



# DISCUSSION PAPER: MAPPING THE IMPACT OF SEXUAL EXPLOITATION AND ABUSE BY INTERVENERS IN PEACE OPERATIONS

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PILOT PROJECT FINDINGS | DECEMBER 2016

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UN peacekeeper blue helmets and uniforms. Photo: UN Photo/Marco Dormino



# 1. PROJECT OUTLINE

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In 2013, a UN investigation declared sexual exploitation and abuse (SEA) ‘the most significant risk to UN peacekeeping missions, above and beyond other key risks including protection of civilians.’<sup>1</sup> The Secretary-General Ban Ki-moon has himself argued that ‘a single substantiated case of [SEA] involving UN personnel is one case too many.’<sup>2</sup> And yet both civilian and military personnel associated with peacekeeping operations (PKOs) continue to perpetrate such acts, despite the development of policy frameworks designed to prevent SEA and hold perpetrators accountable.

To date, the issue of SEA by interveners has been addressed largely as an issue of principles: when peacekeepers abuse local populations they undermine the human rights principles that underpin their deployment.<sup>3</sup> A 2015 Independent Review of SEA perpetrated by peacekeepers in the Central African Republic (CAR) asserted that ‘when peacekeepers exploit the vulnerability of the people they have been sent to protect, it is a fundamental betrayal of trust. When the international community fails to care for the victims or to hold the perpetrators to account, that betrayal is compounded.’<sup>4</sup> Responses have centred on calling for peacekeepers and aid workers to better uphold the principles of the UN system, and policies have focused on pre-deployment training and mechanisms to hold perpetrators accountable within PKOs, but these have not decreased the incidence of SEA.

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1 Thelma Awori, Catherine Lutz and Paban Thapa, Final report: expert mission to evaluate risks to SEA prevention efforts in MINUSTAH, UNMIL, MONUSCO, and UNMISS (NY:UN, 2013), p. 1.

2 UNSG, Special Measures for Protection from Sexual Exploitation and Sexual Abuse (NY:UN, 2015), p. 1.

3 See e.g. Sabrina Karim and Kyle Beardsley, ‘Explaining Sexual Exploitation and Abuse in Peacekeeping Missions: The Role of Female Peacekeepers and Gender Equality in Contributing Countries’, *Journal of Peace Research*, 53:1, 2016, p. 101.

4 Marie Deschamps, Hassan B. Jallow and Yasmin Sooka, Taking Action on SEA by Peacekeepers: Report of an Independent Review on SEA by International Peacekeeping Forces in the CAR (NY:UN, 2015), p. i.

This pilot project has investigated the long-term impact of SEA by international interveners (including peacekeepers, aid workers, diplomats, private contractors and others) on peacebuilding outcomes, the effectiveness and challenges of policies that aim to prevent or respond to such SEA, and the ways in which SEA relates to other forms of misconduct or failures in peace operations. We have conducted primary research in Timor-Leste, Bosnia-Herzegovina, Geneva and at UN Headquarters in New York – interviewing over 80 individuals from the UN, international organisations, NGOs, government officials, civil society and women’s organisations.

Bosnia and Herzegovina (BiH) was chosen as a case study because of the well-documented evidence of extensive SEA by individuals involved in the peace operations during the 1990s. During UNPROFOR, which was deployed in BiH to protect humanitarian access routes and maintain safe zones for civilians during the war, peacekeepers engaged in transactional sex with local women, and in some cases frequented brothels that were run out of Serb-run concentration camps.<sup>5</sup> During UNMIBH, which was deployed after the war ended, peacekeepers were found to have been involved in the trafficking of women and children into Bosnia where they were held as sex slaves in brothels that were frequented by both local men and international peacekeepers.

By contrast, the peace operations in East Timor, which were similar in scale and mandate to those in post-war BiH, had low rates of SEA. There were some cases of rape reported in Dili and Oecusse, and certain contingents were notorious for frequenting brothels, but such behaviour was relatively limited. What was more common, however, was relationships between interveners and local women that ended in women being abandoned, which local communities classified as SEA even though the UN definitions would not classify it as such. Part of our research aimed to understand why

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5 Peter Andreas, *Blue Helmets and Black Markets* (Ithaca: Cornell University Press, 2008), pp. 47-48, 128-135.

rates of SEA were low, what impact they had nonetheless, and whether there are lessons to be learned from East Timor for the effective prevention of SEA in other peace operations.

