturbing of everything we saw and learned was the association, in the vast majority of peacekeeping environments, between the arrival of peacekeeping personnel and increased prostitution, sexual exploitation and HIV/AIDS infection. We are acutely aware that it is not UN peacekeepers alone who contribute to creating conditions of sexual exploitation and increased prostitution. The collapse of a normal economy, accompanied by the collapse of law and order, contribute to this environment of exploitation. Anyone can be an exploiter: members of armed groups, the government, regional organizations and the private sector. We have no wish to see our criticism of these activities and crimes – which we would condemn no matter who perpetrated them – be used to undermine the UN, an institution in which we believe very deeply and which

we have served in peacekeeping environments. We also respect the fact that the UN itself is working hard to investigate and correct these abuses. In proposing new ways to strengthen the gender responsiveness of peace operations, we are joining these efforts, mindful of the challenge issued by Lakhdar Brahimi, former Chairman of the Panel on UN Peace Operations, to tell the Security Council and the United Nations Secretariat what they need to know, not simply what they want to hear. It is with the intent of strengthening the organization's ability to fulfill its mission that we describe the negative as well as the positive experiences of women that we met.

The UN Security Council has deployed 53 peacekeeping operations in conflict and post-conflict situations since 1948.³ Countries contribute troops known as 'blue helmets' or 'blue berets' to serve under the UN flag and, depending on their mandate, these troops may patrol borders, monitor ceasefires and assist local communities in their search for durable peace. In recent years, the scope of peacekeeping has widened to include civilian police officers, electoral experts and observers, mine action experts, human rights officers and humanitarian, political and public information specialists. Their responsibilities range from assisting in the implementation of peace agreements to protecting and delivering humanitarian assistance; from assisting with the demobilization of former fighter and their return to civilian life to supervising and conducting elections; from training and restructuring local police forces to monitoring respect of human rights and investigating alleged violations.

The size of recent peacekeeping missions ranges from 113 peacekeepers in the Military Observer Group in India and Pakistan to 17,275 in the UN Mission in Sierra Leone (UNAMSIL). In addition to the activities related to the implementation of their mandates, peacekeeping operations provide an injection of resources, foreign currency and business opportunities for conflict-affected countries. These can sometimes be short-lived, limited to the duration of a peacekeeping mission.⁴ The mission in India and Pakistan has an annual budget of US\$6.2 million, while UNAMSIL, the largest UN operation at present, costs about US\$2 million per day or approximately \$717.6 million annually.

United Nations peacekeeping operations are supported by the Department of Peacekeeping Operations (DPKO) of the UN Secretariat. In addition regional and sub-regional organizations and arrangements, such as the Economic Community of West African States (ECOWAS), the Organization of African Unity, now replaced by the African Union (AU), the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO) also deploy their own peacekeeping operations. Individual countries can also deploy a peacekeeping operation.

A large influx of well-paid international peacekeeping staff – military and non-military – inevitably has an economic, social and cultural impact on the local population, including women. Young women are likely to become involved in and affected by what are known as 'peacekeeping economies,' industries and services such as bars and hotels that spring up with the arrival of large, foreign, comparatively well-paid peacekeeping personnel. Many women find work in support positions for the mission, as secretaries and language assistants; very few women or men are hired locally as professionals. When the UN is responsible for nation building, as it was in East Timor, it takes on a wide range of responsibilities that determine everything from a population's access to water, energy and

sanitation, among other resources, to defining legal status, constitutional guarantees and creating an electoral framework – all of which have a direct effect on women.

The ‘light footprint’ strategy of the United Nations Assistance Mission in Afghanistan (UNAMA), has given increased recognition to the role of national professional staff in a UN peace operation. Such arrangements offer the opportunity not only to build, and build on, national capacities, but also allow women to play a more active role in re-building their nation.

Three fleeting references were made to women and peacekeeping in the 1995 Beijing Platform for Action, but it was not until 2000 that the UN thoroughly mapped the issues and elements needed to include gender in all aspects of multidimensional peace operations, in the Windhoek Declaration and Namibia Plan of Action.⁵ Soon after, the Security Council confirmed the relevance of routinely contemplating gender perspectives in executing peacekeeping missions in Resolution 1325, and again in an open session devoted to the subject in July 2002.

