

Security Sector Reform and Gender

CONTENTS

Why is gender important to SSR?

How can gender be integrated into SSR?

Post-conflict challenges and opportunities

Gender questions for SSR assessment

More information

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and legitimacy of SSR processes.

This Practice Note provides a short introduction to the benefits of integrating gender issues into SSR, as well as practical information on doing so.

This Practice Note is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policymakers, the Toolkit includes 12 Tools with corresponding Practice Notes – see *More information*.

Why is gender important to SSR?

Security Sector Reform means transforming the security sector/system, 'which includes all the actors, their roles, responsibilities and actions – working together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework'.¹ The security sector/system includes the armed forces, police, intelligence and border management services, oversight bodies such as parliament and government, justice and penal systems, non-statutory security forces and civil society groups.

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

The integration of gender issues into SSR processes and security sector institutions enhances:

Local ownership

Legitimate and sustainable SSR is based on a locally owned and participative process.

- A gender-responsive SSR process takes into consideration different security needs and priorities by consulting with men and women from diverse social groups.
- Women's civil society organisations (CSOs) can serve as a crucial bridge between local communities and security policymakers, strengthening local ownership through communicating security and justice needs to policymakers and raising awareness of SSR in local communities.

Delivery of security and justice

One of the main objectives of SSR is to improve the delivery of security and justice services. Gender-responsive SSR strengthens service delivery through:

- Creating more representative security sector institutions – i.e. institutions with a diversity of personnel that reflects the population it seeks to serve. In particular, increased recruitment, retention and advancement of women in security services and oversight bodies is acknowledged as necessary for institutions to be trusted, responsive and effective.
- Improving the security sector's prevention of and response to gender-based violence (GBV) (see Box 1). GBV is violence related to gender differences, such as domestic violence, sexual assault, human trafficking and anti-gay violence. Globally, one in every three women is a victim of GBV, making it one of the greatest



Box 1**Post-conflict justice mechanisms in Sierra Leone: effectively addressing crimes of sexual violence³**

It is estimated that over 250,000 women were raped during Sierra Leone's decade-long civil war. In the aftermath of the war, a combination of justice mechanisms were employed, including the Special Court for Sierra Leone, a Truth and Reconciliation Commission and traditional justice mechanisms. Many positive steps have been taken by the Special Court to seek to ensure that crimes of sexual violence are adequately addressed:

- Adopting a broad definition of sexual violence, including 'rape, sexual slavery, enforced prostitution, forced pregnancy and any other form of sexual violence'.
- Specifically tasking a trial attorney to develop a prosecution plan for sexual violence crimes.
- Assigning two experienced female investigators (out of a team of 10) to investigate crimes of sexual violence.
- Adopting a gender-sensitive interview method to ensure that victims feel comfortable reporting crimes.
- Emphasising witness preparation, to ensure that witnesses understand the implications of testifying.

Although it is too early to draw definite conclusions regarding the success of the Special Court's handling of sexual violence, the first judgements of the Court (delivered on 20 June 2007) included convictions for rape as a crime against humanity and sexual slavery.

threats to human security.² Men and boys are also victims of GBV, and may face even greater barriers than women in reporting it and seeking justice.

- Increasing collaboration between security sector institutions and CSOs, including women's groups. CSOs can provide complementary security and justice services, and help to build the capacity of security sector institutions through training, research and expert advice on gender issues.

Oversight and accountability of the security sector

A core objective of SSR is to reform security sector institutions so that they are transparent; respectful of the rule of law and human rights; and accountable to democratic civilian authority, such as parliament and the justice system. Gender-responsive SSR strengthens oversight and accountability through:

- The increased participation of women, gender experts and women's organisations in official oversight bodies and processes (see Box 2).
- Gender-responsive initiatives to prevent, respond to and sanction human rights violations committed by security sector personnel.

Compliance with obligations under international laws and instruments

Taking the initiative to integrate gender issues into SSR is not only a matter of operational effectiveness; it is also necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Beijing Declaration and Platform for Action* (1995)
- *United Nations Security Council Resolution 1325 on Women, Peace and Security* (2000)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into SSR?