Our project has conducted in-depth research into both of the case study countries, as well as SEA policy-development and responses globally. This discussion paper outlines our key findings to date.

#### INTERVIEWS CONDUCTED: SOME STATISTICS

New York – 19

Bosnia – 17

Timor-Leste – 26

Geneva – 8

Other – 6

Total number of interviewees – 83

Number of organisations interviewed – 63

## 2. SAME, SAME BUT DIFFERENT? DISTINGUISHING THE DOMINANT FORMS OF SEA<sup>6</sup>

According to the UN, **sexual exploitation** is ‘any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.’

**Sexual abuse**, by contrast, is ‘the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.’<sup>7</sup>

However, our research has suggested that while SEA as an umbrella term is helpful in distinguishing such behaviour from other

forms of misconduct by personnel in peace operations, it has the dual effect of obscuring the significant differences in the form, function and causes of the behaviours that fall under it. Our review of data available on SEA suggests this category encompasses a number of related but distinct types of behaviour, and that understanding the significant variance in the way they are perpetrated and the permissive factors that give rise to them is crucial to effective policy response.

### 2.1 Opportunistic sexual abuse

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*‘He held me down by the arms and held both my wrists, twisting them back and we struggled together. And then he raped me.’ (14 year-old girl raped by a Brazilian peacekeeper in Haiti)<sup>8</sup>*

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*‘Sometimes when I’m alone with my baby, I think about killing him. He reminds me of the man who raped me.’ (14 year-old girl raped by a Burundian peacekeeper in CAR)<sup>9</sup>*

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Sexual abuse includes sexual assault, rape, and other intrusions of a sexual nature, and it is perpetrated by both individuals and groups. This violence is clearly criminal. The main factor that distinguishes this form of SEA is that it is opportunistic insofar as it is for the private purposes of the rapist/s, or is perpetrated as a practice of war<sup>10</sup> and does not include the level of pre-planning or coordination that is characteristic of the other forms of SEA. Reports of peacekeeper rape seem to revolve around military peacekeepers rather than civilian peacekeepers or aid workers.

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8 ‘Fear over Haiti child abuse’, *BBC News*, 30 Nov. 2006, <http://news.bbc.co.uk/2/hi/6159923.stm>.

9 Kevin Sieff, ‘The growing U.N. scandal over sex abuse and “peacekeeper babies”’, *Washington Post*, Bangui, 27 Feb. 2016, <http://www.washingtonpost.com/sf/world/2016/02/27/peacekeepers>.

10 For a discussion of rape as a practice of war, see Elizabeth Jean Wood, ‘Conflict-related sexual violence and the policy implications of recent research,’ *International Review of the Red Cross*, 96:984, p. 473.

6 For a more detailed exploration of the issues raised in this section, see our article ‘The phenomenon of sexual exploitation and abuse in peace operations: Trends, policy responses and future directions,’ *International Affairs* (forthcoming 2017).

7 UNSG, ‘Secretary-General’s Bulletin: Special measures for protection from sexual exploitation and sexual abuse ST/SGB/2003/13’ 2003, p. 1.

## 2.2 Planned, sadistic abuse

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*‘Three victims interviewed by a MINUSCA Human Rights Officer reported that in 2014, they and a fourth girl were tied up and undressed inside a camp by a military commander from the Sangaris force (the French military intervention in CAR) and forced to have sex with a dog. Each girl was then given 5000 Central African Francs (<USD \$9). The three girls interviewed sought basic medical treatment. The fourth girl later died of an unknown disease. One of the survivors said that she was called “the Sangaris’ dog” by people in the community.’<sup>11</sup>*

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The second type of SEA identified is related to opportunistic sexual abuse, and is similarly criminal, but distinct in that it is characterised not by its opportunistic nature but by the perpetration of rape in a planned, sadistic form. These abuses are not perpetrated in pursuit of financial benefit, as the production of pornography or involvement in sex trafficking discussed below are. Nor are they transactional, or opportunistic. They appear to be perpetrated for the sadistic pleasure of the perpetrators, and involve both planning and coordination. This type of behaviour is criminal and appears to be less common than the other forms of SEA identified, and has parallels with other forms of torture perpetrated by peacekeepers.

