

“Mainstreaming Gender” in International Peace and Security: The Case of East Timor[†]

Hilary Charlesworth^{††} & Mary Wood^{†††}

In October 2000, the United Nations Security Council held an historic “open meeting” on women, peace, and security. The Secretary-General spoke of the need for better protection of women and girls in situations of armed conflict and for more women to be involved in peace and security decisions and activities.¹ Many member states supported these views. For example, the Australian Permanent Representative to the United Nations, Ambassador Penny Wensley, noted that “equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security.”²

The statements made at the open meeting and the formal Resolution adopted by the Security Council³ indicate an impressive consciousness of the often disregarded effect of conflict on women. They contribute to a growing body of U.N.-sponsored statements and declarations that link the attainment of peace and security with the achievement of equality between women and men and advocate the need for a “gender perspective” to permeate all peace missions.⁴ The commitment to “gender mainstreaming” as an integral aspect of all U.N. peace operations has met little opposition.

At first glance, the Security Council’s attention to the role of women in the maintenance of peace and security is a vindication of the work of many feminist activists and scholars who have argued that the notions of “peace”

[†] The research on which this opinion piece is based was supported by a grant from the John D. and Catherine T. MacArthur Foundation. It is an aspect of the same MacArthur-funded project on women and international dispute resolution of which the article by Christine Chinkin and Kate Paradine, *Vision and Reality: Democracy and Citizenship of Women in the Dayton Peace Accords*, 26 *YALE J. INT’L L.* 103 (2001), forms a part.

^{††} Professor and Director of the Centre for International and Public Law, Faculty of Law, Australian National University.

^{†††} Research Fellow, Centre for International and Public Law, Faculty of Law, Australian National University.

1. Press Release, United Nations, Secretary-General Calls for Council Action to Ensure Women are Involved in Peace and Security Decisions, U.N. Doc. SG/SM/7598 (Oct. 24, 2000).

2. Ms. Penny Wensley, Ambassador and Permanent Representative of Australia to the United Nations, Statement at the Open Meeting on Women and Peace and Security of the United Nations Security Council (Oct. 24, 2000), at http://www.un.int/australia/Statements/PS_Statements.htm.

3. S.C. Res. 1325, U.N. SCOR, 55th Sess., 4213th mtg., U.N. Doc. S/RES/1325 (2000).

4. E.g., Windhoek Declaration: the Namibia Plan of Action on “Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations,” at <http://www.unifem.undp.org/unseccouncil/windhoek.html> (setting out guidelines for the conduct of U.N. peace operations).

and "security" traditionally have been defined in very limited ways. Feminists have pointed to the invisibility of the impact of conflict on women in the international relations and international legal literature; they have observed the exclusion of women from peace negotiations and the failure of many peace agreements to deliver security for women; and they have analyzed the gendered coding of concepts of peace and security.⁵

The Security Council's open session suggests that the United Nations is grappling seriously with a feminist vocabulary and analysis of conflict. What effect will this effort have in practice? The case of East Timor indicates that the U.N. policy of mainstreaming gender into its peace and security operations is being implemented in a rather superficial and inadequate manner.

East Timor was invaded by Indonesia in 1975 and occupied for twenty-four years.⁶ In August 1999, a U.N.-sponsored referendum allowed the East Timorese people to decide on their future, and seventy-eight percent opted for independence. The referendum was followed by great violence sparked by supporters of Indonesian rule, violence that was uncurbed until the United Nations deployed a peacekeeping force, the International Force in East Timor (INTERFET).⁷ A civilian administration was subsequently established under Chapter VII of the U.N. Charter to coordinate the massive reconstruction and capacity-building task facing the East Timorese. The United Nations Transitional Administration in East Timor (UNTAET) was vested with full sovereign powers by the Security Council.⁸ Its mandate, of unprecedented scope, will continue to operate until democratic elections are held to determine the first government of independent East Timor. These elections are now expected to take place at the beginning of 2002.⁹ UNTAET, meanwhile, is "endowed with overall responsibility for the administration of East Timor" and "empowered to exercise all legislative and executive authority, including the administration of justice."¹⁰ The Security Council Resolution establishing UNTAET emphasized the need to employ "personnel with appropriate training in international humanitarian, human rights and refugee law, including child and gender-related provisions."¹¹

Women and men have been affected in different ways by the violence perpetrated during the years of occupation and the violence surrounding the referendum. Some East Timorese men have spent long periods in guerrilla warfare as Falantil forces against the Indonesian army, while others have disappeared or been murdered, imprisoned, or tortured. Many women were

5. *E.g.*, GENDERING WAR TALK (Miriam Cooke & Angela Woollacott eds., 1993); HILARY CHARLESWORTH & CHRISTINE CHINKIN, *THE BOUNDARIES OF INTERNATIONAL LAW: A FEMINIST ANALYSIS* 275-307 (2000).

6. For an overview, see Christine Chinkin, *East Timor: A Failure of Decolonisation*, 20 *AUSTL. Y.B. INT'L L.* 35 (2000), and William Maley, *The UN and East Timor*, 12 *PACIFICA REV.* 63 (2000).

7. S.C. Res. 1264, U.N. SCOR, 54th Sess., 4045th mtg., U.N. Doc. S/RES/1264 (1999).

8. S.C. Res. 1272, U.N. SCOR, 54th Sess., 4057th mtg., U.N. Doc. S/RES/1272 (1999).

9. The precise timing of the election has not yet been determined, but media reports suggest that UNTAET is aiming for early 2002. *E.g.*, Stephen Romei, *No Really Does Mean No: Gusmao*, *THE AUSTRALIAN* (Sydney), Apr. 6, 2001, at 7.

