

Creating and Limiting Opportunities: Women's Organising and the UN in East Timor

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Good morning. Firstly I'd like to thank RMIT and the Globalism Institute for organising this important conference, and for inviting me here today. The issue of how international organizations affect women's organising in countries like East Timor, Iraq and Kosovo is very important. It's important because it gives us the opportunity to look at some of the myths that we – as members of international organizations – may bring with us to countries like East Timor.

What I'd like to talk about today is just one international organisations' impact on women in East Timor. This organization is the UN and, as most of you know, it administrated East Timor for two and half years after the Popular Consultation in August 1999. I would like to ask you a question here, and it is a question I have asked myself many times. Did the creation of UNTAET in East Timor, increase opportunities for women's organisations? If the answer is yes, then how? If the answer is no, then why? I'd like you to keep your answer in mind as I share my experiences, and perhaps we can discuss it again at the end.

My own interest in the area came about through my involvement with an NGO called La'o Hamutuk, and through my own experience of working with the UN in Same. During that time I saw many contradictions within the UN, specifically with reference to women's rights. While I worked in East Timor, I saw attempts to get a minimum quota of women in the Constituent Assembly squashed by both the UN and the National Council. However, I also saw money and resources put into creating a Women's Charter of Rights to be presented to the Constituent Assembly, and to increase the number of women elected through less formal mechanisms than a quota system. I saw almost 10,000 peacekeepers stationed in East Timor, promoting peace and security. At the same time, I heard of at least 4 allegations of sexual assault of Timorese women committed by these same peacekeepers. I saw significant attempts to recruit women to the new Timor Leste police force, at that time, under the control of the UN. But when I spoke to those female recruits, I heard of stories of sexual harassment and inappropriate behaviour which was never acted upon by senior members of the CIVPOL police force. So, many contradictions. On the one hand I witnessed the UN supporting women's informal political participation, encouraging women to join the police force, and demonstrating a commitment to safety and security. On the other hand, I heard instances of sexual assault, and a lack of political will to reprimand those who committed violence against women.

Today, I would like to provide an explanation for these contradictions.

And my explanation is this: the UN Administration in East Timor was militarised – that is, it put the needs, philosophy and operating procedures of the military above any other civilian unit – and that because of this, the UN Administration created a political climate that constrained certain opportunities and created other opportunities for women's organising. In essence, through my research I found that the political climate created by UNTAET for civil society organizations was designed to protect those

most valued members of UNTAET – namely soldiers and other military personnel like police. So, in essence, women's activism that did not directly threaten the power of the police or military – such as increased political participation were encouraged by UNTAET. Other kinds of activism, such as protesting sexual assault by peacekeepers or reporting CIVPOL officers were largely ignored by UNTAET.

How did I come to this conclusion? I am a student of military culture. I have studied the various socialisations processes that occur when men and women join a military institution. As a rule, these institutions are not receptive to women or women's rights. It is, essentially, a masculine organization.

A female Colonel in the US Army described military culture in the following way:

Military culture is characterized by its combat, masculine warrior....As an institution comprised primarily of men, its culture is shaped by men. Soldiering is viewed as a masculine role...Thus, a deeply entrenched 'cult of masculinity' pervades military culture.... This cult of masculinity persists today even with the presence of 'others' (eg. women and gays) who do not fit the image of the combat or masculine warrior. ¹

The self-conscious masculinization of the military has historically rested on the notion that the masculine warrior myth is crucial to the effectiveness of a fighting force.² Men within the military are socialised without women. Their hierarchies are male, their attitudes and training practices make fun of women (eg. being called 'girls' if they fail). Where they are allowed to have relationships with women, these relationships are unequal. Who makes men's meals on base? Women. Who cleans their clothes? Women, When soldiers are given rest and recreation leave, what do many soldiers do? They visit sex workers. Soldiers do not see women as equal partners. Even when women are of equally rank within the same military establishment, male soldiers seek to undermine them, often through sexual harassment.

Increasingly, we are seeing the military overtake and influence the functions of civilian institutions. In humanitarian work, reconstruction and development, the military is often partnered with or replaces civilian organizations as the lead institution. Needless to say, when this happens, the military and its members bring their own socialisation to these processes. In other words, civilian institutions, such as the UN, are being militarised. But this militarisation has a male face.

The UN in East Timor had almost 10,000 military personnel for the duration of its administration. These military personnel brought with them ideas and attitudes about gender, and the role of women that clearly affected the way the UN was run. But how and why did these 10,000 soldiers have such an effect? Because the UN civilian authority was planned by the military, and the needs of the military remained of greatest importance to the higher echelons within the UN.