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<sup>11</sup> Aids Free World, ‘Shocking new reports of peacekeeper sexual abuse in the Central African Republic’, 30 Mar. 2016, <http://www.codebluercampaign.com/press-releases/2016/3/30>.

## 2.3 Transactional Sex

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*“If I go and see the [MONUC] soldiers at night and sleep with them, then they sometimes give me food, maybe a banana or a cake,” 13 year-old Faela says, looking down at her son. “I have to do it with them because there is nobody to care, nobody else to protect Joseph except me. He is all I have and I must look after him ... Going over to the camp is OK because the soldiers are kind to me and don’t point their guns like the other soldiers did. I’m scared for Joseph, but maybe something good will happen soon.”<sup>12</sup>*

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According to the Zeid Report, the vast majority of SEA allegations investigated by the UN relate to this type of SEA.<sup>13</sup> Transactional sex, or ‘survival sex,’ relates to the exchange money, jobs, food or services for sex. This form of behaviour involves a level of agency and negotiation even though it is negotiated in contexts of extreme deprivation and insecurity, and is only criminal if it involves children. This sort of SEA is relatively common in post-conflict situations where the intersection of deprivation and insecurity creates a situation of dependency on interveners for basic means of survival, and where conflict has contributed to the dissolution of familial, social and economic structures that might normally provide protection from exploitation, especially for children. Children interviewed by the UN themselves questioned whether transactional sex in some cases is ‘rape disguised as

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<sup>12</sup> Kate Holt and Sarah Hughes, ‘Sex and Death in the Heart of Africa’, *The Independent*, 25 May 2004, <http://www.independent.co.uk/news/world/africa/sex-and-death-in-the-heart-of-africa-564563.html>.

<sup>13</sup> Prince Zeid Ra’ad Zeid Al-Hussein, *A Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations* (A/59/710) (NY:UN, 2005). For a similar assessment of the prevalence of exploitative sexual relationships and sex with prostitutes in peacekeeper SEA, see UNSG, ‘Special measures for protection from SEA A/61/957’, 2007, pp. 13-15.

prostitution<sup>14</sup> whereby the perpetrator ‘pays’ his victim after raping them in order to suggest a legitimate consensual transaction, which has different implications in terms of consent and agency and overlaps with the opportunistic sexual abuse described above. In addition, there are cases where children who were paid after being raped sought out further transactional encounters with peacekeepers, creating further dependency and abuse.

## 2.4 Networked abuse and exploitation

*‘Virtually all of the prostitutes in Bosnia are foreigners... They are brought into Bosnia to provide services to a paying clientele, a large component of which is foreign workers and peacekeepers. In Bosnia, the trafficking and forced-prostitution trade is not separate from a “legitimate” prostitution trade; it is all the same operation. Therefore, anyone who is patronizing prostitution in Bosnia is supporting the sex slave trade. This fact is not acknowledged or is disregarded by many U.N. peacekeepers who involve themselves with prostitution in Bosnia. Others knowingly become deeply involved in the sex slave trade in partnership with organized crime.’ (Former UN Human Rights Monitor testifying to US Congress)<sup>15</sup>*

This form of SEA includes the involvement of interveners in the trafficking of women to work in brothels, the purchasing of women as sex slaves, and in some cases is linked to other profit-oriented illegal activities such as

<sup>14</sup> Ibid p. 8.

<sup>15</sup> Hearing before the Subcommittee on International Operations and Human Rights of the Committee on International Relations, House of Representatives, ‘The UN and the Sex Slave Trade in Bosnia: Isolated Case or Larger Problem in the UN System?’ 2002 <[http://commdocs.house.gov/committees/intlrel/hfa78948.000/hfa78948\\_0.HTM#65](http://commdocs.house.gov/committees/intlrel/hfa78948.000/hfa78948_0.HTM#65)>.

the weapons trade. Even where interveners themselves are not involved in trafficking, they may be implicated in networked SEA by virtue of patronizing brothels that ‘own’ trafficked women. The connection with global criminal networks makes this form of SEA distinct from transactional sex. Interveners not only interact with criminal networks to access the women but also in some cases engage in profit-making themselves through their interaction with these networks. This sort of peacekeeping economy tends to outlast peacekeeping operations, embedding sex and trafficking in the post-war economy.

