

Rethinking 'sexual exploitation' in UN peacekeeping operations

Author

Simic, Olivera

Published

2009

Journal Title

Women's Studies International Forum

DOI

[10.1016/j.wsif.2009.05.007](https://doi.org/10.1016/j.wsif.2009.05.007)

Rights statement

© 2009 Elsevier. This is the author-manuscript version of this paper. Reproduced in accordance with the copyright policy of the publisher. Please refer to the journal's website for access to the definitive, published version.

Downloaded from

<http://hdl.handle.net/10072/37882>

Griffith Research Online

<https://research-repository.griffith.edu.au>

Abstract

This article will question definitions used by researchers in their studies of “sexual exploitation” in UN peacekeeping operations. The article will suggest that there is confusion about the definition of “sexual exploitation” among scholars undertaking empirical studies and exploring “sexual exploitation” issues in several peacekeeping missions, but also among UN peacekeeping personnel and local people. I look closely at nine empirical studies and explore the language used, the definitions of “sexual exploitation”, the identified causes of “sexual exploitation” and difficulties of gathering evidence in cases of “sexual exploitation”. My article will suggest that the term “sexual exploitation” is broadly defined and contentious, and might cover activity that is not necessarily “sexually exploitative”. The article concludes that researchers have not questioned the over inclusive and broad term of “sexual exploitation” defined in the Secretary General’s ‘zero tolerance policy on sexual exploitation and sexual abuse’ and, consequently, conflate all forms of sexual relationships with forced prostitution, rape, human trafficking and other forms of sexual offences.

Introduction

Although allegations about the involvement of UN peacekeeping personnel¹ in “sexual exploitation”, primarily of women and children, gained some official credence in the early 1990s, it was not until 2002 that UN policies began to address the issue in a comprehensive way. In addition, while studies of peacekeeping had identified the issues of “sexual exploitation” within peacekeeping contexts as a problem (Higate 2003; Higate & Henry 2004; Refugees International, 2005; Save the Children UK 2006), none of them critically explored the definition of “sexual exploitation” which seemed to cover the whole range of sexual interactions between UN peacekeeping personnel and local people, including consensual sexual relationships. This lack of clarity was reflected in the comprehensive policy spelled out in the Secretary General’s Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (the SGB), known as the ‘zero tolerance policy’, which was adopted in 2003 (UN Doc ST/SGB/2003/13).

The ‘zero tolerance policy’ bans almost all sexual activity between UN peacekeeping personnel and local women in order to prevent “sexual exploitation”. The bans do not only prohibit any ‘exchange of money, employment, goods or services for sex’ but also ‘strongly discourage sexual relationships between UN staff and beneficiaries of assistance since they are based on inherently unequal power dynamics’ (Section 3.2 (c) and (d) of the SGB). The ‘zero tolerance’ is applicable in all peacekeeping operations and must be implemented accordingly.² Gayle Rubin argued more than twenty years ago when she coined the concept of ‘sex panic’, there are periods in which the state and different state institutions ‘routinely intervene in sexual behaviour’ and mobilize to attack and oppress all whose sexual tastes are different from those ‘allowed’ by the

currently dominant model of sexual ‘correctness’ (Rubin, 1984, p. 288). The idea of a ‘sex panic’ might well describe the recent UN interventions to prohibit “sexual exploitation” in the context of peacekeeping operations. Indeed, a ‘sex panic’ makes it relatively easy for the international community of states such as the UN, to endorse new policies and laws that extend their power to directly regulate the erotic behaviour of women (Franke, 2004; Otto, 2007, p. 265).

While there is a growing concern within the international community regarding “sexual exploitation”, critical analyses of the ways this issue is currently being addressed, introducing the zero tolerance policy, are lacking. Thus far, few feminists have been critical of the zero tolerance policy. One critique, developed by Dianne Otto, addresses the over-inclusiveness of the definition of “sexual exploitation” in the context of UN peacekeeping operations which extends to include consensual sex between local people and peacekeepers (Otto, 2007, p. 260). She argues that the SGB treats (almost) all sex as coercion, and completely ignores the environment that is concerned with agency and survival (p. 260). Also, Jennine Carmichael argues that grouping sex with ‘humiliating or exploitative behaviour’³ implies that all sex, ‘or at least sex between foreign men and local women’ is a harmful experience, ‘particularly when a transactional exchange is involved’ (2006, p. 29).