Two complementary strategies can be used to integrate gender issues into SSR policy and programming:

- ✓ *Gender mainstreaming* involves considering the impact of all SSR policies and programmes on women, men, boys and girls at every stage of the policy and programme cycle, including assessment, planning, implementation, monitoring and evaluation.

- ✓ *Promoting equal participation of men and women:* as men are highly over-represented within SSR processes and security institutions, action is required to increase recruitment, retention and advancement of women, and to ensure the participation of CSOs, including women's organisations.

Tips for gender-responsive SSR policy*Gender mainstreaming*

- ✓ Involve gender experts – such as representatives from women's ministries, parliamentarians with gender expertise and experts from CSOs – in drafting SSR policy.
- ✓ Build the gender awareness and capacity of the team(s) responsible for drafting, implementing and evaluating SSR policy (e.g. through gender training or briefings).
- ✓ Identify and mobilise 'gender champions' – i.e. senior level decision-makers that support the inclusion of gender issues.
- ✓ Conduct a gender impact assessment of the proposed SSR policy, and monitor and evaluate the policy's impact on men, women, girls and boys.

Equal participation of men and women

- ✓ Ensure that SSR is grounded in a participatory consultation process, including civil society representatives from women's and men's organisations.

Box 2**Women's organisations' participation in Fiji's security and defence review⁴**

In Fiji, women's non-governmental organisations, working with the Ministry of Women's Affairs, provided input for the 2003 national security and defence review process. They met with the Fijian Government's National Security and Defence Review Committee to discuss:

- How the review process was being conducted
- Who was being consulted
- Which issues were identified as security threats
- How international standards and norms, such as UN Security Council Resolution 1325, were being incorporated into defence programming.

The women's organisations made concrete recommendations, including for the permanent appointment of the Minister for Women to the National Security Council and representation of women on Divisional and District Security Committees.

- ✓ Ensure representation of women and men in the teams responsible for the assessment, drafting, implementation, monitoring and evaluation of SSR policies.

Tips for gender-responsive SSR programme design

'Understanding the role of women is important when building stability in an area... If women are the daily breadwinners and provide food and water for their families, patrolling the areas where women work will increase security and allow them to continue. This is a tactical assessment... Creating conditions for a functioning everyday life is vital from a security perspective. It provides a basis for stability.'

Brigadier Karl Engelbrekton, Force Commander of the Nordic Battlegroup ⁵

Gender issues should also be incorporated into the framework for SSR programme design:

- **Objectives:** Do the objectives include the improved delivery of security and justice services to men, women, girls and boys? More representative and participative security sector institutions? Increased accountability and reduced human rights violations?
- **Beneficiaries:** Are the beneficiaries of SSR clearly identified? Are women, girls and marginalised men and boys included?
- **Activities:** Are initiatives included to address the particular security needs of women and girls, as well as marginalised men and boys? Are there activities to increase the participation of women and other under-represented groups in security sector institutions? What activities address human rights violations by security sector personnel?
- **Outputs:** Are specific outputs directed towards women, men, girls and boys? Are there outputs that focus on preventing, responding and prosecuting GBV and increasing the recruitment, retention and advancement of women within security and justice institutions?

- **Indicators:** Are there specific indicators to monitor gender-related objectives and the impact of gender activities? Are indicators sex-disaggregated?
- **Budget:** Are specific funds earmarked for gender objectives, activities and outputs?
- **Partners:** Are women's and men's organisations, and organisations working on gender issues, included as potential partners? Do identified partners have the commitment and capacity to work in a gender-responsive manner? Are responsibilities and expectations regarding gender clearly spelled out in programme documents, agreements and contracts?

Also available in Tool 1...

- Questions for a gender impact assessment of security policy
- Tips on integrating gender into SSR assessment, design, implementation, monitoring and evaluation
- An assessment process for law enforcement agencies to increase their recruitment and retention of women
- Examples of good practices from reform processes in Brazil, the Democratic Republic of the Congo, Hungary, Sierra Leone, South Africa, Sweden and the United Kingdom

Post-conflict challenges and opportunities

In post-conflict environments, SSR is essential to prevent the re-occurrence of conflict and to enhance public security, which in turn is necessary to initiate reconstruction and development activities. While every context is unique, there are particular challenges and opportunities for the integration of gender issues into post-conflict SSR:

Challenges for the integration of gender issues

- Disarmament, demobilisation and reintegration (DDR) processes often fail to include women and girls.
- Pressure to quickly build security sector institutions may result in gender issues being insufficiently prioritised in recruitment, training and logistics.
- Lack of infrastructure and capacity can hinder women's access to justice.