As gender issues have moved onto the peacekeeping agenda, the UN has deployed gender specialists, first in the UN Mission in Kosovo (UNMIK), the UN Transitional Authority in East Timor (UNTAET) and in Sierra Leone (UNAMSIL) in 1999, and then in the Democratic Republic of the Congo (MONUC) in 2000. We visited each of these and offer here some preliminary views about their achievements and the obstacles they face. Without question, a more thorough analysis is needed to determine how these initiatives can better serve women in a peacekeeping environment. As Jean-Marie Guéhenno, Under-Secretary-General for the UN Department of Peacekeeping Operations (DPKO), said last July in an assessment of gender mainstreaming in peace operations, “Far more remains to be done, both in the field and at Headquarters.”⁶

Bringing a Gender Perspective into Peace Operations

In 2000 DPKO stated that, “Women’s presence [in peacekeeping missions] improves access and support for local women; it makes male peacekeepers more reflective and responsible; and it broadens the repertoire of skills and styles available within the mission, often with the effect of reducing conflict and confrontation. Gender mainstreaming is not just fair, it is beneficial.”⁷

The concept of gender mainstreaming has been defined by the United Nations as “... the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels. It is a strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.”⁸

In peace operations, the fruits of gender mainstreaming can be seen in political statements of good will, training and the appointment of a few women to senior positions. But it cannot be seen in concrete strategies and procedures, from planning and assessment through to the withdrawal phase. Gender mainstreaming requires specialized expertise and training in all aspects of mission operation. It requires programmatic integration of gender into all elements of activity, throughout the various ‘pillars’ of governance and

humanitarian efforts. It requires regular monitoring, reporting and evaluation of progress made and obstacles encountered, as well as systems for holding the operation accountable to achieving its goals. Finally, it requires resources to put all of these measures in place.

Gender mainstreaming needs to start from the very beginning of a mission to ensure that structures and programmes are designed to address the different needs of women and men for protection, assistance, justice and reconstruction. To the best of our knowledge, gender expertise has not been utilized during assessment missions or technical surveys conducted prior to the design or establishment of UN peacekeeping operations nor, most importantly, in the blueprint for action, the concept of operation or the budget.

Even after the initial planning phases, where appropriate, a mission should monitor and report on progress made in mainstreaming gender issues throughout the peace operation. In this way, the Secretary-General can respond more effectively to the Security Council's call to include "information about gender mainstreaming throughout peacekeeping missions and all other aspects relating to women" in his reports to the Council.

Despite the importance of these strategies, procedures and resources, most of them are not in place. Instead efforts are focused mainly in three areas: (1) increasing the number of women leading and serving in peace operations, often referred to as 'gender balance'; (2) dedicating gender experts within peace operations to focus exclusively on gender; and (3) gender training. The first has not been achieved, the second has occurred in five operations, and the third is being standardized, and will be ready for delivery to Troop Contributors in 2003. It should be made compulsory.

Improving gender balance in the staffing of peace operations

The necessity of women's equal participation in peace processes is asserted again and again, directly and indirectly, in the UN Charter, the Beijing Platform for Action, by ECOSOC, the Security Council, the General Assembly, the Hague Agenda for Peace and the Namibia Plan of Action, among others. Yet women's participation in peace processes, and in peace operations in particular, has been anything but equal or fair.

In the 32 years between 1957 and 1989, only 0.1 per cent of the field-based military personnel in UN peacekeeping missions were female.⁹ And despite the fact that in 1996 the Secretary-General recommended that by the year 2000 women constitute 50 per cent of staff in the UN system, including field missions,¹⁰ women made up only 4 per cent of police and 3 per cent of military in UN operations in 2000.¹¹ At UN Headquarters between 1994 and 2000, women represented only 18 per cent of those employed at the director level and none at the senior director level.

The UN Charter states that it will "place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs."¹² Yet up to 2000 when Resolution 1325 was passed, only four women had ever served as Special Representatives of the Secretary-General (SRSG) – in-theatre heads of mission – in peacekeeping operations. With Resolution 1325 the Security Council urged the Secretary-General to appoint more women as his Special Representatives and Envoys in peace-related functions. At the time, there were no women

holding the position. Two years later, only Heidi Tagliavini of Switzerland serves as SRSG in Georgia, and three women serve as Deputy SRSGs.