### WHAT FACTORS CONTRIBUTE TO SEA?

Our research suggests that a wide range of local, international, normative and systemic factors contribute to the perpetration of SEA, including:

- Presence of large displaced civilian populations
- Peacekeeping economies based on poverty, deprivation and material inequality between interveners and locals, and the particular vulnerabilities women and children experience in such contexts
- Standing orders for militaries relating to fraternisation, alcohol consumption, curfews
- Lack of recreational facilities
- Long deployment times and inadequate R&R provisions
- Military cultures
- Militarised masculinities
- Presence of criminal networks
- Social and political power structures
- Racial and colonial dynamics of peacekeeping
- Gendered power dynamics and sexism

Our analysis suggests that particular contexts do not directly cause certain types of SEA, but rather that the conditions for all four types of SEA co-exist in most PKO contexts: it is the way the local, international, normative and systemic factors interact with one another and with PKOs that gives rise to distinct forms of SEA. Understanding these intersections and interactions is crucial to developing robust policy responses that are responsive to the various forms SEA takes.



## Key findings:

1. Despite powerful statements by UN leadership about the ‘cancer’ of SEA and the UN’s commitment to addressing it, the advancement of SEA policy has been largely reactive, occurring in surges prompted by public outcry at allegations and incidents reported in international media. Such policy has been developed at the international level with little input from the field level about what challenges they already face, and whether they have the capacity or expertise to implement new policies.
2. Policies developed at the international level reflect an individualized understanding of SEA, and consequently target individual compliance through standards of conduct, recruitment standards and training for recruited personnel, rather than addressing the complex mix factors operating in distinct ways on the ground. This individualised understanding of SEA masks the diverse range of factors that create circumstances in which individuals choose to exploit or abuse and also obscures the practical challenges that mid- to high-ranking officials pose when they refuse to deal with allegations or are simply too occupied with other ‘hard security’ issues to take ‘gender issues’ seriously.
3. This focus on training, and the individualisation of responsibility for SEA betrays a broader trend in dealing with gender issues at the international level: that technocratic ‘fixes’ have taken pre-eminence over efforts to address the underlying causes of gendered inequality and violence, and other complex social, economic, and political issues.
4. SEA policy has been developed in isolation from the broader Women, Peace and Security (WPS) agenda set out in UNSCR 1325, despite clear synergies between the areas of work, and this has undermined the effectiveness of SEA responses. Linking SEA and WPS would open up wider intellectual and institutional frameworks for SEA policy.
5. On an operational level, by focusing on individual conduct and discipline issues, SEA policy remains delinked from Protection of Civilians and Child Protection frameworks, which are designed to recognise and respond to the factors of vulnerability that might exist and be exploited in humanitarian contexts.
6. The UN’s ‘genetic defect’ holds it hostage to both member state interests and bureaucratic imperatives and limitations. The interests of member states and Troop Contributing Countries (TCCs) are not always aligned with the effective development and implementation of policies that embody the UN’s core principles of peace, justice and the protection of human rights. Bureaucratic imperatives to demonstrate success also go some way to explaining how broad statements of intent have been translated into narrow policy frameworks with measurable outcomes: training, counting and reporting. The pressure to report on successes exists at both the UN level and the individual level, and operates against impartial and robust investigations and reporting.<sup>16</sup>

## 4. WHAT IMPACT DOES SEA HAVE ON PEACEBUILDING OUTCOMES?

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One of the core claims made by UN leaders and humanitarian officials in relation to SEA is that its perpetration undermines the credibility and capacity of the UN. Our interviews explored this idea extensively, and a number of themes emerged in terms of the impacts SEA has on the credibility and capacity of international organisations and interveners to achieve their peacebuilding goals.