Box 3

Modernisation of the Nicaraguan police force ⁶

The modernisation of the National Police Force of Nicaragua demonstrates the benefits of initiatives to mainstream gender and increase the participation of women. A broad range of gender reforms of the Nicaraguan police was initiated in the 1990s, following pressure from the Nicaraguan women's movement and from women within the police. As part of a project supported by the German development organisation (GTZ), specific initiatives were undertaken including:

- Training on GBV within police academies
- Women's police stations, providing a range of services to women and child victims of violence, in partnership with CSOs
- Reform of recruitment criteria including female-specific physical training and the adaptation of height and physical exercise requirements for women
- Policies to allow police officers to combine jobs and family life
- Establishment of a *Consejo Consultivo de Género* as a forum for discussion and investigation into the working conditions of female officers.

Today, 26% of Nicaraguan police officers are women, the highest proportion of female police officers in the world. Nicaragua's police service has been described as the most 'women-friendly' in the region, and is hailed for its successful initiatives to address sexual violence. The reforms have also helped the police gain legitimacy and credibility in the eyes of the general public: in a recent 'image ranking' of Nicaraguan institutions the police placed second, far ahead of the Catholic Church.

- Security sector institutions often lack civilian trust due to previous human rights abuses, which increases the difficulty of recruiting women.

Opportunities for the integration of gender issues

- The full-scale reform of security sector institutions creates the opportunity to revise security policies and protocols for gender-responsiveness; vet personnel for human rights violations including GBV; provide gender training for new personnel; and set clear targets for women's recruitment and retention.
- DDR processes can be a potential entry point to address gender issues – e.g. through providing GBV prevention training for male ex-combatants.
- Fluidity in gender roles during the armed conflict can facilitate increased recruitment of women, including female ex-combatants, in armed forces and increased participation of women in public decision-making.
- Women's organisations involved in peacemaking and community level security can be strong partners for the integration of gender issues into SSR processes.
- International institutions and donors may provide resources to support gender-responsive SSR processes.

? Gender questions for SSR assessment

Gender can be integrated into various types of SSR assessment, monitoring and evaluation processes in order to increase their accuracy and relevance. Key questions to ask include:

- What are the particular security needs, perceptions and priorities of men, women, girls and boys?
- Are women, men, boys and girls able to access justice and security services?
- Are security legislation, policies and protocols gender-responsive? Is there adequate legislation against GBV? Are internal codes of conduct and sexual harassment policies implemented and monitored?
- Is there adequate funding and programming to prevent, respond to and sanction GBV?
- Do security sector personnel have the capacity to integrate gender issues into their daily work? Have they been provided with adequate gender training?
- How many men and women work within security sector institutions, and in what type of position and at what level of seniority?
- What is the work environment like within security sector institutions? Are there problems of sexual harassment and other human rights violations?
- Do security sector oversight bodies include women, consult with women's organisations and monitor GBV?
- What gender-responsive security and justice initiatives already exist at local and national levels?
- Which CSOs are already working on gender and security issues, and how can these initiatives be supported?

More information

Resources

Anderlini, S.N. with Conaway, C.P. – 'Security Sector Reform', *Inclusive Security, Sustainable Peace: A Toolkit for Advocacy and Action*, 2004.

Nathan, L. – *Local Ownership of Security Sector Reform: A Guide for Donors*, 2006.

Valasek, K. – 'Gender and Democratic Security Governance', *Handbook for Civil Society Organisations on Public Oversight of the Security Sector*, UNDP & DCAF (Forthcoming July 2008).

GTZ – *Gender and Citizen Security: Regional Training Module - Basic Text, Methodological Guide, Support Materials*, 2005.