The question of whether prostitution and some heterosexual relationships are “sexually exploitative” is at the core of the division between feminists who endorse the ‘zero tolerance policy’, and those who do not. For those who argue that sex under the conditions of gender inequality and prostitution are forms of “sexual exploitation”, the ‘zero tolerance policy’ seems to be well designed as it reflects the radical feminist position which claims that prostitution degrades, objectifies and

exploits women (MacKinnon, 1989; Barry 1995; Jeffreys 1997). Catherine MacKinnon and Andrea Dworkin, for example, argue that heterosexuality is constructed within a patriarchal culture that imposes male power on its “female victims” through sexuality, including sexual relationships (Dworkin, 1981, p. 24; MacKinnon, 1987, p. 131). According to MacKinnon, if heterosexuality is practiced under conditions of women’s inequality, then such heterosexuality is ‘the eroticisation of male dominance and women’s submission’ (1987, p. 29). Many radical feminists, like MacKinnon, believe that under conditions of gender inequality all heterosexual relationships are inherently non-consensual.

On the other hand, Doezema argues the authorities often ‘regulate female sexuality under the guise of protecting women’ in order to give ‘power to police and (to) control the lives of women, especially working class women’ (Doezema, 2000, p. 3). The measures like the ‘zero tolerance policy’, which aim to protect the “victims of sexual exploitation”, regulate the erotic and sexual behaviour of local women so as to divert attention from the real problems such as the feminization of poverty and lack of alternative options for women in post conflict societies (Otto, 2008). While apparently recognising these problems, the ‘zero tolerance policy’ does not specifically address them nor suggest the alternative forms of income which would support women in the aftermath of conflict. Thus, the ‘zero tolerance policy’ does not offer to the ‘vulnerable population’ it aims to protect anything except the ban of almost all sex between them and UN peacekeeping personnel. Due to the inadequacy of such an approach, this paper will not follow Dworkin’s position, but rather critically pursue Otto’s approach and consider problems that may arise from a blanket ban of sexual relationships in the context of peacekeeping operations.

Studies in “Sexual Exploitation” in UN Peacekeeping Operations

Between 2002 and 2008 there were nine empirical studies on “sexual exploitation” in peacekeeping settings undertaken by different agencies and scholars. Three by the UN Office of Internal Oversight Services agency (OIOS), one by the UN High Commissioner for Refugees (UNHCR), two by scholars (Higate and Gustaffson) and three by international non-governmental organizations (Save the Children UK and Refugees International). Countries that served as case studies for the empirical research were: Guinea, Liberia, Sierra Leone, the Democratic Republic of Congo (DRC), Haiti, Bosnia and Herzegovina and Kosovo. The studies had different aims, their scope varied and they employed different methodologies, although they shared the common purpose of exploring the problem of “sexual exploitation” in the UN peacekeeping context.

The first study was published in 2002, when the UNHCR and Save the Children UK made public their findings on “sexual violence and exploitation” of children based on discussions and interviews in three West African countries. The research was initiated due to growing concerns about the nature and extent of “sexual violence and exploitation” of refugee, IDP and returnee children in Guinea, Liberia and Sierra Leone. The main aim of the study was to gather information about the scope of the problem and the response from different actors in the field such as UN agencies, governments, NGOs, refugee and IDP communities and children themselves.

Following this report, in October 2002, the OIOS launched the report on their investigation into “sexual exploitation” of refugees by aid workers in West Africa. This report was initiated by the UNHCR who suggested to OIOS that they review the allegations of “sexual exploitation” of female refugees that arose from the earlier report. The OIOS investigation team conducted extensive interviews with refugees, NGO staff and UNHCR staff in order to verify the stories reported by the UNHCR and Save the Children UK. The OIOS found that many of the specific allegations against aid workers could not be confirmed and that ‘the impression’ that ‘sexual exploitation’ by aid workers was widespread is ‘untrue and misleading’ (2002, p. 14).

The third study was undertaken by Paul Higate who has published several scholarly papers related to “sexual exploitation” in UN peacekeeping operations over the last few years. His main study was carried out in the DRC and Sierra Leone in 2003 and his other papers and analyses build upon this work. Higate undertook ethnographic observations and informal discussions, as well as face-to-face and in-depth interviews, at Peace Support Operation headquarters in Freetown and Kinasha with 45 peacekeepers including military observers, UN civilians, NGO staff and members of civil society in the two fieldworks sites. The main aim of his empirical study was to understand the ways in which peacekeepers ‘constructed their masculinity in relation to local women’ (Higate & Henry, 2004, p. 488). The focus of the author was not exclusively on prostitution, but rather to explore peacekeepers’ perceptions of gender and gender relations more generally in the field. Higate found that the issue of sexual liaisons between peacekeepers and local women raised by peacekeepers themselves demonstrated the ‘centrality of sexual relations to their identity as men’ (Higate & Henry, 2004, p. 489).

