

Gender Based Violence and Peacekeepers in Bosnia-Herzegovina and Kosovo

Introduction

In order to create a comprehensive gender-sensitive peace-building process, we should challenge the currently prevalent essentialist approach to the international peacekeepers role in the post-conflict process. United Nations Security Council Resolution 1325, introduced in 2000, calls for gender mainstreaming in the peacekeeping process and inclusion of women in the post-conflict reconciliation process and peace-building. The resolution seems to assume that the security threat to women in a conflict and post-conflict situation comes from the opposing ethnic or social group that committed aggression on that particular population during the conflict. Unfortunately, women face security threat even from the peacekeepers themselves.

Viewing international peacekeepers, who intervene on behalf of international community, as homogeneously neutral role models of peace and security providers not only seriously impedes the peace-building process, but perpetuates conflict. While most peacekeepers serve honorably, those who engage in illegal activities, such as human trafficking, as evident in numerous examples in Bosnia-Herzegovina (Bosnia) and Kosovo, pose a direct security threat with a heavily gendered character.

Their actions are facilitated by multiple institutional insufficiencies. The first one, institutional weakness of administration in Bosnia and Kosovo is widely acknowledged and in fact is one of the reasons why the peacekeepers were deployed to these post-conflict areas. The second one is the abuse of the peacekeepers' immunity to the local laws, specifically immunity in cases of human trafficking. The attitude of "boys will be boys" and a practice of quick repatriation of those who engage in illegal activities systematically enable continuation of a transformed conflict. This

Jelena Prosevski

conflict in Bosnia and Kosovo is no longer along ethnic divisions, but it is an international gender conflict. Specifically, from a perspective of human trafficking the conflict is between mostly men on one side: traffickers¹ (local and international, including peacekeepers), who are financed heavily by international peacekeeping personnel and mostly women on the other side: victims of trafficking who in the Balkans tend to originate from the Ukraine, Moldova, Romania, Russia and the former Yugoslav republics. This conflict is strongly gendered, little recognized and systematically facilitated by existing institutional norms both domestically in Bosnia and Kosovo and the international community on the ground.

In this paper I challenge the essentialist view of international peacekeepers and their role in international gender conflict facilitated by impunity for their engagement in human trafficking. I specifically examine these activities in Bosnia and Kosovo. Also, I highlight the importance of addressing the institutional frameworks, particularly within the international community, that facilitate this simmering conflict and prevent peace-keeping process.

Challenging Essentialism of International Peacekeepers as Neutral Security Providers

The analysis of gender roles in conflict and peace-building tends to focus on men and women in the communities that participated or were directly impacted by conflict. Within this framework, Judy El-Bushra challenges the prevalent essentialism approaches that assume that women are innately peace-loving and nurturing, while men have a naturally higher affinity toward conflict. El-Bushra demonstrated the limitations that this approach creates in the peace-building process, such as the exclusion of women from decision-making and marginalization of other vulnerable groups. Drawing lessons from this criticism, I extend the challenge to questioning essentialism of international peacekeepers as neutral peace-builders in the Balkans.

¹ Some traffickers are women, but the majority of them are men.

Jelena Prosevski

Lawless post-conflict Bosnia and Kosovo were fruitful grounds for the flourishing of illegal activities (Andreas 2008). Criminal networks, which operated across ethnic lines during wars, expanded from weapons, drugs and cigarettes smuggling to trafficking of women (the latter became their third illegal source of revenue). It is estimated that since the war ended close to ten thousand women were trafficked in Bosnia and Kosovo, 10% of which were minors (Mendelson 2005, viii). Trafficked women were mostly recruited with false promises of lucrative jobs abroad, transported to Bosnia and Kosovo and after being auctioned off, were held captive in nightclubs and private apartments for sexual exploitation. Thus, social, economic and political dimensions are as relevant as gender in understanding the full dynamics of trafficking of humans in Bosnia and Kosovo.

The boom in the market for trafficked women was primarily driven by a demand rise. Despite being entrusted with a role of ensuring peace, security provision and facilitation of state-building, some peacekeepers engaged in both hiring of trafficked women which were held captive in the back rooms of nightclubs² or even a purchase of women for their “personal use”, such as members of the International Police Task Force (IPTF) serving as monitors, who allegedly bought women from a Sarajevo brothel (Andreas 2008, 129). The peacekeepers represent 20% or 30% of customers, but provide approximately 80% of the revenue (Mendelson 2005, 6). These figures reflect the significant role of the peacekeepers in creating the demand for trafficked women in Bosnia and Kosovo.

In Bosnia and Kosovo after peace agreements were signed in 1995 and 1999 respectively, the international community deployed peacekeeping troops to ensure seizure of fire, peace- and state-building. The peacekeepers included several United Nations (UN) military and civilian personnel, North Atlantic Treaty Organization (NATO) troops and numerous private contractors who were entrusted the role of supporting and supplying the troops. The UN personnel were granted

² In Bosnia there was a saying that one could infer which country’s peacekeeping troops were stationed in the area based on the names of nightclubs (e.g. “Colorado” and “Las Vegas” indicated that the U.S. troops were near).

Jelena Prosevski

full immunity under the Convention on the Privileges and Immunity of the United Nations (CPIUN), while NATO personnel and private contractors had somewhat of a lower degree of immunity depending on their force agreements, which were mostly in line with the CPIUN rules pertaining to experts. The issue was that this immunity often became impunity, regardless of zero tolerance for human trafficking policies adopted in 2004 by NATO, UN and the U.S. Department of Defense (Mendelson 2005, 5). Impunity facilitated human trafficking.

