

Contextualizing 'trafficking' and 'peacekeeping sex' in the Arizona Market: A feminist political economy framework for conceptualizing Bosnia and Herzegovina as a complex space of post-war

by

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A thesis submitted to the Faculty of Graduate and Postdoctoral Affairs in partial fulfillment of the requirements for the degree of

Masters of Arts

in

Legal Studies

Carleton University

Ottawa, Ontario

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Direction du
Patrimoine de l'édition

395, rue Wellington
Ottawa ON K1A 0N4
Canada

Your file Votre référence

ISBN: 978-0-494-93527-9

Our file Notre référence

ISBN: 978-0-494-93527-9

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Abstract

This thesis forwards a feminist critique of the neo-liberal approach to post-conflict reconstruction that was implemented in post-war Bosnia and Herzegovina – seen with the creation of, and regulation of ‘trafficking’ within, what came to be known as the ‘Arizona Market’. The critique of the neo-liberal project of societal reconstruction is premised on the argument that an ideologically-rooted focus on ‘free market’ reform lacks a broader understanding of post-conflict spaces in which reconstruction programs are actually implemented; and this lack manifests into how BiH (effectively regulated by the International Community during the U.N peacekeeping mission) regulated ‘trafficking’. Indeed, lacking a broader understanding of the context, the International Community’s attempt to regulate ‘trafficking’ in BiH positions ‘consent’ in terms that fail to recognize structural constraints on women’s agency.

Therefore, positioned against a de-contextualized approach to reconstruction, this thesis draws on the language of political economy to offer a more complex view of post-war sites. The framework of political economy offers a way of bringing into focus the complex material conditions negotiated by ‘trafficked’ women, and by implication, the social contingencies of masculinity that constitute the spatial complexities of ‘peacekeeping economies’ like the Arizona Market.

This thesis is not prescriptive. However, the focus on women’s autonomy, and on the social contingencies ‘peacekeeping masculinity’, enriches an understanding of post-war spaces, and thus contributes to a more comprehensive approach to their regulation.

Acknowledgements

I would first and foremost like to thank my supervisor Doris Buss for helping me to conceptualize this project, as well as for pushing me down a fascinating intellectual path. I would also like to thank Christiane Wilke for cementing the roots of this project – in reminding me that a thesis extends far beyond a culmination of literature reviews; and my second reader, Ummni Khan, for helping to introduce complexity to feminist debates on prostitution and ‘trafficking’. Finally, I would like to extend my gratitude to numerous students in the Legal Studies department for their unwavering support. Thank you to Racha Al Abdullah, Mariam Sheibani, Afua Jonah, Agnes Barr-Klouman and Darren Pacione for your kind words and for lending an ear when challenges arose.

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List of Abbreviations

BiH – Bosnia and Herzegovina

COYOTE – Call Off Your Old Tired Ethics

CATW – Coalition Against Trafficking in Women

CORP - Canadian Organization for the Rights of Prostitutes

DMSC - Durbar Mahila Samanwaya Committee

DPKO – Department of United Nations Peacekeeping

FBIH – Federation of Bosnia and Herzegovina

GAATW – Global Alliance Against Traffic in Women

HRC – Human Rights Caucus

HRW – Human Rights Watch

IC – International Community

ICPR - International Charter for Prostitutes Rights

IEBL – Inter-entity border line

IHF – International Helsinki Federation for Human Rights

IPTF - International Police Task Force

NSWP - Network of Sex Work Projects

PKOs – Peacekeeping Operations

RS – Republika Srpska

sFU – former Soviet Union

SPTF - Stability Pact Task Force Against Trafficking

STOP – anti-trafficking units implemented in BiH to “stop” ‘trafficking’

UNMIBH – United Nations Mission to Bosnia and Herzegovina

CHAPTER 1

INTRODUCTION

Background to the study

On the heels of the ethnic conflict which engulfed Bosnia and Herzegovina (BiH) in the 1990s, peacekeepers were tasked with the duty of protecting the Arizona Market - a market created by the international community (IC) on the assumption that the “neutrality of commerce” would instil “ethnic harmony” among formerly warring factions (Haynes, 2011). However, in the context of BiH - where commercial sex remains criminalized - the Arizona Market became better known for its active trade in sexual services (Mendelson, 2000). The Arizona Market gained notoriety for the presence of UN peacekeepers as clients of foreign sex workers, who in turn, were presumed to be ‘trafficked’ into BiH from politically ‘transitioning’ countries such as Ukraine, Moldova and Bulgaria (HRW, 2002). Between 1998 and 2002, during the time of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), the IC responded to the notoriety by implementing specific laws aimed at regulating activities like ‘trafficking’ within the ‘peacekeeping economy’ of the Arizona Market.

Statement of the problem

This narrative about the Arizona Market suggests that the existence of the Market, and the regulation of Market activities like 'trafficking', can be situated within a larger neo-liberal project of post-conflict reconstruction. Fetherston (1994, 2000), Haynes (2011) and Park (2010) are critical of neo-liberal approaches to the reconstruction of spaces of post-war. Their critiques suggest that neo-liberal ideologies that drive post-conflict reconstruction projects neglect to account for the empirical realities of post-war zones.

This thesis builds on the critique that a neo-liberal approach to reconstruction lacks connection with the 'everydayness' of the post-conflict zone (Fetherston, 2000, p.197). The thesis suggests that a neo-liberal approach to societal reconstruction, at play in the creation of the Arizona Market, is steeped in 'free market' ideology, that when applied in practice, accommodates absolutist ideas about 'consent' which find expression in the ICs attempt to regulate 'trafficking' in BiH.

The neo-liberal attempt to shape the Arizona Market into an economically viable space, and to regulate 'trafficking' through the controlling logic of 'consent' (further discussed in chapter four) is problematic. An idealized vision of BiH as a 'free market' space - that is reproduced by a neo-liberal approach to reconstruction – lacks a broader understanding of the context in which economic reforms are actually implemented; and this lack manifests into how BiH (effectively regulated by the International Community during the UNMIBH peacekeeping mission) regulated 'trafficking'. Indeed, lacking a

broader understanding of the context, the International Community's attempt to regulate 'trafficking' in BiH positions 'consent' in terms that fail to recognize structural constraints on women's agency. Hence, the problem with neo-liberal approach to reconstruction is that it is premised on a view of BiH as a space of post-conflict, and of an understanding of 'consent', that is overly de-contextualized - to account for, and thus to adequately regulate, complexities occurring on the ground.

Aim of the research

Therefore, positioned against a de-contextualized approach to spaces of post-conflict that the neo-liberal project of post-conflict reconstruction reproduces, this thesis aims to accentuate the complexity and diversity of the politico-economic space of the Arizona Market within which peacekeeping operates.

A critical feminist reading of 'peacekeeping economy', a 'sex-workers-rights' approach to 'trafficking', as well as a more socially contingent understanding of masculinity in 'peacekeeping sex' - taken up by the second chapter of this thesis - suggests that complex forms of agency, and by implication, variable masculinities, are at play in, and have influence on, the politico-economic space of the Arizona Market. Hence, a broader understanding of the context calls for a more robust understanding of 'consent' - one that acknowledges the possibility of agency in constraining spaces, and by implication, emphasizes the multiple roles peacekeepers play in the lives of the 'trafficked' women from whom they buy sex.

An analysis of the complexities that constitute the space of the Arizona Market, in turn, emphasizes the limitations of a de-contextualized approach to post-conflict reconstruction. Indeed, a vision of the Arizona Market as a complex space complicates the ICs belief in neo-liberal ideas about the market as ever 'free', and thus of 'consent' as an absolute – seemingly unobstructed by realities on the ground. Therefore, a focus on the contextual complexity of the Arizona Market suggests that the IC's application of neo-liberal ideologies to the reconstruction of BiH proves to be a misdirected approach to the treatment of complex spaces of post-war. Instead, a consideration of women's agency and of variable masculinities enriches how post-conflict spaces can be understood; and thereby offers a more comprehensive approach to seeing, and regulating 'trafficking' in, post-conflict sites like the Arizona Market.

Overview of the study

In order to expose the complexity of context of the Arizona Market, Chapter 2 offers a political economy framework from which to conceptualize the Arizona Market as a complex post-war space, within which 'trafficked' women and peacekeepers operate. The lens of political economy casts a broader context from which to envision the Arizona Market as a space of post war, and thereby rejects the "prescriptive rationality" that underlies a large body of policy literature on peacekeeping (Fetherston 2000, p. 198). Hence, leveraged against the "hollowing out" of space that serves as an undercurrent to a neo-liberal approach to conflict resolution, the language of political

economy offers a way to conceive of, and thus to populate, the conceptual space of the Arizona Market with complex gendered power relations.

In order to weave complexity into the 'peacekeeping economy' of the Arizona Market, the second chapter draws on a feminist reading of the economic and gendered impacts of peacekeeping. A feminist reading of peacekeeping offers a way of seeing space as highly charged with gendered power relations that revolve around 'transactional sex'. In turn, politico-economic view of the Arizona Market as a complex space gives rise to a discussion about the possibility of 'consent' in prostitution/sex work.

The chapter draws on the feminist debates on prostitution which took place in the context of the negotiations leading up to the adoption of the UN Trafficking Protocol (Outshoorn, 2003). These debates on prostitution fall into two theoretical camps – 'abolitionist' vs. 'sex workers' rights'; each camp bolsters polarized views about sex work, and these divisions map onto how each camp understands the problem of, and defines 'trafficking'¹ for sexual purposes. In turn, an analysis of the poles of the

¹ Article 3(a) in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime* (the UN Protocol) defines 'trafficking' as:

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of

prostitution debate helps to crystallize a problem in the theorizing of, and in the UN definition of 'trafficking' – which is that 'consent' can be defined, and mobilized in stark ways.

By drawing on specific 'sex workers rights' scholars (Andrijasevic, 2007; Askola, 2007, 2009; Agustin, 2006; Cavalieri, 2011; Doezema & Kempadoo, 1998; GAATW, 2007), who theorize about complex forms of agency in their approach to 'trafficking', this thesis complicates the radical feminist association between 'trafficking' and coercion.

In troubling the 'naturalized' place of coercion in the 'abolitionist' stance to the definition of 'trafficking', the thesis supports a 'sex workers' rights' approach to 'trafficking', and, in particular, the concept of 'constrained agency' (Aretxega, 1997). 'Constrained agency' is a helpful tool to conceptualize the complex structural environments in which women make decisions in, and about, migrant sex work. For my purposes, 'constrained autonomy' offers a way of theorizing about complex forms of agency within complex contexts – in ways that destabilize the link between 'peacekeeping sex' and 'exploitation' – and brings into focus the material conditions of women's lives (Otto, 2003).

The third chapter contextualizes the experience of becoming 'trafficked' within the political economy of sex work in 'transitional' contexts. Drawing on various

sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

empirical studies conducted on 'trafficked' women (Cavaliere, 2011; HRW, 2002; IHF, 2000; Yea, 2005), the chapter discusses the economic circumstances that structure how (some) women move to be sex workers and then experience the conditions of sex work. The studies reveal the resourcefulness women can display in negotiating their clients within 'constraining' circumstances. Moreover, Corso & Landi's (1998) study on foreign clients - such as peacekeepers - reveal that motivations for buying sex grow out of a complex set of relations men have with 'trafficked' women.

The structural realities that 'trafficked' women negotiate through the medium of sex work, and the variable roles that military men play in the lives of these women, speak to contextual complexities that pervade transitional contexts in which commercial sex is bought and sold. These realities, in turn, call for a broader understanding in the law about the structural conditions that give rise to the supply side of 'trafficking'. However, the ICs regulation of 'trafficking' within the 'peacekeeping economy' of the Arizona Market neglects to respond to this call.

The fourth chapter shows how the ICs creation of the Arizona Market – and the regulation of activities like 'trafficking' on the market – were driven by a de-contextualized approach to the reconstruction of post-conflict societies like BiH. This approach finds expression in the presence of 'trafficking' within the Arizona Market; it also finds expression in absolutist ideas about 'consent' that were operationalized by anti-trafficking instruments. The ICs attempt to regulate 'trafficking' through specific

instruments in turn, lacks appreciation of the 'constrained choices' through which women operate.

Moreover, the attempt by the United Nations Department of Peacekeeping Operations (DPKO), to regulate forms of 'transactional sex' (like 'trafficking'), by targeting only the demand-side of prostitution in zones of post-war, sustain monolithic ideas about masculinity in ways that obscure the empirical realities of women's experiences in 'transitional' spaces.

This thesis is not prescriptive. However, by directing focus to the context in which post-conflict reconstruction programs are implemented, the thesis accentuates the need for a more robust understanding of 'consent' – one that is premised on a more nuanced approach to the conceptualization of, and to the regulation of, 'trafficking' and 'peacekeeping sex' in the Arizona Market, and in other post-conflict societies.

CHAPTER 2

A THEORETICAL FRAMEWORK FOR CONCEPTUALIZING THE ‘PEACEKEEPING ECONOMY’ OF THE ARIZONA MARKET AS A COMPLEX SPACE OF POST-WAR: CARVING OUT CONCEPTUAL SPACE FOR THE THEORIZATION OF COMPLEX FORMS OF AGENCY IN ‘TRAFFICKING’, AND FOR VARIABLE MASCULINITIES IN ‘PEACEKEEPING SEX’

Conceptualizing the Arizona Market as a complex space: Moving beyond an instrumental approach to ‘peacekeeping’

The United Nations defines peacekeeping as:

The deployment of international military and civilian personnel to a conflict area with the consent of the parties to the conflict in order to: Stop or contain hostilities or supervise the carrying out of a peace agreement (UN Peacekeeping, 2007)

The above definition encompasses a “traditional” (pre-Cold War) as well as non-traditional understanding of peacekeeping. Since the end of the Cold War, UN peacekeeping has evolved in a way that revolves less around military tasks (aimed to contain inter-state conflicts under ‘traditional peacekeeping’) and instead consists of administrative tasks (to counter intra-state conflict) associated with political, judicial, economic, and social reconstruction (Johnstone, 2005; Knoops, 2004; Mazurana, Raven-Roberts, & Parpart, 2005). Therefore, in the last two decades peacekeeping operations have become increasingly complex and multi-dimensional, involving greater interaction

with 'local'² populations. Consequently, the label 'peacekeeper'³ is increasingly applied to a large variety of actors who make up a multinational force of "military and/or police personnel and frequently civilians as well" and undertake more intricate tasks affiliated with 'post-Cold War peacekeeping' (Boutros-Ghali, 1992). The practice of peacekeeping is thus continuously subject to changing circumstances and for this reason, peacekeeping as a concept lacks conceptual clarity.

Case or empirical studies generally dominate the policy literature on peacekeeping. Studies take an "inductive" approach to the phenomenon; as a result, principles and lessons-learned are derived from practice, not theory (Whitworth, 2004). Whitworth argues that this state of affairs may "not [be] surprising given the ad hoc, and historically improvised nature of the enterprise [of peacekeeping]"; nevertheless, the "inductive" focus on peacekeeping, implies that operational rather than conceptual frameworks dominate the meanings ascribed to the term 'peacekeeping' (Johnstone, 2005, p. 4; Whitworth, 2004, p. 10). In short, peacekeeping as a concept is based on its practice.

Accordingly, numerous studies on peacekeeping focus on functional rather than conceptual aspects of the phenomenon. These studies seek to explain the causes, successes, failures and implications of peace operations "in purely instrumental terms"

² Kathleen Jennings uses the term 'locals' to refer to those "residents of the areas hosting peacekeeping operations" (Jennings, 2010, p. 229). 'Local' therefore can refer to transient populations for example, trafficked women, but excludes those foreign personnel directly involved in a peacekeeping operation.

³ Kathleen Jennings use the terms 'peacekeeper' and 'UN personnel' broadly. The terms are used to refer to "all UN mission staff and personnel, whether civilian, military, or police...engaged in peacekeeping. Peacekeepers are presumed to be 'internationals' (i.e. not citizens of the host country)" (Jennings, 2010, p. 229).

(Johnstone, 2005, p. 3). The *Brahimi Report* for example, entails broad recommendations directed at improving the ways in which the UN conducts peacekeeping activities. According to Whitworth, the *Brahimi Report* focuses on “short-term, crisis-oriented, and operational analyses” which, in turn, has helped “systemize” the UN’s [instrumental] approach [to peace operations] rather than critique it (Whitworth, 2004, p. 24).

Other more recent literature (Asku, 2004; Paris, 2000; Richmond, 2004; Varynen, 2004) moves beyond practical and operational issues of peacekeeping. This literature attempts to theorize the practice of peacekeeping by placing it in a broader context of international politics in which the role of norms and global governance play an important part (Paris, 2000). Thus, more recent studies view peacekeeping as emblematic of the normative orders that shape, and are shaped by UN peace operations. These studies perceive peace operations as products of the ideological orientation of the organizations involved as well as the norms that legitimize (or delegitimize) certain policies as normatively “acceptable” (Aksu, 2004; Mazurana, *et al.*, 2005; Richmond, 2004; Vayrynen, 2004; Woodhouse & Ramsbotham, 2005; Whitworth, 2004). The bodies of literature which address peacekeeping in this way attempt to “defend the normative ends that peace operations serve, or to expose and tear down the hidden normative assumptions that guide peace operations” (Johnstone, 2005, p. 3).

This thesis is concerned with the bodies of literature that espouse the latter objectives – that is, with scholarship that analyzes peacekeeping from a ‘critical’ perspective.

The focus on a 'critical' perspective on peacekeeping in this thesis builds on the work of Betts Fetherston (1994, 2000). Fetherston argues that policy literature on, and the UNs approach to, conflict resolution practices like peacekeeping tend to be prescriptively driven; and that a prescriptive approach to conflict management lacks connection with the deeper complexities and 'everydayness' of post-war societies (Fetherston, 2000, p.10). Therefore, a 'critical' approach to peacekeeping moves beyond a functional understanding of the term and practice. Moreover, it calls for a need to accentuate the space within which peacekeeping takes place. This thesis invokes a critical feminist reading of peacekeeping. A critical feminist perspective on peacekeeping engages with the phenomenon on a deconstructive and less instrumental level; it thereby offers a way of taking into account the complexity and diversity of the gendered context within which peacekeeping operates.