The fourth study was published two years later, in 2005, when Sarah Martin interviewed peacekeepers and women in Liberia and Haiti for Refugees International.⁴ The report looks at the causes of “sexual exploitation and abuse” by peacekeepers, the efforts made by the UN to address the problem and makes recommendations for further action. It argues that a ‘hyper-masculine’ culture has evolved within peacekeeping missions which encourages tolerance for extreme sexual behaviours and that ‘the only way that sexual exploitation and abuse can be ended in UN peacekeeping missions is if the policies are developed in a transparent manner and compliance is guaranteed by an outside independent organization’(Refugees International, 2005, p. 27). In addition, Martin and Gantz undertook a two week assessment mission in Haiti in July 2005. This mission was in response to the allegations of rape of a young Haitian woman by three UN peacekeepers (Martin & Gantz, 2005). Martin and Gantz talked with UN staff, local women, peacekeepers and representatives of women NGOs on scope of the problem of “sexual exploitation”.

In late 2005, the fifth study was released by Save the Children UK, who conducted further interviews with the children who live in IDP camps within Liberia. The main aim of this study was to document the circumstances under which children use ‘transactional sex’ in order to meet basic and other needs of their families and themselves. It was a qualitative study based on the stories of people that emerged through focus group discussion and in-depth interviews.⁵

In the same year, the OIOS released another report on their investigations into “sexual exploitation and abuse” in the UN mission in the DRC. The OIOS investigation was a

response to media reports in 2004 on the ‘recurrence of acts of sexual exploitation and abuse’ by peacekeepers serving in the DRC. They interviewed girls who were victims of “sexual exploitation and abuse” and peacekeepers with whom the girls had had sexual relationships. Although none of the soldiers admitted having relationships with girls, the OIOS found that ‘the problem of sexual exploitation and abuse’ was ‘serious and on going’ (2005, p. 10).

In 2005, Daniel Gustafsson also published his empirical study on UN peacekeeping and prostitution. His aim was to explore why peacekeeping soldiers use women and children in prostitution and to examine what should be done to prevent this problem. He conducted interviews with six Swedish peacekeepers who served in Bosnia and Herzegovina and Kosovo. The interviews were not in the form of direct questions but rather an open discussion on peacekeeping and prostitution (p. 8). Gustafsson argues that demand for prostitution comes ‘almost exclusively from men’ as proof of manhood and homosocial bonding between males (p. 24). This rationale is in accordance with previous feminist analyses of connections between military bases and sex (Enloe, 1993). Indeed, militarized prostitution is understood as to provide for the heterosexual needs of the male soldier, as maintaining morale and rewarding long overseas service and as defusing the intense and intimate homo-social living of the base by providing a ‘safe’ outlet (Pettman, 1996, p. 202).

In 2007, the OIOS launched the report on its investigations into “sexual exploitation and abuse” in the Ituri region (Bunia) in the UN mission in the DRC. The OIOS had returned to the DRC because investigators received ‘allegations of 217 instances of peacekeepers who paid girls, aged 18 and under, for sexual relations with money,

food or clothing' (2007, p. 1). The OIOS concluded that there was a 'clear pattern of exploitation' but that it was 'virtually impossible' to confirm specific incidents with conclusive evidence because the accused peacekeepers were not longer in Bunia or complainants were 'intimidated by young prostitutes not to cooperate with the OIOS' (2007, p. 2).

Lastly, in 2008, a report was released by Save the Children UK who conducted interviews with the children from Southern Sudan, Haiti and Cote d'Ivoire. The focus of this study is on the problem of under-reporting of 'sexual exploitation and abuse' cases by aid workers and peacekeepers, the reasons behind it and suggestions on how to improve the reporting system. Similarly to previous Save the Children UK studies, this is a qualitative study based on the stories of children and people that emerged through focus group discussions.⁶

Causes of "Sexual Exploitation" in UN Peacekeeping Operations

Researchers have identified several causes of "sexual exploitation" in the context of UN peacekeeping missions. However, perspectives on causes differ among researchers, as well as among women and UN peacekeeping personnel who contributed to the studies.

Refugees International and Higate suggest that women's low income generation capacities in the aftermath of conflict, may lead them to commercial sex work which is sometimes the only way to earn money for themselves, or their families (Refugees

International, 2005; Higate, 2004). The UNHCR and Save the Children UK, as well as OIOS report, underlined chronic poverty and lack of economic and livelihood options as the main causes of “sexual exploitation” of children (UNHCR/STC-UK, 2002, p. 8; STC UK, 2006, p. 6; OIOS, 2002, p. 7). Indeed, the economic aspect of women’s oppression and abuse which is caused by patriarchy and capitalism creates gender inequalities (Shrage, 1994, p. 566). Therefore, pushed out from high income economies and, in order to gain money, women must sell their sexual labor. Sex work, thus, becomes a mainstream of local economies and includes servicing troops around military bases, UN workers and workers of transnational corporations (Jaggar, 2001, p. 306).