OECD DAC – *OECD DAC Handbook on Security System Reform: Supporting Security and Justice*, 2007.

Organisations

Centre for Security Sector Management – www.ssonline.org

DCAF: *Gender and SSR Project* – www.dcaf.ch/gender-security-sector-reform

Global Facilitation Network for SSR – www.ssrnetwork.net

OSCE/ODIHR – www.osce.org/odihhr

UNIFEM *Portal on Women, Peace and Security* – www.womenwarpeace.org

UN-INSTRAW: *Gender and SSR* – www.un-instraw.org/en/gps/general/gender-and-security-sector-reform-5.html

WILPF: *PeaceWomen* – www.peacewomen.org

Gender and SSR Toolkit

1. Security Sector Reform and Gender
2. Police Reform and Gender
3. Defence Reform and Gender
4. Justice Reform and Gender
5. Penal Reform and Gender
6. Border Management and Gender
7. Parliamentary Oversight of the Security Sector and Gender
8. National Security Policy-Making and Gender
9. Civil Society Oversight of the Security Sector and Gender
10. Private Military and Security Companies and Gender
11. SSR Assessment, Monitoring and Evaluation and Gender
12. Gender Training for Security Sector Personnel Annex on International and Regional Laws and Instruments

Each of these Tools and Practice Notes are available from: www.dcaf.ch, www.un-instraw.org and www.osce.org/odihhr.

This Practice Note was prepared by Mugiho Takeshita of DCAF, based upon Tool 1 authored by Kristin Valasek of DCAF.

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³ Bastick, M., Grimm, K. and Kunz, R., *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector*, (DCAF: Geneva), 2007, p.159.

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Police Reform and Gender

CONTENTS

Why is gender important to police reform?

How can gender be integrated into police reform?

Post-conflict challenges and opportunities

Questions for police reform

More information

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Why is gender important to police reform?

Police Reform is the transformation or change of a police organisation into a professional and accountable police service practising a style of policing that is responsive to the needs of local communities.¹

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Effective provision of security to men, women, girls and boys

- As police are responsible for the maintenance of public order and the protection of people, they have a duty to understand and take action to prevent and respond to the different forms of crime and insecurity faced by men, women, girls and boys.
- Gender-based violence (GBV), including domestic violence, human trafficking and sexual assault, is one of greatest threats to human security worldwide. Police officers must receive appropriate training to respond to victims of GBV and process and investigate these crimes effectively.

Representative police service

- Creating a police service that is representative of the population it seeks to serve – in terms of ethnicity, sex, religion, language, tribal affiliation etc. – increases the credibility, trust and legitimacy of the service in the eyes of the public.
- A representative police service increases operational effectiveness, through access to a broad range of skills, experiences, education and culture, which maximises the ability to deliver local solutions to local problems.²
- Women often bring specific skills and strengths to police work, such as the ability to defuse potentially violent situations, minimise the use of force and employ good communication skills.³ In certain contexts, female officers are necessary to perform the cordon and search of women, widen the net of intelligence gathering and assist victims of GBV.
- Globally, men are currently greatly over-represented in the police service. Specific initiatives are therefore needed to increase the recruitment, retention and advancement of female personnel.



Non-discriminatory and human rights promoting police service

- Eliminating discrimination and human rights violations, such as sexual harassment and rape, by police personnel against civilians and co-workers will help create an effective and productive work environment.
- Discriminatory attitudes of police personnel can prevent equal access to police services. In many countries, women report that the police are insensitive and may fail to adequately investigate gender-based crimes.⁴ Gender-responsive policies, protocols and capacity building can increase police professionalism and access to police services.

Compliance with obligations under international laws and instruments

Taking the initiative to integrate gender issues into police reform is not only a matter of operational effectiveness; it is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW, 1979)
- *The Beijing Declaration and Platform for Action* (1995)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into police reform?

Assessment

- Conduct gender-responsive assessments or audits that focus specifically on a gender issue, such as women's recruitment, rates of sexual harassment or responses to domestic violence.

