

Olivera Simic

Regulation of Sexual Conduct in UN Peacekeeping Operations

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ISBN 978-3-642-28483-0 ISBN 978-3-642-28484-7 (eBook)
DOI 10.1007/978-3-642-28484-7
Springer Heidelberg New York Dordrecht London

Library of Congress Control Number: 2012939489

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Printed on acid-free paper

Springer is part of Springer Science+Business Media (www.springer.com)

Endorsements

This book presents the human side of the debate over whether there should be a “zero tolerance” policy towards sexual relationships between peacekeepers and the people they are mandated to protect. Olivera Simic’s research confounds the stereotype of women as victims in times of conflict and challenges the wisdom of blanket policies about human relationships. This is a bold and confronting analysis.

Prof. Hilary Charlesworth, Australian National University

Olivera Simic’s new book “Regulation of Sexual Conduct in UN Peacekeeping Operations” is a bold and much needed intervention into debates around Sexual Exploitation and Abuse (SEA) involving UN peacekeepers and Bosnian women. Given that current UN policies to protect women from SEA are overprotective and informed by gender and imperial stereotypes, Simic argues that they are in tension with the human rights of those involved. This book promises to broaden and deepen debates that go to the very heart of gendered relations in peacekeeping operations (PKO), and in turn, provide policy makers with a more enlightened and realistic agenda with which to facilitate change in the challenging environment of the PKO.

Dr. Paul Higate, University of Bristol

I have worked on issues of sexual violence including trafficking for many years, a great deal of it in Bosnia. Sometimes what seems to be an obvious solution, such as a zero tolerance policy has unintended consequences because it was designed from a male perspective with the conduct of men in mind. Olivera Simic has looked from a different perspective and reached conclusions by actually talking to women and translating their experience. This is not the whole story, but it is a reminder that we women cannot be boxed in by the male, and sometimes the female gaze! An important and provocative book.

Madeleine Rees, WILPF Secretary-General and the former Head of Office of the High Commissioner for Human Rights in Bosnia and Herzegovina

Women are not only victims of war. They are also agents who make their own decisions and choices.

This politically correct declaration has been rehearsed many times in policy worlds as well as in feminist studies. Still, in the last two decades there is little evidence that it actually informs international interventions into the lives of women in war, or inspires a broad range of feminist studies on women and war.

This book is an exception. In it, women's capacity to act and make informed choices—even under the gravest of war circumstances—is not just a principal consideration but also a methodological standpoint.

Taking up the topic of sexual relationships, sexual exploitation and prostitution in the peacekeeping context, Olivera Simic examines UN policies that, more or less, collapse those three phenomena into each other and ban all sexual encounters between local women and peacekeeping (predominantly male) personnel. Simic argues against such policy, noting its denial of sexual agency of women, its adherence to dominant gender stereotypes of women's multiple vulnerabilities and men's sexual predation, as well as its imperialist undertones. Rather, she argues, one has to distinguish between an adult and a child, consent and force, voluntary and involuntary actions. Those arguments are supported with empirical study with local women in Bosnia and Herzegovina, and peacekeepers with broad international experiences.

Arguing for "sex positive" approach to prostitution and sexual relations will, undoubtedly, be seen as controversial. And for sure, this book will raise many brows, for many different reasons. Nevertheless, without engaging with those questions head-on, as openly as possible, and without giving lived realities as much consideration as feminist politics and the politics of peacekeeping, all we will be left with are politically correct declarations.

Dr Dubravka Zarkov, Associate Professor, International Institute of Social Studies, The Hague

Preface

Why do many feminists feel uncomfortable talking about consensual sex in times of war? Why is it hard to imagine consensual states of desire during warfare? Is all sex under coercive circumstances rape? These questions haunt me because I know of other stories, other experiences, that tell of consensual sex during the siege of Sarajevo as well as in other cities in Bosnia and Herzegovina (BH) during the war. I have a close friend who lived under the siege in Sarajevo, had sex with her then boyfriend and conceived her son in 1994, an unthinkable year in Sarajevo to have sex. I know of many other babies conceived and born during the war, babies born from love not rape. I know of consensual sex between women and men belonging to different ethnic groups; people who should have been ‘enemies’.