The UNHCR and Save the Children UK identified several other causes as well, including a ‘breakdown’ of national legal systems and community values. Wide acceptance of exchanging sex for money or goods was seen by researchers as a ‘lack of communal sense of responsibility’ (2002, pp. 11-12). Lastly, they found that management practices in humanitarian operations were another contributing factor, including the lack of retribution for staff who mis-use their positions of power (2002, pp. 11-12). Men are generally not prosecuted for buying or selling sex, and therefore equality requires that the state either not prosecute female prostitutes or apply similar sanctions to ‘johns’ and male prostitutes (Jaggar, 1993, p. 124; Raymond, 2003, p. 318; Jeffreys & Sullivan, 2001, p. 10).

One factor that can ‘create an environment for sexual exploitation and abuse to occur’ is, according to OIOS, ‘an informal interaction between peacekeepers and local populations’ (2007, p. 7). The OIOS observed that the only contingent in the DRC

which had fully and successfully implemented measures designed to prevent “sexual exploitation and abuse” was the one that ‘installed wire mesh within the military camp perimeter fencing to prevent direct contact between peacekeepers and the local population’ (2007, p. 9). Another contingent that continued to face allegations of “sexual exploitation and abuse” had direct contact with local population and was separated from locals ‘at most by strands of barbed wire’ (2007, p. 10). The contingent also lacked ‘recreational facilities such as basketball, football and miniature golf facilities’. Thus, as the one of ‘proactive’ measures to prevent “sexual exploitation and abuse”, the OIOS recommends that peacekeepers should be provided with ‘recreational and other outlets’ (2007, p. 10). While it is important that the UN secure healthy working conditions for its personnel, this measure can not be suggested as an effective prevention of “sexual exploitation and abuse”. In addition, isolating personnel from the local population by installing wire fencing between them is not the way to build a relationship of trust between the UN and local community, nor can it prevent adult people from finding a way to communicate with each other. Recreational facilities should be installed, but for good employment conditions rather than as a preventative measure. I do not see the building the ‘walls’ of division between UN peacekeeping personnel and local populations, as an effective preventive strategy for “sexual exploitation and abuse”.

Local women in Sierra Leone said that in the situation of extreme poverty with no realistic alternatives for survival, UN personnel and international aid workers are vital clients in their struggle to survive in the post conflict context (IRIN, 2007, p. 87). The Save the Children report from 2006 also found that many children ‘were agreeing to have sex with older men for money, food and other goods and favours’ (2006, p. 5).

Likewise, Higate suggests that women are 'forced' into prostitution when faced with 'life and death circumstances for themselves and their families' (2003, p. 3). The wording 'agreeing' and 'forced' appears to have the same meaning in this context, while generally their meanings would conflict with each other. By using the term 'forced' Higate does not leave the space for possibilities that some women might have agency to freely decide to exchange money for sex, suggesting that all women who prostitute themselves are coerced into prostitution. I would argue that even if their choices are severely constrained, some women have the capacity to make self-interested decisions about the best options for their survival and thus take responsibility in their own hands. The complexities of "sexual exploitation" could be illustrated by the statement of a young mother in Guinea who told researchers into the phenomenon of "sexual abuse and exploitation": 'If I tell you the name of the NGO worker [this can apply to peacekeepers as well] I have sex with, he will get fired, and then how will I feed my child and myself?' (2003, p. 3). Therefore, before abolishing all forms of prostitution, women should be provided with a wider range of other employment, as well as educational opportunities (Nussbaum, 1999, p. 283). Kathleen Barry, for example, argues that states should be closing down the brothels and criminalising its customers while the economic resources invested into the former prostitution could be used to 'provide gainful employment for women' (1995, p. 33). However, while the SGB prohibits all forms of prostitution it does not provide any alternative options for woman to generate income.

Besides, it appears from the literature review that many peacekeepers are not really clear about the reasons for the UN banning contact with local women or prostitutes. Martin, the author of the Refugee International report on "sexual exploitation and

abuse” interviewed peacekeepers in missions in Liberia and Sierra Leone about their perceptions of the ‘zero tolerance policy’. Some of them expressed doubts about it and ‘clearly did not take this issue seriously’ (Refugees International, 2005, p. 6). Some of them who served in the Liberian peacekeeping mission also said that ‘Liberians [meaning as a particular national group] have a different view of exploitation than we do’ (2005, p. 6); implying that what is considered to be “exploitation” [meaning “sexual exploitation” in this context] for some people does not necessarily mean “exploitation” for others. Despite these findings, neither Refugee International nor Higate in their research identify any problem with the current definition of “sexual exploitation” in the ‘zero tolerance policy’. They also do not question “confusion” and assertions such as a ‘lack of understanding’ of the ‘zero tolerance policy’ coming from peacekeepers which can, indeed, enable some of them to get away with the exploitative conduct or do nothing about it. Nicola Gavey emphasizes the influences that can generate different understandings which may result in ‘inconsistent, even contradictory, experiences’ of sex by men and women (2005, p. 92). She suggests that the influence of traditional cultural patterns and assumptions as a dominant discourses may position, both women and men, in various circumstances without even being conscious about it or knowing it. Gavey gives an example of a woman’s heterosexual identity which could in large be compromised by thinking about and experiencing herself in heterosexual relationship in ways that are consistent with traditional dominant discourses on heterosexuality (p. 93).

