

Sexual Exploitation by UN Peacekeeping Forces

A Feminist Analysis of the Gender and Class

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Abstract- The following paper will be divided into three parts. The first part will define Peacekeeping operations; defining peacekeeping operations with regards to the UN resolutions and agreements, as well as discuss the evolution of peacekeeping missions and their personnel. The second part will tackle the scope of the problem regarding sexual exploitation by UN peacekeeping forces where both sides of the same coin will be represented; the victim and the perpetrator. The third part will present the UN-led solutions to put an end to sexual exploitation committed by UN peacekeeping forces. Lastly, a conclusion and recommendations to eradicate sexual exploitation by UN-peacekeeping forces will be presented.

Index Terms- UN, Peacekeeping, Sexual Exploitation, Gender, Class, Exploitation, Women, Children

I. INTRODUCTION

“In order to escape accountability for his crimes, the perpetrator does everything in his power to promote forgetting. If secrecy fails, the perpetrator attacks the credibility of his victim. If he cannot silence her absolutely, he tries to make sure no one listens.”

~Judith Lewis Herman, *Trauma and Recovery: The Aftermath of Violence – From Domestic Abuse to Political Terror*,(1997)

“When ma asked me to go to the stream to wash plates, a peacekeeper asked me to take my clothes off so that he can take a picture. When I asked him to give me money he told me: no money for children only biscuit.”

This citation is from a young lady in one of the refugee camps in the nations of the Mano River Sub Region in West Africa where United Nations High Commissioner for Refugees (UNHCR) and Save the Children UK (SCUK) did an examination about asserted sexual misuse and mishandle by peacekeepers in 2002. While their report had eminent media scope and open clamor, the claims about peacekeeper's association in sexual wrongdoing had been a topic of discussion since the 1990s. Judith Lewis Herman stated that perpetrators attempt to promote secrecy and silent the attention given to a topic, which could explain why sexual exploitation by UN peacekeeping forces took almost a decade in order to be set as a critical agenda topic in the UN. Sexual Exploitation by UN peacekeeping forces, if one would analyze it from the

perspective of a post-colonialist or socialist, is only a reflection of the existing gender stereotypes and reinforced by racial and class discrimination where the perpetrator is subconsciously exercising their belief that women/children are inferior to men, and those of the “third world” of inferior status than one is.

The UN defined Sexual Exploitation in 2003 as by the Secretary General's Bulletin “Special measures for protection from sexual exploitation and abuse” (Doc ST/SGB/2003/13) as “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. Similarly, on the other hand, he considers sexual abuse as “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”. Henceforward, the UN Secretary General has divided the definition of sexual exploitation into two categories: exploitation and abuse, each mutually inclusive. The main focus of this paper is to fully investigate whether there is a correlation between sexual exploitation by peacekeeping forces and gender and class discrimination. These definitions, supposedly, criminalize the act of sexual violence, exploitation, and abuse or any sexual relation, regardless of age or consent of the person, for that matter, seeing that the peacekeepers mission is to protect and not to perpetrate or cause further distress for the victims who are at a disadvantage and the power distribution in the relationship would be unequal (Stern, 2015). This problem is a problem without a passport because, as defined, it has grown beyond the capability of individual states to manage the problem, which in turn required an international organization such as the United Nations had to intervene to find a solution for the problem.

The following paper will use a feminist theoretical framework in analyzing the issue at hand. The reason Marxist feminism is the most appropriate framework to use is mainly due to its bottom-up approach to policy matters, i.e. the framework draws on the social dynamics to explain the subsequent policies that emerge out of the society-government relationship (Raico, 1992). While other frameworks, such as realism, liberal institutionalism, and neo-realism are top-down approaches, meaning that they are state-centric approaches, analyzing the public sphere as a government-society relationship believing that government decisions are reflected in the society and not the other way around. The issue at hand is a social issue which requires policy modification and special attention to it, henceforward a Marxist approach where power differences between the sexes are investigated based on their economic status to explain sexual violence, exploitation, and abuse by one sex (Raico, 1992). Unlike liberal feminism, which

is inherently imperialistic, due to the idea that one group of women, mainly those inhabiting the global north, know what “all” women need and should want without appropriating cultural differences or including the differences in needs in the equation, making liberal feminism an imperialist and discriminatory paradigm where one, supposedly, possesses better knowledge of what is needed to achieve gender equality (Whol, 2014).

