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The UN Transitional Administration in East Timor: Gender affairs

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Introduction

When the United Nations Security Council established the Transitional Administration in East Timor (UNTAET) in late October 1999, following the intervention by Interfet to secure peace and stability, its main objectives were, and still remain:

. . . to provide security and maintain law and order throughout the territory of East Timor; and to establish an effective administration. It was also to assist in the development of civil and social services; and to ensure the coordination and delivery of humanitarian assistance, rehabilitation and development assistance; to support capacity-building for self-government; as well as assisting in the establishment of conditions for sustainable development. (UNTAET, Security Council Resolution 1271, 25 October 1999)

In the regulation establishing the authority of UNTAET, it was stipulated that:

. . . in exercising their functions, all persons undertaking public duties or holding public office in East Timor shall observe internationally recognized human rights standards, as reflected in particular in: The Convention on the Elimination of all Forms of Discrimination Against Women . . . They shall not discriminate against any person on any ground such as sex, race, colour, language, religion, political or other opinion. (Regulation No.1999/1: Authority of UNTAET)

Such objectives have very much set the direction of this UN peacekeeping mission which, coming under the Department of Peacekeeping Operations in the UN Secretariat, is also subject to the international standards, human rights conventions, and outcomes of UN conferences that apply system-wide throughout the United Nations.

Gender mainstreaming

The first directive, regarding a systematic approach to integration of gender, was contained in the *Platform for Action* agreed on at the Fourth World Conference on Women in Beijing in 1995. This was the first UN document to call for a political commitment to work towards equality between women and men and to pursue 'gender mainstreaming' as a strategy for achieving it. It said:

. . . to ensure effective implementation of the Platform for Action and to enhance the work of the advancement of women . . . the United Nations system and all other relevant organizations should promote an active and visible policy of mainstreaming a gender perspective, inter alia, in the monitoring and evaluation of all policies and programmes, so that before decisions are taken, an analysis is made of the effects on women and men, respectively. (Para.292)

The *Agreed Conclusions 1997/2*, adopted at the meeting of the UN Economic and Social Council in 1997, addressed mainstreaming a gender perspective into all policies and programmes in the UN system. It defined 'mainstreaming a gender perspective' as:

. . . the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral

dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.

The Gender Affairs Unit

When the original structure of UNTAET was being considered, a Gender Affairs office was to be established in the Office of the Special Representative of the Secretary-General (SRSG), with a mandate to mainstream gender throughout all areas of the administration. To have been located at the apex of decision making would have provided UNTAET from the beginning with a rare opportunity for peacekeeping missions to design public institutions which mainstream a gender based rights approach in institutional and human resource planning, policies and programming.

However, the proposed office was not retained. The SRSG decided, instead, to appoint two senior gender advisers: one to be located in Civil Affairs (the Governance and Public Administration pillar), and the other in the Human Rights Unit. When the former post was filled at the end of March, it came under the Deputy SRSG for Governance and Public Administration (GPA), and it was recommended that the three staff in Gender Affairs set up an office reporting to the Deputy SRSG.

At this stage GPA was establishing a functioning administration, consisting of Judicial Affairs (judicial reform and administration, penal management, and legal training); Civilian Police (operations and administration); Social Services (health, education, youth, sport, culture, social affairs, labour); Infrastructure (telecommunications, post, electricity, water and sanitation, transport, port management and civil aviation); Financial Development and Economic Affairs (budget, treasury, tax, customs and immigration, internal audit, trade and commerce); Agricultural Affairs (fisheries and forestry, food and agriculture, agricultural research and extension); Civil Service Commission; Environmental Protection Unit; Research and Census; Land and Property Commission; and District Administration.

According to the *Report of the Secretary-General on the Situation of East Timor to the Security Council (S/1999/1024)* of 4 October 1999, GPA was charged with overseeing the development of governance, administrative and rule of law institutions to serve East Timor. One of its main objectives was to lay the foundations for sustainable institutions and to design an agenda for sustainable economic and social development.

As stated in the report, 'in all elements of the functioning of the governance and public administration elements of UNTAET, the United Nations will work on the basis of the principles of participation and capacity-building', which has involved assigning 'East Timorese to serve in positions inside the administrative structures together with international counterparts and deliver sufficient training and capacity-building to enable these persons gradually to replace international staff'. Such an approach 'will allow a cadre of well-trained East Timorese capable of performing the administrative and public service functions necessary to support an independent East Timor' to be developed.

Objectives of the Gender Affairs Unit

Given the relocation of the Gender Affairs Unit, in light of the above functions of the GPA pillar, its objectives became twofold: notably, to advocate for gender equity and equality, as upheld by the United Nations and as expressed in the East Timorese women's Platform for Action. *The Platform for Action for the Advancement of Women of Timor Loro Sae* was adopted by the First Congress of Women of Timor Loro Sae,

held in Dili on 14–17 June 2000. It is the first attempt to analyse the situation of East Timorese women and to devise policy and strategies for their empowerment.

