

## Olivera Simic, *Regulation of sexual conduct in UN peacekeeping operations* \*

By Jenny K. Lorentzen

### ■ Executive summary

Much has been written about UN peacekeepers, involvement in trafficking and sexual exploitation of local women since the first reports on the issue started appearing in the mid-1990s. This book by Olivera Simic shifts the focus towards women's agency and freedom of choice. Simic states that the UN's response to these allegations bans almost all sexual activity between peacekeepers and local women, and argues that these policies contribute to the continued victimisation of women, and may be at the expense of the rights to privacy, liberty, autonomy and bodily integrity and the sexual rights of both local women and peacekeepers.

Simic provides a refreshing and well-written analysis, building on feminist perspectives and international human rights law, as well as fieldwork in Bosnia and Herzegovina. The reader is challenged with questions about agency and human rights, and the difference between exploitative and non-exploitative sexual conduct. She argues that future UN policies on sexual conduct in peacekeeping operations should be informed by local women's knowledge and peacekeepers' views, and should be grounded in the frameworks of international human rights law.

The end of the Cold War was followed by an increase in the number of UN peacekeeping operations. Reports of concern about sexual activity between peacekeepers and local women in Cambodia, as well as the sharp rise in trafficking and prostitution of women accompanying the peacekeeping operations in Somalia and Bosnia and Herzegovina, soon started appearing, later followed by similar reports from other missions. This blemished the UN's reputation, and eventually the UN was forced to react. Despite increased efforts by the organisation to tackle the problem, accusations of sexual exploitation still continue to surface, causing concern to the UN and endangering its reputation.

Does the international community stereotype women as victims and international peacekeepers as predators? This is one of the core issues in Simic's book. She explains how

her focus on consensual sex in a war or post-war context has been met with scepticism and disappointment by feminists, because her work does not reinforce the prevailing image of Bosnian women as victims during wartime. In the book, Simic argues that UN policies on sexual exploitation and abuse (SEA) reinforce this image. When issues of SEA are discussed and addressed, it is most often in terms of victims and predators.

In her analysis, Simic is critical of the broad definition of sexual exploitation provided by the 2003 UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (SGB), also known as the "zero tolerance policy" (ZTP). The SGB, in practice, bans almost all sexual activity between peacekeepers and local women, describes the relationship between local

\* Olivera Simic, *Regulation of sexual conduct in UN peacekeeping operations*, Berlin Heidelberg: Springer-Verlag 2012

women and peacekeepers as one of “inherently unequal power” and offers “strong discouragement” to such relationships. From Simic’s empirical work, it becomes clear that not all sexual relationships between peacekeepers and local women are exploitative, and that the power balance in these sexual relationships was not perceived as “inherently unequal” by those involved. However, it is important to note – and Simic explains this as a limitation in her research – that her sample of informants may have a bias, being dependent on self-selecting interviewees; these may have been women who have had good experiences in their sexual relationships with peacekeepers.

The book thus provides empirical evidence of sexual relationships between local women and peacekeepers of a non-exploitative character, and argues convincingly that the UN’s policies banning almost all sexual relationships deprives both women and peacekeepers of their human rights. It does not provide empirical evidence of incidents of voluntary prostitution, but suggests that prostitution is a fact of life in peacekeeping contexts.

In the book, Simic raises interesting issues about how prostitution is viewed, from the radical feminist view that prostitution is inherently exploitative and degrading to the more liberal view that prostitution, when adequately remunerated, is a form of work that should be recognised and that those women involved should have their rights protected and access to services such as health care. Simic adopts a definition of prostitution as “adult, voluntary and adequately remunerated sex work which is non-exploitative sexual conduct” (p. 58). She argues that, since prostitution was illegal in Bosnia and Herzegovina during the presence of UN peacekeepers, and still is, it was difficult for women who were voluntarily working in the sex industry to identify themselves as such, which led to the apparent non-existence of voluntary prostitution in Bosnia and Herzegovina. This contributed to the dominance of the radical feminist discourse on prostitution, which she also finds to be dominant in the UN’s discourse and policies.

The first impression the reader gets from the book is that it is provocative but refreshing. One immediately starts to wonder if the author has taken into account how to determine whether prostitution is voluntary or not, especially in a war or post-war context. Who decides, or how does one decide, what constitutes adequate remuneration in the case of prostitution? Women’s agency is central to Simic’s analysis, but what about women’s lack of agency when they are forced into prostitution by socioeconomic factors such as poverty? However, by approaching these issues from a rights-based perspective and by grounding her analysis in

the frameworks of international human rights law, the author manages to balance her analysis between these pitfalls.

She states that the “presumed ‘difficulty’ in drawing a line [between exploitative and non-exploitative sexual conduct] may be a key reason why the SGB treats all sexual conduct, including prostitution, as sexually exploitative and ignores subjective considerations of consent and ‘choice’ as a means of differentiation” (p. 161). Distinguishing between non-exploitative sexual conduct (sexual relationships and prostitution) on the one hand and sexual exploitation on the other allows Simic to maintain a rights-based approach. She outlines the consequences of the SGB for women who make a living from voluntary prostitution, pointing out that banning prostitution drives it underground and takes away from many women an opportunity to earn a living, creating even harsher living conditions. Simic presents the radical feminist position as potentially harmful to women’s human rights and freedoms, and argues that a ban on prostitution is contradictory to human rights law in terms of the right to work.

The issue of exploitative versus non-exploitative sexual conduct is perhaps the most controversial in the book, and it is one upon which it is unlikely that adversaries will unite their opinions in the near future. Irrespective of points of view, Simic provides an important insight into how the UN’s ZTP is a dysfunctional tool for dealing with these issues; it is a quick-fix solution designed to improve the UN’s reputation and not necessarily change the conditions under which women live and experience the war or post-war context.

Simic highlights several issues that have generally been given little attention in the literature and discourse on sexual and gender-based violence: the assumption that all sex between peacekeepers and local women is exploitative; how reasonable it is to ban all sexual conduct in order to prevent sexual exploitation; and the existence of voluntary prostitution in a war or post-war context. The value of allowing those affected by the policies to speak up cannot be overestimated. Instead of letting the international community, the UN or others speak on behalf of those directly involved, Simic has turned to those actually affected by the UN’s policies to talk to them and to hear their stories. The fact that she is a Bosnian woman herself lends increased credibility to her account. The book provides research into a segment of the issue of sexual conduct in peacekeeping operations that for various reasons has been overlooked. Simic’s book contributes to a more nuanced debate on the issue at hand. ■

## ■ THE REVIEWER

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