The following paper will be divided into three parts. The first part will define Peacekeeping operations; defining peacekeeping operations with regards to the UN resolutions and agreements, as well as discuss the evolution of peacekeeping missions and their personnel. The second part will tackle the scope of the problem regarding sexual exploitation by UN peacekeeping forces where both sides of the same coin will be represented; the victim and the perpetrator. The third part will present the UN-led solutions to put an end to sexual exploitation committed by UN peacekeeping forces. Lastly, a conclusion and recommendations to eradicate sexual exploitation by UN-peacekeeping forces will be presented.

II. EMERGENCE AND EVOLUTION OF PEACEKEEPING

Peacekeeping Operations have risen at the beginning of the Cold War when a bipolar atmosphere ruled the international realm. The hegemonic powers, the United States and the former Soviet Union and their acquisition of satellite/client states led to a series of proxy wars. Coupled with the rapid process of decolonization and the increasing numbers of newly independent states, an alternative to fulfilling the mission of the United Nations, providing global peace and security, had to be created due to the constant vetoing, i.e. blocking, of UN resolutions to block the Collective Security System to end the Cold War. Peacekeeping emerged as an alternative to the security dilemma and as a measure to deal with conflicts and post-independence instability in order to hinder them from developing into major wars (Ndulo, 2009). When the United Nations Truce Supervision organization (UNTSO) in 1948, which was directed to peacekeeping in the Middle East, after the declaration of the State of Israel had led to tension in the region between Israel and its neighbors. This tension called for a UN-led force, the peacekeepers, to ensure that an Armistice Agreement between Israel and its Arab neighbors would be

III. SEXUAL EXPLOITATION AND ABUSE: THE SCOPE

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upheld.

The scope of operations by peacekeeping forces was detailed in Virginia Fortna’s book “*Does Peacekeeping Work*” where she stated that there are four-levels of operations on which the peacekeepers function: 1) Observation Missions; typically unarmed aggregate of civilians and military personnel who monitor and uphold the ceasefire, withdrawal of troops, and any other stipulations in the ceasefire agreement. 2) Traditional Mission; lightly unarmed military forces who serve as a buffer-zone and report anomalies and hostilities. 3) Multidimensional Missions; where lightly armed military and police personnel act as supervisors and observers to ensure that post-conflict zones gradually slide into a state of peace and stability. And lastly, 4) Peace Enforcement Missions; civilian and military personnel who were deployed under Chapter VII of the UN Charter by the United Nations Security Council to “prevent the outbreak of conflict or the spill-over of conflict across borders; Stabilize conflict situations after a ceasefire, to create an environment for the parties to reach a lasting peace agreement; Assist in implementing comprehensive peace agreements; Lead states or territories through a transition to stable government, based on democratic principles, good governance and economic development.”(UN Peacekeeping Operations). There are currently 16 Peacekeeping operations around the world which can all be found in the “Zeid Report” (Doc A/59/710). It is important to note that all UN peacekeeping personnel are regarded as “international actors serving the UN” (Salya, 2014).

Many UN Peacekeeping operations could be considered to have been successful, such as the peacekeeping operations in Cambodia, El Salvador, Guatemala, *inter alia*, Mozambique, and proof of that is the fact that Peacekeeping has been awarded the Nobel Peace Prize in 1988. However regardless of their success in maintaining peace and security, they have definitely failed to fulfill their humanitarian role, seeing that the nature of UN peacekeepers is strictly militarily, the military based training of soldiers without training in the attitude required, ranging from sensitivity to appropriate amounts of empathy in order to be able to approach the society they are stationed in, was lacking. The rigid military based training has led to a problem, where a detachment and a form of dehumanization of the subjects they are overseeing has accumulated, in turn leading to the sexual exploitations and abuse we will later discuss.