The main obstacle, in our view, is not the alleged dearth of qualified women but a misperception about what is required to serve in a position of leadership in a peacekeeping force. As former Ministers of Defence and Finance, we know that the ideal criteria for leading and participating in peace operations are not, as many believe, strictly military or even political in nature. Contemporary peacekeeping requires skills that can lead a war-torn society through a process of nation building, economic development and reconstruction. By broadening the qualifications, we can broaden the pool of candidates.

However, discrimination also limits women's participation in UN peace operations. Women attribute their inability to enter or to move up the ranks to the fact that many posts are not advertised, and people are picked from an 'old boys' network instead. We believe there must be more transparency and accountability, and reiterate the call for the establishment of an advisory group to facilitate the search and appointment of senior staff. However, although the United Nations can request female peacekeeping personnel, the onus is on contributing countries to recruit, train and deploy more women as military, civilian and police personnel. They must be encouraged and provided with incentives to do so.

Discrimination against women extends to the host community as well. Peace operations rarely take affirmative measures to create and fill 'national officer posts.' An increase in the number of professional employment opportunities for the host population would ensure less international domination of UN missions, and help to harmonize the priorities of the host community and the mission. At the same time it would strengthen the national skill base and provide continuity when the mission withdraws. In most cases, however, peace operations employ women from the host community in support functions, and opportunities to work in other missions are limited, given that the ratio of locally recruited to internationally recruited staff is almost 2:1. Apart from the fact that such staff have empathy with and understanding of populations emerging from conflict, increasing the selection of qualified national staff would be an excellent way to develop national capacity and foster cross-regional learning.

We are pleased to learn that the Secretary-General has indeed taken action to that end. The implementation of the Brahimi panel recommendations and the implementation of another recommendation to establish a roster of pre-vetted candidates, including at the most senior levels, is also underway.

East Timor is one of the few operations where the host community has played an important role in the peacekeeping mission. Although it was a struggle, women in East Timor managed to negotiate their own participation within UNTAET by lobbying at the Lisbon donor conference to ensure that East Timorese counterparts to the international staff were employed in the Gender Unit.

Gender advisers and units: delivering the mandate to women

Over the past two years, four out of 15 peace operations have had dedicated staff working on gender issues: These staff are usually referred to as gender units or offices even though they may have only person one staff. UNTAET in East Timor, UNMIK in Kosovo and MONUC in the DRC have gender units/offices, while UNAMSIL in Sierra

Leone has a gender specialist within the Human Rights Section of the mission.¹³ Although a Senior Gender Adviser is proposed for UNAMA, the position will not be funded from the mission budget and will rely, therefore, on the benevolence of donors rather than the primacy of mandate.

Although their mandates may vary across missions, in general gender advisers and units are expected to: ensure that gender concerns are integrated into all of the mission's programmes and activities; raise gender awareness among international staff at all levels of authority; reach out to groups of women at the grassroots level; conduct gender training for peacekeepers, military observers and civilian police; and in some cases, assist in building the capacity of women to participate in the peace process and help form a national machinery for women.

So far, the range of responsibilities given to gender advisers appears to exceed both their authority and their limited resources. One or two people, no matter how dedicated and energetic, cannot fulfill or even coordinate these tasks, particularly if they do not have appropriate seniority. Aside from needing adequate staff, gender units need a strategy and plan of action that comes from the highest level, indicating a serious commitment to integrating gender issues in all activities of the mission. Although the units' effectiveness relies almost entirely on the commitment of the operational management team, particularly the SRSG, the few gender advisers in office have not had consistent access to the Head of Mission. In addition, they occupy lower positions in the hierarchy than those they are expected to coordinate with or even oversee. In a bureaucracy, this can be debilitating.