Thus, researchers who write in the field should acknowledge problematic nature of “sexual exploitation” and need for consistency in terminology and its meaning. They should also highlight in their studies the existence of the varying definitions and

which one is being applied in a particular study so that readers know from which direction the report and researcher is coming from.

In addition, according to Higate, local women in the DRC are seen by some peacekeepers as ‘actively choosing prostitution and other types of sexual exchange’ (Higate & Henry, 2004, p. 490). Moreover, the peacekeepers he interviewed gave very little thought to the social and economic contexts of women’s lives that might be the reason for women engaging in sex work (2004, p. 490). Some peacekeepers even described themselves as ‘helpless victims of the predatory advances of local women’ with ‘a powerful sex drive that prostitutes exploit’ (Higate, 2003, p. 1), suggesting that they are the “vulnerable victims” of prostitutes “predatory” games not the other way around as the ‘zero tolerance’ suggests. Thus, women’s sexuality is portrayed by some peacekeepers as dangerous and in need of control. The military police officer, interviewed by Higate, said that he had to ask his colleague to pay “one of the women to keep the others [the women in a bar] away from him [since] they were hassling [him] so much” (Higate & Henry, 2004, p. 491). By taking this position and asserting that women are the ones who need to control their sexuality peacekeepers avoid responsibility for possible engagement with them and “legitimize” their position of “vulnerability”.

On the other hand, the issue of ‘sex drive’ or the ‘biological need’ of soldiers for sexual contacts with prostitutes is central to Gustafsson’s empirical study, where he uses gender theories to explain this ‘need’. A so called “sexual male drive discourse” has powerful influence on male sexuality and way of understanding male sexuality in Western culture. Wendy Hollway’s (1984, 1989) proposed three dominant discourses

of heterosexuality on which heterosexual relationships are organized, one of them being a male sexual drive discourse that Gustafsson's study relies upon. This discourse suggests that the desire or 'need' to have sex is overwhelming drive that exists in all healthy men and constructs male sexuality as active and desiring (Gavey, 2005, p. 105).

As studies above have suggested there are various causes of "sexual exploitation" in UN peacekeeping operations, ranging from women's low income generation capacities, a 'breakdown' of national legal systems and community values, "informal interaction" between peacekeepers and local populations, a lack of understanding of the 'zero tolerance policy', women's "uncontrollable sexuality" and finally male sex drive which needs to be satisfied. Clearly, there is a disagreement among researchers what the causes of "sexual exploitation" are and consequently which strategies should be applied in order to prevent it. While some of them, as I have discussed, need to rethink their aim and rationale, there is an overall need for a holistic approach in order to eradicate "sexual exploitation" in peacekeeping settings. Therefore, feminisation of poverty, lack of resources, power relationships but also a high scale of violence against women that already exists in the local context where peacekeepers step in, needs to be addressed and taken into account in creating the policies such as the 'zero tolerance policy'. Blunt banning of sex between peacekeepers and local women does not help in addressing more complex causes of "sexual exploitation", nor its possible forms of eradication.

The language describing "Sexual Exploitation" in the case studies

The language used to describe “sexual exploitation” in UN peacekeeping missions creates additional confusion about the meaning of “sexual exploitation”. In this section I will lay out examples and terms that have been employed by researchers in their studies, in order to demonstrate vagueness of the term and, more importantly, its different usage.

The terms ‘sex scandals’, ‘sexual misconduct’, ‘sexual harassment’, ‘sexual abuse and exploitation’, ‘sexual activities’ and ‘sexual interactions’ are all used interchangeably throughout of the Refugees International report. In addition, reports by the media create additional confusion. For example, Martin talks about local Haitian media reports which claimed that one woman was *raped* [my emphasis] by two peacekeepers as well as that the criminal investigation demonstrated that she ‘*unwillingly*’ [my emphasis] entered into an agreement to have paid sex that was arranged by other Haitian woman (Refugees International, 2005, p 16). On the other hand, the UN Head of Mission at the press conference organized because of this particular event, presented the case as ‘*only a case of prostitution*’ [my emphasis] (2005, p. 16). The rhetoric of the Head of Mission downplayed the event of a grave sex crime such as rape as to protect UN peacekeeping personnel from possible prosecution. Calling the act of rape of Haitian woman as ‘only a case of prostitution’ is a serious lack of understanding of difference between rape, which is sexual intercourse without consent, and prostitution which can be free and thus consensual. Thus there is a need to use clear definitions and language to describe events, in this case of rape and sexual abuse. Otherwise the harm towards women is minimised and the possible avoidance of accountability for sex crime is maximised.