Gender-sensitive policies, protocols and procedures

- Develop and implement specific protocols/procedures to investigate, prosecute and support victims of GBV.
- Establish gender-responsive codes of conduct and policies on discrimination, sexual harassment and violence perpetrated by police officers, and internal and external reporting mechanisms that can receive complaints.
- Vet police recruits for histories of GBV, including domestic violence.
- Create incentive structures to award gender-responsive policing along with respect for human rights.
- Review operational frameworks, protocols, and procedures with:
 - Existing women's police associations and other police personnel associations to identify the current situation and reforms required.
 - Community policing boards, civil society organisations, including women's groups and survivors of violence, to identify needed reforms and to ensure that protocols and procedures are responsive to community needs.

Women's police stations/domestic violence units

- Consider establishing women's police stations (WPS) or specific units on GBV in order to encourage more victims to file complaints and improve police responses to GBV (see Box 1).

Gender training

- Integrate gender issues into the basic training given to all police personnel, including civilian staff.
- Provide mandatory and comprehensive training on gender sensitivity and sexual harassment for all police personnel.
- Offer in-depth, skill-building training on specific gender topics, such as interviewing victims of human trafficking and protocols for responding to domestic violence, anti-gay violence, child abuse and sexual assault.

Box 1

Women's Police Stations (WPS) in Latin America ⁵

A study conducted in 2003 of WPS in Argentina, Brazil, Colombia, Costa Rica, Ecuador, Nicaragua, Peru and Uruguay found that each structure is unique and serves a different segment of the population, depending on the country and the criminal laws. Although there are differences, the main characteristics are as follows:

- Most deal with domestic or family violence against women, boys and girls.
- Services are provided in partnership with state and non-state actors.
- Police services include processing of declarations, carrying out investigations and the mediation of agreements in partnership with social workers.
- WPS officers are exclusively women.
- There is no cost to the user for accessing the multi-disciplinary services.

WPS units aim to:

- Protect women against threats to their security.
- Provide access to legal, medical and psychological support services that users, most often the poor, may not otherwise have access to.
- Contribute to a gendered focus on security in general.
- Contribute to good governance through ongoing collaboration between women's movements and NGOs, the police, and in some cases state-run women's mechanisms in the areas of service provision, coordination and administration.
- Collect data on crimes that are addressed by the specialised WPS units.

Recruitment, retention and advancement of female personnel

- Consider establishing strategic targets for female recruitment and retention.
- Update recruitment policies and practices to ensure they are attracting a full range of qualified individuals, including from under-represented groups (see Box 2).
- Update job descriptions to accurately reflect the skills required in modern policing.
- Revise and adapt human resources policies to ensure they are non-discriminatory, gender-sensitive and family-friendly.
- Establish female police associations and mentor programmes.
- Review job assessment standards and promotion criteria for discrimination. Implement performance-based assessment reviews.
- Ensure equal access to job training for career advancement.

Civil society oversight and collaboration

- Consider community-based policing as an effective strategy for providing security and working collaboratively with the community, including civil society organisations such as women's groups (e.g. through joint training and patrolling).
- Establish referral systems for police to put victims in contact with community services including women's organisations.
- Create or strengthen civilian oversight mechanisms, such as community police boards, in order to increase public trust and establish formal channels of communication between the police and the community.
- Build the capacity of civil society organisations to effectively monitor the police for human rights violations.

Also available in Tool 2...

- Template for plan of action for gender reform
- Sample protocol agreement between the police and a community group
- Good practices for addressing GBV
- Gender checklist for community-based policing
- Tips on how to conduct a workplace environmental assessment
- Checklist for developing a job description
- Strategies to recruit, retain and advance female personnel
- Checklist for sexual harassment policies

Post-conflict challenges and opportunities

In post-conflict countries, there is often widespread insecurity, with certain forms of violence increasing. Police services may be close to total collapse or lack legitimacy due to participation in the conflict. There is often an urgent need for systematic reform of the police, including to prevent high incidence of post-conflict GBV.

Challenges for the integration of gender issues

- The police have often perpetrated violent crimes, including rape and sexual assault, against community members, which leads to high rates of distrust. In such cases it may be hard to recruit women and reporting on GBV tends to be low.