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IV. FACTORS CONTRIBUTING TO SEXUAL EXPLOITATION

Regrettably, there are a variety of factors that affect the issue of exploitation and abuse. I will go through some of them by analyzing them from the perspective of the victims and the perspective of the perpetrators. However, for clarity purposes, it should be mentioned that sexual exploitation and abuse are considered to be inevitable, yet not exclusive, outcomes of the lack of law enforcement and the breakdown of the state into a war-zone or conflict territory. In war-torn states, women, unfortunately, are the primary subject to sexual exploitation and abuse, seeing that they have become part of the “new war strategy” in which rape and sexual violence are commonly used in wars, especially civil wars, to terrorize, distort, and cause fragmentation within communities on the nuclear level (UNICEF, 2016). Sometimes, women who have been subject to “Systematic rape is often used as a weapon of war in 'ethnic cleansing'” because it “erodes the fabric of a community in a way that few weapons can. Rape's damage can be devastating because of the strong communal reaction to the violation and pain stamped on entire families. The harm inflicted in such cases on a woman by a rapist is an attack on her family and culture, as in many societies women are viewed as repositories of a

community's cultural and spiritual values” (UNICEF, 2016). Nonetheless, it should not be assumed that sexual violence and exploitations are natural outcomes of wars, rather it should be noted that they are evitable political and economic actions perpetuated by social and gender inequality (Martin, 2005). Furthermore, it is worth noting that perpetrators can include local communities such as teachers, police personnel, and sometimes even family members. However, the data supports that children have been subjugated to abuse and exploitation by members of international organizations (Csaky, 2008).

a) The Victims: Local Population

Firstly, Save the Children UK establishes that among the victims are children, young women, and adult women. Orphaned children and children who lost their parents are more exposed to sexual exploitation since the parents are the primary defenders for children (Csaky, 2008). Subsequently, not being a piece of a family could be the principal contributing variable.

Secondly, victims are emphatically impacted by the condition of their neighborhood after ceasefire has been established. They live in degraded destitution, so they have an absence of income opportunities and an ensuing failure to meet fundamental survival needs. They are additionally presented to a high unemployment rate. Therefore, prostitution in such situations at times turns into the main income for some families (Ndulo, 2009). The report of UNHCR and SCUK affirms that in West Africa the association of children and women in sexually exploitative connections has turned into a system for survival for the severely damaged families. However, this is not an invitation nor an excuse for peacekeepers to exploit and abuse locals whose vulnerability and need forced into performing drastic measures for survival purposes.

Thirdly, difference in power relationships between the locals and the peacekeepers could also encourage further exploitation and abuse by peacekeepers. Peacekeepers are at a significantly powerful position in the states they are deployed to, where the locals are at an obvious economic and social disadvantageous position in relation to the peacekeepers. This unequal power dynamic between locals and peacekeepers encourages those who are already exploiting their position to get their way or what take advantage of the dire the economic situation for their personal gain.

b) The Perpetrators: UN peacekeepers

A few peacekeepers don't have any hindrance to submitting sexual manhandle. The principal contributing factor to their impunity is mainly a result of the fact that they enjoy immunity from the local authorities in which they are stationed and this immunity can be waived, even by the Secretary General of the UN (Rawski, 2002). “The UN does not have the power to criminally prosecute its officials or peacekeepers, but it can lift their immunity from prosecution where they are serving. It also can fire or suspend peacekeepers and send them home to face justice” (Farley, 2004). However, if it were to be waived by the SG, under which law would these peacekeepers be prosecuted? Whose side is to be believed, the peacekeepers, the trained UN official, or the victim, traumatized by war and conflict? What if the law of nation of the peacekeeper does not prosecute criminal actions committed outside their territories, who will hold the perpetrators accountable?

Secondly, a hyper-masculine and chauvinistic peacekeeping atmosphere has been fostered, which aggravates the factors contributing to the dilemma. For centuries the military has been a male-dominated occupation, and the lack of proper zero-tolerance trainings, coupled with the notion that men are superior to women, have all filtered through to give peacekeeping personnel a sense of being better or even entitled to act upon their superiority through exploitation and abuse. Although some efforts have been made to increase the presence of women in peacekeeping forces, the ratio of males to females has not even reached a critical mass (Simic, 2010). Unfortunately, the fact that there are as many bystanders as perpetrators is even more concerning, especially drawn on the issue of membership and communal brotherhood to the peacekeeping force that some peacekeepers fear being outcastes or being labeled as the “whistle blowers” (Martin, 2005).