At present, gender advisers have no official channel through which to communicate or receive support from UN Headquarters or from UN agencies in the mission area. As a result, these advisers told us they lack clarity about whom to turn to for support and guidance and often feel isolated. Although the Best Practices Unit in DPKO is the focal point for gender mainstreaming in peacekeeping mission, it has no dedicated post to deal with gender issues on a full time basis. An institutional response is long overdue. We fully support the Secretary-General's 2000 call for the establishment of a Gender Unit in the Office of the Under-Secretary-General of DPKO,¹⁴ and echo similar affirmations made by many members of both the General Assembly¹⁵ and the Security Council.¹⁶ The Secretary-General explained the wide range of activities this unit would need to undertake to effectively address gender concerns, which we reproduce to show the breadth and range of the tasks that would be assigned,

“... beginning with needs assessment missions through post-conflict peace-building. Gender perspectives should be considered in analyses, policy and strategy development and planning of peace support operations, as well as training programmes and instruments developed to support effective implementation of those operations, such as guidelines, handbooks and codes of conduct. All aspects and all levels of peace support operations require attention to gender perspectives, including political analysis, military operations, civilian police activities, electoral assistance, human rights support, humanitarian assistance, including for refugees and displaced persons, development and reconstruction activities and public information. Training of troops and civilian police on gender issues is critical. In the context of complex missions where interim governments will be established, gender balance in interim

bodies and development of capacity within those important bodies to work with gender perspectives need to be considered. Experience has shown that it is important to ensure attention to gender perspectives from the very outset of peace-building and peacekeeping missions, including through incorporation in the initial mandates. All reports of the individual mission to the Security Council should include explicit routine reporting on progress in integrating gender perspectives as well as information on the number and levels of women involved in all aspects of the mission.”¹⁷

The Secretary-General called for a Gender Unit in the Department of Peacekeeping Operations that would include a gender adviser at the director level and a general adviser at the senior staff level, supported by an administrative assistant. After months of negotiation and discussion, this proposal has been reduced to one post. Again, one person cannot hope to fulfill or coordinate these activities and provide adequate support to field-based personnel. Limiting this function to one person is setting them up to fail.

Despite enormous constraints, gender units have been able to strengthen peace operations' responsiveness to women, often by drawing upon the operational strength of the UN system at country level. By leveraging the technical, financial and programme resources of operational bodies on the ground such as UNIFEM and UN Population Fund (UNFPA), the units are able to provide support far beyond their own limited means. In East Timor UNTAET's Gender Affairs Unit cooperated with UNIFEM to provide technical support for programmes reaching East Timorese women. In Sierra Leone, UNFPA, UNAIDS and UNIFEM are working with the peacekeeping mission on issues of HIV/AIDS and gender.

Gender training in the peacekeeping environment

Protecting refugees is vastly different from guarding prisoners of war. Prosecuting criminal traffickers in war is vastly different from protecting women victims of trafficking. Establishing the rule of law is different to simply enforcing it. All staff of peace support operations need training, including gender training, so they can carry out the wider range of tasks required of them in today's post-conflict situations, and to help them adjust and be responsive to the cultural milieu in which they will function. Training peacekeeping personnel on gender issues can also promote gender mainstreaming within an operation, irrespective of the number and level of women an operation may employ. When the Gender Unit in East Timor helped to ensure gender training in the induction sessions for mid- and high-level management as well as for international and national civilian police and other mission personnel, this resulted in better planning and delivery of services for women and men in the host population.¹⁸

Although training is the primary responsibility of individual governments, the United Nations and regional organizations should ensure consistent approaches and encourage collaboration. Achieving this, in our view, would require a full-fledged review of content as well as strategy: analysing who provides training, who receives it, when it takes place, for how long and with which resources. Ideally, training should take place prior to deployment, but once a mission is assembled, in-service

training initiatives can be extremely useful. The UN's inclusion of gender training in the induction courses for peacekeeping personnel in UNAMSIL, MONUC, UNTAET and UNMEE is encouraging, particularly since the courses involved UN agencies, humanitarian organizations, and local women's groups in the host country.

Some excellent materials have already been developed on "Gender and Peace Support Operations," including those from the Canadian Department of Foreign Affairs and International Trade and the United Kingdom's Department for International Development.¹⁹ DPKO's Training and Evaluation Service has adapted materials for use in UN field operations and for military personnel and civilian police on the national level. These materials will be complementary to the training programme for civilian peacekeeping personnel on the special needs of women and children, developed by the United Nations Institute for Training and Research. The UN Inter-Agency Standing Committee (IASC) is currently exploring the relevant training activities where sexual abuse and exploitation issues could be integrated and is encouraging the sharing of experiences in an effort to prevent these abuses from happening.