Box 2

Education support for female police recruits in Liberia⁶

In Liberia, the United Nations and the Government of Liberia have instituted the Education Support Programme for potential female recruits to the Liberia National Police (LNP). The accelerated programme aims to bring the educational level of interested women up to high school graduation level so that they can qualify for LNP recruitment. As Alan Doss, head of the UN Mission in Liberia, stated at the programme launch to young women of Liberia: 'This is an opportunity to not only enhance your education, but, if you successfully pass the test, you can join the LNP and help make a difference to your country, especially the women of this country.'

- Police institutions are often suspicious of civil society organisations and are reluctant to work with them.
- National police often work in difficult conditions without equipment and with poor pay, while still being expected to carry out their changing mandates, often resulting in a reluctance to prioritise reform processes, including gender reforms.
- Commitment to gender-responsive police reform diminishes as crime begins to rise and police return to oppressive ways of addressing crime, disadvantaging certain groups in society.
- The national police force are not the only agents involved in policing – private security companies, militias and armed non-state actors need to be included in gender-responsive security sector reform efforts.

Opportunities for the integration of gender issues

- International attention and financial support can influence the reform process to be sensitive to the needs of men and women, particularly international civilian police forces acting as role models.
- Altered gender roles and social structures provide a space for more women to consider the police as a professional opportunity.
- Extensive reform of the police service provides the opportunity to set targets for female recruitment, vet recruits for GBV, and integrate gender issues into new policies and protocols, operational programming and training.
- There may be an increased number of women available for employment with the police – including women heading and supporting households, and female former combatants.
- Due to the high levels of GBV in conflict and post-conflict environments, there may be impetus to set up specialised units to address violence against women and children, as in Afghanistan, Liberia and Sierra Leone (see Box 3).

Sierra Leone went through a decade-long conflict where GBV was used as a method of warfare. Women and girls were subjected to abduction, exploitation, abuse, mutilation and torture. In addition to crimes of war, a study by Human Rights Watch (HRW) for the period of 1998-2000 indicated that 70% of the women interviewed reported being beaten by their male partner, with 50% having been forced to have sexual intercourse. Not only were the abuses taking place, but there was a culture of silence that surrounded GBV. Research indicates that 60% of the women surveyed by HRW believed that women deserve to be beaten by their husbands, a perception that needed to be challenged.

As the culture of secrecy began to be broken, there has been a growing recognition that survivors need access to the police to report crimes, protection in temporary shelters, medical and psychological treatment and legal assistance. However, police attitudes to survivors of sexual violence were not supportive, resulting in many women not wanting to report the crimes to the police. In response, the Government established the first Family Support Unit in 2001 to deal with physical assault, sexual assault and cruelty to children. In addition, training was provided to police officers on how to handle domestic and sexual violence.



Questions for police reform

One of the best ways to identify entry points, strengths and weaknesses for incorporating gender perspectives into police reform is to conduct an assessment. Below are sample questions on gender that are important to include in police reform assessment, monitoring and evaluation processes.

- Are there operational frameworks, policies, procedures or other mechanisms in place to guide police responses to GBV?
- Do gender-responsive codes of conduct and comprehensive policies on sexual harassment exist? Are they enforced? Is their implementation monitored?
- Do police personnel receive adequate capacity building on gender issues?
- Are internal and external complaint mechanisms established and accessible? Is there an ombudsperson in place to receive complaints of sexual harassment, discrimination or violence?
- Do any civilian oversight bodies exist, such as community police boards? Do they monitor GBV and discrimination?
- What is the number and rank of female and male police personnel?
- Are there measures in place to increase the recruitment, retention and advancement of female police personnel, as well as other under-represented groups? Are recruitment processes non-discriminatory? Do female police officers receive equal pay and benefits?
- Do women and men, in both urban and rural settings, have access to police services?
- Are there community policing programmes or initiatives in place?

More information

Resources

Centre for Children and Families in the Justice System – *Handbook for Police Responding to Domestic Violence: Promoting Safer Communities by Integrating Research and Practice*, 2004.

Council of Europe – *The VIP Guide: Vision, Innovation and Professionalism in Policing Violence Against Women and Children*, 2001.