Feminist approaches to peacekeeping

Critical feminist scholars such as Cynthia Enloe (1983, 2000), Cockburn & Zarkov (2002) and Paul Higate (2004) analyze the peacekeeping in ways that draw attention to the contextual dynamics of the post-conflict zone in which peacekeeping takes place. Cockburn & Zarkov (2002) envision the post-conflict context to be shaped by "linked [wartime] structures of and ideologies of militarism and patriarchy"; yet they also acknowledge the significance of the "post war moment" as a time which opens the possibility for policy to re-shape the post-conflict site in meaningful ways (2002, p. 9-

10). Other scholars like Cynthia Enloe suggest that a peacekeeping operation can be an “influential force” in post-war contexts. She asserts that these sites can become characterized by “persistent tensions between processes of demilitarization, transformation of militarized masculinities, and the democratization of gender relations” (Cockburn & Zarkov, 2002, p. 12; Enloe, 1993). These feminist analyses suggest that peacekeeping missions (PKOs) impact upon the political, economic and social setting in which they take place, and that this impact has gendered effects. In other words, some of the ways in which scholars like Cockburn & Zarkov (2002) and Enloe (1983, 2002) have engaged with contextual complexities of post-war zones like the Arizona Market is by analyzing the political and economic impacts of PKOs as well as their gendered effects.

Local economic impacts of peacekeeping: The creation of a ‘peacekeeping economy’

Peacekeeping normally takes place in a transitional environment (from war to peace). Accordingly, peacekeeping operations attempt to establish the rule of law as well as set the stage for long-term security and development. In order to fulfill these objectives, peacekeeping as a practice requires substantial involvement in complex social, political and economic processes and structures which, in turn, impact upon the host economy (Pouligny, 2002). However, quantitative analysis on the economic impacts of peacekeeping is deficient in both economic and social scientific research—in spite of the fact that “such analysis is identified as a priority area of concern for peace

implementation” (Carnahan, Gilmore & Durch, 2006, p. 1). To date, only one study (Carnahan, Gilmore & Durch, 2006), based on “systematically collected data”, has been conducted on the economic impacts of peacekeeping (in Cambodia) (Carnahan, Gilmore & Durch, 2006, p. 384).

The Cambodian study analyzes the local economic impact of the UN peace operation in Cambodia. One of the larger observations drawn by the study is that international economic presence stimulates local economic activity in artificial ways; it cites the creation of parallel economies to suggest that PKOs usually entail and generate (positive and negative) economic effects. For example, the study observes that the political economies generated by PKOs tend to exist for the purpose of serving the needs of transient internationals; international personnel in turn, hold levels of income 15 to 1000 times higher than the ‘local’ population (Carnahan, Gilmore & Durch, 2006; Mendelson, 2000).

Kathleen Jennings (2010) builds on the Cambodian study. She suggests that though the political economy⁴ generated by a peacekeeping mission entails unique effects, it “does not exist in a vacuum,” but is rather an influential “component of the larger post-conflict economy” (Jennings, 2010, p. 240). Indeed, Marjucelj contends that when peacekeeping operations direct substantial amounts of international money into the host economy they distort it in ways that create a “bubble economy” (2005, p. 3). In

⁴ O’Brien and Williams (2007) refer to political economy as a discipline that draws on political, legal and economic behaviours to explain how political institutions, the political environment, the judicial system and the economic system (capitalism) influence each other. Hence, ‘political economy’ can be seen as a framework for understanding the political, economic and legal constitution of post-war zones.

turn, the making of a “bubble economy” can entail “distorted labour, the creation of a service economy, as well as the rise of illegal drug use and prostitution” (Marjuclj, 2005, p. 3; Woodward, 2002, p. 6). Hence, the “economic multiplier effect of peacekeeping operations, via direct or indirect resource flows into the local economy, as well as to the construction of or reconstruction of housing stock and other infrastructure, including ‘entertainment’⁵ infrastructure” is said to generate a ‘peacekeeping economy’ (Jennings, 2010, p. 231; Rehn and Sirleaf, 2002).

The specific phenomenon of ‘peacekeeping economy’ is under-theorized in academic literature and is reflective of the over-emphasis on instrumental aspects of peacekeeping generally. Nevertheless, a handful of feminist scholars (Jennings, 2010; Jennings & Nikolic-Ristanovic,, 2009; Otto, 2003), and some policy papers (Rehn & Sirleaf, 2002) have analyzed ‘peacekeeping economies’ – in ways that populate the context with complex gendered power relations.

The gendered effects of PKOs: Gendered power relations in ‘peacekeeping economies’

The term ‘peacekeeping economy’ is used for the first time in a report produced by the United Nations Entity for Gender Equality and the Empowerment of Women (UNIFEM) entitled *Women, war and peace: The independent experts’ assessment on the impact of armed conflict on women and women’s role in peace-building* (Rehn & Sirleaf,

⁵ Carter and Clift refer to ‘entertainment’ infrastructure as comprising restaurants, bars, clubs and brothels (2000, pp. 1-19).

2002). The report uses 'peacekeeping economy' to refer to "the industries and services (e.g. hotels, bars, restaurants, transport) that come into being when a peacekeeping operation arrives in an area. It caters primarily to international actors, provides some jobs for locals, and depends on the custom and cash associated with international presence" (Jennings & Nikolic-Ristanovic, 2009, p. 4; Rehn & Sirleaf, 2002).

The report also suggests that 'peacekeeping economies' are located in dense areas – particularly in cities, but also in rural places - where international military personnel are based. Mendelson observes that numerous industries (including the sex industry) have expanded in and around these areas which, in turn, has lead her to conclude that 'peacekeeping economies' interact with local industries to a substantial degree (Mendelson, 2000). Jennings builds on this assertion. She explains that though 'peacekeeping economies' tend to accompany post-conflict reconstruction, they are not "solely constructed or patronized by a UN mission; other international personnel and local elites (including staff of foreign operations) contribute to, and take advantage of, these economies" (2010, p. 231). Jennings also asserts that "particularly in the case of the Balkans, the people 'servicing' the sex industry are not necessarily local, but may originate from neighbouring countries or even outside the region" (2010, p. 231). 'Peacekeeping economies' therefore tend to be supported and populated by 'locals' as well as transient international such as peacekeeping personnel and presumably, as per the above, women 'trafficked' for sexual purposes.

The diverse presence of transient internationals in the 'peacekeeping economy', including women who are 'trafficked' for sexual purposes, is suggestive of a link

between 'peacekeeping economies' and local sex industries. According to Jennings however, this link is not straightforward; the presence of peacekeeping personnel is not causal to 'prostitution'. Jennings argues that "the presence and proximity of a foreign military force cannot itself explain" the prominence of 'entertainment' infrastructure within 'peacekeeping economies' (2010, p. 235). Indeed, the second and third chapters of this thesis demonstrate that other factors related to global economic conditions as well as organized crime are also important. Nevertheless, the link between the 'peacekeeping economy' and the local sex industry suggests that, especially in the case of the Balkans, sexual labour characterizes some of the activities which constitute 'peacekeeping economies' (Jennings & Nikolic-Ristanovic,, 2009; Otto, 2003; Simic, 2009).

A forthcoming report entitled *Peacekeeping, poverty and development: Towards and understanding of the gendered peacekeeping economies in the DRC, Sudan, and Liberia* (Boas, Jennings, Henry, Aning & Rolasden, 2014) hypothesizes that "many of the jobs and services that comprise the 'peacekeeping economy' depend on (or are considered to be primarily the preserve of) women" (Forskningsradet, 2011). Consequently, while it is true that the 'peacekeeping economy' is characterized by a range of skilled and semi-skilled forms of employment, these types of jobs are "made available to UN staff and other NGOs"; unskilled labor or informal jobs are usually "filled by locals, especially women" (Jennings & Nikolic-Ristanovic, 2009, p. 4). Jobs occupied by 'local' women range from "housecleaning, cooking ... as well as forced or voluntary participation in the sex industry" (Jennings & Nikolic-Ristanovic, 2009, p. 4).

Jennings and Nikolic-Ristanovic explain that the predominant concentration of women in unskilled 'domestic' sectors and in service sectors such as the sex industry suggests that 'peacekeeping economies' are "highly gendered" (Jennings, 2010, p. 230). Jennings and Nikolic-Ristanovic also contend that, "in the case of the Balkans", the division is particularly pronounced in the sex industry. The "type of work as well as the organization of interests and ventures that comprise [sex work]" map directly onto "positions of power, ownership, and influence" which tend to be occupied by men; by implication, "women's positions are clustered around the middle or lowest echelons [of criminal enterprises]" (2009, p. 6). In other words, Jennings implies that 'peacekeeping economies' which support the expansion of local sex industries are "highly gendered" because the division of labour and also, commercial-sexual exchanges, are premised on economic disparity (Otto, 2003; Rubin, 1975).

This claim and understanding of the gendered 'impact' of the 'peacekeeping economy' "reflects an understanding of 'impact' that goes beyond the economic, to encompass...norms regarding gender roles and relations... in the [post-conflict] society" (Forskningsradet, 2011). Jennings articulates:

To note that the peacekeeping economy is gendered is not to assert that it is automatically damaging to those individuals implicated in it, or that participation in it is necessarily sexual in nature. Some people undoubtedly benefit from income derived through formal or informal participation in the peacekeeping economy, without implying a trade-off in terms of their physical integrity or emotional well-being ... The peacekeeping economy, however, does not exist in a vacuum. In some of its directly negative effects – such as the expansion of the local sex industry – it is likely to indirectly assist or reinforce concurrent efforts within communities to marginalize women and/or 'restore' them to purportedly traditional (usually conservative) gender roles. These efforts may include the (re)construction of sexual norms and ideals that are

'traditional' in the conception of masculinity and femininity they express, and yet can only be achieved in limited ways, including participation as either a client or a worker in the sex industry. (2010, p. 232)

In this statement Jennings argues that the expansion of the local sex industry within 'peacekeeping economies' is likely to, but not invariably to, (re)inscribe a stark 'traditional' gender order. This assertion is premised on the view that sex becomes capital which, in turn, entrenches gendered relations of unequal economic power (Rubin, 1975). Hence, Jennings highlights the gendered 'impacts' of 'peacekeeping economies' to show that gender roles become structured around economic relations of power. In spite of the "highly gendered" context of the 'peacekeeping economy', Jennings also argues that gendered social relations of power are negotiable through the medium of 'transactional sex'.

'Transactional sex', in Jennings use, refers to the variety of ways that "international-local [sexual] transactions can be organized in 'peacekeeping economies'" (2010, 233). She draws on O'Connell Davidson to suggest that "as a phenomenon, prostitution encompasses a range of transactions, actors, degrees of vulnerability and control; these transactions include, but also go beyond, instances of sexual slavery, sex trafficking, or survival prostitution" associated with most political understandings of prostitution in post-conflict environments (2010, p. 233; Oleszczuk & Buchowska, 1996, p. 24-31). The 'expansive' view of sex work implies that sexual transactions in 'peacekeeping economies' can be organized "freely, for a contracted fee, or for some form of in-kind payment" (Jennings & Nikolic-Ristanovic, 2009, p.7).

Given the diverse means of organizing sexual transactions in 'peacekeeping economies', Jennings acknowledges that "there is no single paradigm for transactional sex in peacekeeping areas" (2010, p. 233; Otto, 2003). Nevertheless, she does suggest that 'transactional sex' in these sites resemble a 'sex in tourism' approach; this approach views "peacekeep[ing] engage[ment] in transactional sex, with locals, [as] 'situational'" (2010, p. 234). O'Connell Davidson observes that the practice of prostitution in 'situational' circumstances "tends to be organized as an open-ended exchange based only on a very general, implicit understanding that some form of payment, monetary or otherwise, will eventually occur" (1998, p. 10). Arguably then, despite the fact that sexual exchanges are taken up by "different actors with different access to economic and social power," an 'open-ended exchange' can be "characterized by negotiation and bargaining" (Higate & Henry, 2004, p. 482). Therefore, Jennings' broad interpretation of 'transactional sex' implies that gendered power relations can be negotiated through commercial-sexual exchanges, even within contexts of 'material inequality'.

The lens of political economy: Conceptualizing the Arizona Market as a complex post-conflict space

A critical feminist reading of the economic and gendered impacts of peacekeeping offers a way of envisioning political economies of sex work, like the Arizona Market, as being charged with complex gendered power relations. Hence, a critical feminist analysis of the peacekeeping offers a political economy lens through which to conceptualize the Arizona Market as a complex structural environment – one

that is highly charged with gendered power relations that can be (re)constituted, resisted and redefined, yet of which 'exploitation' is also a part. The lens of political economy thus offers a way to understand the context as developing its own rationality, one that does not pre-determine 'trafficked' women or peacekeepers as 'victims', 'agents', or 'exploiters'; instead it casts a broader context within which 'transactional sex' can be seen as negotiable.

The idea that 'transactional sex' is negotiable acknowledges the possibility of agency in sex work. Therefore, a politico-economic view of the Arizona Market as a complex space gives rise to a separate discussion about the possibility of 'consent' in prostitution/sex work.

One of the ways of addressing this issue - of the possibility of agency in prostitution/sex work - is by consulting the feminist debates on prostitution which took place between two anti-trafficking NGOs in the context of the negotiations leading up to the adoption of the UN Trafficking Protocol. The anti-trafficking lobby efforts were split into two deeply divided theoretical approaches to prostitution/sex work – 'abolitionist' and 'sex workers' rights'. The 'abolitionist' camp was represented by the Coalition Against Trafficking in Women (CATW); the 'sex as work' camp was composed sex-workers-rights network, notably the Global Alliance Against Traffic in Women (GAATW), which were represented by the Human Rights Caucus (HRC) (Doezema, 2005).

An analysis of the different conceptions of 'sex as work' (GAATW; HRC) and 'sex as violence' (CATW) helps to explain some of the ways in which the trafficking debates unfolded, which, in turn, helps to crystallize a problem in the theorizing of, and legal

definition, of 'trafficking'; the fixation on 'coercion' and the depiction of 'consent' in stark terms, which represents a lack of recognition in the law about complex forms of agency.

This critique of the legal definition of 'trafficking' is articulated by specific feminist scholars who support a 'sex workers' rights' approach to sex work (Cavaliere, 2011, p. 1434; Kempadoo, 1998; Pheterson, 1989). An engagement with the discussion about 'trafficking', 'prostitution', and 'consent', from a 'sex workers' rights' position, helps to reveal the complex structural environments in which women make decisions about, and function as sex workers; and this discussion helps to show that 'victim', 'agency' and 'consent' are limited concepts on which to hinge analyses of complex structural constraints on women's agency.

'Sex workers' rights' scholars, who theorize about complex forms of agency in their interpretation of the legal definition of 'trafficking', thus call for a need to conceptualize 'trafficking' in broader terms; indeed, in terms that recognize 'constrained agency' - defined by Aretxaga as "the confrontation of dilemmas that lead to extraordinary forms of action" (Aretxaga, 1997, p. 61). Hence, taken from a 'sex workers' rights' perspective on 'trafficking' (Cavaliere, 2011, p. 1434; Kempadoo, 1998; Pheterson, 1989), the concept of 'constrained agency' helps to support the possibility of women's agency in forms of commercial sex that take place in structurally constraining circumstances of a 'peacekeeping economy'.

In order to engage with a conceptual discussion about the complex constraints faced by migrant sex workers, I first address the lobby efforts put forward by CATW and

the HRC - with regard to the issue of the (ir)relevancy of 'consent' in the international definition of 'trafficking'.

'Trafficking' as sex work under coercion and feminist debates on prostitution

In the UN negotiations over the adoption of the international definition of 'trafficking', CATW strived to influence the interpretation of 'coercion' by refuting the relevancy of consent in sex work (CATW, 2003). CATW characterizes sex work as a form of "modern slavery" when it "reaffirms that prostitution is incompatible with the dignity and worth of the human person and constitutes a source of serious violation of human rights" (CATW, 2004, Working group on contemporary forms of slavery section, para. 1). The rationale for CATW's position on sex work is theoretically rooted in the radical feminist contention that gender-based social conditions create economic desperation. Therefore in emphasizing structural inequality as the sole determinant to women's involvement in commercialized sex, CATW expresses the radical feminist view that sex work is inherently coercive (CATW, 2003; CATW, 2012, Philosophy section, para. 2- 3; Jeffries, 1995; Mackinnon, 1989; Farley, 2003; Raymond, 2002).

CATW's link between coercion in sex work and structures of domination is consistent with views espoused by Kathleen Barry, founder of CATW. In *The Prostitution of Sexuality* Barry asserts that "consensual engagement in prostitution [is] a logical impossibility" (1995, p. 17). In *Female Sexual Slavery*, Barry identifies commercialized sex as an extreme expression of sexual violence against women – the "epitome" of

female oppression (1979, p. 5). She conceptualizes the practice of prostitution as a condition of female subordination and argues that it is institutionalized by systems of gender oppression rooted in patriarchy and capitalism. Therefore, Barry asserts that women's involvement in prostitution is a structurally determined outcome of masculine systems of domination which, in turn, find expression through the commercialized sex market. Hence, the radical feminist rationale - which postulates that women's involvement in prostitution is solely systematically shaped (Raymond, 2004) - is reinforced by Barry, who argues that consensual participation in prostitution is "the wrong analysis of the phenomenon" (1995, p. 17).

The naturalized place of coercion in prostitution maps onto how anti-trafficking NGOs like CATW conceptualize 'trafficking' – with little consideration given to issues of consent. In *The guide to the new UN Trafficking Protocol* (2001), Janice Raymond, recent co-executive director of CATW states:

There is a bias in some UN agencies and circles in favor of redefining prostitution as work and limiting the problem of trafficking to selected forms of trafficking. UN documents exhibit this bias when they use terms such as "sex work" or "sex workers" instead of "prostitution" or "women in prostitution," or when they address only "forced prostitution" as the problem. (2001, p. 6)

Similar to Raymond, CATW advocate Donna Hughes conflates 'prostitution' with 'trafficking' during a testimony given to US Congress:

...unless compelled by poverty, past trauma, or substance addictions, few women will voluntarily engage in prostitution and are thus victims of trafficking. (2002, p. 2)

The fusion of 'prostitution' with 'trafficking', made apparent in Donna Hughes' testimony, suggests that CATW conceptualizes 'coercion' to be a

permanent feature of sex work – regardless of border crossing. CATW contends:

We cannot separate the exploitation done to women in local prostitution industries from the exploitation done to women who have been trafficked for prostitution. (2003, Addressing the growing demand to separate trafficking and prostitution section, para. 4)

The permanency of ‘coercion’ in CATW’s characterization of local and trans-national sex work parallels Barry’s claim about the irrelevancy of borders: “virtually the only distinction that can be made between the traffic in women and street prostitution is that the former involves crossing international borders” (1984, p. 7). According to Cavalieri, Barry erases the relevancy of borders in order to uphold a broad interpretation of ‘coercion’ in sex work. Cavalieri argues that Barry shifts the analysis of sex work from the “means by which women [enter] sex work, to one that focuses on the ultimate end of sex work, which [Barry] considers is wholly exploitative” (2011, p. 1420). The “ultimate end” of – or rather the inherent coercion to – local and international sex work is justified by Barry on the grounds that both forms “share pervasive context” (Cavalieri, 2011, p. 1419). Similarly, in the following passage CATW also implies that “pervasive context” economically disenfranchises women and thereby renders consent to migration impossible.