The impact of SEA by interveners on the goals and outcomes of the peace operations

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<sup>16</sup> For a more detailed discussion of these pressures, see Jasmine Westendorf, *Why Peace Processes Fail: Negotiating insecurity after civil war*, (Boulder: Lynne Rienner, 2015) pp. 217-230.

studied occurred on a number of levels, all of which have the potential to undermine peacebuilding outcomes, although to varying extents:

**Individual, family and community level.**

SEA impacts the women and children involved directly, most obviously in terms of the human rights violations experienced, which often occur in transitional or unstable contexts where adequate recourse through legal or police channels is unavailable. In addition, victims often experience severe stigma associated with SEA, which can limit opportunities for future relationships, can lead to individuals being thrown out of families or villages. Further, in cases where SEA results in the birth of 'peace babies', which was a particular issue in East Timor, those children were also reported to have experienced stigma, lack of opportunities, and poverty. In East Timor, a number of interviewees recounted that that women turned to sex work in order to support themselves and their babies because their families refused to allow them to stay in the family home or village because of the shame of being an unwed single mother. Essentially, when interveners perpetrate SEA they are not only directly violating the human rights of the individuals in communities they have been tasked with protecting, but also compound the existing vulnerabilities of victims which can have long-term and inter-generational impacts.

Relatedly, some interviewees suggested that the birth of 'peace babies' compounded poverty in families and communities, particularly in East Timor where in many cases fathers abandoned the children, leaving families with an extra mouth to feed in an already impoverished situation. Some interviewees also recounted that this caused conflict within families and communities.

**Structural level.** The perpetration of SEA by interveners, particularly uniformed peacekeepers who are formally mentoring or training local security sector personnel, can send the message to local police, militaries and elites that such behaviours are permissible even if formally prohibited, and can thereby embed a culture of impunity and human-rights violations in the security structures of the newly post-war state. Our

interviews suggested that this is particularly likely when perpetrators are either not held accountable, or peacekeeping operations and organisations actively cover up the perpetration of abuse in order to prevent accountability processes being undertaken as was the case in Bosnia-Herzegovina's Dyncorp scandal. On the other hand, when perpetrators of SEA are not held accountable it sends the message to other interveners that they too can get away with such behaviours, as evidenced by DynCorp's exporting of trafficking practices to every other PKO or intervention they have been contracted to,<sup>17</sup> or the movement of SEA with particular individuals who lead contingents or UN missions which was described anecdotally in multiple interviews.

**Operational level.** While some respondents suggested anecdotally that SEA did have an operational impact on peace operations, most said that there was no such impact in their experience. For instance, one respondent in East Timor suggested that the behaviour of uniformed Fijian peacekeepers in the early years of the peace operations undermined the trust local Timorese had in Fijians, which made it difficult for uniformed Fijians deployed to the country in later years to work effectively as they were treated with mistrust. In Bosnia-Herzegovina, some individuals working within the UN reported that responding to SEA cases took valuable time away from the other human rights work they were supposed to be doing, for example, accounting for human rights violations during the war, which consequently took many more years to really be addressed, undermining peacebuilding in the interim. It is worth noting however that many respondents from international organisations believed that there was an operational impact of SEA, even though they could not identify specific examples.

While these various layers of impact are in clear tension with the international community's goals in peace operations, it is surprising to note that none of our interviewees in either East Timor or Bosnia-Herzegovina thought that these impacts

<sup>17</sup> Kathryn Bolkovac and Cari Lynn, *The Whistleblower* (NY: Palgrave Macmillan, 2011), pp. 219-230.

had undermined the overall capacity of the international community to achieve its peacebuilding goals in their country, nor impacted the peacebuilding process overall. In fact, interviewees in both countries suggested that the fact that security was established fairly successfully in their country was evidence of how SEA did not affect or undermine the overarching outcomes of the peace operation. This reflects a fairly narrow view of what the core goals of peace operations are: security was valued by local respondents over and above other goals that the international community might itself believe to be equally important, such as the protection of human rights, the pursuit of justice and accountability, and the establishment of rule of law and robust and democratic post-war security institutions.