The planning of UNTAET was not a smooth process. It involved political infighting, department changes and budget wrangling. The UN mission conducting the August

¹ Karen, O Dunivin, "Military Culture: Change and Continuity", *Armed Forces and Society* 20, no. 4, 1994, 533.

² Jean Beth Elshaint, *Women and War*, (New York: Basic Books, 1987).

1999 referendum (UNAMET) was coordinated through the Department of Political Affairs (DPA) within the UN. The DPA had spearheaded the UN's involvement with East Timor since Indonesia had invaded in 1975, and was intimately involved with the May 5 1999 agreement between Portugal, Indonesia and the UN sanctioning the referendum. In this sense, the DPA created UNAMET with reference to a broad historical understanding of regional politics.³ In the violence that ensued after the referendum, the UN hastily cobbled together a response. Many commentators have expressed surprise at the lack of planning undertaken by the UN prior to the August 30 referendum.⁴ On September 20, an Australian-led international force (INTERFET) was deployed to secure East Timor by capturing the militias and escorting the Indonesian military out of the country. However, on-going military and governance support was needed.

On October 25 1999, Security Council Resolution 1272 mandated the United Nations Transitional Administration in East Timor (UNTAET) to: provide security and maintain law and order; establish an administration; assist in the development of the civil and social sector; facilitate coordination of humanitarian, rehabilitation and development assistance; support capacity building for self-government; and create the conditions for sustainable development.⁵ This mandate clearly emphasized the governance and rehabilitation aspects of the mission, and thus the DPA, with its added historical context of the East Timor situation should have had a key role in planning UNTAET.

In mid-September 2001, just as mission planning was getting under way, the Secretary General's Office made the decision that, "...while the planning team drew its staff from both departments and was assisted by a wider agency cast, the DPKO was to be in charge."⁶ The transfer of control from DPA to DPKO was both rapid and confrontational, with the consequence that vital mission information was lost: "...there was significant loss of continuity of planning and leadership, in communication between New York and Dili, and in the transmission of in-theatre knowledge and experience from UNAMET to UNTAET."⁷ This is corroborated by the Timorese leadership who found the change to DPKO unsettling, as they had already formed relationships with members of the DPA. Emilia Pires, who was part of the CNRT (Conselho Nacional de Resistencia Timorese - National Council of Timorese Resistance) delegation led by Xanana Gusmao to meet the Secretariat and planners within the DPKO on September 27 1999 comments, "We were not familiar with DPKO. We assumed that by being in contact with DPA, we were already in contact with the UN. I suspect there may have been a communication breakdown between DPA and DPKO on this issue."⁸

Staff within DPA come from a completely different organizational background to those in DPKO. The two departments are separate within the UN and control different types of missions. A quick look at the UN website confirms that while the DPKO runs

³ Chopra, 2000, 28.

⁴ Michael Smith and Moreen Dee, *Peacekeeping in East Timor: The Path to Independence*, (Colorado: International Peace Academy, Lynne Reinner, 2003), 60.

⁵ Suhrke, 2001, 2.

⁶ Suhrke, 2001, 6.

⁷ Chopra, 2000, 28.

⁸ Suhrke, 2001, 12.

‘military peacekeeping missions’, the DPA administrates ‘peace-building missions’.⁹ This difference is not semantic; the views of planners are integral to the nature and shape of each mission. DPKO is staffed mostly by military men, while DPA has a much higher concentration of civilians, including higher numbers of women.¹⁰ Research has shown that the presence of women makes a substantial difference to the internal workings and external perceptions of a peacekeeping operation.¹¹ Women’s presence within DPA has certainly created a less masculinized environment within the department. However, DPA is also much less militarized than DPKO. So, there is exists a difference between the masculinized and militarized culture of each department.