All of this knowledge was on my mind when I attended the Women’s Worlds 2011 Conference held in Ottawa, Canada. It was truly a wonderful event in which almost 2,000 women from 92 countries came to exchange ideas, network, ‘connect and converse’.¹ Each day featured as many as 20 parallel sessions where almost 800 women presented their papers covering the issues of concern for women: refugee women, women in prostitution, women in politics, poor women, women in war and many others. The plenary as well as some parallel sessions were conducted in three languages: English, French and Spanish. Women from all age groups were there and from various social, cultural and economic backgrounds. I particularly enjoyed the plenary sessions where women from marginalized and under-represented communities, such as indigenous, transgendered and women with disabilities featured. In many respects such a gathering was a historic event since many feminists work in isolation, under political and economic pressure and in life-threatening situations. The congress was an opportunity to gather women from around the world and to share women’s accomplishments as well as the struggles and challenges they face in the twenty-first century.

¹ Women’s Worlds 2011, <http://www.womensworlds.ca/>.

The conference also gave me a chance to meet the women behind the articles and books I had been reading. The presence of famous feminist scholars such as Cynthia Enloe and Kathleen Barry meant a lot to me. Because I come from a country wretched and destroyed by civil war, because I experienced war first hand and know what it means to lose one's country of birth, to lose family and friends, to be a refugee and to search and reinvent one's identity,² being present at an academic conference such as this and presenting my work surrounded by such well known feminist thinkers brought many contradictions and pleasures. My long-term academic interest has been in UN peacekeeping operations and peacekeepers in particular in the region of former Yugoslavia, the region I was born in. I did my research on peacekeepers and sexual violence, initially focusing on their involvement in trafficking in women.

However, in my PhD thesis I focused on something quite different. While my thesis focused on peacekeeping, it did not concern sexual abuse but consensual sexual relationships between peacekeepers and local women in BH. I interviewed Bosnian women who had consensual sexual relationships with peacekeepers during the war and in its aftermath. We talked about their desires, experiences and opinions of the UN 'zero tolerance policy' on sexual abuse and sexual exploitation which also 'strongly discourages' sexual relationships.³ I analysed this rich empirical data and was excited about the prospect of presenting the Bosnian women's voices in front of this array of feminist scholars.

But when it was my time to enter this international conversation, I faced something I had not expected. The subject of my paper "Policing the Peacekeepers Sex: The Regulation of Sexual Relationships between Local Women and UN Peacekeepers" seemed to disappoint, because it did not reinforce the prevailing image of the Bosnian woman in war-time; the image of the victim. I was daring to speak of sexual agency during this devastating time of war. I said that the Bosnian women that I interviewed told me that they had various motivations for engaging in sexual relationships with peacekeepers, and that these ranged from love to sex for fun. Maybe love could be imagined as a reason, but who could imagine a Bosnian woman having sex for fun during the war?

My writing is about war, its consequences and the ways in which people are trying to make sense of a violent past, face it and move forward. I have been inspired by feminist thinkers, such as Enloe, Otto, Vance and others who each in their own way talk about women, sex, pleasures and dangers. I know the dangers part very well. Feminist thinking has been an important part of my personal and academic life because of the insights and concern for women victims of war,

² See for example, 'Speaking the Unspeakable, Remembering the Whished to be Forgotten' (2011) 3 (2) *International Feminist Journal of Politics* 247.

³ *Secretary-General's Bulletin, Special Measures for Protection from Sexual Exploitation and Abuse*, ST/SGB/2003/13 (9 October 2003). Sec 3.2 (d): 'Sexual relationships between United Nations staff and beneficiaries of assistance, since they are based on inherently unequal power dynamics, undermine the credibility of the UN and are strongly discouraged'.

particularly the victims of the war in my country and its horrendous rape camps. Rape has always been part of war and BH is no exception to it.⁴ I spent several years researching the sexual abuse of women in the wars in the former Yugoslavia, but then I decided to shift my concern to agency and women who were not victims of sexual abuse but had consensual sex in times of war. I became interested in the contrasting world of consensual sex going on at the same time in BH. I had become overwhelmed with the feminist literature on rape in BH⁵ and the overwhelming image and assumption that Bosnian women are only victims. I do not attempt to deny the fact that women are being taken advantage of in times of peace and war and that they are vulnerable. However, assuming, positioning and constructing women in war as nothing but victims is also harmful to women. What is happening to women during war? Rape, yes, but not only.