CATW states:

The sheer volume of foreign women who are in the prostitution industry in Germany ... casts further doubt on the fact that these numbers of women could have entered Germany without facilitation ... NGOs report that most of the foreign women have been trafficked into

[Holland] since it is almost impossible for *poor* women to facilitate their own migration. (CATW, 2003, p. 3, *my emphasis*)

The radical feminist reliance on a broad interpretation of 'coercion' is used by CATW to emphasize "pervasive context." The emphasis on "pervasive context" suggests that engagement in all forms of sexual labour is shaped by structural influences which, in turn, make 'consent' structurally contingent and thus, impossible (MacKinnon, 1989, p.175).

The irrelevancy of consent in migrant-related 'prostitution' is seen in the proposed definition of 'trafficking' recommended by the International Human Rights Network:

the recruitment, transportation within or across borders, purchase, sale, transfer, receipt or harboring of a person for the purpose of prostitution, sexual exploitation, exploiting the marriage of such a person, exploited labor, or slavery-like practices with or without the consent of the victims. (CATW, 1999)

Jo Doezema contends that the "key phrase" in CATW's proposed definition of 'trafficking' is 'with or without the consent of the victims' (2005, p. 72). Consequently, in the negotiations CATW sought to negate the importance of 'consent' in 'trafficking' – "all sexual labour is 'trafficking' and violated women's human rights, regardless of whether coercion occurred" (Cavalieri, 2011, p. 1431).

In the UN negotiations, the Human Rights Caucus (HRC) - representative of 'sex workers' rights' advocates - rejected the radical feminist position about the exploitative nature of all sexual labor including 'trafficking'. In contrast to CATW, the HRC believes consent in 'prostitution' is possible.

The HRCs autonomy-based approach to sex work is rooted in traditional liberal theory “committed to autonomy, individualism and minimal state interference in private choice” (Freeman, 1989, p. 86). Consequently, whereas the radical feminist theoretical perspective “rejects that individuals exist in isolation from social context”, the liberal model is premised on the assumption that individuals are “pre-social beings”; individuals are capable of reason and choice, independent of social context (Freeman, 1989, p. 87; Locke, 1967). This perspective is shared by Martha Nussbaum who offers a liberal understanding of individual autonomy.

Nussbaum argues that “at its core, liberal political philosophy regards the individual as the primary actor of concern and centers its analysis of society on the treatment of and respect for the individual and his or her choices” (1999; Cavalieri, 2011, p. 1429). Consequently, the liberal feminist view of women, as agents in their own lives, extends to a sex-workers-rights analysis of prostitution. This analysis begins with a presumption of consent (Freeman, 1989; Sullivan, 2000). Freeman articulates:

Because the liberal feminist is committed to maximizing autonomy and individual choice, she ... sees the individual expression of sexuality as implicitly consensual, liberating and empowering. Commercializing sex per se does not bother her; it is up to the individual woman to decide if she wants to use her body in a way that brings her money and satisfaction, even if that means trading in sex. (1989, p. 88)

The possibility of consent in ‘prostitution’⁶ captured by the above statement is outlined in the 1985 International Charter for Prostitutes Rights (ICPR, 1985). The Charter

⁶ It is notable that ‘sex workers rights’ groups, COYOTE and WHISPER for example, do not share unitary visions towards ‘consent’ in sex work; they interpret ‘exploitation in prostitution’ in different ways (Freeman, 1989; Sullivan, 2010). In spite of these inconsistencies, ‘sex workers’ rights’ groups do share a

“entwines its views on sex work as labour with those of consent to sex and consent to work” (ICPR, 1985; Doezema, 2005, p. 70). These links are supported by the Durbar Mahila Samanwaya Committee (DMSC), one of the worlds’ largest ‘sex workers rights’ organizations. It treats sex work as labor, and thereby acknowledges the possibility of consent in prostitution. In a recent paper the DMSC expressed:

The DMSC sees sex work as a contractual service, negotiated between consenting adults. In such a service contract there ought to be no coercion or deception. As a sex workers’ rights organisation, DMSC is against any force exercised against sex workers. (Jana et al., 2002, p. 75)

This statement demonstrates that sex-workers-rights advocates consider “exploitation and coercion as dully incompatible with the [sex-workers-rights] model of sexual labor, but only insofar as they override the choices of an individual” (Alexander, 1987, p. 83-91; Cavalieri, 2011, p. 1429).

The sex workers’ rights model of sex work is premised on a liberal notion of rights which, in turn, is “rooted in the individual person and abused at the individual level as well” (Cavalieri, 2011, p. 1430; Universal Declaration of Human Rights, 1948). A liberal notion of rights is therefore driven by the assumption that consent is central to the determination of oppression: “the consent of an individual woman is considered as the touchstone for assessing the presence of domination” (Alexander, 1987, p. 93; Haag, 1999).

(liberal feminist) commitment to decreasing instances exploitation in sexual labour. These advocates generally identify the poor conditions, in which sex work can take place, as infringing on a woman’s right to make self-determining choices into prostitution. For this reason, ‘sex workers rights’ groups advocate for equal rights and labor protection through political and legal reform. In legal and political arenas, these efforts center on interpretations of coercion to establish ‘consent’.

For the Human Rights Caucus in the UN negotiations, consent in prostitution served as the “the linchpin for the determination of oppression” in their definition of ‘trafficking’ (Cavaliere, 2011, p. 1435). This focus played itself out as the HRC promoted the concept of coercion to carve out space for the legal recognition of voluntary ‘prostitution’ within the definition of ‘trafficking’. Consequently, sex-workers-rights activists, and their feminist supporters, advanced the concept of coercion as the benchmark for the definition of ‘trafficking’.

For GAATW, a sex workers’ rights advocacy group who was represented by the HRC in the UN negotiations, “trafficking is characterized by the use of force during the migration process and/or the consequent labour or services” (Doezema, 1998, p. 68).

Traffic in persons and forced prostitution are:

Manifestations of violence against women, and the rejection of these practices, which are a violation of the right to self-determination, must hold within itself the respect for the self determination of adult persons who are voluntarily engaged in prostitution. (GAATW, 1994)

The emphasis on coercion as elemental to GAATW’s understanding of ‘trafficking’ creates a distinction between voluntary and forced prostitution. On the one hand, GAATW contends that the ‘voluntary/forced’ distinction ensures the distinct appearance of sex workers from trafficked persons in their definition of ‘trafficking’; on the other hand, the distinction is representative of the NGOs’ efforts to “keep true to the feminist strategy of taking up ‘violence against women’ [associated with ‘forced’ prostitution and/or migration] as a way of furthering the feminist agenda” (Doezema, 1998. p. 71). GAATW upholds the “distinction [and] envisions ‘voluntary’ prostitution, as work, and ‘forced’ prostitution, as violence” (*ibid*, p. 70). This analysis “applies in a similar way to

distinguishing between voluntary migration for the purposes of prostitution and involuntary trafficking” (Cavaliere, 2011, p. 1432; Kempadoo, 1998, p.125-127).

The ‘voluntary/forced’ framework is therefore an important tool for sex-workers-rights advocates. The distinction legally acknowledges sex work as labour, and thereby recognizes the agency of sex workers (Askola, 2007; GAATW, 2002; Kempadoo & Doezema, 1998). The legitimization of commercial sex, in turn, helps to de-link (the historical association⁷ of coercion with) ‘trafficking’ from (voluntary) prostitution.

Legal praxis and the ‘voluntary/forced’ framework

In the context of the UN negotiations, the implementation of the ‘voluntary/forced’ framework only served to fuel the historical debate rooted in “two epistemologically opposed versions of the nature of prostitution: work and violence” (Doezema, 2005, p. 72). As a result, polarized views on sex work meant that the consensus about the definition of ‘trafficking in persons’ came down to the meaning of ‘consent’.

CATW contended that the definition [of trafficking] must include wording on consent that indicated that a person could never consent to prostitution (Raymond, 2001). In effort to increase the visibility of the sex worker in the definition of ‘trafficking’, GAATW, on the other hand, argued that is possible to consent to prostitution:

⁷ Historically, the undertone to the anti-trafficking movement consisted of an anti-prostitution agenda. Given this historical legacy, current anti-trafficking advocates who share a sex workers’ rights position on sex work tend to object to the ‘term’ ‘trafficking’ (Leigh and Wijers, 1998).

Obviously, by definition, no one consents to abduction or forced labour, but an adult woman is able to consent to engage in an illicit activity (such as prostitution, where this is illegal or illegal for migrants). If no one is forcing her to engage in such an activity, then trafficking does not exist. (HRC, 1999, p. 5)

Ann Jordan of the Human Rights Caucus argues that a “compromise definition” was reached during the negotiations of the Trafficking Protocol. The final language in the Trafficking Protocol includes a specific reference in Article 3(a) to ‘exploitation of prostitution’; Article 3(b) however, makes explicit reference to ‘forced prostitution’ and thereby acknowledges the possibility of voluntary participation in adult sex work (UN Trafficking Protocol, 2000).

As a result, the UN negotiations ultimately codified “the concept of coercion or the denial of meaningful opportunity to consent, [as] the touchstone of the definition of trafficking under international human rights law” (Cavaliere, 2011, p. 1431; Nussbaum, 1999). The Trafficking Protocol thus ends up positioning of ‘consent’ as the linchpin for the determination of domination in ‘trafficking’, which presents something of a victory for CATW and GAATW. However, serving as the “hinge” between ‘sex as work’ and ‘sex as violence’, the interpretation of ‘consent’ in the Protocol reproduces a rigid understanding of coercion (Cavaliere, 2011, p. 1435; Doezema, 2005, p. 71).

According to feminist scholars like Doezema (1998, 2002, 2005), Kempadoo (1998), Haynes (2004), Agustin (2006) and Pheterson (1996), who conceptualize ‘trafficking’ in ways that accentuate structural conditions on women’s choices, the incorporation of the ‘forced/voluntary’ dichotomy in the Trafficking Protocol fails to capture the ‘constrained choices’ women make in structurally constraining circumstances.

The (im)possibility of 'consent': the outcome of the 'trafficking' debates and the case for 'constrained agency'

Doezema argues that in the context of codifying laws related to sex work, the 'voluntary/forced' framework inevitably hinges on 'consent', which leads to a "permutation of the innocent/complicit dichotomy ... in legal and public policy about women's sexuality" (Cavaliere, 2011, p. 1435; Doezema, 2005). This permutation has, as Doezema points out, led to a "conceptual split between 'free' sex workers who need rights, and 'forced' workers who need saving"⁸ (2005, p. 71). Thus "in distinguishing between 'trafficking' and 'voluntary prostitution' through the qualifier of 'consent', the Trafficking Protocol offers nothing to sex workers whose human rights are abused, but who fall outside the narrowly constructed category of 'trafficking victim'" (Doezema, 2005, p. 80). Cavaliere argues that "when women resist the label of victim, this discourse of innocence and complicity, disregards them altogether" (Cavaliere, 2011, p. 1437). In other words, the Protocol's reliance on a liberal notion of consent to distinguish between choice and/or coercion is, in Doezema's words, the "wrong framework" for the analysis of and, the protection of, diverse experiences of sex workers.

⁸ As will be discussed in third chapter, in many states such as in Bosnia and Herzegovina (BiH), the 'forced' workers side of the permutation has relied on a strict interpretation of coercion to substantiate victimhood. In the case of BiH, the strict criteria for victimhood meant that women who did not self-identify as 'trafficked' were restricted from the cover of international law. Hence, the definition of 'trafficking', as it was applied on the ground in BiH, "[left] room for sex workers to exist only outside of the protected space carved out for trafficking victims" (Doezema, 2005, p. 71).

This critique of the Trafficking Protocol is based on sex workers' rights advocates and scholars like Doezema & Kempadoo (1998) who conceptualize 'trafficking' as a problem that is rooted in broad socio-political and economic conditions of sex work. Their anti-trafficking advocacy campaigns strive to ensure that instruments like the Trafficking Protocol cover a wide range of potentially exploitative circumstances experienced, in particular, by migrant sex workers who display degrees of voluntariness in either sexual labour, and/or in the process of migration (Askola, 2007, 2009). The focus on structural constraints on women's agency is premised on the belief that "it is sex workers, rather than coerced innocents, that form the majority of the traffic in women" (Doezema, 2010, p. 147). Indeed, Haynes articulates that "if government instruments insist on rescuing girls chained to beds and brothels, they will overlook the vast majority of trafficked persons" (Cavalieri, 2011, p. 1444; Haynes, 2004).

In identifying sex workers as the majority of women who become exploited, Haynes (2004) and Doezema (1998) suggest that the experience of becoming 'trafficked' is anything but clear cut. For these scholars the legal recognition of women's agency is especially important in 'trafficking' situations – situations likely to be defined by subtleties of coercion and exploitation, but also shades of agency (Doezema, 2005).

The Network of Sex Work Projects (NSWP), one of the world's largest sex-worker-rights NGOs, emphasizes that nuances of consent tend to characterize the diverse experiences of 'trafficked' women. In the *Commentary on the Draft Protocol to Combat International Trafficking in Women and Children, Supplementary to the Draft Convention on Transnational Organized Crime*, the NSWP states:

Some migrants are aware that they will be working in the sex industry; others are deceived about the nature of the work. It is important to emphasize that deception and exploitation are not limited to the recruitment process. Conditions vary greatly for people working in the sex industry. Some enjoy relatively 'good' conditions, with a great deal of control over their working situation. Others are subject to exploitation, and may even work in situations similar to slavery. (NSWP, 1999)

The NSWP offers a broad characterization of agency in cases of 'trafficking'. This characterization includes abolitionist elements of coercion such as "slavery", but also suggests that 'choices' can be conceptualized as falling on a continuum, somewhere between coercion and consent (Askola, 2009; Agustin, 2006; Haynes, 2004).

It is notable that the Network of Sex Work Projects (the NSWP) walked out of the UN negotiations. The NSWP went 'on record' to say that the Trafficking Protocol is "antithetical to efforts to protect the human rights of sex workers in the sex industry" (NSWP, 1999, para. 4). The NSWPs disenchantment with the Protocol can be interpreted to mean that it is impossible for the 'voluntary/forced' framework to legally process the partial agency that, in their view, defines the complex realities migrant sex workers face. Indeed, the NSWPs rejection of the definition of 'trafficking' in the Trafficking Protocol echoes the contention that a focus on 'consent', through the 'voluntary/forced' framework, masks the "larger issues" that account for the 'real' harm to women caught in trafficking situations (Doezema & Kempadoo, 1998). Doezema & Kempadoo (1998) identify "larger issues" to be the conditions in which sex work is practiced and, by extension, the complex structural environments within which decisions about sex work are made (NSWP, 1999). In other words, the NSWP, and a

handful of scholars, analyze women's ambivalent and conflicting experiences of becoming 'trafficked' through the prism of 'constrained agency'.

Sex-workers-rights and 'constrained agency'

Jody Freeman has critiqued the sex-workers-rights movement for "refus[ing] to acknowledge the relativity of choice" (1989, p. 91). She draws on COYOTE (Call Off Your Old Tired Ethics) and CORP (Canadian Organization for the Rights of Prostitutes) to make this claim. In a more nuanced way, Askola has also critiqued GAATW for similar reasons: "the problem with GAATW[']s [understanding of 'trafficking'] is that it is, at times, unduly individualist in downplaying the context in which choices are made and does not articulate how to make its critical distinction, that is, to separate the 'forced' from the 'free'" (2007, p. 34). In an indirect way, Cavalieri addresses these critiques.

Cavalieri acknowledges that sex-workers-rights groups and the feminist scholars who support their views, analyze a liberal notion of freedom in myriad ways. Cavalieri argues that scholars such as Bindman & Doezema (1997) Doezema (1998; 2005), Kempadoo (1998), Nussbaum (1999), Pheterson (1996) and Thorbek & Pattanaik (2002) cannot be described as "unduly individualist"; their work shares appreciation for the context in which individuals live. She contends that these theorists have contributed to a growing body of literature which addresses the 'traffic in women' in ways that emphasize the "nuances of the softly coercive [pressures]" that have impact on women's choices to migrate for sex work (Cavalieri, 2011, p.1435). Relative to radical

feminists who insightfully (though over-deterministically) emphasize the “coercive force[s] of societal oppression”, the aforementioned scholars offer a more nuanced understanding of coercion (*ibid*). They account for “the social nature of coercion” to advance the idea that women’s choices do not exist in a vacuum; yet “none of these theorists believe it worthwhile to undermine an individual woman’s agency in order to protect her from systemic, categorical oppression” (Cavalieri, 2011, p. 1443).

Accordingly, these and other scholars, Aretxaga and Pheterson in particular, analyze societal coercion in terms of its impact on the individual; their work demonstrates that individual choices can serve as resistance strategies against “discriminatory gender codes” (Pheterson, 1996, p. 100).

In her gender analysis of the political conflict in Northern Ireland, Aretxaga invokes the concept of ‘choiceless decisions’ to characterize the resistance strategies women employ in face of political oppression. In her analysis, she accounts for structural forces that constrain women’s agency; yet she remains committed to carving out a place for autonomy, even within “pervasive context” (Aretxaga, 1997). In a similar vein, Pheterson positions individual female agency within a broader context of labour migration (Pheterson, 1996). She contends that migratory sex work can serve as a resistance strategy for women who seek liberation, “from both gendered and economic oppression experienced in their daily lives” (1996, p. 107-111).

Both of these scholars attempt to account for the real-life choices women make, constrained as they may be by the situations that motivated them to act in decisive ways. Consequently, the concept of ‘constrained agency’ offers conceptual insight into

the material realities 'trafficked' women face, *and* negotiate – through engagement in sex work and/or migration. As I argue in the second chapter, the 'trafficked' women in BiH, at the height of the peacekeeping mission, should be conceptualized as 'constrained agents'.

The case being made for 'constrained agency' supports a sex-workers-rights approach to sex work. This perspective suggests, that for the majority of migrant women who operate through 'constrained agency', 'trafficking' - for lack of better alternatives - can serve as a medium through which women negotiate their "economic security through work in other countries" (NSWP, 1999, para. 4). However, though Simic (2009) and Otto (2003) serve as the exceptions, the (partial) agency exercised in this process is hardly acknowledged by much of the academic and policy literature addressing 'peacekeeping sex' (Higate & Henry, 2004; Higate, 2004; MONUC, 2005; OIOS, 2005; SBG, 2003).