It is important to remember that UNTAET took over from INTERFET, a military force, rather than UNAMET, which had had some political and governance structures built into the mission. For the few months that INTERFET was in power it performed the tasks of a ‘de facto military government’.¹² The interruption of political (rather than military) supremacy in the UN’s relationship with East Timor led to significant changes in the nature and scope of the UNTAET, making its outlook more militarized. Kirsty Sword Gusmao, arriving in East Timor in September 1999 made a similar observation:

I realized I had been naïve to assume that UNTAET and Interfet were a close-knit and coordinated team. Perhaps it was the fact that Interfet differed from a peace-keeping force in that it was not, strictly speaking, answerable to the UN. Perhaps some of the other incidents of tension and miscommunication I was to note in the coming months reflected merely the difference between a military and a civilian approach to the life of a people and a nation.¹³

Sword’s observation of a difference in a military versus civilian approach to a nation was evident not just on the streets of Dili. At UN headquarters, DPKO was formulating a specifically militarized mission. Based on (some) lessons learned from the Kosovo mission the structure of the Administration was hastily formulated. UNTAET was to have three pillars. The largest financial and personnel pillar was the peacekeeping component, with humanitarian and rehabilitation the second pillar, and governance and public administration being the smallest pillar. These were brought together under the Office of the Special Representative to the Secretary General (SRSG), Sergio Vieira de Mello. At UN headquarters, the question of how this structure was to be funded was also being discussed. The Security Council, while authorizing a budget of US\$750 million¹⁴, allocated this to the strict terms of peacekeeping, excluding civilian governance costs. Indeed the mission costing had been arrived at purely by looking at the military component, as it was assumed that

⁹ <http://www.un.org/Depts/dpko> and <http://www.un.org/Dept/dpa>

¹⁰ Dyan Mazurana and Eugenia Piza Lopez, *Gender Mainstreaming in Peace Support Operations: Moving Beyond Rhetoric to Practice* (London: International Alert, 2002), 26.

¹¹ United Nations Development Fund for Women, *Getting it Right, Doing it Right: Gender and Disarmament, Demobilization and Reintegration* (New York: United Nations, October 2004), 6.

¹² Smith and Dee, 2003, 68.

¹³ Gusmao, 2003, 281.

¹⁴ Chopra, 2000, 31.

nation-building activities were to be paid for by voluntary contributions from nations.¹⁵

This militarized environment physically and psychologically dwarfed other elements of the UN Mission. The humanitarian and rehabilitation pillar, despite still being sorely needed, was replaced in 2000 (when the emergency was deemed to be officially over) by a development pillar. A subsequent independent evaluation ascertained that UNTAET was not effective in coordinating international NGO activity and failed to plan for the transition from humanitarian intervention to development.¹⁶ In this crucial pillar, the DPKO failed to utilize people with expertise, and instead relied on military intelligence. In East Timor, as in other countries, the military were responsible for the bulk of humanitarian aid delivered. This led to significant problems between the military and civilian institutions (such as UNHCR and international humanitarian NGOs such as MSF) and compromised the delivery of aid: “In retrospect, it is fair to assess that the importance of CMA [Civil-Military Affairs] was under-rated in initial planning by the Secretariat, reflecting lack of experience in the DPKO and by most of the contributing nations.”¹⁷

The smallest pillar (in terms of personnel and money) was Governance and Public Administration (GPA), which was responsible for establishing central and district governance, generating public and social utilities, establishing the rule of law, and encouraging and regulating investment in the private sector.¹⁸ In other words, this pillar had, perhaps, the largest job and yet was least funded. These breakdowns provide clear indications that the civilian and humanitarian sections of the East Timor mission were given little thought and funding, and that greater energy and money was spent on the military component.

Subsequent evaluations of UNTAET have pointed to the lack of consultation with the Timorese in the planning process. Ironically, even the Timorese were not a party to decisions about their own country. Before Security Council Resolution 1272, the CNRT, the Timorese pro-independence organization, submitted a paper requesting Timorese consultative mechanisms to the administration, however this was rejected by DPKO.¹⁹

Numerous commentators have discussed DPKO’s neglect of Timorese input into the planning of UNTAET, and the effect it had on the subsequent mission. The picture that emerges of DPKO’s planning procedures is that it was insular, with little mechanism for dialogue with those from outside its own powerbase:

The structure DPKO proposed for the transitional authority at this stage was a peacekeeping mission structure adapted from Bosnia and Kosovo... and the paper made no mention of how the East Timorese were to be involved.²⁰

¹⁵ Suhrke, 2001, 10.

¹⁶ Kings College, 2002, 3

¹⁷ Smith and Dee, 2003, 74.

¹⁸ Smith and Dee, 2003, 63.

¹⁹ Suhrke, 2001, 4.

²⁰ Kings College, 2002, 19.