Practice of Impunity

The practice of impunity among peacekeepers is harmful on many levels. Many Bosnian and Kosovo people believe that numerous war criminals enjoy impunity, in spite of the efforts made in International Criminal Tribunal. Peacekeepers' perpetuation of the same norms adds insult to the injury.

Central American states' impunity contributed significantly to the increase of violence against women and this act of ignoring the state laws by the authorities was a form of institutional discrimination (Prieto-Carron, Thomson and Macdonald 2007, 31). International peacekeepers' impunity of their personnel's engagement in trafficking in persons is just as damaging because they violate human rights of trafficked women, commit illegal crimes of prostitution and finance organized crime which destabilizes the two states and encourages corruption. By doing so, they violate their mission.

One of the most extreme instances of turning a blind eye to and potentially even covering-up the peacekeepers' engagement in human trafficking was the case of missing files from Bosnia (Mendelson 2005, 63-64). When the UN Mission in Bosnia (UNMBIH) was replaced by European Union Police Mission (EUPM) in 2002, the files with information about human trafficking in Bosnia were never transferred to EUPM. UN representatives told EUPM staff that the files had been

Jelena Prosevski

either archived at the UN headquarters or were burned. Despite numerous EUPM personnel's requests for the files to be returned to Bosnia the files were never delivered, which prevented a transfer of knowledge about thousands of potential victims and their captors. Experts speculate that the UN kept the files to avoid implicating some members of their IPTF of human trafficking (Ibid). EUPM staff's potential anti-trafficking and other organized crime prevention activities were directly diminished. This extreme example of a lack of cooperation among peacekeepers due to a potential attempt to disguise the extent of the issue points to systematic problems of impunity within the international community.

Transforming the Peace-Building Process: Gender and Peacekeepers

Security Council resolution 1325 marked a breakthrough in recognizing the significance of gender dimension in conflict and reconciliation. Challenging the essentialism of peacekeepers' presumed neutrality is required to ensure a comprehensive security threat that women and girls face in the post-conflict process. In 2004 Kofi Annan acknowledged that peacekeepers were perceived to have become more of a problem than a solution with regards to the human trafficking that flourished during the peace-building process (Mendelson 2005, 63). Despite Annan's pleading to prevent and punish peacekeepers' engagement in human trafficking there is little evidence of punitive action taking place.

A number of UN organizations have developed conflict assessment and analysis frameworks in recent years. In order to support the Security Council resolution 1325 and demonstrate that bringing a gender lens to transformative responses to conflict resolution, UNIFEM conducted pilot projects on gender-sensitive conflict monitoring in 2004 and 2005 in the Ferghana Valley, in Colombia and in the Solomon Islands (UNIFEM 2006). They used the United Nations Development Program (UNDP) conflict development analysis framework. This framework reflected that

Jelena Prosevski

challenge to the essentialist understanding of women and recognized that women were not only the victims during conflict, but that some may be combatants or provide services to combatants. In the Solomon Islands the approach of investigating both men's and women's experiences during the conflict successfully revealed that gender significantly influenced the impact and issues people faced during and after conflict (Moser 2007). It further revealed that changes in gender roles and status post-conflict appear to contribute to ongoing tension within communities. Given the knowledge of peacekeeper's engagement in human trafficking in Bosnia and Kosovo, as one of the evidences that significantly challenges their neutrality, gender-sensitive conflict and post-conflict monitoring in the areas where the peacekeepers are deployed, should incorporate the assessment of peacekeeper's impact on changes in gender dynamics.

Widespread practices of impunity both in Bosnia's and Kosovo's administration and among the peacekeepers would not only hinder the implementation of the proposed approach, but could in fact threaten security of researchers and research participants who are suspected of revealing information that implicates peacekeepers and members of organized crime networks. Fiona Leach analyzed methodological aspects of conducting research about a sensitive subject affecting minors and ethical issues that arise during research in societies which practices impunity about an illegal issue, during her research of gender violence in schools in Zimbabwe, Ghana and Malawi. Considering that in Bosnia and Kosovo at least 10% of victims of trafficking are minors and that the impunity about human trafficking activities is prevalent, Leach's lessons learned are highly relevant. She highlighted the importance of institutional support for the research in a form of policy implementation (Leach 2007, 1144). In post-conflict process this institutional support must come from both the domestic governments and the international community. Given the usually weak administrative capacity of the states affected by conflict, the international community should

Jelena Prosevski

take the responsibility for leading the impunity abolition process and facilitating the transformation the peace-building process that incorporates a gender dimension.

Conclusion

Post-conflict process has been significantly transformed by the Security Council resolution 1325, which underlined the relevance of including gender dimension in peace-building. In order to create a more comprehensive conflict resolution approach, the essentialist view of international peacekeepers as neutral or facilitators of strictly positive outcomes in post-conflict must be challenged. The examples of some peacekeepers' engagement in human trafficking in Bosnia and Kosovo demonstrate the dangers of ignoring this dimension. Currently an underground international conflict that has a strong gender character is underway in these two Balkan nations. The practice of institutionalized impunity in both the international community and domestic governments should be eliminated. Given the acknowledged administrative weakness of Bosnia and Kosovo the international community should take the lead in implementing a comprehensive gender-sensitive approach to post-conflict process that includes prevention and punishment for peacekeepers engagement in human rights violation and illegal activities, such as human trafficking. By doing so the peacekeepers would live up to their mission of security provision and facilitation of state-building in a conflict-affected nation.

Jelena Prosevski

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