In addition, representatives of women's NGOs in Haiti talked about a rise in prostitution since the arrival of peacekeepers (Martin & Gantz, 2005, p. 2). However, local women in Haiti refused to call themselves 'prostitutes', saying they 'are not prostitutes but hungry' and 'will sell their bodies for money' (2005, p. 2). This might be explained by feelings of shame and a fear of exposing themselves to humiliation and ostracism within the women's own community. However, the language women use also expresses their agency to redefine their identity while making a decision to use their body for generating income for themselves and their family well being and survival. 'Selling sex' is also the term used by Save the Children UK in their 2006 report. However, researchers also noted that 'transactional sex' is a term that has the same meaning as 'selling sex' since they both mean 'having sex for money'. They argued that, although they use the term 'selling sex' in their study, both terms are 'problematic' as they suggest an equal exchange, which is 'certainly not the case for children, and not for many women'(2006, p. 5). This is the first time that the concern about terminology used has been expressed by researchers. Two years later, in their 2008 report, the Save the Children researchers again expressed concern with terminology they use. While they embraced the SGB definition of "sexual exploitation" (2008, p. 7), in this report they 'tried' to differentiate between what they call 'forced sex' when children are 'physically forced to have sex' and 'coerced sex' in which children are 'coerced into it owing to a lack of alternative survival tactics or though ignorance of their rights' (2008, p. 13). Although, lack of clarity remains about what researchers mean by 'coerced through ignorance of their rights' the researchers' attempt to differentiate between various forms of "sexual exploitation" and acknowledgment of the problems within the terminology is a welcome advance.

Thus, as demonstrated in this section, different language and terms have been employed to give content to the problem of “sexual exploitation.” The use of different terms that have different meanings clearly does not contribute to a better understanding of this complex problem and brings additional confusion to the already contentious and ambiguous term of “sexual exploitation.” There is a dire need for stronger attention and more careful use of the language when describing acts of “sexual exploitation” as to avoid conflating sex crimes such as rape with various forms of transactional exchange of sex for money. The latest report by the Save the Children made the first step in this direction.

Definitions of “Sexual Exploitation” in reports

Researchers also employ different definitions of “sexual exploitation” in their studies which demonstrates a lack of clarity about their scope. In this section, I will show that the definitions of “sexual exploitation” that are widely used, often conflate sexual abuse and “sexual exploitation”, and fail to distinguish between sexual relationships that are exploitative and those that are not.

In the UNHCHR and Save the Children UK report, the researchers carefully distinguished ‘sexual exploitation’ from ‘sexual abuse’ in terms of consent - the former involving ‘consent that is not informed’ while the latter involves ‘complete absence of consent’(2002, pp. 83-84). Sexual exploitation is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. ⁷ Sexual

violence is any act, attempted or threatened, that is sexual in nature and is done with force or without force and without the consent of the victim. This includes acts of forcing another individual (through violence, threats, deception, cultural expectations or economic circumstances) to engage in sexual behaviour against his or her will. Sexual violence also includes penetration by objects such as sticks, guns, bottles, stones, feet, fingers, etc.

On the other hand, the OIOS investigation team was not concerned to distinguish between sexual exploitation' and sexual abuse, but identified cases of "sexual exploitation" as those 'ranging *from consensual relationships* [my emphasis] that occurred as a result of the exploiter's position of power *to allegations of sodomy and rape*' [my emphasis] (2005, p. 3). This broad definition ranges from consensual relationships to rape, including both polar ends of the range of sexual relationships. However, it is interesting that at the beginning of the report, OIOS agreed that 'sexual exploitation would be concerned primarily with situations in which an international NGO, humanitarian or aid worker, in a position of power, uses that power to request sexual favours or benefits by trading food or services that refugees are entitled to receive free of charge via the distribution system of international aid' (2005, p. 2). It is interesting to notice that the OIOS use the language of 'request' rather than 'demand' or 'conditioning' sexual favours for food when describing the position of power of international staff in relation to refugees. A 'request' is a weak term to describe something that certainly presents blackmail and a clear case of sexual exploitation.