This body of literature has treated 'peacekeeping sex' in a way that that implicitly assumes that "relations of inequality" (Collier, 2007, p. 147) negate the ability of 'civilian' women to 'consent' to sex work in post-conflict contexts. As result, the ways in which 'peacekeeping sex' is talked about overlooks the complex forms of agency exercised by 'civilian' women; by implication this literature portrays 'peacekeeping sex' as demand-led. The lack of female 'consent' presumed by this literature, to be elemental to commercial sex in post-conflict zones, implies all sex (of the 'peacekeeping' kind) is not only demand-led, but it is also coercive. This type of theorizing about the

inherently 'exploitative' nature of 'peacekeeping sex' upholds a masculinity/crime nexus (Collier, 2007).

In the next section, I will demonstrate how this nexus implies a causal relationship between a 'militarized masculinity' and sexually 'exploitative' behavior. This analysis is informed by the contention that the focus on masculinity, as an explanatory variable for 'bad' behavior, is only a further distraction from the complex situations faced by 'trafficked' women - their agency, constraints, and their 'rights'. To refocus on the women, I address 'peacekeeping sex' in a way that moves beyond 'crisis of masculinity' theory.

'Peacekeeping sex' with 'trafficked' women: Moving beyond 'crisis of masculinity' theory

Since the mid-1990s, charges have been begun to emerge of sexual and physical violence perpetrated by foreign peacekeepers against local citizens in numerous peacekeeping missions ... In Bosnia, peacekeepers may have condoned the establishment of brothels and been involved themselves in the trafficking of women and children. (Whitworth, 2004, p. 13)

Olivera Simic draws on excerpts like the one given above; she contends that some academic literature (Higate, 2004; Higate & Henry, 2004; Gustaffson, 2005; Whitworth, 2004), policy papers and empirical studies (MONUC, 2005; OIOS, 2005; SBG, 2003) that address 'peacekeeping sex', tend to conflate all forms of sexual labour with 'sexual exploitation' (Simic, 2009). Simic argues that analytic inquiry into commercial-sexual interactions between civilian/military personnel are premised on an "uncritical

acceptance of the broad definition of 'sexual exploitation' which "seems to cover a whole range of interactions, including consensual sex" (Simic, 2009, p. 294). For example, Simic draws on Paul Higate, who writes:

Peacekeepers have been implicated in the sexual abuse of local women and children...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 [meaning "survival sex"]. (2004, p. 2; Simic, 2009, p. 293).

Similar to Higate, for whom 'survival sex' is equated with "sexual abuse", Gustaffson does not distinguish between sexual practices. In his study about the role of Swedish peacekeepers as sex-buyers while on various PKOs, Gustaffson uses 'prostitution' to cover a wide range of commercial sex (Gustaffson, 2005).

The conflation apparent in these studies suggests that any form of commercial sex is coercive for it is defined by a 'power imbalance'.⁹ For example, Higate notes that sexual "activities of this [abusive] kind almost always [involve] peacekeepers abusing their positions of trust [and] power" (2004, p. 1). Accordingly, Higate depicts 'local' women as "vulnerable" (2004, p. 1) and part of a "subordinate group" (2004, p. 2). By virtue of the fact that women's agency is rendered "impossible" in these transactions, the men who partake in 'exploitative' commercial sex with 'local' women are inevitably

⁹ Richard Collier draws on Henry & Milanovic (1996) to explain how 'harm' (which he associates with 'coercion') can be linked to power differentials. He contends that "unequal power relations, built on the construction of difference, provide the conditions that define crime [or 'exploitation'] as harm ... People in relations taken to be 'crimes' [or 'exploitation], are in relations of inequality ... and it is the exclusion of those others, who in the instant are rendered powerless to maintain or express their 'humanity' (Collier, 2009, p. 146).

portrayed as the perpetrators. Indeed, for some scholars such as Whitworth, (militarized) masculinity *in crisis* becomes the explanation for sexually 'exploitative' behavior.

In *Men, militarism and U.N peacekeeping: A gendered analysis*, Sandra Whitworth examines the socialization processes that inform the construction of masculinity in military culture. Like others such as Kier (1999) and Segal (1989), Whitworth chronicles how, in the military, masculine identity constructs are largely functional; socialization processes are meant to ingrain "collective belonging and shared meanings" about specific identities so as to incentivize soldiers to identify with the tasks they are required to perform (Kier, 1999, p. 6). For example, Dunivan (cited in Pinch, 1996) argues that 'functional' identity constructs in military institutions tend to be associated with the "warrior paradigm" of masculinity (1996, p. 533).

The 'warrior paradigm' advances the symbol of the warrior as an "archetypal figure". The paradigm valorizes "masculine" traits such as physical strength, aggression and virility as essential to executing military tasks (Higate, 2004; Pinch, 1996). According to Connell, these functional aspects of masculinity also become synonymous with hierarchical values the military espouses; for example, status, dominance, and power (Connell & Messerschmidt, 2005). He argues that the link between warrior-like traits and hierarchical values in military environments elevate the 'warrior paradigm' to dominant status. In this way, the 'warrior paradigm' becomes a cultural ideal that commands the most respect and is meant to influence how all (military) men should

construct their masculinities – to “resemble whatever traits happen to be most strategically useful for the getting and keeping of power” (Hooper, 2000, p. 61).

Connell & Messerschmidt contend that soldiers who are socialized in this way are taught to denigrate ‘subordinate’ masculinities and femininities - by forging specific features of the ‘warrior’ or ‘militarized masculinity’ against the foil of constructed ‘others’ (2005). According to this logic, Baaz & Stern (2009) and Whitworth (2004) contend that a ‘militarized masculinity’ requires “constant reaffirmation”, and is therefore a “fragile construct” (Baaz & Stern, 2009, p. 20; Whitworth, 2004, p. 165). And herein lies what Whitworth identifies as the “problem of ‘violence’” in peacekeeping contexts (2004, p. 165).

The thrust of Whitworth’s argument is that the functional link between military tasks and the “militarized masculinity that underpins the group identity of soldiers” is “fundamentally” at odds with “portrayals of peacekeeping as altruistic and benign” (2004, p. 225). In other words, Whitworth argues that the ‘warrior paradigm’ is consistent with the link between military tasks and particular ideas about masculinity in combative environments. However, Whitworth also argues that there exists an inherent “contradiction” in sending the soldier - who is trained to “destroy human beings by force”, and who therefore envisions “peacekeeping to be a lesser warrior purpose” - to keep the peace (2004, p. 151, 185). She explains the “contradiction”:

The tension between being trained as a warrior and then being told to keep a lid on warrior traits [produces an unresolved duality that] can

contribute to some of the [most severe] explosions of hyper-masculinity (2004, p. 185)

According to this explanation, the “contradiction” between soldiering and “benign” peacekeeping produces a tension in the psyche of the soldier-turned-peacekeeper. The tension can become expressed through acts of violence which, in turn, become “compensatory mechanism[s]” – ways of reaffirming ones’ socialized affiliation with a ‘militarized’ masculine identity, presumed to be under threat in a peacekeeping context. Indeed, Telford argues that “the same reference points that validate the ‘core’ [‘combat’] identity become less stable in a peacekeeping context” (1996, p. 138). Consequently, the presumption that the ‘combat’ identity finds little validation in peacekeeping environments is used, by Whitworth, to explain how a ‘militarized masculinity’ can become prone to ‘crisis tendencies’, expressed through ‘violence’:

Crises [or ‘explosions’] of masculinity and confusions of soldierly and warrior purpose [associated with ‘implosions’ of masculinity] may help us understand why soldiers deployed on peace operations perpetrate acts of violence. (Whitworth, 2004, p. 16)

In this statement, ‘crisis of masculinity’ becomes “a symptom of the fundamental fragility of the construction of a militarized masculinity” (Whitworth, 2004, p. 172).

From Whitworth’s perspective, the ‘implosion’ of a ‘combat’ masculinity in a peacekeeping context, finds expression through ‘explosions’ of hyper-masculine behavior (Whitworth, 2004, p. 18).

According to Baaz & Stern, the 'violent' behavior associated with hyper-masculinity "serves as a performative act that functions to reconstitute masculinity" (Baaz & Stern, 2009, p. 20). For this reason, hyper-masculinised, 'violent' behavior is presumed to become forged against, and thus channeled towards, 'constructed subordinates' such as 'civilian' women (Whitworth, 2004, p. 172). Consequently, 'crisis of masculinity' becomes an expression of "hyper-masculine entitlements" which Whitworth associates with a "sense of license to sexually assault and exploit women" (2004, p. 165; 2004, p. 172).

Whitworth's interpretation of 'crisis of masculinity' theory (first coined by Bob Connell), and its application to peacekeeping environments, suggests that (a hyper-masculinised) masculinity is causal to the "problem of violence" in general, and to 'sexual violence' in particular. Whitworth states: "sexual and other crimes [are] expressions of a violent 'hypermasculinity' that is congruent with militarized identities" (2004, p. 225). In other words, if (sexual) violence is a product of the unresolved tensions between 'combat' and 'peacekeeping' masculinities – as they interact in the same institutional environment – then "masculinity becomes the explanation for the [violent] behavior" (Collier, 2007, p. 147; Connell & Messerschmidt, 2005, p. 840). The linear association between masculinity and sexually 'violent' behavior serves to conflate all forms of 'peacekeeping sex' with 'exploitation'.

For example, as seen earlier, Whitworth identifies the issue of 'sexual assault' and 'exploitation' within peacekeeping contexts as a problem.

Notwithstanding, she uses these and other terms, such as 'sexual misconduct' interchangeably and moreover, conflates them with the sex trade. The terms, which connote an implicit link with 'sexual violence', are used to describe peacekeeping men who buy sex (Whitworth 2004, p. 152). For instance, Whitworth equates the behavior of soldiers who "want to have a few beers" and "chase young beautiful [women]" with "drunken behavior and 'sexual misconduct'" (2004, p. 71).

The inherently 'exploitative' nature of 'peacekeeping sex' upheld above suggests that "masculinity not only becomes the explanation for the behavior, but [more so] the excuse" (Collier, 2007, p. 147; Connell & Messerschmidt, 2005). Indeed, the link between masculinity and 'sex as violence' reduces men to 'clients' "who behave under the auspices of exploitative masculine and militaristic desires" (Yea, 2005, p. 459). This reduction is oversimplified; it portrays men in a monolithic light – as "prostitution clients complicit in the sexual and financial exploitation of the ['civilian'] women" (Yea, 2005, p. 459). By implication, such a reduction completely ignores "the agency of ['trafficked'] women as they negotiate work, relationships and their financial and emotional security" (Yea, 2005, p. 459). The 'exploitation' discourse used by scholars like Whitworth (2004) and Higate (2004) overlooks the multiple roles sex workers in general, and 'trafficked' women in particular, play in the lives of militarized men, as the 'clients'.

Cynthia Enloe suggests that "['civilian'] women come into men's lives in a variety of ways"; they occupy various roles ranging from companions, girlfriends to 'workers'

(1983, p. 212). The multiple roles 'civilian' women play in the lives of soldiers is consistent with the ambivalence 'trafficked' women, in particular, have been documented to demonstrate towards their 'clients' (Cavalieri, 2011; Yea, 2005). Yea has documented that the relationships into which 'trafficked' Filipina women entered with military men "hover[ed] on the edge of ambiguity" (Yea, 2005, p. 461). She argues that the ambiguity that pervades civilian/military relationships is substantiated on the grounds that 'clients' also perform multiple roles in the lives of 'trafficked' women; they can be friends, boyfriends and/or traffickers (Yea, 2005).

Consequently, the ambivalence that characterizes 'peacekeeping sex' suggests that "relationships [constituted in peacekeeping environments] are "fraught with tensions" and "multiple meanings" - meanings that disrupt ideas about peacekeepers and militarized men as necessarily 'exploiters' of women. The contradictions imbued within civilian/military relationships also, and more importantly, for the purposes of this project, suggest that not all 'trafficked' women can be described as 'victims' (Enloe, 1983, p. 212).

'Transactional sex' as medium for the negotiation of complex empirical realities in spaces supported by 'peacekeeping economies'

The ambiguous roles, and complex relations peacekeepers have with the 'trafficked' women from whom they buy sex, troubles the linear association between a monolithic portrayal of masculinity and 'peacekeeping sex' as inherently 'exploitative'

behavior. A critique of the conflation between all 'peacekeeping sex' and 'exploitation' moreover suggests that 'trafficked' women have complex relations with sex work; sex work can serve as a medium through which women negotiate their 'clients', as well as the material conditions of their lives, within structurally constraining circumstances.

In other words, the theoretical framework offers an idea about 'masculinity' and 'consent' as situationally and structural contingent. This approach to 'transactional sex' – as negotiable – populates the context, within which 'transactional sex' is exchanged and practiced, with complex gendered power relations. A view of the context as "highly charged with gender roles and gendered power relations" resists a reduction of post-conflict sites like the Arizona Market to their 'inherent inequality' (Otto, 2003). Instead, through the lens of political economy, a view of the context as complex emphasizes the social space within which broader complexities are experienced, and negotiated at more individual levels. Indeed, in situating 'transactional sex' within broader context of political economy of sex work, the lens of political economy offers a framework to consider the complex bonds military men have with 'trafficked' women in zones of post-war.

In the next chapter, I destabilize the link between masculinity and 'exploitative' behavior in ways that leave room to consider the voices of 'trafficked' women –all too often rendered silent by anti-trafficking instruments - and the 'exploitation' discourse that informs them. I draw on the complicating voices of women who express agency in their narratives - yet who operate through 'constrained choices' - as they negotiate

**work, relationships and their financial security in broader contexts of labour migration
and in the 'peacekeeping economy'.**

CHAPTER 3

'TRANSACTIONAL SEX' AS A MEDIUM THROUGH FOR THE NEGOTIATION OF EMPIRICAL REALITIES: AN ENGAGEMENT WITH THE VOICES OF MIGRANT SEX WORKERS AND WITH PEACEKEEPERS AS FOREIGN 'CLIENTS'

Women, structural instability, 'agency' and, 'trafficking'

Between 1999 and 2002 Human Rights Watch (HRW) conducted one of the only investigations into human trafficking in Bosnia and Herzegovina (BiH) during the UNMIBH mission (HRW 2002). The qualitative research in the subsequent report was obtained by HRW and includes interviews with 'trafficked' women conducted by international and local police officers during the women's stay in shelters local to the Arizona Market. The interviews provide a compelling glimpse into the women's reasons for migration and experiences working in BiH's underground sex industry.

HRW surveyed thirty-six women in BiH for the report; twenty of whom migrated from Moldova, eight from Ukraine and, eight from Romania (HRW, 2002). All but one of the women said they had migrated "voluntarily for employment" due to the social and economic problems they faced in finding work in their home countries (2002). One of the women interviewed in Sarajevo explained that "[she] is from Moldova, and it is hard in Moldova. There's no money, there's no work, and it's expensive to study. There is a crisis in Moldova" (HRW interview, E.E, Sarajevo, April 10, 2002). Another woman cites

that similar circumstances compelled her to migrate for work. The woman (whose name is withheld), worked in a nightclub in Orašje (BiH):

Due to the fact that the living conditions in [Moldova] are very hard and that I lost my job, I met a person named Tanja...and she told me that...I could get a lot of money over there [in Italy] by working in the shop or [as] a cleaning lady in some hotel. (HRW 2002, section IV)

A Ukrainian woman - 'BB' - who was 'trafficked' into Prijedor states that she willingly migrated to work in BiH's sex industry due to the prospect of financial stability she assumed the job could offer. "B.B" told investigators: "I have been working in Bosnia for three months [since December 1998]. I came to work here in a bar¹⁰." Like B.B, many other interviewees quoted in the report characterize their participation in the sex industry as an economic decision they made. Nevertheless, most women disclose that they did not anticipate the difficult working and living conditions which club life presented.

The phenomenon of women 'choosing' to do sex work, but without full knowledge of the conditions of that work, has been documented in other regions of the world. Yea (2005) documents the employment and emotional experiences of trafficked Filipina "entertainers" living and working in military club areas in South Korea. According to Yea, the narratives of the Filipina women reveal that they do not object to sex work *per se*, but they were frustrated over the inability to control working

¹⁰ "Bars", "clubs" and/or "brothels" are terms used intermittently by sex workers as well as peacekeepers to refer to establishments in which sexual services, though illegal, could be readily offered (Mendelson, 2000).

conditions and associated “problems related to their free time, freedom of movement and social life” (Yea, 2005, p. 461).

Andrijasevic, who has analyzed ‘trafficking’ in eastern European contexts, found that women lacked of control over earnings and amount of time spent in entertainment establishments but this was largely related to the debt incurred during travels. She observes that most women worked overtime to pay back large debts - owed to third parties who assisted with travel to BiH – facilitated by documented as well as undocumented border crossings (Andrijasevic, 2010). A Romanian woman interviewed in a brothel discloses to HRW that while work in the clubs was eventually compensated monetarily, some women had to “work three months for free” and further comments that “we eat once per day and sleep 5-6 hours per day” (HRW, 2002, section IV).

The narratives presented here suggest that a web of structural factors account for women’s experiences as ‘trafficked’ and, for this reason, require some unpacking. One of the larger observations that emerge from women’s narratives is that the experience of migratory sex work is far from straight forward. Consequently, to understand the complex ways in which individual women make decisions about migrant sex work within complex spaces, it is first important to unpack the unstable political context from which the women emerge.

Structural instability

The politico-economic transition and restructuring which took place across post-Cold War Eastern Europe entailed a “shift from a planned to a market economy and subsequent liberalization of trade that overlapped with processes of euro integration” (Andrijasevic, 2010, p. 47). These changes involved societal-wide hardship. However, sectors predominantly filled by women experienced the most economic restructuring and thus, much of the economic burden was absorbed by women (Andrijasevic, 2010; Castles, 2000; Corrin, 2005; Massey et.al, 2006). Moreover, while the general trend of restructuring disproportionately affected most women in most eastern European countries and those belonging to the former Soviet Union (fSU), recent research suggests that women from Moldova, Ukraine and Romania (who are overrepresented in the HRW investigation) were especially affected by poor socio-economic conditions (IHF, 2000).

In 2000, the International Helsinki Foundation for Human Rights (IHF) conducted a research project on women in transition economies, and examined the status of those living in 29 eastern European and fSU countries. The respondents represent the first generation of women, aged 20 to 30, to be raised and educated during the ‘transition’ period in these countries. I use the data in the IHF report, about the socio-economic conditions experienced by women from Moldova, Ukraine, and Romania to help explain their migratory patterns and their decisions to migrate. Thus to understand the structural conditions in which these women lived, I borrow from the IHF report, which

emphasizes “education and labour as two crucial markers for understanding women’s lives in the context of socio-economic restructuring” (Andrijasevic, 2010, p. 48; IHF, 2000, p. 10-11).