Making a Difference for Women

Protection and assistance

Peace operations protect people at risk by making sure that humanitarian assistance reaches them and by separating armed elements from civilians in camp settings. In many situations peacekeepers are the only ones with access to those in need, whether they are in rebel-controlled territories, in landmine-infested regions or in flight from one conflict area to another. In these circumstances military personnel may be called on to protect the delivery of humanitarian assistance – to protect relief workers and supplies – or even to assess humanitarian conditions.

The systematic targeting of civilians – who now constitute more than 75 per cent of all war-related deaths – led the Security Council to give peacekeepers explicit authority to protect civilians in cases where it is considered appropriate and feasible.²⁰ As currently constituted, however, UN missions do not have the capacity to protect more than a small fraction of the hundreds of thousands of civilians who are in danger. And without increased resources for international peace operations, this is not likely to change. This is why mandates authorizing the protection of civilians in conflict are often the source of heated debate within the Security Council. "We fought long and hard to include protection in MONUC's mandate," a former Council member told us. "Some member's reluctance was based on the impossibility of doing so with limited resources. Raising expectations without delivery sets the UN back even further." Nevertheless, a mission can enhance its protection capabilities by working with local women's groups and the resident humanitarian community to assess the situation and to better protect and assist women in need.

Gender responsive civilian police and rule of law teams

The potential for rule of law experts to help guarantee women's rights in the process of nation building remains untested, but if they utilize the unique opportunity presented by the peace process to influence the design and reform of the constitution, judiciary, legislation and the policy and electoral process, they can have a profound impact. The Panel on UN Peace Operations recommended that a revolving on-call list of about 100 police officers and related experts should be created by that system to be available on seven days' notice to be sent to conflict areas. Parallel arrangements with a minimum quota of 30 per cent women should be established for judicial, penal, human rights and other relevant specialists, who will make up 'rule of law' teams with the police. In response to the Panel's recommendation, the UN's Executive Committee on Peace and Security has set up a task force for rule of law issues that involves 11 UN agencies and departments collaborating together. This task force will: 1) establish guidelines based on lessons learned by others; 2) develop, improve and maintain a rapid deployment capacity on rule of law; and 3) look for ways in which the UN can better draw on the expertise and resources of other institutions (civil society organizations, universities etc.) when carrying out peace operations.

During the first four decades of the UN's existence only three of its peacekeeping missions included civilian police units (CIVPOL). But since the end of the Cold War, civilian police have been part of more than 20 UN peace missions and are second in number only to military personnel. Despite the effectiveness of female CIVPOL in dealing with cases of rape, sexual assault, domestic violence and other crimes against women, their numbers have been extremely low throughout UN peacekeeping history. Yet women are an important presence during many criminal investigations.

"In my culture, it is not common to talk about sex with men, let alone strange men," a woman in the DRC confided to us. "Many of the women who were raped like I was can identify their attackers, but find it difficult to report them to the police. We can talk to you because you are women like us. But we can't talk about these things with men. If only we had female police in MONUC to whom we can report these horrible things that happened to us."

In East Timor the value of female police also became apparent during the peace process. More than one-third of all criminal complaints received by the UN mission concerned violence against women by family members. Together with the local women's movement, UNTAET's Gender Unit launched an awareness campaign on domestic violence that culminated in the establishment of a special civilian police unit, staffed by women, to handle cases of rape, domestic violence and other gender related crimes. This created an environment where women felt safer to report cases, especially when, despite limited funds and the shortage of female CIVPOL, female interpreters and female specialists with expertise in this area, a CIVPOL officer was designated as a focal point for gender related crimes in each district.²¹

CIVPOL can do a great deal to combat the increase in trafficking of women that occurs in conflict by establishing better border control. Ironically, however, this is an area where CIVPOL have been accused of complicity and in some cases active

involvement. Some positive measures have been taken in recent years. In September 2000 UNMIK established a Trafficking and Prostitution Investigation Unit and, by the end of 2001, had a presence in all five regions of Kosovo.²²

Human rights monitoring is one of the most important but under utilized ways of improving women's protection. Although human rights components are now systematically included in peacekeeping operations, they often lack necessary resources, human and financial, including gender expertise. If appropriately staffed and resourced, human rights components have the potential to engage not only in monitoring gender-specific violations but also to engage in capacity-building, through training and other projects to enhance national and local capacity for women's protection.