“DPKO’s approach to East Timor was not guided by local expertise but rather by its past peacekeeping experiences... DPKO’s ideological framework, however, insured that the state-building project in East Timor would be conceptualized as a peacekeeping operation with a strong emphasis on centralized UN governorship.”²¹

In re-tracing the beginning of UNTAET, it becomes clear that the mission was militarized from its beginning. After September, when the DPKO had been formally appointed as lead department, “there was already at this stage an underlying uncertainty about the status of the mission and about what became known as its ‘dual mandate’ that made it both a peacekeeping and a peacebuilding mission. This uncertainty was to become a persistent theme throughout UNTAET’s existence and was never entirely resolved.”²² This uncertainty could have been an opportunity for debate, but in reality this opportunity was quashed by DPKO’s takeover of events. With such a large military presence in East Timor, DPKO’s control had been assumed; the Secretary General confirmed this at the end of September with the formal announcement that DPKO was to run the Mission. At the moment of its formulation, through to the creation of its structure and financing, the needs of the military, and the judgments of military planners remained supreme.

In what ways could these debates and power wrangles in New York have shaped women’s activism in East Timor? The militarized gender regime, that is, the combination of institutional arrangements, formal policies, informal assumption and organized relationships that gave rise to a privileging of militarized masculinity within the UNTAET structure shaped women’s organizing in very specific ways. Women’s activism that centered on peacekeepers’ behavior, such as rape and paternity issues were the most marginalized forms of women’s activism under UNTAET. The military was emphasized from the very beginning of the mission, and through the institutionalized nature of militarization in the UN, a military masculinity was protected. Sandra Whitworth has commented on a similar experience in the UN’s mission in Cambodia, UNTAC:

“Bringing the peace to Cambodia” in other words, was accomplished in part through the deployment of soldiers who assumed that their prerogatives as militarized men included access to prostitutes, as well as a freedom to pursue, harass, and assault local women.²³

If peacekeepers feel they have the right to behave in sexually violent ways, and if the administrative structure that supports them condones their behavior through inaction, then opportunities for women’s activism around this issue will be diminished.

So how did the militarisation of UNTAET affect women’s activism and in what specific ways? As discussed earlier, two issues provide interesting contradictions: three cases of sexual assault by peacekeepers and the constituent assembly elections, and I’d like to go into a little detail here.

²¹ Beauvais, 2001, 1164-1165.

²² Kings College, 2002, 18.

²³ Whitworth, 2004, 13.

My discussion here focuses on three alleged cases of rape that occurred in 2001. I have chosen these cases because of both the activism around the cases, and the response of UNTAET. They were also the most public sexual assault cases in East Timor between 1999 and 2002.

The first case concerns the alleged rape of two children in the Western enclave of Oecusse by two peacekeepers in early 2001. The case generated quiet outrage among women's groups, international NGOs and the UNTAET Human Rights Unit. The administration did little to publicly acknowledge the issue until forced to by the Human Rights Unit. This reticence was due, in part, to the SOFA Agreement that waives peacekeepers' liability for their actions.²⁴ It is only in exceptional circumstances that the Secretary General may intervene in individual cases. This reticence is clear evidence of a militarized gender regime at work, for the UN assumes men will commit violent acts; UNTAET's disinclination to act on the allegations demonstrates their protection of militarized masculinity.

After being pushed the SRSG, Sergio Vieira de Mello then took the unprecedented step of requesting an investigation into the allegations. After the investigation, UNTAET spokesman Peter Biro stated, "The UNTAET investigation...has found strong grounds that an alleged act of sexual misconduct by U.N. soldiers occurred in Oecusse on the night of the 27th and 28th of May".²⁵ A subsequent investigation was then undertaken by the Prosecutor-Generals' Office. However despite the UNTAET evidence, the office concluded that there was not enough evidence to lay charges.

The second case concerned an East Timorese woman working as a maid in a hotel who was raped by a Jordanian CIVPOL officer in late 2001. In this case UNTAET acted more proactively, partly because the victim took steps to ensure that the rape was reported. Once again, the CIVPOL officer was immune from prosecution under the SOFA Agreement, however the SRSG, de Mello intervened and asked both Jordan and the Secretary General for permission to try the case under the operating judicial procedures in East Timor. This permission was granted and the CIVPOL officer was charged and held in custody. To much protest he was released on bail, awaiting trial. The trial never came. The under-funded court system was not able to hold a hearing on the case until April 2002, by which time the CIVPOL officer had finished his contract. It was not within UNTAET's budget to fly him back to East Timor to face trial.²⁶

We can draw conclusions about the nature of women's activism from these examples. Clearly UNTAET made some efforts to carry through the case of rape against the CIVPOL officer and the peacekeeper. However, UNTAET's combination of policies and institutional arrangements privileged a militarized masculinity which in turn constrained opportunities for sustained activism. I would like to turn to a more positive example of women's activism in East Timor under UNTAET, the Constituent Assembly elections.