Education

During the transition period in the early 1990s many state governments, particularly those operating in sFU countries, relinquished control over Soviet-style compulsory and publically funded education. The IHF draws a link between this withdrawal and lack of opportunities for women in the labour market within ‘sending’ countries such as Ukraine.

The report considers the high levels of education among Ukrainian women “one of the greatest achievements inherited from Soviet times” (2000, p. 474). It notes, for example, that 90% of women were employed or engaged in professional-related studies at some point under Soviet governance, but during the transition period the large supply of female graduates exceeded labour market demand (IHF, 2000). Data show that in 1996, the “number of unemployed [Ukrainian] women who graduated from higher education establishments reached 80% and 72% among graduates of vocational-technical schools” (IHF, 2000, p. 474). However, the “slow pace of reforms”, which extended the period of time that sectors traditionally filled by women were under ‘reconstruction’, decreased the market’s demand for professions related to “women’s work” (2000, 474). Indeed, according to official statistical data, since 1995 women’s

employment rates have been declining far below men's rates (IHF, 2000, p. 475). These statistics demonstrate that, relative to men, women's high level of education in Ukraine does not translate into competitiveness within the labour market.

The situation in Romania differs only slightly from Ukraine. The difficulties created in the transition process in Romania resulted in a high dropout rate at the secondary school level among both men and women. Moreover, the education levels in Romania were stifled by high levels of unemployment among high school and professional school graduates (IHF, 2000, p. 349). Consequently, high unemployment rates among high school and professional graduates correlated positively with increased dropout rates. For example, between 1996 and 1997 the poverty rate increased from 19.85% (4.5 million) to 30.1% (7 million). Correspondingly, dropout rates between 1994 and 1998 grew with increased economic instability. Dropout rates in professional schools, vocational training programs and post-secondary education occurred 1.5-2.5 times more frequently than high school dropouts (IHF, 2002, p. 349).

The IHF report correlates high unemployment rates in Moldova with high dropout rates, in what it terms a "crisis in education" (IHF, 2000, p. 312). According to the IHF report, the "crisis" has plagued Moldova since the transition process began. At the state level, "the lack of financial resources and poor infrastructure represent serious obstacles to the advancement in education" (IHF, 2000, p. 312). The report also states that in Moldova, 80% of the population lives below the poverty line, which has a "serious effect" on household income (IHF, 2000, p. 312). This reality impedes access to

education at many levels as “parental income is insufficient to provide children with the adequate means to attend school” (IHF, 2000, p. 313). The increasing inability of families to provide children with the monetary means to attend school, moreover, has a particular effect on girls.

According to the IHF report, 1.7% of children residing in Moldova do not attend school, yet dropout rates among girls are particularly staggering. The report states that practical access to education for girls is difficult. This reality is particularly evident in the “current socio-economic context” where “traditional gender stereotypes related to career development exert a stronger influence” on the prospect of education among women and girls (IHF, 2000, p. 313). The report suggests that girls factor predominantly among the homeless population; moreover, the number of girls (2,543) who drop out of primary school and/or who do not attend post-secondary education is significantly higher than boys (2000, p. 313). The high dropout rates among girls are normalized in Moldova; according to the IHF report, “girls and young women are socialised to be less assertive [than boys] and are encouraged to take up ‘gender specific’ occupational models” (IHF, 2000, p. 313). This reality, in turn, limits the role of girls and women to family life and domestic duties.

The report suggests that girls become overrepresented among those who lack schooling, and thus take up more ‘traditional’ occupations. According to the report, this state of affairs is reflected in unemployment statistics which capture the place of women in ‘formal’ (and thus officially documented) sectors of the economy. For

example, in comparison to the 'pre-transition' period, when the rate of women's unemployment was 8.9%, at the end of the 1990s, the rate of unemployment among women had increased to 17.8% (relative to 10.2% for men) (IHF, 2000, p. 313).

The IHF report suggests a correlation between women's limited access to the labour market (for which education is a predominant factor in the report) with the distribution of women in less formal sectors of economic activity. Indeed, the report suggests that women are more likely (than men) to become employed in jobs that require lower professional skills (in semi-skilled or non-skilled professions). Consequently, women become "structurally" channelled into lower paying jobs which is rendered visible in gendered distributions of labour outlined below.

Gendered distributions of labour

The gap between the high number of educated women yet low number of jobs corresponding with areas of specialization in Ukraine and, the positive correlation between number of dropouts and unemployment rates/low paid employment in Romania and Moldova, can be explained by looking at the distribution of women in various sectors of economic activity. In all three countries, women are overrepresented in sectors of the economy where employment instability persists and in sectors predominantly subject to restructuring.

The *NCS, Household Labour Force Survey*, quoted in the IHF report, shows women's preponderance in less paid positions such as in administration (75.6%) as well the service industry (75.7%) (IHF, 2000). Likewise, in Moldova, women make up 81% of workers in 'entertainment' sectors of the economy (81%) such as hotels and restaurants. In Ukraine, the ratio of re-employed women is relatively high (57%), yet the female workforce in 1997 was primarily concentrated in service sectors, which consists of jobs with low salaries (73-79%) (IHF, 2000, pp. 474-478).

Moreover, the *Women's Forum from Mures County* conducted a survey (quoted in IHF, 2000) which monitored women's labour in Transylvania (the most developed region in Romania). The sample survey suggests that many women have difficulties accessing even the lowest paying jobs (in administrative and service sectors where women are predominantly concentrated) due to the high prevalence of gender discrimination in the 'official' labour market. For example, the study reveals that many women reported being refused administrative positions as well as jobs in the service industry because they were "too young" or "too old". The study implies that "childbearing and child raising would negatively affect [women's'] economic efficiency or because [older women] are un-trainable and unattractive as work potential" (IHF, 2000, p. 351). Similarly, age and family status served as decisive factors in the (in)ability for Ukrainian women to find employment. According to the Ministry of Statistics, unemployed women under the age of 30 (notwithstanding their high level of education) make up 44.3% of the total number of unemployed women in Ukraine; 74% of them

were dismissed from their jobs due to restructuring or discriminatory practices (IHF, 2000, pp. 474-478).

In Moldova, female labour is principally concentrated in the light industry sectors of the economy as women make up 80-85% of its personnel. The light industry nevertheless is characterized by low wages and more so, the “high impact of restructuring processes” (IHF, 2000, p. 313). The IHF report notes that in the late 1990s this sector of the economy experienced a dramatic reduction in personnel, thus increasing unemployment among women (IHF, 2000, p. 313). Similarly, the 1999 *National Human Development Report on Romania* (NHDR), quoted in the IHF report, “reveals that in the 90’s the most deprived labour category was female” (2000, p. 22). The NHDR cites the period of unemployment for women (17.7 months) is slightly higher than men (17.6 months). The IHF report uses these statistics to note that “women tend to represent a significant part of the labour force in poorly remunerated sectors...in sectors financed by the state, where income problems persist” (IHF, 2000 p. 350). For this reason, “women form the majority the population who withdraw from the labor market if they fail to find a job” (IHF, 2000 p. 350).

Notwithstanding, the IHF report does suggests that the “increasing number of officially unemployed women has not meant a reduction in their workload: women move from officially paid jobs to unofficially paid jobs” (IHF, 2000, p. 475). Indeed, the report *Monitoring after Beijing: Two Years Later* suggests that 8.5 million Ukrainian citizens (about 1/3 of the entire employable population of Ukraine) profit from unofficial

employment; it also suggests that 79% of the economically active population who are engaged in these activities are women (UNDP, 1997).

This data indicates that women's access to the labour market was not only limited to 'semi-skilled' positions, but also that this limitation is a symptom of the reality that, under 'transition', these very sectors were subject to economic restructuring. Many women, as a result, were exposed to employment instability; while some were employed in low paying and unstable jobs, others who were 'officially' unemployed, and some of these women became structurally channeled into sectors within 'entertainment' or 'care' industries. Consequently, the obstacles women faced in accessing the 'official' labour market, as well as the concentration of women in low paying or 'unofficial' employment, are themes which cut across the political landscape of Moldova, Ukraine and Romania.

The data on education and labor thus offers a glimpse into the lives of women in the context of socio-economic and political transition. The data helps to bring into view the structural constraints faced by women migrating from 'transitioning' countries, and thus also helps puts into context the choices women make in face of adverse conditions. The next section of this chapter addresses women's narratives about their migration experiences away from 'sending' countries, and their employment experiences in club life. It demonstrate that in contexts of structural inequality, many women operate through 'constrained agency' as a way of establishing economic security - in spite of the risk of becoming 'trafficked'.

In the report produced by the International Helsinki Foundation for Human Rights (IHF, 2000), Ukrainian women disclose that prior to their departure to Italy they held jobs in a variety of occupations. They disclose that the jobs in which they were engaged, ranged from factory work, petty trade, nursing and/or teaching; some had completed only primary school, others held a high school education, while others were attending university (IHF, 2000, p. 315). These results speak to “the *relatively* high level of education of eastern European women” and underscore that migrating women were motivated not just by the prospect of employment, but employment that actually paid a living wage (Della Giusta et al., 2008, p. 65; Hopkins & Nijbioer, 2004; Orfano, 2003). Andrijasevic (2010) explains that “before migrating, women were not unemployed,” but rather held positions in unstable sectors of the economy (2010, p. 49). Hence, “being without work was not, *per se*, a motivation for migrating; rather the impossibility of making ends meet, even with a job, and the lack of future prospects were factors that informed women’s motivations to migrate for work (2010, p. 49).

Andrijasevic documents the voices of women who express disillusionment with the lack of prospects in their home countries as informative of their want to leave. “Ana”, a Moldovan woman speaks about the difficulty in achieving ‘things’ in Moldova: “in our country one doesn’t manage to do things. One never finds money to do anything. One doesn’t manage to do anything at all”. Similarly, Maja is quoted saying “looking for a job at home is useless.” Likewise Sasha, who was studying at the time in Kiev, discloses that the desire to change her financial situation impacted her decision to go abroad. She states: “I have wanted to find some kind of work, some money for a

long time. I couldn't stay there any longer: there was no money, no work, and I wanted to conclude my studies too" (Corso & Trifiro, 2003, p. 28).

In light of the limited employment opportunities and future prospects in their home countries, a number of respondents framed the need for employment in terms of social expectations and expressed feelings of anger and frustration. Oksana states:

Before coming to Italy I was filled with anger. I was so nervous! ... Back home there was a situation of crisis. I needed to pay for the electricity, the phone...I was always so nervous, like a beast. I did not know what to do, where to go. Additionally, my aunt – the sister of my mother – would stop by and she kept telling me "You are not working! You are doing nothing! (Andrijasevic, 2010, p. 50; Corso & Trifiro, 2003, p. 28)

Other respondents like "Ionna" referred to the difficult economic situation of their families as well as the need to be economically self-sufficient:

everyone has children, everyone has little money, they do not work, those who work earn nothing. I am a grown up person, I cannot allow myself ... I myself do not approve of it. It is better for me to leave I'm leaving no matter what might happen. There's nothing to do here! (Corso & Trifiro, 2003, p. 28)

The above narratives show that the motivation to migrate evolves out a complex set of politico-economic and social factors associated with economic scarcity, familial responsibility, and economic self-sufficiency (Andrijasevic, 2010, p. 49-50). Indeed, notwithstanding the fact that a small minority of women are manipulated into migrating and misled into sex work, the narratives introduced above *also* demonstrate that many women actively negotiate structural unevenness by making the decision to migrate for (sex) work (Agustin, 2006; Doezema, 1998). In other words, the different motivation to

migrate is captured by the concept of 'constrained agency' - which offers a way of understanding the complex forms of agency women exert as they operate within contexts of structural inequality. The concept of 'constrained agency' helps to capture the reality that many women do exert levels of agency in their choice to migrate, despite the risk of becoming trafficked and, as shall be seen below, in spite of exploitative labour conditions, as well as the abuse that can accompany sex work (Andrijasevic, 2010, pp. 46-60). For the women depicted in this chapter, the act of migration and/or the performance of sex work become mechanisms for negotiating structural inequality, and engagement in these activities can be seen as expressions of 'constrained agency'.

Building on the idea that poor socio-economic conditions in 'transitional' contexts entice migration, the next section of this chapter looks at how the performance of sex work serves as a medium through which 'trafficked' women negotiate poor working conditions in club life. Indeed, the remainder of this chapter shows how poor working conditions – a likely characteristic of club life in contexts where prostitution is illegal – serve as prominent motivating factors for women to engage in relations with peacekeepers. The discussion about the relationships 'trafficked' women form with peacekeepers reveals that in spaces where there is limited room for 'agency', women nevertheless make the best available choices about their financial and also, their emotional security. In turn, the conceptual space I make for 'constrained agency' within contexts of 'transactional sex', complicate the idea that 'peacekeeping sex' as inherently exploitative.

Relations of 'transactional sex' as complex interactions: Exposing the limitations of 'victim', 'agency' and, 'peacekeeping sex' as 'exploitation'

Some research suggests a correlation between the poor living and working conditions of foreign sex workers as also structuring the decisions women make within sex work. For my purposes, this preliminary research suggests some connections between the political economy of sex work in transitional contexts and the presence of well-paid foreigners, such as peacekeepers.

The Human Rights Watch (HRW, 2002) investigation in BiH observes that numerous factors account for women's financially precarious situation working in clubs like Orase. Some 'trafficked' women disclosed that they had incurred debts during (un)documented travel to BiH. Much of their debt was taken on by brothel owners, which the women had to pay off by generating drink sales, working off bar fines, and/or through the performance of sex work (HRW, 2002). Moreover, many clubs placed restrictions on women's' mobility as well as their free time (HRW, 2002).

Women 'trafficked' for sexual purposes into BiH thus experienced situations where their financial, physical and emotional security was severely constrained by club life. The experiences of women in BiH are similar to those of 'trafficked' Filipina women documented by Sallie Yea in a rare study on experiential women as research subjects (Yea, 2005). Yea documented the employment experiences of 'trafficked' Filipina 'entertainers', who worked and lived in contexts of military prostitution in South Korea.

Her study shows that in spite of (and partially due to), constraining circumstances, many of the 'trafficked' Filipina women extracted financial, as well as, emotional support from their GI customers. Similar to the 'trafficked' women represented in *Hopes betrayed: Trafficking of women and girls to post-conflict Bosnia and Herzegovina for forced prostitution* (HRW, 2002), who were required to generate drinks sales as a way of working off their debt, Yea documents that some of the Filipina women were required to do similar work. Yea observes that the Filipina women made use of sex work as a way of securing financial gain by growing closer to GIs (military men).

Yea observes that some of the 'trafficked' Filipina women used, what she terms, the 'drink system' to their advantage. The 'drink system' was premised on the sale of highly priced drinks, for which the women would receive commission; once a customer bought a woman a drink, he also bought a set amount of time with the woman, after which he would have to buy her another drink (Yea, 2005, p. 461-463). The 'drink system' incentivized women to sell drinks, but moreover offered women a time frame within which they could grow closer to GIs. The 'drink system' thus "enabled women and GI's to talk, 'dance' and 'have fun' in the club and go on 'dates'" (Yea, 2005, p. 463). According to Yea, it is these encounters that provided the space for relations to develop. Indeed, the relationships that women established with GIs enabled the women to generate resources from their patrons and thus, modify, negotiate, and exert some control over their situations (Andrijasevic, 2010, p. 60).

For Yea the 'trafficked' Filipina women used the 'drink system' in a way that speaks to their ability to "constantly negotiate" expectations about the work they are required to perform, and thus their ability to control (some of) the encounters in which they engage (Yea, 2005, p. 462). For example, Yea's study shows that women engage with men whose "expectations surrounding buying ladies drinks fall more closely into line with those of the women themselves" (2005, p. 462). Yea notes that 'trafficked' women grew closer to military men who were known to display compassionate attitudes towards women in the club; men who were known to hold "disrespectful" attitudes towards sex and/or those who displayed violent behavior in the context of club life were avoided (2005, pp. 461-463). Consequently, even though women "fall short of directly challenging customer or the club owner (for the women lack full discretion over conditions of employment), some the 'transactional' relationships in which they do engage are "aimed at maintaining their own self-respect" (Yea, 2005, p. 462).

Other women in Yea's study were documented as engaging with men who were willing to spend a lot of money on the women. For example, women who worked for longer periods in the club were known to tutor newly arrived girls/women; they would show the newer workers how to use the 'drink system' in order to extract support arrangements for GIs by asking for "help". Through the discourse of "help" some women "played the GIs", while others grew emotionally attached to them (2005, p. 461). Thus for some women, 'transactional sex' serves as a medium through which they secure their financial well-being. The 'transactional' relations in which women engage

thereby serve as “covert forms of resistance” against their position as ‘trafficked’ under constraining socio-economic conditions (Scott, 1985; Yea, 2005, p. 462).

Many of the relationships formed through ‘transactional sex’ however, include, but also extend beyond the realm of the material, and can be constitutive of complex bonds which “help some women think of customers in broader terms of romance and friendship” (Yea, 2005, p. 463).

For example, Andrijasevic observes situations in which clients have helped women ‘trafficked’ for sexual purposes to “take time off prostitution”; ‘trafficked’ women and their clients have been known to “go for dinner” and “visit another city” (Andrijasevic, 2010, p. 84). This example is supported by Corso & Landi’s ethnographic study, conducted on Italian men who had been clients of ‘trafficked’ women (Corso & Landi, 1998). Their study suggests that some clients perform the role of “friends” or “boyfriends” and help women cope with their constraining situation; clients have been known to offer women money in order to help women negotiate departure from club life.

For example, Kateryna - who is a respondent to a report conducted by the International Helsinki Foundation for Human Rights (IHF, 2000) on the status of women in south-eastern European countries IHF report - describes her interaction with one of her clients as “helpful” (Andrijasevic, 2010, p. 84). In doing so, Kateryna calls attention to “the fact that bonds with [some] clients [can] constitute an emotional and/or financial resource” (Andrijasevic, 2010, p. 84). For example, Kateryna’s client initially

became interested in her to purchase her sexual labour, but he also took it upon himself to orchestrate the financial part of her plan to leave the club. Kateryna explains:

I [Kateryna] said, 'Look I want to leave [the club]'. And he said 'if you come with me to the hotel I'll give you 200 EUR'. I stayed for an hour. Then we spoke about how to do things since he was enthusiastic [about my plan to leave]. This guy was enthusiastic and said 'Here, I have 500 EUR with me and I'll give it all to you. Then he went to the cash machine, gave me 500, bought me the train ticket and took me to the train station and there we [Kateryna and another respondent] took the train to Turin. (Andrijasevic, 2010, p. 84)

According to Corso & Landi (1998), situations like Kateryna's are not unique.