Thirdly, conflicts usually arise in developing countries, where a culture of “silence” has been fostered and lead to an under-reporting of sexual abuse. Paul Higate argued in his paper that some peacekeepers perceived the situation to be so bad that they did not believe they could make it any worse by their individual actions (Higate, 2004). The culture of silence, in addition to the hyper-masculinity of the institution and the impunity of the perpetrators all filter to the increasing phenomena of sexual exploitation.

V. SOLUTIONS PROPOSED BY THE UN

The following passages will address the different attempts by the UN to control and end sexual exploitation by UN staff members. The focus of this part will be on efforts by the UN to establish and pass preventive as well as enforcement measures resolutions in order to eradicate the entire process. Firstly, this part will investigate the preventive measures that the UN has tried to take in order to stop sexual abuse and exploitation by peacekeeping forces. The second part will focus on enforcement measures the UN has adopted to put an end to sexual exploitation and abuse.

a) Preventive measures

Preventive measures are not common for the UN seeing that it is a problem-oriented institution that pursues mechanisms to solve an existing issue without further investigating and exploring the root of the problem and why it persists to exist or for that matter to see why it has occurred to begin with, i.e. solution-oriented approaches (Betrad, 1995). The efforts of the UN however are admirable. The UN adopted a zero-tolerance policy in which it stated “The United Nations, and I personally, are profoundly committed to a zero-tolerance policy against sexual exploitation or abuse by our own personnel. This means zero complacency. When we receive credible allegations, we ensure that they are looked into fully. It means zero impunity.” (UN, 2003). However, the attempts by the UN and especially the Secretary General have failed to hold perpetrators criminally accountable for their sexual exploitation. Nonetheless, efforts to combat sexual exploitation and abuse by UN peacekeeping forces continued. Two documents were publicized by the Department of Peacekeeping Operations in 1996: “Ten Rules: Code of Personal Conduct for Blue Helmets” and “We Are

United Nations Peacekeepers” (UNCDU, 2016) which both were later incorporated into the Memorandum of Understanding (MoU), which should have made them binding where it stated: “It is recommended that the General Assembly decide that those standards should be incorporated into the model memorandums of understanding between the United Nations and troop-contributing countries and that the model memorandum of understanding should require that troop-contributing countries issue those standards in a form binding on their contingent members (Doc A/59/710, paragraph 25).”

Despite the efforts of member states, the problem persisted to exist, where although the document was legally binding, states would need to individually ratify the agreement for it to come into force. Awareness raising campaigns and training were also part of the UN’s effort to stop the wrongdoings of peacekeepers, however evidently this was not successful, otherwise a criminal prosecution of the perpetrators would have occurred by now. Indeed, the problem lies in the patriarchal structure of the peacekeeping force, and how the peacekeepers possess a sense of entitlement and superiority attitude when being delegated by their states to maintain peace and security. Here one can observe an principal-agent problem (Gailmard, 2010). Where states (principals) delegate peacekeeping forces (agents) to carry out peacekeeping missions. However, due to budget constraints, monitoring the agents have become more or less difficult which in turn led to agents developing an independent agenda from their principals (agent’s slippage) (Elsig, 2010).

b) Enforcement measures

Usually, when sexual exploitation cases emerge, enforcement measures more often than not prosecute the perpetrator, if the allegations against them is true. In the case of sexual exploitation by UN peacekeeping forces, the UN General Assembly adopted the Secretary General’s Bulletin in order to effectively and fairly investigate sexual exploitation cases (Doc A/RES/57/306, paragraph 10). However, once more we are faced with the issue of legality and as a fact, the UN General Assembly resolutions do not have any legally binding power, only resolutions passed by the UN Security Council under Chapter VII have a binding enforcement power, and international legal prosecution for defectors (Öberg, 2006). Furthermore, the UN established a Conduct and Discipline Unit that records the number of cases brought forth against UN personnel and forwards those to the Investigations Division of the Office of International Oversight Service to carry out a thorough investigation. However, due to the lack of access to information or the allocation of victims in conflict zones, the cases are usually dismissed (Laville, 2015).

Deferral of the perpetrators to their member states for them to be criminally held accountable for the sexual violations they have committed is also an option. However, very few states actually have the legal capacity or humanitarian conscious to carry out criminal prosecution against their own nationals (HRW, 2014). States rarely have laws enacted that criminalize extraterritorial violations of human rights and international law, which further complicates the process of bringing perpetrators to justice (Steffen, 2010). The patriarchal nature of countries in which peacekeeping forces were deployed helped in the process

of normalizing the actions of peacekeepers and reinforce the idea that 'they cannot make the situation any worse for women' (Barss, 2000).