I am not the only scholar who is questioning the totalising narrative of victimization that grows out of war. Jasmina Husanovic, suggests that the central question of feminist politics in BH is how to deal with 'loss, rupture, break—mend it, repair it, restore it, repoliticize it, reimagine it, make it creative, politically productive, turn it into the politics of hope, of emancipator politics'⁶ at the same time. Studies on sexual violence against women in wars have contributed hugely to our understanding of the intersections between gender, sexuality, collective identities and violence. However, feminist studies of Yugoslavia, followed by those of the Rwandan war in the late 1990s, largely focused on studies of war rape.⁷ Zarkov suggests that agency and victimisation should be only two of the many possible narratives of the positioning of women within a violent conflict. Instead of assuming the presence of either agency or victimisation, a feminist studying a violent conflict should rather ask when and how agency and victimisation are prioritised in the experiences and representations of war, what other narratives of women's and men's positioning within the war there are, and how they are obscured or denied.⁸

Scully also argues that the rhetoric of the sexual vulnerability of women and girls has serious implications for women's leadership in post-conflict societies. She raises important questions such as the implications of defining a female subject as requiring sexual protection in the context of building a post-conflict society⁹. Her point is that an exclusive focus on sexual violence against women during war and

⁴ Susan Brownmiller has documented this in 1975 in her groundbreaking book *Against Our Will: Men, Women and Rape* (Bantam Books, 1976).

⁵ See generally, Alexandra Stiglmayer (ed), *Mass Rape: The War against Women in Bosnia-Herzegovina* (University of Nebraska Press, 1994).

⁶ Jasmina Husanovic, 'The Politics of gender, witnessing, postcoloniality and trauma: Bosnian feminist trajectories' (2009) 10 (1) *Feminist Theory* 113.

⁷ Dubravka Zarkov, 'Towards a new theorizing of women, gender and war' in Mary Evans, Kathy Davis and Judith Lorber (eds), *Handbook of Gender and Women's Studies* (SAGE, 2006) 231.

⁸ *Ibid* 233.

⁹ Pamela Scully, 'Vulnerable women: A critical reflection on human rights discourse and sexual violence' (2009) 23 *Emory International Law Review* 113.

on their vulnerability in post-conflict reconstruction may hinder the objectives of human rights.¹⁰ Zarkov is also concerned that classical feminist studies of women and war shifted from the conceptualisation of agency and empowerment to a theoretically and politically much more problematic conceptualisation of sexual victimisation and victimhood of civilian women.¹¹ She argues that Eurocentrism, racism and Orientalism have ensured that there have always been women and regions that have been seen as more empowered and emancipated than others. Thus, it has also been very easy to perceive some of them entirely through the prism of victimisation. Not surprisingly, women in the Balkan and African wars have been seen as belonging to the latter group and their sexual victimisation has been seen as the ultimate destiny of women in war.¹² Because of such positioning of BH, there has been no discussion about sexual relationships in war and in the peace-keeping context. The former Yugoslav feminist scholars have focused on rape and sexual violence instead. While this is a fact I am aware of, I was still not prepared for the reactions that followed the presentation of my paper.

I presented my paper on the third day of the conference on a panel dedicated to women and post conflict resolution. Since I have done previous research into peacekeeping and trafficking in women, whenever I presented papers on this topic at feminist conferences, I have always had the full attention of the audience. My talks about sexual abuse, trafficking and peacekeeping were always welcomed and praised. However, this time while I was introducing myself and my research to a room full of international feminists, I started to second guess myself. I soon became aware of unrest in the room. It was almost as if my research into stories about Bosnian women making decisions to enter into consensual/romantic relationships with peacekeepers was 'out of place.' I had never had this feeling before although I had presented this particular research a few times to different audiences in Australia. I tried to shake off my growing sense of discomfort and continued to explain why I had undertaken this work—I was driven to do so by the injustice I felt that was produced by the UN's 'zero tolerance policy' that bans almost all sex between women and peacekeepers. While I was saying this I could not help but think that if I were speaking about trafficking instead of peacekeeping, I would not be getting the same feeling of discomfort. I reminded myself that as a Bosnian woman I had a right, a legitimacy, to explore sexual agency and not just focus on being a victim.