10. S.C. Res 1272, *supra* note 8, para. 1.

11. *Id.*, para. 15.

left to bring up families on their own in refugee camps or occupied towns. They suffered harassment of all types as well as violence and rape by the Indonesian forces. Some women were forced into “marriages” with members of the occupation army. These women supported the resistance movement in covert ways, commonly by facilitating communication between resistance strategists in the villages and soldiers in the mountains of East Timor.¹²

In many ways, life has not improved much for women since the end of Indonesia’s occupation. Domestic violence is now estimated to constitute forty percent of the country’s crime.¹³ One factor in the increase of such violence is the eighty percent unemployment rate. The United Nations has given priority to the establishment of governmental structures, and little attention to the rebuilding of traditional industries such as fishing, or even basic infrastructure such as housing. Falantil soldiers’ experience of violence has also led them to view domestic violence as an acceptable means of reasserting male leadership of households.

While very few East Timorese play a significant role in UNTAET or in the transitional government, women are at a greater disadvantage than men in participating in political and nation-building activities. Many women are illiterate and have primary responsibility for childcare and domestic tasks. Hence they do not have the time, confidence, or bilingual skills necessary to be employed or utilized by UNTAET, whose goal to build the administrative and governance capacities of the East Timorese is at odds with the reality of its employment and remuneration practices. The East Timorese leadership cadre has also been reluctant to involve women. Women who worked for the resistance movement have been expected by their husbands and community to return to the private sphere of home and family. Although the National Council of Timorese Resistance (CNRT) unanimously adopted a “women’s rights resolution” at the National Congress in August 2000 convened to determine policy positions of this main political body, the CNRT is nevertheless dominated by men. Women who attended the Congress say that the women’s rights resolution was carried partly because of the sheer exhaustion of the members (it was the last resolution proposed at the nine-day conference). The demand made by the Women’s Congress, held prior to the main CNRT Congress, for thirty percent of the representatives to be female, was rejected.

In this context, a policy of gender mainstreaming could significantly affect the lives of East Timorese women. What impact has it had thus far? UNTAET established a Gender Affairs Unit (GAU) rather reluctantly in April 2000.¹⁴ The GAU now has six full-time employees, all of whom are foreign

12. Milena Pires, a member of the East Timorese diaspora who lived in London for many years until 2000, is the most prominent speaker on this little-known aspect of the resistance movement. Milena Pires, *Towards a Gendered Approach to Post Conflict Reconstruction and Development*, Address at the CNRT Conference on a Strategic Development Plan for East Timor (Apr. 5-9, 2000) (on file with authors).

13. Maggie O’Kane, *Return of the Revolutionaries*, THE GUARDIAN (London), Jan. 15, 2001, at 8.

14. There was an administrative unit devoted exclusively to gender issues included in the original structure proposed for UNTAET in November 1999, but the plan was abandoned, ostensibly for

nationals. Even this modest allocation of resources was in doubt for many months, and considerable time and energy has been devoted by GAU staff to justifying to senior administrative and budget officers the role of the GAU within UNTAET simply to ensure its budget. There has also been some disagreement between the GAU and East Timorese women's groups about the functions and priorities of the office. For example, some East Timorese women have argued that the GAU should employ East Timorese and give priority to training and education, while some GAU staff believed that the most fruitful role for the GAU would be to develop a model for an administrative gender unit operating within a national government.

The GAU has taken some useful steps. It has set up a "Gender and Law" working group to encourage East Timorese women in particular to provide input on UNTAET's policy and legislative proposals. "Gender focal point" officers (all foreign) have been appointed and sent to most of East Timor's eleven districts in order to encourage the flow of information between the GAU and local women. The GAU has also collected statistics on female education levels, the rate of widowhood, and other topics and worked to raise awareness of the harms of domestic violence through poster campaigns. In addition, the Unit has persuaded high-profile figures such as Bishop Carlos Belo to speak publicly against domestic violence.

However, gender mainstreaming within UNTAET has not been given the priority promised by the Security Council. The GAU has an uncertain and little-known mandate, and it suffers from poor funding, marginalization, and a lack of institutional support. There is little evidence of attention to gender issues outside the small GAU office. Language and cultural barriers between grass-roots women's groups and the GAU have arisen. The project of gender mainstreaming in East Timor is also limited by a general problem facing all such programs within the United Nations: The concept of "gender" is essentially understood as being only about women. Thus, Security Council Resolution 1325 used the phrase "gender perspective" in peace negotiations to refer to giving attention to the special needs of women and girls during repatriation, supporting local women's peace initiatives, and protecting the human rights of women and girls in any new legal order.¹⁵ The notion of gender has not been used in the United Nations to analyze or influence male gender identities and patterns of behavior.¹⁶ These issues are particularly acute in a socially conservative, deeply religious society such as East Timor.

Thus, while the sustained feminist critiques of notions of international peace and security have finally begun to influence U.N. rhetoric, the U.N. involvement in East Timor suggests that the policy of gender mainstreaming can quickly become a token exercise. To be taken seriously, gender mainstreaming in peace operations requires priority in planning, partnership

reasons of funding limitations. The GAU was ultimately reinstated after internal and external pressures, including interventions from high profile U.N. figures such as the High Commissioner for Human Rights, Mary Robinson. This and the information contained in the rest of this paragraph and the next was obtained by Mary Wood on field trips to East Timor in November 2000 and February 2001. See also Sherrill Whittington, *The UN Transitional Administration in East Timor: Gender Affairs* 53 DEV. BULL. 74 (2000) (providing background on the Geneva Affairs Unit).

15. S.C. Res. 1325, *supra* note 3.

16. CHARLESWORTH & CHINKIN, *supra* note 5, at 195-96.

between the United Nations and local groups, secure and adequate resourcing, and an understanding that gender issues are as much about men as about women.