²⁴ Many argue that without a SOFA of this nature, countries would not offer their troops to UN missions. In other words, troop-contributing countries make this waiver a condition of their participation in peacekeeping missions. Interview with Simon Chesterman, Executive Director, Institute for International Law and Justice, New York University, Melbourne, June 10, 2004.

²⁵ "UN peacekeepers in Timor face possible sex charges", Reuters, August 3, 2001.

²⁶ Conversation with Helen Brown, Assistant to the Deputy SRSG, May 22 2002.

More successful activism was undertaken by women's groups around the Constituent Assembly elections, held on August 30, 2001. The elections were held to vote in an 88-member body charged with writing the Constitution for independent East Timor. It was also widely speculated that this body would form the Legislative Assembly in Independent East Timor.²⁷ The UN's Independent Electoral Commission (IEC) was to run the elections. Seventy-five of the elected members were to be national, with a further 13 (one from each district) being elected at district level. Parties fielded a number of candidates, but people were asked to cast one vote either for a party or an independent. Based on the number of votes garnered, a proportion of party members/independents would then serve on the Constituent Assembly.²⁸

Rede Feto, a network of women's organisations lobbied both the Timorese National Consultative Council and UNTAET regarding the recommendation of a quota system for women in the Constituent Assembly elections. Apart from lobbying individuals within UNTAET and IEC, they, with the support of the NGO Forum, sent letters to the Secretary-General Kofi Annan, and each member of the Security Council outlining their justification and support for the quota system. Finally, UNTAET, as advised by the Independent Electoral Commission, received the recommendation negatively, arguing that it compromised the notion of free and fair elections.²⁹

Despite this rejection of the quota for women candidates, UNTAET put in place a number of affirmative action mechanisms to promote women's participation in the elections. The SRSB urged political parties to nominate women for winnable slots and to incorporate women's issues into party platforms, and suggested that extra broadcast time would be available if it was used for women candidates. As a result of this activism, a record 27% of members elected to the Constituent Assembly were women.

So, despite rejection of the quota system, the activism leading up to the election, and the persistence of NGOs to draw attention to the issue at the highest levels (the Security Council) resulted in a successful outcome. We need to be alert to these inconsistencies. This represents a change in political opportunities, but only of a very specific kind. Unlike the cases of sexual assault, UNTAET was prepared to engage with women's organizations and, although they did not formally endorse a quota system, they did undertake a number of informal measures to increase women's political participation.

Studying this period in Timorese history is important. Women's organizing (although often marginalized in national political analysis) gives us a clearer understanding of the gendered and militarized mechanisms at work within a State apparatus. Indeed, protests about lack of government policy are more illuminating than activism around existing policies, for they give us clues about which issues are receptive to feminist activism and which are not. For example, activism around domestic violence was not

²⁷ These speculations proved to be correct with the Constituent Assembly giving itself the authority to be the country's Parliament for a period of 5 years.

²⁸ *Observer Manual East Timor: Constituent Assembly Elections*, The Asia Foundation, Dili, 30 August 2001. On file with author.

²⁹ Chesterman, 2001, 29.

acted upon by the United Nations Transitional Administration in East Timor (UNTAET) at all.³⁰ In contrast, increasing women's political participation was a major issue for UNTAET, and one on which they were proactive.³¹ Similarly, women's organizations were tenacious in their activism to increase women's political participation in the Constituent Assembly elections, while activism around sexual assault cases had a very short life.

So, to return to our initial question, did the creation of UNTAET create opportunities for women's activism? Well, yes – and no. In many instances, UNTAET provided the political climate, the resources and the support for women's organizations to campaign on issues of women's political participation. In others, allegations of sexual assault leveled against peacekeepers, UNTAET ignored women's activism. So then, international institutions can do good things for women's activism in a country. They can also do bad things. In my mind, the way forward is to document some of these inconsistencies so that we can draw attention to them, and then act on them.

³⁰ Robertson, Kathryn, *Gender-Based Violence: Challenges and Ways Forward, A Report of Focus Groups in Four Districts*, (Dili: International Rescue Committee, 2002).

³¹ "Update on the Activities of the Gender Affairs Unit in the Constituent Assembly Political process", Gender Affairs Unit, UNTAET, Dili, 29 June 2001. On file with author.