The congress was held at a time of great challenges for Timor Loro Sae as it undertakes the road from transition to independence after more than 24 years of occupation and armed conflict. It is a time when the only constant is change and when difficult choices are being made regarding nation building, reconciliation, justice, democracy, and reconstruction and development.

The issues which the women prioritised have also become areas of special focus for the Gender Affairs Unit: participation in decision making; the establishment of a gender-sensitive legal and justice system with compensation and reparations for women victims of violence experienced in the last 24 years of Indonesian military occupation; the development of an inclusive constitution; a special focus on vulnerable groups; and the implementation of health programmes to cover all aspects of women's health throughout life. Other needs highlighted were education and literacy programmes for women and girls; a people based economic system, strengthened from the bottom up, in which women have equal rights to land, employment and investment opportunities; and increased participation in and access to expression and decision making in and throughout the media and new communication technologies.

With both the UN mandates and the outcomes of the women's national congress providing the underpinning, the mission of the Gender Affairs Unit is to ensure the participation of women as equal partners with men, by promoting women as equal participants in and beneficiaries of sustainable development, peace and security, governance and human rights. The Unit undertakes advocacy, communication, coordination and monitoring of policy and programme implementation. It strives to stimulate the mainstreaming of a gender perspective both within and outside UNTAET. In so doing, the institutions, policies and programmes created, and later administered, by the Timorese government will be more viable, sustainable and able to serve better the Timorese population in a non-discriminatory, just and equitable fashion. Outreach is also made to stakeholders and partners, such as international agencies, non government organisations (NGOs), East Timorese civil society and community organisations.

Capacity building

The Gender Affairs Unit, in conjunction with key partners in UNTAET, is facilitating capacity-building for gender mainstreaming within the Transitional Administration. Mechanisms have been established at headquarters and district levels, and workshops held to introduce both international and national staff to concepts of gender and gender mainstreaming. Training resources, tools and guidelines are being developed to influence gender-responsiveness programming throughout all areas of the Transitional Administration. Civilian Police and Gender Affairs have established a working relationship to promote gender awareness in policing policies, services and training. This is being undertaken through a process of consultation, information exchange, technical assistance and joint missions.

One of the aims of the Unit is to facilitate the formulation and implementation of government policies on equality between women and men in the Transitional Administration, to develop appropriate strategies and methodologies, and promoting coordination and cooperation within the central and district Transitional Administration in order to ensure mainstreaming of a gender perspective. This is being undertaken by the promotion and establishment of cooperative relationships with departments and units within GPA at the headquarters and district levels, and by

enabling NGOs, especially women's organisations, to work closely with the Transitional Administration.

Gender Affairs is also undertaking gender analysis of proposed/existing policies/laws to ensure early and effective intervention in policy making and preparing policy papers on issues of concern to women and thus the development of position and policy alternatives. Given that UNTAET is establishing new structures to enhance Timorese participation in decision making, the Unit is directly involving the East Timorese Women's Network (REDE) in consultations regarding the development of draft legal instruments with regard, inter alia, to the Constitution, criminal law, prisons, police procedures, conditions of employment, health, property, and equal opportunity in education.

In order to be able to provide informed advice, Gender Affairs is also developing the capacity to ensure the availability and accessibility of data/information for gender-responsive policy making, implementation, monitoring and evaluation. This is being achieved by creating a more gender-responsive statistical system to improve statistics on gender issues, with an initial focus on education and returning refugees.

Conclusion

What is being established here in the East Timorese Transitional Administration is a unique experiment in UN peacekeeping missions, and one that has become increasingly essential with the growing complexity of such operations. Both here in East Timor and in Kosovo, national governments are being established, and the creation of a sustainable Gender Affairs office has the potential to become the national machinery for women.

In last October's first historic debate in the Security Council which addressed the issue of women, peace and security, Noeleen Heyzer, the Executive Director of UNIFEM (UN Development Fund for Women) stated:

. . . the placement of gender advisers in Sierra Leone, Kosovo and East Timor may present a new model, if they are adequately supported. But all such arrangements must involve women and provide gender experts in their design and implementation . . . Unless a country's constitutional, legal, judicial and electoral frameworks deal with gender equality, then no matter what happens after conflict, no matter how peaceful a transition, the entire country will never have a fair chance at development. During the transition to peace, a unique opportunity exists to put in place a gender responsive framework for a country's reconstruction. Nowhere is this more possible than in East Timor. Last week during my visit there, I saw a country struggling to rebuild. I was inspired by the efforts of East Timorese women, together with UNTAET, working to improve legislation and to strengthen local capacity to advocate for gender sensitive laws and policies. (UN Security Council Open Debate on Women and Peace and Security, 24 October 2000)