VI. CONCLUSION

This essay attempted to test the hypothesis of whether the United Nation's efforts to combat sexual exploitation and abuse by peacekeeping forces were in fact successful or not. Having discovered that cases of sexual exploitation had only gained attention in 2003, after almost 50 years of peacekeeping operations had been initiated, shortcomings of the United Nations to ensure that its mission of maintaining peace and security on a global, and here, on a domestic level were to be observed, seeing that the protectors, the peacekeepers, delegated by member states of the United Nations became the threat for the individual security of women in conflict zones.

The paper was analyzed through a Marxist feminist perspective, seeing that it is the most appropriate one to be employed in analyzing the issue of sexual misconduct based on the hypothesis that it was motivated by gender inequality and class discrimination, where other theoretical frameworks had fallen short on analyzing a social issue due to their state-centric nature of analyzing international and transnational phenomenon such as sexual exploitation.

The research found evidence to support the hypothesis that gender and class discrimination had in fact hindered the process of realizing the mandate set out by the UN and verbalized in the UN charter, where sexual misconduct was a force of deepening insecurities for already vulnerable societies torn apart by war and conflict. The research supports that administrative and comprehensive cooperation to end exploitation and misconduct were lobbied for, however under the circumstance of the UN charter and the fact that only a handful of resolutions are passed on to the security council in order to be passed under chapter VII making the resolution legally binding to the member states who sign it were observed. This in turn has undermined the mandate set forward to peacekeeping operations and led many skeptics and societies to fear peacekeepers instead of welcoming them. Consequentially, many societies and states torn apart by conflict regressed to attempting to internally solve the issue and discouraging any peacekeeping operation from being initiated in their countries.

Efforts by the UN covered preemptive and enforcement issues which may have been successful if an agent-slippage had not occurred; where the agents (peacekeepers) diverted, but also even established, their own independent agendas that were sometimes conflicting to those set forth by their principals (member states). An institutional as well as administrative deficit could therefore be witnessed in the pragmatic sense. The disconnection and distance of the member states from the realities occurring on the grounds, i.e. conflict zones, had delayed and aggravated the misconduct, which could have been prevented if a free flow of information and a careful monitoring process had been instigated.

Peacekeepers are categorized as UN staff members, which gave them impunity against all kinds of criminal prosecutions in their host countries. Furthermore, if a well-established system of

accountability had been put forth in individual countries holding perpetrators criminally liable for extraterritorial human rights violations and misconduct, then peacekeepers' attitudes and consequentially behaviors and actions could have been altered. It is, in my opinion, the notion of "carelessness" by the nation states' legal systems that gave peacekeepers a sense of superiority over the subjects there were assigned to protect. In turn, the carelessness of the international system coupled with the lack of accountability and hyper-masculinity of the patriarchal international environment have filtered through to make children, young girls, and women, the primary targets of viscous actions.

The UN's response to this problem was implementing a zero-tolerance policy after the recommendations Prince Zeid's recommendations in 2005. However, due to the fact that international institutions do not have an enforcement strategy or the capacity to criminally prosecute individuals, it became counter-effective to instigate this policy. However, it should be stated that the UN has held many training sessions and awareness programs, especially for peacekeepers in order to try and lessen the issue from reoccurring.

Gender and class discrimination coupled with a system where accountability and enforcement are limited to one organ all assisted in the continuation of the sexual violations by peacekeeping forces. The researcher therefore recommends that resolutions passed from the UN General assembly should be referred to the UN Security Council and passed under Chapter VII of the UN Charter in order for it to have legal grounds and therefore perpetrators can be held accountable for their actions. Moreover, the researcher proposed that a grass-root approach to ending gender discrimination should be adopted on an international scale by International organizations with the assistance of Non-Governmental Organizations, who, in the field of field-work, possess more information regarding societal needs, therewith eliminating the chance of imperialist approaches to the problem.

A conclusion section is not required. Although a conclusion may review the main points of the paper, do not replicate the abstract as the conclusion. A conclusion might elaborate on the importance of the work or suggest applications and extensions.

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