Their study suggests that that clients have been known to repatriate money to women's families abroad, and also to assist with their day-to-day material needs, by helping to purchase their food, clothes, and sundry items (Corso & Landi, 1998). Indeed, the limited research done on international 'clients' of sex workers in transitional contexts, seems to indicate that for some of these men, the desire to help, and to connect with the women, is also present in the context of 'transactional' relationships.

The Human Rights Watch report *Hopes betrayed: Trafficking of women and girls to post-conflict Bosnia and Herzegovina for forced prostitution* (HRW, 2002) includes a statement by an American peacekeeper who speaks of his relations with a 'trafficked' Moldovan woman. In the statement, Kevin Warner, the American NATO peacekeeper, demonstrates that his interactions with the 'trafficked' woman were motivated by wanting to assist with her escape from "Harley's", a club local to the Arizona Market. In a sworn statement given to the U.S Army and obtained by HRW, Kevin Warner states:

I have been working [as a peacekeeper] for the last six months. During my last six months I have come to know a man we call "DEBELI" which is Bosnian for fat boy. He is the operator of a nightclub by the name of Harley's. Harley's is a nightclub that offers prostitution ... From speaking with people I have learned that the women, mostly from Moldavia [Moldova], come to Serbia to find work. Once in Serbia they fall into a prostitution ring and [are] sold at the Arizona Market ... I was approached by one of the women working [at Harley's nightclub], who asked me to help her. I wanted to help her get back home to Moldavia [Moldova] ... [I asked] DEBELI what it would take to get [the Moldovan woman] to stop prostitution. He told me I could have [her] for 1,600 Deutschmarks. Ever since then [the woman] has lived with me as a housemate. She does not speak much English but knows that she could leave any time she wanted. (United States Army Criminal Investigation Command, "Sworn Statement," File number 0065-00CID597, Tuzla, Bosnia and Herzegovina, June 2, 2000, on file with Human Rights Watch)

In this statement Warner confesses that he 'bought' the 'trafficked' Moldovan woman. Andrijasevic (2010) observes that the 'purchase' of a 'trafficked' woman usually means that a patron buys out the woman's' contract from a brothel owner. In this way, the woman becomes 'free' in the sense that she is no longer indebted to the brothel owner. According to Warner's statement, his 'purchase' of the Moldovan woman was motivated by the woman's call for 'help'. As noted earlier, Yea observes that repeated visits with the same clients offered 'trafficked' Filipina women opportunities to grow close to a client, and it is within the context of 'transactional' relationships that women could ask for 'help' (Yea, 2005). As a client who 'purchased' the Moldova woman, Warner demonstrates willingness in becoming the facilitator for the Moldovan woman's escape. He appears motivated by the conditions in which the woman lives and works as well as the prospect of having the woman live with him. Indeed, Warner justifies his role as 'helper' in ways that could be interpreted as being

motivated by a sexual desire, as well as from a desire to access the private sphere [the woman's] life, and playing an active role in it" (Andrijasevic, 2010, p. 85).

The 'help' transactions described by Yea (and echoed by Warner's comments), speak to the fluid boundaries between work relationships (client/worker) and more casual relationships (boyfriends/girlfriends/friends) that can be formed in contexts of 'trafficking', where 'prostitution' is bought and sold (Yea, 2005). This complex situation shows that arrangements into which women and men enter are therefore not unchangeable or absolute; instead bonds between parties can be negotiable (Andrijasevic, 2010, p. 60). Indeed, in imagining bonds in 'transactional' exchanges as complex, it becomes possible to see that these interactions are not only situational; they are also motivated by a complex mix of financial, sexual and emotional needs and desires. The recognition that degrees of agency/exploitation are imbued within 'transactional sex' moreover, moves beyond a victim-centered discourse on 'trafficking'; this move complicates the reduction of military men to their 'militaristic desires'.

The civilian-military interactions captured above accentuate some of the empirical realities at play in structurally constraining spaces like the Arizona Market and, in larger contexts of labour migration. These realities suggest that the belief in dangerous masculinity, and-in-need of protection femininity, bolsters a reductionist view of 'choice', and thereby perpetuates a de-contextualized view of 'consent' that is upheld by the neo-liberal belief in the 'invisible hand' of the market as being ever 'free'. Indeed, the market ideology that pervades the neo-liberal project of economic

reconstruction, at play with the creation of the Arizona Market, engenders an absolutist idea about 'consent' which finds expression in the ICs attempt to regulate 'trafficking' in BiH.

Hence, the challenge of attempting to account for the empirical realities of civilian-military interactions in this chapter, is nevertheless circumvented by anti-trafficking laws discussed in chapter three.

CHAPTER 4

THE NEO-LIBERAL PROJECT OF POST-CONFLICT RECONSTRUCTION AS A MISDIRECTED APPROACH TO THE REBUILDING OF BIH AS A SPACE OF POST-WAR: THE REGULATION OF 'TRAFFICKING', 'CONSENT', AND 'PEACEKEEPING SEX' AS AN EXTENSION OF 'FREE MARKET' IDEOLOGIES, AT PLAY IN THE CREATION OF THE ARIZONA MARKET

The Arizona Market: A complex existence

The signing of the Dayton Accords in 1995, by all parties to the ethnic conflict in Bosnia and Herzegovina (BiH), marked the conclusion of the wars in that country. The Accords, drafted by the International Community, set the legal framework for peace in BiH and ¹¹ (IC) and purported to regulate a number of complex transitions occurring simultaneously in post-conflict BiH: the complex transition from war to peace¹²; the transition from communism to democracy and; the transition from socialist to privatized/capitalist-neoliberal economy (Andrijasevic, 2010; Corrin, 2001).

Moreover, the Framework Agreement did not simply set forth the conditions for securing peace, but also specified the programs deemed essential to sustaining it (Boutros-Ghali, 1992). The Accords operationalized a post-conflict peacemaking and reconstruction program which, in turn, created roles for the "involvement of the IC in

¹¹ It should be noted that the Dayton Accords were complex and controversial in their long terms effects in the Balkan region (Bose, 2005; Holbrooke, 1998; Stedman, S. J., Rothchild, D., Cousens, E. M. 2002; Yordan, 2003).

¹² It should also be noted that the transition to 'peace' is still not secured in BiH (Fischer, 2006; Haynes, 2010;Yordan, 2003).

the political, legal and economic institution building of the country after the conflict” (Haynes, 2010, p. 1782).

Nowhere is the convergence of transitions and international involvement in politico-economic and legal engineering - which lay at the heart of the post-conflict reconstruction program - more obvious than in the unique town of Brcko. The IC’s experiment in democratic reforms in Brcko’s political structures became intimately connected to the free-market reconstruction of the space surrounding the town.

Brcko and political reconstruction

Dina Francesca Haynes argues “the final sticking point at Dayton, which threatened to undo all of the preceding negotiations, was what should be done with the town of Brcko” (2010, p. 1779). From an economic standpoint, Brcko has unique geopolitical value. On the one hand, it joins Bosnia to the rest of the Balkan region as well as to Europe; for this reason it is highly valued by ‘Bosniacs’ (whose ethnic and religious identity is Muslim (Bringa, 1995)). On the other hand, the location of the town is profoundly significant to Bosniac-Serbs; Brcko is the geographical link connecting eastern and western parts of Republika Srpska (the Bosniac-Serb populated entity of BiH).

Consequently, Brcko borders both entities of BiH - Republika Srpska and the Federation of Bosnia - which may explain why its geopolitical value was the source of much ethnic strife during the war. The military dispute over the town and district, between 1992 and 1995, left Serbs in control of Brcko proper as well as “swathes of land

to the east and west” (International Crisis Group, 1996). The strategic Serb majority moreover, left the two thirds of the district (outside the town) divided between Bosniacs and Croats (*ibid*). Given that Brcko was largely controlled by Bosnian-Serbs during the war, but remained a strategic stronghold to all ethnic groups in the post-war era, it is not surprising that the question of “what should be done” with the town of Brcko threatened to stymie the negotiations leading up the Dayton Accords.

All parties to the Dayton Accords agreed to binding arbitration of the disputed portion (the inter-entity border line) of the Brcko area. Consequently, the Brcko municipality (town and district) was divided among the three ethnic groups. This type of political hairsplitting implied that the municipality of Brcko essentially belonged to all three ethnic communities which, in turn, presented arbitrators with an awkward model of governance over the area. Ultimately the Accords were signed, with all parties to the conflict in agreement, that the status of Brcko (like the disputed area subject to arbitration) be settled through arbitration. Consequently, Brcko eventually became an “autonomous district and full protectorate under the authority of [the chief negotiator of the Accords] Richard Holbrooke” (Haynes, 2010, p. 1729).

The arbitration process surrounding Brcko’s status marks the complex interplay of (conflicting) political interests, as they become mediated between numerous actors at the local, national and international level. These multi-layered negotiations, in turn, took place in the context of, and thus became embodied by, the Dayton Accords.

Alejandro Bendaña (1996) argues that international peace agreements like the Dayton Accords are commensurate with a neo-liberal conception of conflict resolution

and management which he associates with Western interventions into violent conflict.

Bendaña contends:

conflict resolution and management are, in effect, social accords which constitute the containment of societal contradictions within a framework upholding neoliberal dogmas with regard to the role of the state ... [and] the central place of the market. (1996, p. 69-70)

According to this logic, the Dayton Accords legitimized the status of Brcko as an American protectorate. In turn, the lawful status of Brcko enabled the IC to 'rehabilitate' the town in a way that was "heavily influenced" by an American, neoliberal, post-conflict reconstruction agenda (Haynes, 2010, p. 1792; Aolain, 2009; Cockburn & Zarkov, 2002; Dauphinee, 2002).

The international reconstruction of Brcko entailed the implementation of democratic reforms to Brcko's existing political structures hitherto weakened by the war; it also involved adapting (democratizing) government structures to capitalist means of regulating exchange. Indeed, democratic institution-building was intimately connected to processes of economic liberalization which, in turn, was underpinned by the (neo)liberal assumption that, in a legitimate democracy, trade is a mechanism for creating lasting 'peace' (Fukuyama, 1992). The assumption, about the corrective properties of democracy and capitalism, was put into practice as the taxation of goods passing through the Arizona Market were meant to fund "the democratic success story of Brcko" (Haynes, 2010, p. 1781). Consequently, the "IC's attitude, that economic activity would trump ethnic hatred," brought into existence the idea for and, funding of what came to be known as the Arizona Market (Haynes, 2010, p. 1781).

The Arizona Market: An embodiment of economic reconstruction

In BiH there are differing narratives about how the Arizona Market was created. One narrative, given by Jeffrey (2006), suggests that the idea of creating the Arizona Market was put forward by International Forces belonging to NATO (IFOR) – on the assumption that the market would be crucial to the stability of the region. Andreas (2008) suggests that the presence of IFOR patrols in and around the Arizona Market helped to secure the area, and thereby encouraged people to come and “exchange cows and other goods” (Andreas, 2008, p. 133-134). Haynes (2010) contends that in the days and months following the cease fire brokered by the Dayton Accords, the Arizona Market consisted of “ramshackle stalls” which were situated along a road that SFOR termed as the ‘Arizona Route’ (Haynes, 2010, p. 1785).

The ‘arizona route’ links the Bosnian Serb town of Doboj (which is situated in the Serb entity of BiH and populated mostly by Serbs) to the town of Tuzla (geographically positioned in the Bosniac entity of BiH and, populated mostly by Bosniacs and Croats). The Market, as a result, unites both entities of BiH to each other. Consistent with the narrative given by IFOR, about the strategic importance of the Arizona Market for regional stability, the physical location of the Market also became prized by the IC - as a meeting place for people to “buy the goods necessary for daily survival when there were none to be found elsewhere in decimated postwar Bosnia” (Haynes, 2010, p. 1781). Moreover, the IC recognized the strategic value of the Market’s location for its potential to unite (not only physically, but symbolically) previously hostile ethnic groups. Therefore, the physical space surrounding the Market became idealized by the IC as a

commercial venue to facilitate “multiethnic interaction” – through the harmonizing force of commerce (Haynes, 2010, p. 1787; Eichlin, 2010).

Given the recent legacy of war, the IC recognized the potential for conflict between formerly warring factions within the commercial space of the Market. In response to this concern a contingent of 50,000 peacekeepers were deployed on the ground to patrol the ‘Arizona route’, oversee ‘peaceful’ interethnic interaction and supervise regulatory aspects of commercial activity (Mendelson, 2000).

A Pollyanna approach to BiH as an ‘irrational’ space: The misdirected application of economic reforms

The twin goals of democracy and capitalism, central to the reconstruction project, were also underpinned by the legal clout of the Dayton Framework. The protectorate status of Brcko legitimized economic reconstruction and brought into existence the Arizona Market as a commercial venue for trade. Moreover, the IC’s lawful control over the economic rehabilitation of Brcko legitimized the presence of peacekeepers in and around the Market, in their double role as protectors of the peace and regulators of commercial transactions. Consequently, the existence of the Market and the presence of peacekeepers in and around the Market can be interpreted as an articulation of the assumption that is embedded in the Dayton provisions; which is that ‘capitalism underpins democracy and the rule of law’ (Paris, 2000). The Arizona Market can thus be seen as the product of particular neo-liberal conceptions of both conflict and its resolution (Park, 2010). In *Peacekeeping, conflict resolution and peacebuilding: A*

reconsideration of theoretical frameworks (2000), Betts Fetherston is critical of the theoretical underpinnings to post-conflict reconstruction programmes, particularly those that inform Western forms of intervention into violent conflict. The thrust of Fetherston's critique lies in the fact that a "prescriptive rationality" underlies (Western) conflict resolution theory (2000, p. 198). This focus, as shown, is driven by the assumption that the 'corrective' properties of neo-liberalism, such as democratic institution-building and free-market reconstruction, will 'resolve' the problem of conflict. For Fetherston these prescriptive techniques are not only articulations of neo-liberal ideologies regarding the governmentalisation of space; they also represent an articulation of how spaces of (post)war are themselves conceived from within a neo-liberal framework of post-conflict reconstruction.

Fetherston asserts that a neo-liberal model of conflict resolution is part of the larger 'project of modernity' (2000, p. 191). To this end, Fetherston associates the 'project of modernity' with enlightenment principles, such as 'rationality', to make the argument that:

Conflict resolution assumes that we can 'know' – objectify, make rational, understand violent conflict – to such an extent that we can ... solve the problem of [violent conflict]. (2000, p. 197)

Consistent with Paris (2000), who contends that violent conflict is antithetical to 'modernity', in the above passage Fetherston emphasizes the connection the 'project of modernity' makes between 'rationality' and the cessation of conflict. Consequently to Fetherston, the 'rational' process of conflict resolution exhibits an understanding of both the cause and solution to violent conflict; and this process is embodied by "re-

arranged practices [and] institutions” which Fetherston associates with an enlightened and rational system of being, called among other things, capitalism” (2000, p. 197).

According to this logic, Fetherston implies that neo-liberal approach to economic reconstruction – underpinned by conflict resolution theory - is premised on an overly-determined understanding of (post)war societies as ‘irrational’ spaces (2000, pp. 190-199). According to this logic, the neo-liberal project of reconstruction conceptualizes war and post-war sites through the lens of ‘irrationality’. Fetherston asserts:

The whole of the Balkans is looked at through this lens of irrationality, cut off from normal rational living and in need of instruction. (Fetherston, 2000, p.13)

Building on the ICs vision of the Balkan area as a de-regulated space “in need of instruction”, the lens of ‘irrationality’ legitimizes the problem-solving ‘project of modernity’, and the seeming ‘need’ for prescriptive forms of governance (Fetherston, 2000).

Haynes uses the concept of the ‘Pollyanna principle’ to convey the ICs overly-prescriptive approach to post-conflict zones and to their reconstruction. Pollyanna originates from Eleanor Porter’s *Pollyanna*, a novel about a girl whose outlook on life is blindly optimistic (Porter, 1913). Haynes, who uses the ‘Pollyanna principle’ in the pejorative sense, makes the analogy between Pollyanna’s excessive optimism and the ICs vision of BiH as an ‘irrational’ space that (should and) can be corrected.

For example, Haynes contends that the IC created the Arizona Market on the premise that the 'corrective' properties of free market reform would do away with 'ethnic hatred', and by extension, the problem of 'irrationality' in spaces of (post)war. This rationale is given by Boyd (1996) below:

In the microcosm [which] the Arizona Market represents lies a clue to building a functioning multiethnic society in Bosnia. At least for now, people feel secure when surrounded by their own kind. But as economic opportunity invites interaction, these same people will gradually become confident that they can live in a mixed society. (Boyd, 1996, p. 52-53; Haynes, 2010, p. 1788) This type of rationalizing shows that the IC holds a strong belief in market's potential to facilitate 'ethnic peace', and that this belief is driven by the ICs view of BiH as an 'irrational' space. For Haynes, this belief in free-market reforms is over-determined; it is blinded to the realities taking place on the ground. Consequently, it is this over-determinism - about BiH as an 'irrational' space and its seeming need for free-market reform - that for Haynes is characteristic of a 'Pollyanna view' of the Arizona Market.

Haynes asserts that a 'Pollyanna view' envisions the Arizona Market as a "microcosm of how all Bosnia could be with free-market correcting" (Haynes, 2010, p.). For Haynes however, this vision of the Market ignores the fact that many of the market's activities were illegal: the sales that went on in the market "avoided taxation in a country that sorely needed a tax base" (2010, p. 1788). Accordingly, the economic flaws of the Arizona Market were overshadowed by the ICs "belief that market forces would prevail and correct years of ethnic hatred" (2010, p. 1789).

Consequently, a 'Pollyanna view' engenders a disconnect between the ICs vision about what the Arizona Market could represent with neo-liberal reforms, and the complex local conditions in which the Dayton Accords were operationalized. In this way, the ICs 'Pollyanna' approach to post-conflict

reconstruction served to eclipse the historical, political and geographical complexities unique to BiH and to the larger Balkan region. This obfuscation of space-as-complex is significant for it finds expression in the existence of the Arizona Market which, in turn, helped to encourage the evolution of trafficking in BiH.

The Arizona Market and deconstruction: the complex emergence of sex trafficking

Barbara Limanowska argues that “the trafficking situation in BiH is...determined...by the complex factors related to the situation in BiH in the wake of the war in the Balkans in 1995” (GAATW, 2007, p. 69). Maljevic expands on Limanowska’s assertion. Maljevic argues that the dissolution of the former Federal Social Republic of Yugoslavia was followed by structural changes associated with the transition from communism/socialist economy to democracy/capitalism. In turn, these changes loosened the power of the centralized state, which marked the disappearance of “absolute [state] control over people’s lives” (2011, p. 135). To Maljevic however, this loosening of state power, in areas such as the economy, “allowed new forms of crimes to emerge, driven primarily for the desire for illegal profit” (2011, p. 135).