When we moved from the question of capacity to that of the credibility of the international community, we faced very similar responses: not a single local respondent from our case study countries thought that the credibility of either the UN or the international community more broadly had been affected by the cases of SEA. Respondents tended to make the 'bad egg' argument: while some peacekeepers or interveners perpetrated SEA, they were a minority, and did not reflect the culture of the peace operation more broadly. This was often followed by a series of remarkably similar characterisations of particular national groups in the peace operations in both Bosnia-Herzegovina and East Timor: certain contingents were known for being 'party animals' and visiting brothels regularly, some were notorious for street harassment, some for being inept and ineffective, some for being generous, some for being proactive in their reconstruction work, and some for being violent. This served to suggest that culture operated within national contingents, rather than on a mission-wide level. It is interesting to note that in East Timor, peacekeepers from Australia and New Zealand were regularly described as 'angels' by respondents, in reflection of what was considered their respectful and generous engagement with the local population, and their operational effectiveness, particularly in contrast to other contingents.

Nevertheless, many respondents did state that the UN was supposed to embody and be held to higher standards, and to 'be above' the sorts of behaviours and violence of the wars that peacekeepers had come to help end. Given that the peace operations in Bosnia-Herzegovina and East Timor were some of the more successful peace operations of the post-Cold War period, in that they established security relatively more effectively than others, it is conceivable that the missions' successes outweighed their shortcomings in the minds of local communities, hence the positions on SEA and credibility that many respondents took.

It is also notable that respondents from the international community and the humanitarian sector in both countries and in Geneva and New York held very different perspectives on the credibility implications than local respondents. A significant portion of our respondents working for international organisations and NGOs suggested that incidences of SEA by colleagues and others associated with a peace operation made them question the credibility of the organisation they worked for, as well as the broader international project of peacekeeping and peacebuilding. A number of individuals said that this disappointment contributed to colleagues leaving the sector because they could not stand being associated with organisations and missions where SEA was occurring and perpetrators were not effectively being held accountable, and to tension within organisations between people who were known to have engaged in SEA and their colleagues. This would suggest that SEA does have operational and other impacts on the capacity of the international community to achieve its desired outcomes in peace operations.

Further, a number of individuals in the UN bureaucracy and in Missions argued that SEA or even the appearance of inappropriate relationships can undermine a Mission's impartiality in the eyes of local communities, creating both risks to Mission personnel and objectives. Lastly, military respondents suggested that SEA perpetration by particular units or contingents can have serious implications for the relationships between them and contingents who have stronger standards and expectations regarding SEA.

## SEX ON MISSION: REGULATING RELATIONSHIPS BETWEEN INTERVENERS AND BENEFICIARIES

One area of confusion in relation to SEA by interveners that often surfaced during interviews was that of relationships between interveners and beneficiaries. The UN Secretary-General's 2003 zero-tolerance bulletin states that

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*Sexual relationships between United Nations staff and beneficiaries of assistance, since they are based on inherently unequal power dynamics, undermine the credibility and integrity of the work of the United Nations and are strongly discouraged.*<sup>18</sup>

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This standard gives rise to confusion due to its ambiguity, which has profound implications for prevention and enforcement efforts.

There are two dominant narratives about consensual adult sexual relationships between humanitarian or peacekeeping personnel and local populations. One, adopted by the Bulletin, frames such relationships through the lens of differential power, vulnerability and inferred exploitation, producing the practical effect of prohibition. Essentially, the default assumption is that relationships with beneficiaries are exploitative and problematic except in exceptional cases. The other frames such relationships through the lens of human rights, privacy and women's agency, arguing the UN and other employers have no business intervening in the sex lives of either employees or local populations.<sup>19</sup> The default assumption here is that such relationships should be assumed to be non-exploitative unless explicitly shown to be so.

We found both of these perspectives reflected in the interviews we conducted, with a clear disjunct between the way local community members and staff 'on the ground' in missions understood the issue and the way senior policy makers in humanitarian organisations approached it. Except in a few exceptional cases, policy-makers tended towards the prohibition perspective, with some senior UN officials arguing for a blanket non-fraternisation policy for all mission personnel in order to minimise the chances that any SEA occurs – these respondents accepted that this would prohibit consensual and respectful relationships but were willing to accept that injustice in pursuit of the most watertight SEA policy. Staff in missions tended to be less circumspect and more willing to acknowledge and accept the inevitable 'messiness' of regulating relationships between interveners and locals, and often called for a more nuanced policy framework. Mission staff and local community members also recognised that many of the problems associated with relationships between interveners and 'beneficiaries' emerged when consensual relationships ended and the local partner consequently suffered stigma. A number of respondents suggested that the international partner simply did not understand the local and cultural implications of relationships, and that better cultural orientation could have helped prevent this. Others framed these relationships as deceptive or in poor faith, particularly when men left once a woman fell pregnant, which was a commonly raised issue in East Timor.