International Centre for Criminal Law Reform and Criminal Justice Police - *Model Strategies and Practical Measures on the Elimination of Violence Against Women in the Field of Crime Prevention and Criminal Justice: Resource Manual*, 1999.

National Centre for Women and Policing - *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement*, 2001.

OECD-DAC – *OECD DAC Handbook on Security System Reform: Supporting Security and Justice*, 2007.

UNIFEM/UNDP – *Gender Sensitive Police Reform in Post-Conflict Situations – a policy briefing paper*, 2007.

Organisations

Commonwealth Human Rights Initiative - www.humanrightsinitiative.org

European Network of Police Women - www.enp.nl

International Association of Women Police - www.iawp.org

National Center for Women and Policing - www.womenandpolicing.org

Open Society Justice Initiative - www.justiceinitiative.org

OSCE Strategic Police Matters Unit - www.osce.org/spmu/

UNIFEM - www.unifem.org

Gender and SSR Toolkit

1. Security Sector Reform and Gender
 2. Police Reform and Gender
 3. Defence Reform and Gender
 4. Justice Reform and Gender
 5. Penal Reform and Gender
 6. Border Management and Gender
 7. Parliamentary Oversight of the Security Sector and Gender
 8. National Security Policy-Making and Gender
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 10. Private Military and Security Companies and Gender
 11. SSR Assessment, Monitoring and Evaluation and Gender
 12. Gender Training for Security Sector Personnel
- Annex on International and Regional Laws and Instruments

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This Practice Note was prepared by Anna Korneeva of UN-INSTRAW, based upon Tool 2 authored by Tara Denham.

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⁴ UNIFEM, *Not a Minute More: Ending Violence Against Women*, (UNIFEM: New York), 2003, p. 46.

⁵ Jubb, N. and Izumino, W.P., 'Women and Policing in Latin America: A revised Background Paper', (Latin American Studies Association: Texas), 27-29 March 2003. <http://www.nevusp.org/downloads/down085.pdf>

⁶ United Nations Mission in Liberia, 'Launching of Special Education Programme for Potential Female Recruits of Liberia National Police', Press Release Jan. 22, 2007. <http://unmil.org/article.asp?id=1951>

Defence Reform and Gender

CONTENTS

Why is gender important to defence reform?

How can gender be integrated into defence reform?

Post-conflict challenges and opportunities

Questions for defence reform

More information

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and legitimacy of SSR processes.

This Practice Note provides a short introduction to the benefits of integrating gender issues into defence reform, as well as practical information on doing so.

This Practice Note is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policy-makers, the Toolkit includes 12 Tools with corresponding Practice Notes – see *More information*.

Why is gender important to defence reform?

Defence reform entails the transformation of the defence sector of a given state so that the institutions: are under civil control; abide by the principles of accountability and good governance; maintain an appropriate force in numbers; have representative composition; are trained and equipped to suit their strategic environment; and abide by international law, and thus contribute to national and international goals of peace and security.

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

The integration of gender into the defence sector involves bringing the experience, knowledge and interests of women and men into the process of *creating* policies and structures for national defence, *implementing* those policies (including through national and international operations) and *evaluating* the results. Integrating gender in defence reform processes is a means to:

Respond to different security needs within society

- Defence reform must effectively respond to the needs of all in society. People's respective security needs vary depending on factors such as sex, ethnicity, age, physical ability, sexual orientation, economic status, citizenship status and religion.
- Gender-based violence (GBV) remains a significant threat to human security worldwide. Men too are victims of GBV, in such forms as sex-selective massacres, rape and gang-related violence. Ensuring the protection of women, men, girls and boys both during and after a conflict should be a priority within any defence reform agenda.

Respond to the changing needs of the defence sector

- The nature of warfare has undergone far-reaching changes. Defence forces are, in many contexts, involved in complex peacekeeping and reconstruction missions which require skills such as communication, facilitation and cooperation with civilians. Diversity in force composition and gender mainstreaming in operations enables the defence sector to better perform the new tasks required of it (see Box 1).