In Cambodia and Bosnia and Herzegovina, we saw new models of community policing that hold promise for increasing women's security in a peacekeeping environment. With support from UNIFEM, women's groups sensitized police forces and community leaders about violence against women. As a result, police now work to prevent domestic violence and trafficking in Cambodia, where one in every six women is a victim of violence by family members.²³ In Bosnia, women could only file complaints against their perpetrators through a public interview procedure. Women's organizations launched a protest campaign, which led the local police to assign a special team that would guarantee the privacy and protection of victims to receive complaints.

Exploitation

The main perpetrators of sexual violence and exploitation in conflict situations are typically the armed forces of parties to a conflict. Although peacekeeping troops have been associated with sexual exploitation and violations, the vast majority of peacekeepers carry out their duties with professionalism and a duty to care.²⁴ Nevertheless, violations have been documented in Angola, Bosnia and Herzegovina, Cambodia, DRC, East Timor, Liberia, Mozambique, Kosovo, Sierra Leone and Somalia.²⁵

International Human Rights lawyer Barbara Bedont attributes this exploitation to a convergence of factors. "Peacekeepers are often stationed in post-conflict situations where the state has collapsed, the justice system is not operational, crime is rampant, and women are impoverished and vulnerable to abuse. These societies develop into prime routes for trafficking in both drugs and persons. Meanwhile, foreign troops stationed as part of a peacekeeping mission feed a demand for prostitution. As a result, rape, trafficking in women and children, sexual enslavement, and child abuse often co-exist alongside peacekeeping missions."²⁶

UN policies are extremely ambiguous in regulating interaction between UN peacekeeping personnel and the local female population, in particular with respect to:

- Sexual relations with women in the host community
- Marriage with local women during the term of duty
- Cohabitation with local women in premises, including live-in employees (e.g. maids)
- Financial and legal responsibility for children parented by peacekeepers
- Prostitution off and on duty
- Minimum age of sexual consent

There have been abuses involving peacekeepers and local women. The most commonly reported ones are those associated with prostitution. In Bosnia, it is estimated that internationals – including police monitors, soldiers, mechanics, social workers and aid workers – account for about 30 per cent of brothel revenues.²⁷ According to Madeleine Rees, head of the Sarajevo office for the UN Office of the High Commissioner for Human Rights (OHCHR) the increased demand for prostitutes has led to an increase in trafficking. "Foreigners are charged more than locals and generate disproportionately high profits in the estimated 900-plus brothels across Bosnia," she pointed out. "Stopping the internationals from patronizing brothels is the only thing that will make the trafficking of women less lucrative."²⁸

Although some peacekeepers have established more permanent intimate connections with local women, such relationships can rarely be considered purely voluntary, tinged as they are by the necessities of hunger and the need for housing or jobs. We learned of starving Kosovar Albanian families who, as the demand for young girls increased with the arrival of peacekeepers, sold their daughters into prostitution. More than 1000 girls not yet 15 or 16 years old are reportedly working as prostitutes in Macedonian brothels. In Sierra Leone, the estimates of young girls involved in the sex trade are even higher. "I am the only person who has an income in my family," a 19-year-old commercial sex worker told us in Freetown. "Since UNAMSIL's arrival, I have been able to make enough money to support my family. My clients are mainly peacekeepers. Of course I do not like to trade my body for money, but what choice do I have?" Often international staff in peace operations employ live-in domestic workers, many of whom are expected to do more than clean the house. "They expected much more. And if we didn't have sexual relations, there were many other girls who would," Marija, a young Bosnian, told us.