In some cases, particularly in Bosnia-Herzegovina, local respondents also suggested that while relationships may have had exploitative elements, if women consented to them, 'who are we to judge?' These respondents emphasized that the desperate economic and security situation of Bosniaks during the war meant that such relationships provided important resources and opportunities for women to survive and escape the country.

This raises important questions about how the international community can better frame policy relating to relationships with beneficiaries so that such policies are fair, robust, and implementable. It also raises questions about the interaction of policy-making at the international level and the realities of its negotiation and implementation in missions.

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<sup>18</sup> UNSG, 'Secretary-General's Bulletin: Special measures for protection from sexual exploitation and sexual abuse ST/SGB/2003/13' 2003, p. 2.

<sup>19</sup> See for instance: Olivera Simic *Regulation of Sexual Conduct in UN Peacekeeping Operations* (NY: Springer, 2012) and Diane Otto, 'Making sense of zero tolerance policies in peacekeeping sexual economies' in Munro & Stychin (eds.) *Sexuality and the Law* (Abingdon: Routledge, 2011), pp. 259-282.

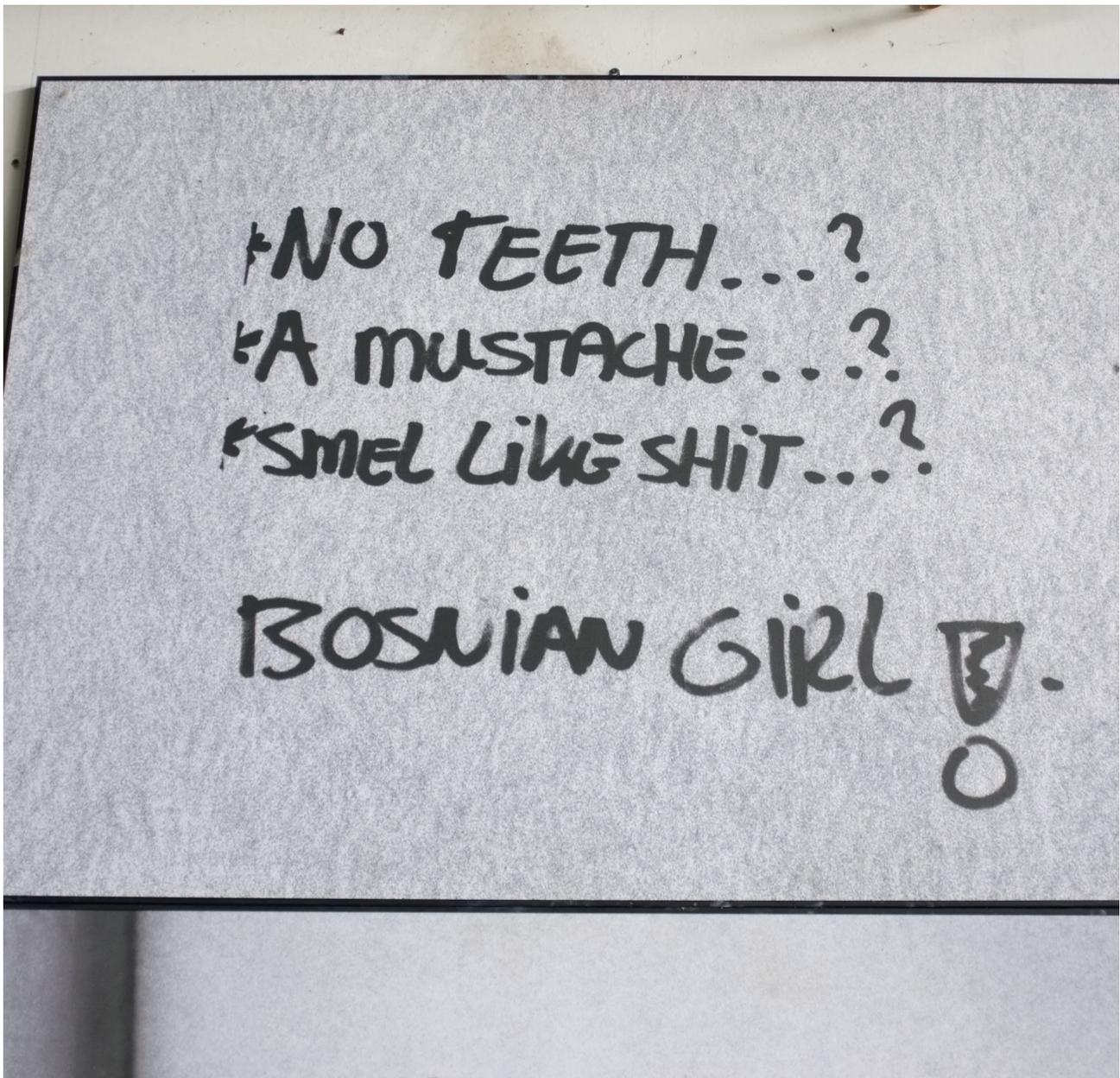


Figure 1: Derogatory graffiti at Srebrenica in northern Bosnia, 1995. Photo: Jasmine-Kim Westendorf

#### SEA AS A CONTINUATION OF OTHER FORMS OF VIOLENCE BY INTERVENERS?

In July 1995, Dutch peacekeepers at Srebrenica in northern Bosnia refused to allow Bosniaks to take refuge in their base when the town was overrun by Serb militias. Subsequently, more than 8000 Bosniaks, largely men and boys, were killed by the militias in the first genocide on European soil since World War 2.

During our interviews in BiH, nearly all respondents made the argument that focusing on the impact of SEA by interveners on peacebuilding and the relationship between the local and international communities was 'naïve' given the scale of peacekeepers' responsibility for other atrocities, such as the Srebrenica genocide, and given the extent and brutality of sexual violence perpetrated during the war. Others argued that the lack of empathy that interveners felt for the groups they were sent to protect, particularly the Bosniaks, contributed not only to the high levels of SEA (particularly transactional sex economies in UN safe areas during the war), but also to the derogatory graffiti such as that shown in Figure 1, interpersonal conflict between interveners and their local counterparts in the mission, the reluctance of peacekeepers to risk their own safety in the protection of civilians, and their ultimate complicity in the Srebrenica genocide.