Despite this internal dialogue and struggle to stay optimistic, the more I spoke, the less comfortable I felt. While I continued reading my paper I could see that a few women were expressing quiet anger at what they were hearing. I began to understand a little better about what was happening. Many of my listeners did not want to hear another story that went against how they were used to seeing Bosnian

¹⁰ Ibid 120.

¹¹ Zarkov, above n 7, 230.

¹² Ibid.

women. However, the point of my work was to show the supremacy of the narrative which totalizes women's experiences to 'war kills everything' including sexual desire, further dehumanized women and men already victimized. My work was shattering the image of Bosnian women as only victims of rape and trauma. I was trying to show that, even during war-time, some Bosnian women had sexual agency with a freely expressed sexuality and a greater sense of bodily integrity than had been discussed before. I even dared to say that some women had told me that they had wanted 'only sex' and nothing else from the peacekeepers. This revelation seemed like a revolution, like something unbelievable, unimaginable. How could we imagine Bosnian women during the bloodiest war in Europe since WWII as having a desire to enjoy sex under the bombs and the bullets? Even as I said the words, I heard with their ears and could understand why such an image sounded unreal, distorted, even insulting. To imagine something so intimate in times of destruction is hard but it nevertheless is a fact of life. The desires for love and sex do not stop with the beginning of war but they become wretched and intermingled with war. Lepa Mladjenovic, a well known feminist activist from Serbia, in her 1998 letter to Women in Black activist Joan Nestle writes:

From the beginning of wars in this region from '91 I felt that I have to invent 'Ten thousand ways' to let my lesbian desire breathe. At some moment during the last eight years it was not easy for me to put in words how do I feel when making love with a woman and in the back there is a radio with the news of war. Killed, or expelled or other fascist acts. In my room, I would not be able to stand up from the bed, leave the desired bodies and switch off the news, also because I thought the respect to the killed I will show by not switching off the radio.¹³

This powerful excerpt from Lepa's letter to her friend is telling us that war is destructive but it does not stop all lives. The living continue to have ordinary sexual desires. In times of war people have a greater desire to live and learn to appreciate and not take for granted every day they awake. In a classic, 'A woman from Berlin', a woman who wrote a diary during the fall of Berlin in 1945 writes,

There is no doubt that the threat to life enhances the will to live. I myself am burning with a more intense and larger flame than before the war of bombs. Each new day of life is a day of triumph.¹⁴

I, however, began to understand more about the complexities and problems presented by my paper as the day progressed. During question time, one woman asked me where I included trauma and victimhood in my work on Bosnian women. I answered,

Yes, I know that the vast majority of Bosnian women were victimized and many raped during these times, I am not trying to deny that, but I am trying to explore other moments as well, to see if moments of agency can exist in such a place and time and what we can learn from this. Can these women despite trauma have consensual sex in times of war and its

¹³ The email correspondence between Lepa and Joan on the file with author.

¹⁴ Anonymous, *A Woman in Berlin* (Secker and Warburg, 1955), 27.

aftermath? Does the fact that the vast majority of Bosnian women are victimized and many of them raped diminish expression of their agency?

I was struck by this exchange, because I had never before seen Bosnian women only through this lens of victimhood. Maybe this is because I am Bosnian, and I don't see my friends and other women only as victims. I know many of them are, but they are also courageous women who keep struggling to make life, to keep loving. Why is it so uncomfortable to talk about Bosnian women as women who made decisions to have sex with peacekeepers or local men, and some of them not for long-term commitment but just for their pleasure? I believe that we need to allow these 'other' voices to be listened to too.

Another response from a woman in the audience showed me how deep these questions can go. She commented that European women are 'certainly different' from African woman and that African women need 'more protection.' Are all African women victims? Where does the discussion of agency come here? Are we going to homogenize all women on the African continent as victims who need protection or at least more protection than European girls and women? Are we going to compete for victimhood status? Of course, women do need protection from sexual violence, but not from consensual sex. I am not convinced that European girls are 'less vulnerable' than African girls in times of war and that their experiences are so vastly different when it come to consensual sex but only more research and thinking beyond the box of victimhood will give better answers.