The link Maljevic makes, between politico-economic transition and crime, suggests that the structural changes brought on by economic reconstruction helped to “create fertile ground for the development of, and spread of, criminal organizations that challenge the state’s capacity to combat crime” (2011, p. 137). In turn, a number of

local and global factors - overlooked by the IC in creating the Arizona Market - coalesce to weaken the power of the state (of BiH) in ways that drew trafficking into the Arizona Market.

In concert with peace efforts, parties to the Dayton Peace negotiations established that the territory of BiH would be split into two Entities - Republika Srpska (RS) and the Federation of Bosnia and Herzegovina (FBH). As explained, the inter-entity border line (the IEBL) marks the territorial boundary between the two Entities of BiH; given its strategic location, for what the IC saw as an opportunity to facilitate 'interethnic interaction', the IEBL is also where the Arizona Market was located. According to Maljevic, however, the IEBL is also an area over which state control was weakest.

Maljevic explains that the lack of state control on the IEBL is related to Annex 2 of the Dayton Accords. This provision grants both the RS and FBH "extremely extensive powers and high level[s] of autonomy" (2011, p. 136). As a result, legislative powers in matters concerning criminal activities belonged "almost entirely to the two entities" (2011, p. 137). The co-existence of the two Entities, under the state of BiH, "meant that the central state's control [over security issues] has always been weak" (2011, p. 136). Lack of state control over the two Entities, and lingering tensions related to the war between them, also meant that the RS and FBH had "two different approaches to a number of issues" (Maljevic, 2011, p. 137).

For example, criminal offences were inconsistently defined. This inconsistency led to divergences in criminal procedures; it also proved problematic for the

implementation of standards prescribed by international conventions ratified by the state of BiH (Maljevic, 2011). Moreover, Haynes asserts that lack of political cooperation between the two entities hampered border controls. Indeed, Haynes describes the IEBL as a “no-man’s land”; though temporarily (mis)administered by the IC, via the international supervision of Brcko, parties to the Dayton accords “failed to agree on the allocation of Entity control in the Brcko area” (The Republika Srpska v. The Federation of Bosnia and Herzegovina, 1997). For Maljevic, this lack of Entity control over the IEBL is confounded by the fact that, between 1992 and 1995, BiH did not have a state-wide agency of law enforcement that could exercise adequate control over the country’s borders (Maljevic, 2011).

Consequently, the un-easy coexistence between the RS and FBH has meant that, at the state level, BiH lacks “unified leadership; harmonized criminal legislation; state-wide enforcement agencies; [and] judicial and police cooperation” (Maljevic, 2011, p. 137). Maljevic argues that these administrative inconsistencies associated with the Dayton Accords, and subsequent reconstruction, were all “of considerable assistance to crime entrepreneurs” who, given the war, were already established in the region.

The second factor which accounts for the link between the reconstruction period and criminal activities is the geographical position of the Arizona Market in particular, and BiH in general. The Arizona Market, as explained, is located on the IEBL -a boundary which remains essentially un-policed by the state of BiH. As emphasized by Limanowska (2007), this reality is confounded by the fact that BiH sits squarely on the migration route from Eastern European countries; for example, Romania, Bulgaria, Ukraine and

Moldova, via Albania and BiH to EU countries. The 'arizona route' thus runs along similar smuggling routes used by local black marketeers and warlords during the war.

According to Corrin, during the war the black market thrived; it offered civilians access to unavailable goods (such as soap, cigarettes and food staples) and warlords access to the trade in goods directly supporting the war (for example, illegal arms) (Corrin, 2001). In the post-war era, a time in which border control tends to be weakest, the same route went 'international' and attracted criminal networks from outside the Balkan region - through BiH's porous borders (Andrijasevic, 2010; Maljevic, 2011). The pre-established presence of local criminal networks in BiH is compounded by the physical location of BiH - identified by Limanowska and Nikolic-Ristanovic as a prominent transit and destination area for the smuggling and trafficking of transnational goods and services (Copic, 2002; Nikolic-Ristanovic, 2003; GAATW, 2007).

The Market's strategic physical location, though prized by the IC as a place to facilitate 'interethnic interaction', also attracted criminal networks. Haynes contends that:

The IC got it wrong in many respects. Although men of different ethnic groups did do business [in the Arizona Market], as often as not they were not even from Bosnia, undermining the claim that the market would create interethnic harmony among ethnic groups who actually lived in BiH. (2010, p. 1786)

A large portion of the organized criminal groups "taking advantage of the unregulated market" are described by Haynes as "Serbs from Serbia; Croats from Croatia; and internationals from Romania, Moldova, and Bulgaria (2010, p. 1786). Consequently, the lawful existence of the Market offered black marketeers, who were already operating in

the former Yugoslavia, a venue in which to conduct 'business' and thereby "develop and extend their activities easily throughout the country and the whole region" (Maljevic, 2011, p. 137).

Limanowska (2007) argues the presence of the UN peacekeeping mission in BiH can be seen as a (third) factor which links reconstruction with criminal activity. Peacekeepers were placed on the ground to fulfill enforcement roles attached to the reconstruction project. However, as Haynes has pointed out, "peacekeepers [were] presumably sent to the [Arizona Market] for their military and, not their economic, skills" (2010, p. 1788). This assertion implies that while peacekeepers may (or may not) have ordained peaceful 'interethnic interaction', they likely lacked the qualifications associated with the effective regulation of trade (2010, p. 1788). Indeed, Maljevic (2011) argues that it is hard to quantify how much (or how little) peacekeepers contributed to (de)regulating market activity. Nevertheless, the prominent presence of criminal networks on the Market does suggest that peacekeepers were likely mediocre governors of commercial operations.

Consequently, the inexperience of peacekeeping personnel with regulatory aspects of trade, as well as the inadequacy of the Dayton Framework to curb criminal activity, is compounded by the presence of peacekeepers on the ground. In other words, the weakness of the enforcement arm to the reconstruction project is matched by the appeal of a 'peacekeeping economy' presents to those (suppliers) implicated in the trafficking chain.

In the second chapter I outline how the presence of peacekeepers (in most post-conflict zones) tends to encourage spaces like the Arizona Market to become structured by a 'peacekeeping economy'. Peacekeepers (like the civilian population) used the Market to buy goods largely lacking elsewhere in post-war BiH. They also rented places of residence in and around the Market and most military bases skirted the Market (Mendelson, 2000). Thus the IC created a commercial space which was not only manned by peacekeepers, but was also largely supported by them. For this reason, the presence of the IC in Bosnia and "their endorsement of the market and, their activities within the market" contributed to feeding regulated and unregulated activity (Haynes, 2010, 1789). Accordingly, the presence of peacekeepers, as well as attracting the circulation of regulated items, also attracted transnational criminal networks to operate in the Market. The men and women implicated in smuggling and trafficking networks supplied unregulated goods such as knockoff athletic gear and cigarettes as well as sexual services (Copic, 2002; Nikolic-Ristanovic, 2003).

The prominence of Market activities such as sex trafficking suggests that a number of (criminal) actors beyond local and international middlemen (the "suppliers") were operating within and through the Arizona Market. Numerous allegations surfaced, in the media as well as in the UN Department of Peacekeeping Operations (DPKO), about the complicit role of Bosnian men and UN peacekeepers as *clients* of 'trafficked' women; women who were working in underground establishments, operating alongside and within the Market's perimeters. The Market consequently became flooded with an unprecedented international presence of peacekeepers (clients), trafficked women

(providers) as well foreign criminal actors (suppliers). The international dimension to the Arizona Market suggests that, in the post-conflict era BiH had gone 'international', serving as "a cross communal trading [zone] where ethnic belonging and citizenship mattered little and everything [including sex] was for sale" (Florian, 2005; Haynes, 2010, p. 1788).

The above analysis maps the complex evolution of 'trafficking' into BiH. Nevertheless, the presence of 'trafficking' in the Arizona Market shows that the factors related to the rise in trafficking coalesced in ways that became concretized around the Market's existence. The presence of 'trafficking' in the Arizona Market thus accentuates the inadequacies of a de-contextualized approach to the shaping of complex spaces of post-conflict. This inadequacy also pervades neo-liberal attempts at regulating 'trafficking' in the Arizona Market during various political and legal moments. Indeed, lacking a broader recognition of the space of the Arizona Market, anti-trafficking instruments position 'consent' in stark terms – in terms that fail to recognize structural constraints on women's agency.

The implementation of anti-trafficking laws as an extension of the neo-liberal project of reconstruction

One of the ways in which the United Nations Mission in Bosnia and Herzegovina (UNMIBH) responded to the increasingly widespread issue of trafficking in BiH was by creating the Special Trafficking Operations Program (STOP) in 1998.

STOP was responsible for implementing RoL reforms by targeting 'trafficking' and did so by organizing anti-trafficking campaigns. Between 1998 and December 2002 STOP coordinated police action against trafficking and illegal migration (HRW, 2002; GAATW, 2007).

Anti-trafficking units run by STOP consisted of peacekeeping personnel – the International Police Task Force (IPTF) – as well as local police officers. International military personnel were tasked with the responsibility of “stopping” the 'traffic' by assisting local police officers to conduct bar raids (UNMIBH, 2003). The bar raid - STOP's anti-trafficking instrument of choice - was conducted in underground establishments suspected of employing 'trafficked' women.

The STOP-run bar raids were executed in two phases. The first phase began in 1998. During this initial phase, STOP was primarily responsible for enforcing BiH's existing prostitution and immigration laws in order to regulate trafficking. The second phase of STOP took effect in 2002. In this phase, STOP was responsible for enforcing the specific offence of 'trafficking in persons'. The change in focus grew out of the (seeming) prevalence of trafficking, uncovered by raids conducted in the first phase of STOP's campaign. The shift in focus also coincided with BiH's adoption, ratification and implementation of the UN Trafficking Protocol (2000). Both phases of STOP mark the periods that precede and follow the time frame in which BiH became a party to the UN Trafficking Protocol. Consequently, both phases shed light on the range of ways trafficked women were treated under the law during the peacekeeping mission.

STOP in the first phase: Prostitution laws and immigration regulations

In the first phase of the STOP-run bar raids, enforcement officials uncovered an abundance of foreign women working in establishments (which skirted the Market) known to offer sexual services. The women, who were not native to BiH, were assumed to be trafficked (Maljevic, 2011). However, during this phase (indeed up until 2003) BiH law, at the state level, did not include any explicit anti-trafficking provisions.”¹³ Instead, potential ‘trafficking’ cases were “prosecuted as prostitution or cases of aiding or abetting prostitution” (GAATW, 2007, p. 72; HRW, 2002; Maljevic, 2011, p. 139).

The OHCHR *Report on Trafficking in Persons in Bosnia Herzegovina* observes that in BiH, “aiding and abetting” prostitution is illegal and constitutes a minor offence under *Law on Peace and Public Order* (OHCHR, 2004). The existing legal framework on prostitution provides for the possibility of “processing the users of sexual services, as well as those engaging in sexual services.” In this way, “both the person receiving the money and providing the service, are committing the same offence against public peace and order” (GAATW, 2007, p. 73; Office of the United Nations Commissioner for Human Rights, 2004).

¹³ “There were some provisions in the Criminal Codes of the two entities, the Federation of BiH (FBiH) and the Republika Srpska (RS), which could be applied, including slavery and transportation of enslaved persons, unlawful detention, rape, forced intercourse, sexual intercourse with a minor and recruitment into prostitution. These offences, however, were often not recognised either by the police or by the judges as being related to trafficking... sentences that were imposed were related to Article 210 of the Criminal Codes of Federation of Bosnia and Herzegovina, “for enticement into prostitution” (GAATW, 2007, p. 62).

According to Limanowska, the implementation of this law in first phase of STOP meant that women who worked in prostitution, or who were 'trafficked' into prostitution, "[could be] accused of committing an offence against public order - if the police are able to prove they have accepted money in exchange for a sexual act" (GAATW, 2007, p. 73; OHCHR, 2004). Moreover, due to the fact that prostitution is illegal in BiH - it is considered an illegitimate profession under the law - the Ministry of Security does not grant work permits to foreign sex workers (OHCHR, 2004). Foreign sex workers who were present in BiH during the first phase of STOP were in the country illegally (that is, they did not have documentation or had false documentation); or, they had obtained immigration status for employment in a regulated sector (Andrijasevic, 2010).

Consequently, in the first phase of the STOP campaign (1998-1999), anti-trafficking strategies, such as the bar raid, "stemmed from domestic concerns over increasing involvement of (irregular) migrants in unregulated sectors such as prostitution" (Askola, 2009, p. 165). At this time, prostitution laws proved to be a prominent instrument for the regulation of trafficking.

BiH's crackdown on prostitution between 1998 and 1999, as a means to inhibit "borderless entry into the Internal Market," was also taking place at a time when international protocols on the identification and treatment of women, who were assumed to be trafficked, were in the early stages of development (Askola, 2009, p. 165; HRW, 2002). Nevertheless, numerous local and international NGOs engaged in

negotiations with the Stability Pact Task Force Against Trafficking (SPTF) – a regional anti-trafficking network – to discuss their involvement in the anti-trafficking campaign. These negotiations led to the *Temporary Instructions on the Treatment of Victims of the Victims of Trafficking* (generally referred to as the *Temporary Instructions*).

Madeleine Rees, the United Nations High Commissioner for Human Rights in postwar Bosnia, observes that STOP used the *Temporary Instructions*¹⁴ as a loose guideline, but observes that they were implemented in an “ad-hoc manner” during the raids (HRW, 2002). According to Rees, in cases where proving prostitution might be difficult, STOP processed foreign women in a way that stigmatized voluntary engagement in prostitution. Barbara Limanowska, a human rights researcher who has conducted a study anti-human trafficking organizations in BiH confirms this observation. She notes that foreign women who were working in underground establishments, reported that “police, after raiding a bar, offered them a ‘choice’ of either going to a shelter for victims of trafficking or being transferred to prison and charged with the offence of prostitution” (2007, p. 73). Celhia de Lavarene, the founder of STOP,

¹⁴ The *Temporary Instructions on the Treatment of the Victims of Trafficking* “were drafted by the Ministry of Human Rights and Refugees, with the assistance of the OHCHR and local NGOs” (GAATW, 2007, p. 64) The *Temporary Instructions* was a document which outlined, to law enforcement agencies, the referral and assistance mechanisms for potential ‘victims’ of trafficking. It also entailed instructions about the proper behaviour of law enforcement officials. The Ministry distributed the document to local police stations before the first phase of STOP began, instructing police to use them during the bar raids. However, ‘trafficking in persons’ was not a specific legal offence under state law; there were no provisions under existing legislation which formally recognized foreign sex workers as ‘trafficked’. Consequently, the ‘Temporary Instructions’ were implemented in discretionary ways during the bar raids and in the ‘preliminary identification period’.

confirms that STOP used a working definition of ‘trafficking’ as involuntary participation in prostitution (HRW, 2002).

Madeleine Rees drew attention to the problems associated with “the discretionary distinction, about who is and, who is not a ‘victim’ of trafficking” (HRW, 2002). On the one hand, the distinction does not observe the provision in the *Temporary Instructions* which guarantees status as a ‘protected person’ in the (10 day) period following a given bar raid (referred to as the preliminary identification period)¹⁵. On the other hand, “the [discretionary] distinction resolves how people are treated in a destination country” (Agustin, 2006; Askola, 2009, p. 168; HRW, 2002). According to Rees, the *Temporary Instructions* were implemented in BiH in a way that made legal status as a ‘protected person’ conditional upon *lack of* consent in prostitution. The *Temporary Instructions* provide that

All persons found in a place in which illegal activity might be taking place are given the status of a protected person for a period of up to 10 days. During this [preliminary identification] period it is necessary to determine the identity of such persons and whether or not they had been trafficked” (GAATW, 2007, p. 73).

This identification process consisted of interviews conducted by the International Organization for Migration (IOM), international and local police (HRW, 2002). During the interviews the relevancy of consent in prostitution proved to be a prominent feature for the identification of a ‘victim of trafficking’. The Human Rights Watch (HRW) report

¹⁵ The “preliminary identification” refers to the period of time the potential trafficking victim holds ‘protected person’ status (10 days in the first phase and 15 days in the second phase of STOP).

Hopes betrayed: The trafficking of women and girls to post-conflict Bosnia and Herzegovina for forced prostitution confirms this observation. HRW observes that women who displayed levels of awareness about working in unregulated sectors such as prostitution, and/or who did not wish to be repatriated and thus did not self-identify as 'trafficked', were fined and arrested for the offence of prostitution; and/or were subject to summary deportation for illegal residency connected to unauthorized employment (HRW, 2002; *Law on the Movement and Stay of Foreigners and Asylum*, Official Gazette BaH No. 29/03). Thus, women who were labeled as 'prostitutes' or 'illegal immigrants' were excluded from access to assistance packages such as shelters, temporary residency status, medical treatment and assisted repatriation (HRW, 2002).

The second phase of STOP: The enforcement of 'trafficking in persons'

During the second phase of the raids, women's illegal residency and voluntary participation in prostitution became less of a focus for STOP. This can be explained, at least in part, by the fact "that 'trafficking in human beings' became recognized as a specific criminal offence under BiH law.

The prevalence of trafficking, uncovered by the raids conducted between 1998 and 2002, attracted international attention to the issue of trafficking in BiH. The Office of the High Commissioner for Human Rights (OHCHR) responded to the issue by raising concerns about the trafficking problem in BiH. Similar concerns were also echoed by international organizations, local and foreign NGOs as well as Western states. The

widespread call for action against trafficking prompted a wave of legislative reforms which began in 2002.

Many of the reforms were attached to rule of law (RoL) reconstruction generally and resulted in amendments to pre-existing provisions in numerous pieces of legislation. As part of the legislative reforms, in 2003, the UN Office of High Representative (UNHRC) in BiH specifically addressed the legal issue of 'trafficking in persons' and introduced numerous pieces of legislation. These included the *Criminal Procedure Code* and the *Law on Protection of Witnesses under Threat and Vulnerable Witnesses*. The UNHCR also introduced the state level Criminal Code.