## 5. FURTHER ISSUES FOR DISCUSSION

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- Given Australia's leadership role globally in relation to Women, Peace and Security, how could it spearhead responses to SEA? A number of interviewees at UN Headquarters suggested that Australia is particularly well placed for such a role but seems reluctant to become involved. How might this issue and research link into the process of renewing Australia's National Action Plan on 1325, or Australia's leadership on WPS globally?
- In March 2016, the UN Security Council adopted Resolution 2272 endorsing the Secretary-General's decision to repatriate military or police units of a contingent where 'credible evidence of widespread or systematic' SEA by that unit exists. The Council requested that the Secretary-General replace all units of a troop-contributing or police-contributing country in a particular PKO where that country fails to appropriately investigate allegations against their personnel, hold perpetrators accountable, or inform the Secretary-General of progress. There was significant backlash from some TCCs who argued that this amounts to collective punishment, and that it obscures the unequal division of labour between developing and developed states in PKOs, making it seem as though developed states are disproportionately responsible for SEA without recognising their much higher contribution of peacekeepers to Missions. Is this Resolution workable and likely to be implemented? What should the threshold be?
- How can SEA be better understood in the context of challenges to effective peacekeeping more generally, and could lessons being learned related to peacekeeping and policing be marshalled in support of better SEA policy responses?
- There have been some suggestions globally that an independent court or tribunal be established to address SEA allegations in UN PKOs – is this a viable and desirable response?
- To what extent is SEA an issue in non-conflict interventions, such as emergency response interventions? We have conducted an extensive literature review on this and found very little information.
- How can Australian and NZ best practice regarding military gender training, codes of conduct and cultural change inform global processes of responding to SEA?
- What impact does SEA have on relationships between national contingents and within staff groups in peace operations?