I understand I am walking that famous tightrope between pleasure and danger spoken about in Carole Vance's classic anthology, but I did not think talking about agency would be heard and felt as diminishing the trauma that Bosnian women suffered during and after the war. I was learning that it sounded almost indecent to talk about these women as something other than victims of rape. Some of the feminists hearing my paper were not used to or perhaps had never heard anything else about Bosnian women except the history of victimization. As I have indicated previously, there is a huge body of scholarly literature on Bosnian women as victims and in some way, this has helped to create this almost stereotypical thinking—there is only one Bosnian woman, the victim. Any attempt to discuss her in other ways is seen as rude, indecent and damaging. Any attempt to broaden the discussion, to 'unpack' the Bosnian woman subject from the existing framework is a dangerous and thankless task. This is why it is important to continue to keep questioning the many hidden and precious Bosnian women identities that will shed light on their agency, resilience and courage despite the horrors they faced.

On the last day of the conference, I was attending a session organized about Bosnia, Somalia and the subject of rape. A woman sitting in front of me seemed rather surprised when I told her that I was not raped or sexually assaulted during the war. I was shocked to think that this woman and probably other women in the room thought of me as a possible victim of rape only because I had introduced myself as a woman originally from Bosnia. Whenever I spoke, women would look at me with empathy and understanding and that sort of silent respect we show towards victims.

It is difficult to escape from the prism of victimhood and be seen as more than a victim. I do not exist in a vacuum and it is not enough that I don't see myself as victim. I may decide not to identify as such, but I cannot stop others from viewing me in this way. Yet I want Bosnian women to be seen as something more than creations of the war. I respect our victimhood, but at the same time, with this book I want to dismantle the prevailing power of this image and show the complex lives that coexist with it.

Brisbane

Olivera Simic

10 February 2012

Acknowledgements

I am grateful to all those who have stood by me and supported me throughout the book writing process. This book builds upon a doctoral thesis undertaken at the University of Melbourne, Law School. My greatest appreciation is for my two supervisors, Professor Dianne Otto and Associate Professor Michelle Foster, whose knowledge, wisdom and guidance have been invaluable and integral to the completion of this book. I am also very grateful to my examiners, Professor Hilary Charlesworth and Dr Paul Higate, who provided thoughtful and constructive comments, which I found most useful in improving my book.

Appreciation also goes out to Professor Carolyn Evans, Dean of Melbourne Law School, and to the Institute for International Law and the Humanities staff for all the instances in which their assistance helped me along the way. I would also like to express my gratitude to the Melbourne Law School who provided me with a comfortable intellectual and environment in which I could thrive, study and write.

I recognise that this research would not have been possible without the financial assistance of the Melbourne International Research Scholarships, Melbourne International Fee Remission Scholarships, and express my gratitude to those agencies.

I am in particular thankful to my principal supervisor, Professor Dianne Otto, whose dedication to my research and insightful comments have challenged me intellectually and stimulated my thinking and growth during the doctoral process. Her encouragement, support and feedback after reading numerous drafts were extraordinary. I doubt that I will ever be able to convey my appreciation fully, but I own her my eternal gratitude.

Special thanks to my husband Stojan Ignjatovic who has been a steady source of support and encouragement throughout the ups and downs of the doctorate research process. I am very grateful for the friendship and hospitality of Yoriko Otomo, Iva Puker, Lia Kent, Nesam MacMillan, Joan Nestle, Fayen d'Evie, Katsuhiko Suganuma, Terry Martin, Zala Volcic, Daniel W Muriu and Takele S Bulto. I also thank Madonna Adcock for her fantastic technological help, and to the Griffith Law School and its staff who helped me to get through the final stages in completion of this book. I am also grateful for the assistance of the team at Springer, especially Anke Seyfried and Manuela Schwietzer.

My sincere thanks and deepest gratitude are owed to the women from Bosnia and Herzegovina, and the peacekeepers who shared their perspectives and experiences with me. This book would not have been possible without their openness and generous contributions of time. I hope that I have done justice to their courage and integrity.

Last, but not least, I wish to thank my family and friends who have shown their immeasurable support and encouragement in all aspects of my life. I dedicate this book to my parents, Desimirka and Milenko Simic, for giving me the space and opportunity to go where I want to in life and for providing the unconditional love, confidence and support to get there.

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