The introduction of the Criminal Code introduced the specific offence of trafficking and smuggling in persons. The amendments attached to the state-level Criminal Code have "entirely altered" previous Article 186 and 189 "and brought them into line with the UN Trafficking Protocol" (*Article 186 of the Criminal Code of BiH, Official Gazette BiH, No. 3/30, re Article 3 of the Law on the Amendments to the BiH Criminal Code, Official Gazette of BiH, no. 61/04; GAATW, 2007, p. 62*). Anti-trafficking laws at the state level officially came into compliance with international standards prescribed by international conventions when, in February 2002, BiH ratified the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (Trafficking Protocol, 2000). Consequently, "provisions of the law relating to

trafficking [and human smuggling] in BiH are entirely in harmony with provisions of the UN Trafficking Protocol” (Limanowska, 2007, p. 165).¹⁶

Article 3 of the UN Trafficking Protocol (2000) specifies the criminal nature of trafficking and emphasizes “deception or coercion, leading to exploitation” as a “distinguishing” criminal feature of ‘trafficking’ (Askola, 2007, p. 35; IOM, 2007). The central position of ‘coercion’ in the Trafficking Protocol validates the “orthodox connection [of trafficking] to exploitation” (Askola, 2009, p. 166). However, the Trafficking Protocol does not define ‘exploitation’; it also does not prescribe how state parties should regulate the criminal offence of trafficking in their domestic laws. These silences allow state parties to prioritize some instruments over others in order to regulate trafficking; they also allow state parties interpret provisions of the Trafficking Protocol, such as the definition of ‘trafficking in persons’, in broad ways.

Plus ça change: ‘Trafficking’ as coercion and the enforcement of absolutist ideas about ‘consent’ in the second phase of STOP

In their investigation into trafficking in 2002, Human Rights Watch observed that, in the second phase of the STOP-run bar raids, STOP moved away from operationalizing a definition of ‘trafficking’ which criminalized consent in prostitution. Indeed, Madeleine Rees contends that the formal recognition of ‘trafficking in persons’, in the BiH Criminal Code, broadened the working definition to make “consent [in prostitution]

¹⁶ The IOM *Handbook for Direct Assistance for Victims of Trafficking* provides that ‘means of coercion’ is the primary distinguishing element (in the definition of ‘trafficking in persons’ provided in the UN Trafficking Protocol) which separates the offence of ‘trafficking’ from the offence of ‘smuggling’.

irrelevant” (HRW, 2002). Both observations imply that the distinct feature of ‘coercion’ was prioritized in the working definition of ‘trafficking’. This suggests that the Criminal Code was being applied on the ground in a way that was in harmony with the Trafficking Protocol.

Limanowska disagrees. She argues that “the understanding of the definition of trafficking on the ground is not always in compliance with the Criminal Code definition” (Limanowska, 2007, p. 61). She contends:

on the one hand there is no recognition in the law that people might be trafficked and subjected to forced labour, in and from BiH, other than for the purposes of sexual exploitation. On the other hand, all cases of migrant prostitution are perceived to be cases of trafficking.” (2007, p. 61)

Limanowska’s contention underscores the reality that, in the second phase of the bar raids, *all* women who were found working in underground establishments (regardless of their consent) were labeled, during the preliminary identification process, as ‘victims of [sex] trafficking’ (HRW, 2002). The official recognition of foreign women as potential victims in the preliminary identification period marks a departure from the first phase of the raids.

In the first phase of the STOP-run bar raids, the preliminary identification period stigmatized consent in prostitution. Status as a ‘protected person’ was made conditional upon refuting ‘consent’ in prostitution and self-identifying as a ‘trafficking victim’. In the second phase of STOP, the “irrelevancy of consent” broadened the eligibility criteria of ‘victimhood’. Therefore, more women became eligible to receive

services in the preliminary identification period. Consequently, in the second phase of the raids, all foreign women, regardless of consent in prostitution, were identified as 'trafficking victims' and were conferred 'protected person' status (*Rulebook on Protection of Aliens Victims of Trafficking in Persons*, Official Gazette BaH No. 29/03).

However, the driving assumption that *all* foreign women were 'trafficking victims' is exemplary of STOP's broad interpretation of 'coercion'. The Criminal Code as well as the definition of 'trafficking' in the UN Protocol were applied on the ground in problematic ways. For example, Limanowska argues that the application of the international definition of trafficking was applied in ways that opened up the possibility of placing a person, who does not self-identify as 'trafficked', in a shelter without their consent (Limanowska, 2007, p. 66). Lack of consent was made apparent in the so-called Mlin case.

In the second phase of the STOP raids, enforcement officials raided the Mlin bar. During the raid, six women were presumed to be 'trafficked'; as 'trafficking victims' they were granted status as 'protected persons' and, under this status, all of the women, at the request of the police, were placed in a shelter. The women were held in the shelter for up to 8 months. This lapse of time exceeded the (15 day) period in which the women were considered 'protected persons'. It also exceeded the (3 month) window of time for which the women could be considered for 'temporary residence' permits based on the fact that they were assumed to be 'trafficked'. At the same time "shelter staff was informed repeatedly - by the women themselves that they were not victims of trafficking and did not wish to be kept in the shelter" (Limanowska, 2007, p. 73).

The Mlin case makes apparent the difficulties with implementing identification procedures for 'trafficked' persons. The difficulty can be explained, at least in part, by gaps in the *Rulebook on the Protection of Aliens Victims of Trafficking in Persons* (the *Rulebook*). The *Rulebook* was a document which clarified the procedures in the *Temporary Instructions* - the manual used in the first phase of the STOP-run raids for the identification of foreign women in BiH. However, the Mlin raid highlights gaps in the *Rulebook*. The *Rulebook* lacked clear divisions of responsibilities for the various institutions involved in identifying and assisting persons who, in particular, do not self-identify as 'trafficked'. Limanowska argues that the problem of implementation experienced by officials is rooted in the *Rulebook* provision which does "not make any references for the possibility of placing persons in a shelter without their consent" (Limanowska, 2007, p. 73). Following the Mlin case, this silence was addressed by the *Vlasic Procedures* which eventually supplemented the *Rulebook* in 2005.

The State Coordinator for Combating Trafficking in Human Beings and Illegal Migration in BiH called a meeting in the town of Vlasic "to develop a set of instructions clarifying and helping implement the *Rulebook*" (Limanowska, 2007, p. 64). Limanowska argues that the *Vlasic Procedures* outlined the standard procedures for the agencies involved in the process of identification and assistance of victims of trafficking. However, in doing so, the instructions gave authority for identification "almost exclusively to law enforcement officials" (Limanowska, 2007, p. 64). According to Limanowska law enforcement officials have been known to prioritize the functional needs of prosecution over the 'protection' of potential victims. As a result, the *Vlasic*

Procedures clarified the *Rulebook* in a way that prioritized the effective prosecution of traffickers through a provision which opened up the possibility of placing persons, identified as ‘trafficking victims’, in a shelter without their consent.

The provision in the *Vlasic Procedures*, which makes reference to the possibility of “placing persons in shelters [and detaining them there] without their consent”, states:

When the victim’s approval for placement in a shelter is lacking, the police/prosecutor must include in the request information that the person is accommodated in accordance with the *Law on the Movement and Stay of Foreigners and Asylum* (Article 68, *Law on the Movement and Stay of Foreigners and Asylum*).

“Accommodation” can be interpreted in Article 68 of the *Law on the Movement and Stay of Foreigners and Asylum* as referring to a stay in a shelter (while the person of interest awaits a decision regarding his or her residency status); it can also be interpreted as referring to an expulsion procedure to be conducted by the Ministry of Security should the person of interest decline to be returned voluntarily to the country of origin (*Law on the Movement and Stay of Foreigners and Asylum*, Official Gazette BaH No. 29/03).

The prioritization of prosecutorial discretion over the meaning of “accommodation” in the *Vlasic Procedures* is emphasized by the fact that the *Vlasic Procedures* does not make a reference “to any role for the NGOs in the process of identification and [to foreign women in the process of] self-identification” (Limanowska, 2007, p. 61). The *Vlasic Procedures* thereby marginalize the role of self-identification as well as the role of shelter staff in the process of identification. Consequently, in the

Vlasic Procedures, the principal decision about the identification of potential victims is taken by the prosecutor.

In turn, the prosecutor has been known to apply discretion in ways that disregard self-identification (or lack thereof) with 'victim of trafficking' (Limanowska, 2007). Instead, status as a 'trafficking victim' tends to depend on the prosecutor's "assessment of the potential usefulness of the victim" to cooperate with police, the prosecutor and/or act as "witnesses in cases against traffickers" (Askola, 2009, p. 165). As a result, the label can become functional for law enforcement officials to place persons in shelters (under the status of 'protected persons' and to detain them there beyond the preliminary identification period) without their consent.

The functional aspect to the identity as a 'victim of trafficking' becomes particularly problematic for those who do not so self-identify. In these cases Askola (2007) argues that the prosecutor has been known to make legal status, and thus the provision of services, conditional upon a person's willingness to comply with prosecutorial priorities. Foreign women who claimed that they were not victims of trafficking, but were nevertheless assessed as "useful" to the prosecutor, were threatened with fines for non-compliance with legal proceedings; the same women were labeled 'illegal migrants' and threatened with expulsion from the country (McCracken, 2010).

The limitations of neo-liberal governance: A misdirected approach to the regularization of liberty in complex spaces of post-war

Vlasic Procedures create a situation in which legal status can be made conditional upon an identity to which a person may not subscribe. This development is a departure from the first phase of the STOP-run bar raids. In the first phase consent was relevant in a way that prioritized self-identification as a 'trafficking victim' or 'illegal migrant'.

On a practical level, these labels were functional reference points for the provision of services, and thus helped STOP to resolve how women would be treated under the law (Askola, 2007, 2009). On a more conceptual level, the International Community's use of these labels to regulate 'trafficking' suggests that in both phases of the bar raids, STOP enforced a link between reified identity constructs and legal status - in ways that construct 'consent' as an absolute.

An absolutist interpretation of 'consent during both phases of STOP suggest that the state of BiH – effectively ruled by the IC during the time of the UNMIBH mission – maintained the traditional link between 'trafficking' and coercion. In the first phase of STOP, this association meant that consent served as “the linchpin for the determination of domination” during the second phase of the raids, the issue of consent – its lack – still serves predominant in the ICs regulation of 'trafficking' (Cavalieri, 2011, p. 1435). Indeed, as coercion became a distinct criminal feature of 'trafficking', and thus a specific criminal offence under the BiH criminal code, all migrant sex workers were presumed not to be able to consent. Consequently, both phases show that an understanding of

'trafficking' as coercion necessitates a reliance upon - two differing, but nevertheless - absolutist notions of 'consent'.

Feminist anti-trafficking activists and legal scholars like Agustin (2006, 2007) and Askola (2007, 2009) are critical of this calculated approach to individual liberty that is embodied by anti-trafficking legislation. For Wendy Brown (1995) an absolutist treatment of 'consent' – seen with the stigmatization of 'voluntary' migrant prostitution in the first phase of STOP, and with the irrelevancy of consent in the second phase of STOP - cannot account for, and thereby undermines, the structural contingencies of women's autonomy.

As shown in the second chapter, women mediate complex structural contexts (in home countries and club life), by "making the best available decisions when faced with grim alternatives" (Askola, 2009, p. 172). The diverse experiences of women in constraining contexts thereby renders rigid ideas about 'consent' more untenable. As Askola points out, the classification of 'illegal migrant' or 'trafficking victim' pigeonholes diverse experiences, as well as degrees of 'exploitation', into an awkward legal framework into which most women "do not and cannot fit" (Askola, 2009, p. 172).

These realities suggest that women operate through 'constrained agency' in complex contexts of post-war . Therefore Brown's critique suggests that a neo-liberal approach to the regulation of trafficking lacks a contextually-sensitive understanding of consent. This lack suggests that neither the UN Protocol nor the BiH criminal code adequately engage with the structural conditions that give rise to the supply side of 'trafficking'. The neo-liberal assumptions – about the 'invisible hand' of the market as

being ever 'free' - that drive a contextually detached way of looking at BiH as an 'irrational' space, and at regulating the supply side of 'trafficking', manifests into the UNs attempt to regulate the demand side of 'transactional sex'.

The zero tolerance policy and the regulation of demand

In the face of nearly a decade of allegations of rape and other forms of sexual violence conducted by UN peacekeepers while on mission in numerous countries (including BiH), the the UN Secretary-General, in 2003, instituted a zero-tolerance policy on 'transactional sex'. The institution of the zero-tolerance policy directly addressed the issue of peacekeeper 'sexual misconduct'. According to Otto, the issue of 'sexual misconduct' has a history of being denied by the UN. In the recent past 'sexual misconduct' has been brushed off by prevailing military culture as an "inevitable by-product of military masculinities" (Otto, 2003). Given this legacy, the zero-tolerance policy was widely welcomed by many in the international community including feminist activists and scholars.

The institution of the policy marks the DPKOs unprecedented attempt to increase accountability and decrease impunity among peacekeeping personnel who become involved in the demand-side of prostitution. However, many feminist scholars, such as Diane Otto, and Olivera Simic are highly critical of the policy. They disagree with its strategy to tackle demand – which places a blanket ban on nearly all commercial-sexual exchanges between peacekeepers and their beneficiaries.

The prohibitionist elements of the zero tolerance policy are cited in the Secretary-General's Bulletin entitled *Special measures for protection from sexual exploitation and sexual abuse* (Secretary-General, 2003). The Bulletin prohibits three broad categories of sexual activity.¹⁷ Section 3.2(c) defines all forms of transactional sex' as "exploitation" (SGB, 2003). This link suggests that the wide scope of prohibitions cited in the Bulletin can be seen as related to a broad interpretation of 'sexual exploitation'. The broad interpretation of 'sexual exploitation' is emphasized in a report produced in March 2005, by the Secretary-General's advisor, Prince Zeid.

In the report entitled the *Comprehensive Review of the Whole Question of Peacekeeping Operations in All Their Aspect*, Prince Zeid "equates prostitution with sexual exploitation" (Zeid, 2005, para 6; Otto, 2003, p. 13). Otto is critical of Prince Zeid's equation of 'exploitation' with prostitution. She argues that it conflates a variety of sexual activities – ranging from rape to "consensual sex" – with 'exploitation' (Otto, 2003, p. 2). The ban on all forms of 'transactional sex' suggests that all sex between peacekeepers and their beneficiaries is coercive.

Section 3.2(d) of the Bulletin prohibits "sexual relationships between United Nations staff and beneficiaries of assistance since [these relationships] are based on

¹⁷ *Prohibition of sexual exploitation and abuse* in the Secretary-General's Bulletin prohibits: 3.2(b) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence; 3.2(c) Exchange for money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance; 3.2(d) Sexual relationships between United Nations staff and beneficiaries of assistance, since they are based on inherently unequal power dynamics, undermine the credibility and integrity of the work of the United Nations and are strongly discouraged (Secretary-General, 2003).

inherently unequal power dynamics” (Secretary-General, s. 3.2(d)). This provision of the Bulletin emphasizes coercion as an elemental feature of all forms of commercial-sex in post-conflict contexts; and moreover, justifies it on the basis of ‘differential power’ (Otto, 2003, p. 14; Zeid, 2005).

Implicit in Section 3.2(c) and 3.2(d) of the Bulletin is that the regulation of the demand is driven by a harm-reduction approach to sex work which is rationalized on ‘inequality of circumstance’. Thus in premising the inherent harm of sex on ‘differential power’, the Bulletin suggests that women’s inequality makes sex harmful. This logic - about ‘differential power’ - suggests that the ‘inherent inequality’ of circumstance is a gendered construct.

The ‘inherent inequality’ of material circumstance is thereby neatly drawn around gendered hierarchies of power which, in turn, map directly onto simplistic divisions of ‘masculinity’ and ‘femininity’. According to Otto, the link between femininity and sex-as-harm, sustains a stereotype about peacekeeping men as “sexual predators who cannot control themselves” (Otto, 2003, p. 6).

The gendered undertones to the Bulletin suggest that the demand for sex is driven by hegemonic conceptions of masculinity. However, the complex ways in which international ‘clients’ construct their masculinities - vis-à-vis their relations with migrant sex workers challenges an essentialized understanding of masculinity that the Bulletin uses to explain , and to regulate, the demand for ‘peacekeeping sex’ Consequently, the DPKOs de-contextualized conception of masculinity serves to regulate demand in a way that pays lip service to ‘inherent inequality’ of context. Driven by a hegemonic

understanding of masculinity, the regulation of demand problematizes sex work - not the structural conditions that give rise to sex.

Hence, the DPKOs approach to the regulation of the demand-side of prostitution is driven less by concerns about 'inherent inequality' of material context in which 'transactional sex' is practiced; instead, the blanket prohibitions on the demand for sex can be seen as driven by an anti-sex agenda, which strives to remove commercial sex from 'peacekeeping economies' like the Arizona Market.

The DPKOs drive to remove 'transactional sex' from the Market can be seen as connected to the larger neo-liberal compulsion to reconstruct BiH in a way which operationalizes laws which are disconnected from the politico-economic space in which they are implemented. Indeed, as shown in this chapter, the neo-liberal approach to the reconstruction of post-conflict spaces is blinded to, and thus divorced from, broader political, economic and social issues which, in turn, could inform ways of effectively regulating 'trafficking' in contexts of 'transactional sex'.

Law, gender and power in the 'peacekeeping economy' of the Arizona Market

The complex case study of the Arizona Market shows that laws attached to rule-of-law (RoL) reforms operate on the assumption that the spaces in which the law is implemented are themselves neutral and devoid of complexity. The law consequently flattens the contextual space in which complex interactions occur. Perhaps if anti-trafficking legislation acknowledged the rich nuances that inform the complexity of space, it could move away from regulating interactions in ways that rely on unitary

conceptions of masculinity and femininity and harm, and thus, re-inscribe 'inherent inequality' the law purports to address.

CONCLUSION

This thesis problematizes a neo-liberal approach to the reconstruction of spaces of post-war like the 'peacekeeping economy' of the Arizona Market. It argues that a neo-liberal approach to societal institution-building, of which the project of 'peacekeeping' is a part, fails to engage with the spatial complexities of zones of post-conflict. Instead, positioned against a 'prescriptive' as well as 'reductionist' approach to contexts of post-war, the aim of this thesis seeks to accentuate the complexity and diversity of the post-conflict spaces like the Arizona Market.

In light of this aim, this thesis offers a feminist, political economy lens from which to conceptualize the Arizona Market as complex space. A politico-economic framework casts a broader context from which to view the Arizona Market as a space that is highly charged with gendered power relations that are negotiated through the medium of 'transactional sex'. A view of the space, through a politico-economic lens, in turn calls for a more robust understanding of 'consent' in the theorization of, and regulation of 'trafficking' - one that acknowledges structural constraints on women's agency, and thereby complicates a linear association between 'masculinity' and 'sexual exploitation'.

The complex case of the Arizona Market calls for a broader recognition in the law, about post-conflict sites as highly contested spaces of power. A recognition in the law about the structural contingencies of agency, as well as the social contingencies of

masculinity, may serve to effectively regulate 'trafficking', and forms of 'peacekeeping sex', in sites like the Arizona Market, and in other post-conflict economies.

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