The 'zero tolerance policy' suggests that, in general, 'sexual relationships between United Nations staff and beneficiaries of assistance should be strongly discouraged', since they are 'based on inherently unequal power dynamics' (SGB, 2003, Sec 3.2 (d)). Although the SGB does not define the kind of 'unequal power' involved in a peacekeeping context, internal guidelines on "sexual exploitation" developed in 2005 for the mission in DRC (MONUC) explains that because international personnel have shelter, money and food, local populations are often "very vulnerable" and therefore there is 'a high risk that relationships between international personnel and the local population will be exploitative' (MONUC, 2005). The SGB and other policies, therefore suggest that by the virtue of UN peacekeeping personnel's status, it is inevitable that 'unequal power' dynamics would emerge in any relationship that might occur between them which eliminates the possibility for equal partnership required for genuine sexual relationships. While, in most of the cases 'unequal power' balance does exist in the context of peacekeeping operations, not every single relationship between UN peacekeeping personnel and local women is affected by such power discrepancies because not all masculinities and femininities are hegemonic and homogenous. Masculinities in peacekeeping milieu are not uniform and unequal power relations exist among male peacekeepers. As Raewyn Connell argues there is a distinction between hegemonic and subordinate and marginal masculinities (1995); between masculinities of senior UN officials and the military peacekeeper or civilian police officer masculinities in peacekeeping missions.

However, the zero tolerance policy does not distinguish between sexual practices nor address the complexities of power relationships that might occur between local women and UN personnel. It simply deems almost all sex between UN peacekeeping

personnel and beneficiaries to be an ‘abuse of a position of vulnerability’ and ‘inherently unequal’ (SGB, Section 3.2 (d), 2003).

Along similar lines, Higate writes that a number of ‘peacekeepers have been implicated in the sexual abuse of local women and children’ and that ‘these exploitative activities’ [meaning “sexual abuse”] include a range of activities such as: ‘the routine use of prostitutes’, ‘the manufacture of pornographic videos’ and also ‘the exchange of sex for goods and services’ (Higate, 2004, p. 2), meaning “survival sex”. Therefore “survival sex”, as well as prostitution, is understood and described as the “sexual abuse” in Higate’s writings. Furthermore, Higate argues that ‘activities of this kind almost always’ (2003, p. 1) involve ‘peacekeepers abusing their positions of trust [and] power’ (2003, p. 1), implying that women are ‘vulnerable’ (2003, p. 1) and part of ‘socially subordinate group’ (Higate and Henry 2004, p. 2) who consequently suffer from ‘long term impacts...of such abuse’ (2004, p. 2) as its victims. Refugees International also supports the definition of “sexual exploitation” promulgated by the zero tolerance policy (2005, p. 8), while Gustaffson does not use the term “sexual exploitation” in his study but rather talks about prostitution, which is the ‘obtaining casual sexual relations in exchange for payments’ as prohibited under Swedish law.⁸

Thus, none of the researchers raises problems with the current definition of “sexual exploitation” in the zero tolerance policy. Apart from the UNHCR and Save the Children UK report, none of the studies provides a full definition of “sexual exploitation”. However, even this definition refers to children and is different from the one in the ‘zero tolerance policy’. In addition, none of the researchers asked women if they feel “sexually exploited”, what these ‘exchanges of money,

employment, goods or services for sex' mean to them, or how they feel about the 'discouraging' of consensual sexual relationship between UN peacekeepers and local women in post conflict societies. Also, none of the existing empirical research has explored the issue of romantic sexual relationships between UN peacekeeping personnel and local women. While this sort of in depth study is lacking, it is beyond the scope of this paper and, while one hopes it will be part of a future research agenda, it is a task which faces a number of hurdles.

Difficulties in gathering evidence

The difficulties of gathering evidence in the cases of "sexual exploitation" are noted in all empirical studies. According to Refugees International, there are difficulties in the visibility of diverse modes of sexual relationships between local women and peacekeepers. While some are more exposed to the eye of media, such as those involving UN lower ranking peacekeeping personnel, primarily soldiers, others are better 'covered' because they live in private compounds. One UN employee claimed that his colleague tended to 'bring to his flat different girls every day', but there was no way that one can prove if he had sex with them or how he treated them (2005, p. 17). Likewise, Higate also talks about differences in the way that officers manage their sexuality when compared with the sexual performances of the lower ranked personnel or soldiers. While the former might exercise discretion in their sexual liaisons, contingent soldiers tend to 'celebrate their heterosexuality' in public bars and brothels and as a result, they are more exposed to the public eye (Higate, 2004, p. 4). In addition, Higate talks about difficulties in obtaining data for research on "sexual exploitation" in UN peacekeeping missions and emphasizes some cautions he took

when interviewing peacekeepers. He says that in order to obtain some data he 'avoided provocative words and phrases such as 'abuse' or 'prostitute'', but rather used the 'prosaic phrase gender relations' (2007, p. 105).

Gustafsson also admits 'sensitivity' of the subject and argues that encouraging Swedish peacekeepers to agree to participate in interviews has been 'most difficult' (2005, p. 7). As peacekeepers themselves suggested, they would not have done interviews if Gustafsson had not agreed to protect their identity (p. 8). Likewise, the OIOS recognized the risks that refugee women and girls might be exposed to if it was known they were talking about "sexual exploitation". Thus, researchers used code numbers rather than names to identify potential victims and key witnesses (2002, p. 6).