The peace operation's leadership rarely gives much thought to the impact on women, both those who are sex workers and those who have personal relationships with peacekeepers, after the mission leaves. In the UN Transitional Authority in Cambodia in the early 1990s, many international personnel took 'wives' whom they lived with while they were in Cambodia, a practice that has been common in other areas with UN peacekeepers. Once the personnel left, the women were ostracized by a society which had "strict ideals ... about women's virtue"²⁹ A decade later, we met women in Cambodia who still spoke about the shame heaped on women who had lived with peacekeepers.

Nor has peacekeeping leadership developed a comprehensive policy to deal with the rising numbers of children born of peacekeeping personnel.³⁰ In Liberia 6,600 children have been registered as being fathered by peacekeepers between 1990 and 1998.³¹ In Kosovo popular songs played on the radio warn young girls against having children by peacekeepers.³² Children of peacekeeping personnel may never see their fathers and are often stigmatized. They usually grow up in poverty and face rejection from their family and community. Many end up living and working on the streets. In some countries, they may not even be granted citizenship.

Peacekeepers themselves do not leave these relationships unscathed. Some reports indicate that up to 46,000 military and police working as UN peacekeepers around the world are more likely to contract HIV than be killed in action.³³ Security Council Resolution 1308 (2000) recognized the need to incorporate HIV/AIDS prevention awareness skills and advice in aspects of DPKO's training for peacekeeping personnel.

Codes of conduct, accountability and justice

When UN personnel commit actual crimes such as rape or trafficking, it is often difficult to bring them to justice. Under the 1946 Convention on the Privileges and Rights of the United Nations, UN personnel and experts have immunity from legal processes.³⁴ The contributing country retains exclusive criminal jurisdiction over military personnel. As Barbara Bedont indicates, “History has shown that contributing states are remiss in prosecuting their soldiers.”³⁵ In fact, when violations occur, even though the only recourse is to send personnel home, this rarely happens for fear of adverse political consequences and because missions are typically understaffed. The UN Head of Mission does not have any authority to discipline troops, but only general responsibility for conduct,³⁶ which includes setting standards, training troops and investigating but not punishing misconduct.³⁷

The United Nations does not keep systematic records of accusations against peacekeepers, and while there is a provision for immunity in the Status of Force Agreements (SOFA), there is also an obligation on the part of DPKO to demand and for member states to supply the information about those soldiers repatriated due to misbehaviour.

Prosecutions carried out by the soldier’s home country are generally not made public because they take place in military courts, which are closed procedures. As a result, much of the information on crimes committed by peacekeepers must be drawn from press accounts and reports of human rights organizations or generalized from the few countries that have dealt with the actions of their peacekeepers.

In issuing the Bulletin on Observance by United Nations Forces of International Humanitarian law, the Secretary-General took an important step towards holding peacekeeping personnel accountable under international law.³⁸ But the full impact of this Bulletin is limited by the fact that, while it must be advocated through the Secretary-General’s Special Representative to all staff in the peacekeeping operation, enforcement is still left up to troop-contributing states.

Short of legal action, peacekeepers are held accountable to the UN Code of Personal Conduct for Blue Helmets³⁹ which, according to Radhika Coomaraswamy, the UN Special Rapporteur on violence against women, does not sufficiently protect women from sexual exploitation and trafficking.⁴⁰ Although codes of conduct can be useful tools for deterring peacekeeping violations, this code is a skeletal outline of basic human rights principles and trivializes violations against women, referring to “immoral acts of sexual, physical or psychological abuse” or “exploitation” of the local population, especially women and children.

Other codes aiming to regulate the conduct of peacekeeping personnel, particularly in field operations, are also inadequate. For example, the *Peacekeeping Handbook for Junior Ranks* gives no information on the legal repercussions of becoming involved with locals, and instead offers only the most general advice: “Be forewarned of facing long sexual abstinence. Do not involve yourself in any sexual relationship, which may create long-lasting complications for you and others. Do not involve yourself with a sexual affair with any member of the local population.”