The experience of researchers shows that the issue of "sexual exploitation" is highly sensitive within both the UN and also the local populations, which is what makes it difficult to obtain any precise data about this phenomenon. The other difficulties are a lack of precise definition of "sexual exploitation" and different perceptions by local women and people of what "sexual exploitation" means to them. Also, beyond the risk for women of losing clientele and thus income by reporting cases of "sexual exploitation", the shame that "sexual exploitation" carries might be another reason for the lack of reliable qualitative data on this topic. Finally, it is highly unlikely that UN peacekeeping personnel, who have been firmly warned not to engage in any sex with local women, may be completely open or see themselves as being "sexually exploitative".

Conclusion

By examining the studies undertaken in the last few years, before and after the launching of the 'zero tolerance policy', from 2002 until 2008, I have suggested that some of these studies reveal the misunderstanding and confusion produced by uncritical acceptance of the broad definition of "sexual exploitation" launched in the 'zero tolerance policy'. I have demonstrated three things about these studies. Firstly, they do not question the over inclusive and broad term of "sexual exploitation" defined in the 'zero tolerance policy' and therefore conflate all forms of sexual relationships with forced prostitution, sexual abuse, rape, human trafficking and other forms of sexual violence. Secondly, these studies do not question the fact that consensual "sexual relationships" between local women and UN peacekeeping personnel are 'strongly discouraged' by the 'zero tolerance policy'. In addition, they do not investigate what women and UN peacekeeping personnel think about it. Thirdly, the 'zero tolerance policy' treats women as passive and helpless objects who do not have the agency to decide whether or not to be involved in any form of sexual relationship.

Thus, what has been lacking in the analyses of sexual interactions between UN peacekeeping personnel and local women, despite attracting the attention of scholars and researchers for more than a decade, is clear differentiation between voluntary and coerced sexual relations, between forced prostitution and sex work and between sexual relationships and "sexual exploitation" (Otto, 2007, p. 262). As demonstrated, definitions of "sexual exploitation" are controversial and are often used to cover such diverse sexual conduct as rape, sex with minors, legal prostitution, and almost all modes of consensual sexual relationship between UN peacekeeping personnel and

local populations. This definition is also used to cover paedophilia and human trafficking (Jannett, 2006). It appears that the term “sexual exploitation” is broadly defined and contentious, and might cover activity that is not necessarily “sexually exploitative”. Hence, the overwhelming attention to “protection” from “sexual exploitation” promulgated in the SGB which calls for prohibition of “bad and dangerous” sex has ‘almost eliminated the legal existence of any kind of sex that women may want to indulge in, for one reason or another’ (Franke 2001, p. 199).

How to distinguish between consensual sexual relationships and “sexual exploitation” in the context of peacekeeping missions; the context which is highly contested with complex power relationships and socio-economic conditions in which UN peacekeeping personnel and local women find themselves, remains a very difficult task. Meeting each other in spaces where women have suffered extreme forms of sexual violence by local men during the conflict and where violence against women is already endemic and “normalised”, adds to a very complex nest of issues. In these sites it is hard to imagine any space which will allow any genuine sexual relationship to occur. Thus acknowledging that women are not only victims but also survivors who have agency to make consensual decisions, especially with respect to their sexual life in post conflict and peacekeeping settings, still remains a challenge.

Endnotes

□

¹ I use interchangeably terms UN peacekeeping personnel and peacekeepers which include military, civilian and civilian police personnel deployed in peacekeeping operations.

2 ‘Where a UN peacekeeping or peacebuilding mission is in place the Resident Coordinator is responsible...for ensuring overall implementation of the Sexual Exploitation and Abuse (SEA) prevention strategy and the SGB.’ See: Implementation Guidelines for the Field on the Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13): Responsibilities of Representatives of the Secretary-General (RSG) (2003), UN Resident Coordinators (RC) (b). Retrieved 22 May 2008 from <http://www.icva.ch/doc00001188.html>

3 ‘Exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behaviour, is prohibited.’ SGBulletin, above n 4, section 3.2 (c).

4 The exact number of the people interviewed is not provided in the study.

5 In this study 159 children and 167 adults were interviewed.

⁶ The focus groups included 129 girls and 121 boys aged 10 and 17, as well as 36 men and 54 women.

7 UNHCR STC-UK, Child sexual exploitation is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, including economic power, the activity being intended to gratify or satisfy the needs of the other person. The inducement or coercion of a

□ child to engage in any unlawful sexual activity: the exploitative use of children in prostitution or other unlawful sexual practices; the exploitative use of children in pornographic performances and materials; the use of children in work or other activities for the benefit of others. This includes child labour and child prostitution (World Health Organization).

8 'A person who obtains casual sexual relations in exchange for payments shall be sentenced.' Law that Prohibits the Purchase of Sexual Services (1999).