With mixed results, some peace operations have tried to enforce these codes. The UN missions in Bosnia and Herzegovina (UNMIBH) and in Kosovo (UNMIK) adopted a

‘zero tolerance’ policy for staff members involved in trafficking or prostitution. According to the missions, this means that allegations of misconduct are investigated and disciplinary action is taken for those found guilty. We have yet to learn of any prosecutions, but a former US policewoman with UNMIBH was dismissed after she reported the ‘extensive use’ of brothels by UN police and other peacekeepers in Bosnia.⁴¹ Though the police officer was later vindicated, only eight of the alleged perpetrators were sent home and none have been prosecuted.⁴²

In response to allegations made about its peacekeeping personnel, UNAMSIL established a Coordination Committee for the Prevention of Sexual Exploitation and Abuse. This Committee includes representatives of UN agencies, NGOs and the government who will look into allegations of sexual abuse. UNAMSIL now requires all newly arrived peacekeepers to participate in a sensitization programme dealing with appropriate sexual conduct. While these are clearly important steps, they do not in any way substitute for a full-fledged disciplinary mechanism.

To increase the protection of women in peacekeeping environments, we support the Secretary-General’s call to establish an Ombudsperson in every peace operation who would handle reports of abuse by peacekeeping personnel. Together with an Inspector General or an office set up specifically for this purpose, she or he could carry out investigations and impose disciplinary measures in cooperation with the SRSG, the Force Commander and the Office of Internal Oversight Services. In all instances, a community relations office with national staff, similar to the model established in the Cambodia mission, should act as liaison with the host community and facilitate the complaints process.

The International Criminal Court offers one means of ensuring the accountability of peacekeepers. In a Relationship Agreement between the ICC and the UN, the UN has promised to cooperate with and assist the work of the Court. Specifically, Article 19 of the Agreement states that:

“... the Court exercises its jurisdiction over a natural person who is alleged to be criminally responsible for a crime or crimes within the jurisdiction of the Court and who, pursuant to the provisions of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations or other agreements concluded by the Organization, enjoys privileges and immunities in connection with his or her work for the Organization, the United Nations undertakes to cooperate with the Court in such a case or cases and, if necessary, will waive the privileges and immunities of the person or persons concerned in accordance with the provisions of the relevant instruments.”

The Statute offers ample safeguards against politically motivated prosecutions and is relevant only when national authorities fail to act. But on 12 July 2002 the possibility of ensuring accountability was postponed for one year when the U.S. government tied immunity for its peacekeepers to the renewal of the mandate of the UN Mission in Bosnia and Herzegovina. By agreeing to delay the implementation of this article, the Security Council is sending the wrong message: that those who commit crimes against women can do so without fear of punishment. For as long as the Statute’s authorization to prosecute peacekeepers is delayed, so too is justice for women.

On Peacekeeping the Experts call for:

- 1. Gender experts and expertise to be included in all levels and aspects of peace operations, including in technical surveys, the design of concepts of operation, training, staffing and programmes.** To this end, a Memorandum of Understanding should set out the roles and responsibilities among DPKO, Department of Political Affairs (DPA), UNIFEM and the Division for the Advancement of Women (DAW).
- 2. A review of training programmes on and approaches to the gender dimensions of conflict resolution and peace-building for humanitarian, military and civilian personnel.** United Nations entities active in this area should lead this process with support provided by the Special Advisor on Gender Issues and Advancement of Women and the Task Force on Women, Peace and Security with a view to developing guidance on training policy and standards.
- 3. All UN peace operations to include a human rights monitoring component, with an explicit mandate and sufficient resources to investigate, document and report human rights violations against women.**
- 4. The improvement and strengthening of codes of conduct for international and local humanitarian and peacekeeping personnel and for these codes to be consistent with international humanitarian and human rights law and made compulsory.** An office of oversight for crimes against women should be established in all peace operations. The office should regularly monitor and report on compliance with the principles set forth in the IASC Task Force on the Protection from Sexual Exploitation and Abuse in Humanitarian Crises.
- 5. No exemptions for peacekeepers from prosecution by international tribunals, the International Criminal Court and national courts in the host country for all crimes committed, including those against women.** All States maintaining peacekeeping forces should take necessary measures to bring to justice their own nationals responsible for such crimes, as called for by the Security Council (S/RES/1400 (2002)).
- 6. UN peace operations to improve opportunities for collaboration with women's groups** to address gender issues in a peacekeeping environment.
- 7. Member States and DPKO to increase women's representation in peace operations, including through the recruitment of police, military and civilian personnel.**