Box 1**Female peacekeepers can increase mission effectiveness because:**

- Female military personnel are needed to perform body searches on women at roadblocks, airports, etc.
- Local men and women tend to see female peacekeepers as more approachable than male peacekeepers
- Female peacekeepers can more easily gather information from local women, providing valuable intelligence
- Both men and women who are victims of sexual abuse are more likely to disclose this to female peacekeepers
- Female peacekeepers provide positive role models for local women to join armed and security forces

- Members of the armed forces can be perpetrators of GBV against civilians as well as other members of the armed forces. An approach to human rights promotion that takes gender into account, for example through gender sensitivity training and the enforcement of codes of conduct, can strengthen prevention, comprehensive response and accountability.

Create representative defence forces and security organisations

- Women are under-represented in militaries, defence ministries and defence oversight bodies. Even without formal barriers, there are often ceilings to women's career advancement.
- The full integration of women into the armed forces maximises the military's ability to fulfil its role of protecting democratic societies, including the defence of core values such as citizenship and equality.

Strengthen democratic, civil oversight of the defence forces

- A key aspect of defence reform is increased civilian oversight. Including women and gender experts in defence oversight bodies can help to ensure that defence policies and programmes respond to the particular needs of men and women, boys and girls. Women's civil society organisations can bring a holistic understanding of security to civilian oversight processes.

Compliance with obligations under international laws and instruments

Taking the initiative to integrate gender issues into defence reform is not only a matter of operational effectiveness; it is also necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Beijing Declaration and Platform for Action (1995)*
- *United Nations Security Council Resolution 1325 on Women, Peace and Security (2000)*

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into defence reform?

Gender issues should be addressed throughout the political, institutional, economic and societal levels of defence reform.

Integrating gender into the political level of defence reform

- Ensure that women and men with gender expertise and representatives of government ministries responsible for issues of women's rights, gender and youth are part of defence review bodies.
- Build the gender capacity of defence review bodies through training, briefings on gender and security issues, mentoring programmes, etc.
- Build the capacity of civil society organisations (CSOs), including women's organisations, on defence policy issues and security sector oversight. Establish mechanisms to increase their participation in defence reform processes.
- Stimulate debate on a national vision of defence and security through:
 - Consultations with civil society, including urban and rural women's organisations
 - Parliamentary hearings and open debates
 - Engagement with the media

Case Study 1**Increasing the recruitment, retention and deployment of women in the Hungarian armed forces ¹**

Hungary successfully raised the participation of women in its armed forces from 4.3% in 2005 to 17.56% in 2006. Since combat positions were opened to women in 1996, women are able to occupy any position within the Hungarian armed forces. Hungary's strategies to increase recruitment, retention and deployment of women include:

- Military Service Law that upholds the equal rights of men and women and guarantees non-discriminatory promotion based on professional skill, experience, performance and service time.
- An Equal Opportunity Team and Equal Opportunity Plan within human resources.
- A Committee on Women of the Hungarian Defence Forces, established in 2003 to ensure equal opportunities for men and women. The Committee conducts research and holds meetings with servicewomen to gather experiences, from which they prepare analyses of the status of gender equality, including problems and recommendations for change.
- A network of women's focal points established at unit level.
- Steps to improve resting and hygienic conditions in the units.

Ghana regularly contributes troops to UN missions and has integrated UN rules governing standards of behaviour for armed forces in peace operations into its national code of conduct:

Sexual Exploitation and Abuse – *The following must be avoided:*

- Any exchange of money, employment, goods or services for sex
- Any type of sexual activities with children (persons under the age of 18 years)
- Any other form of humiliation, degrading or exploitative behaviour
- Any sexual favour in exchange for assistance ...
- Any type of sexual misconduct that damages the image, credibility, impartiality or integrity of the forces that deployed you.

Male/Female Relationship – *Healthy and professional interaction between males and females to be encouraged. No immoral relationship to be encouraged among troops.*

Rules for Code of Conduct – *Do not engage in immoral acts of sexual, physical or psychological abuse or exploitation. Respect and regards [sic] the human rights of all.*

Integrating gender into the institutional level of defence reform

- Actively recruit women into defence structures and ensure that women are represented in defence decision-making bodies. Review and amend policies that restrict the participation of women and men, including the restriction of women from combat roles or from rising to the highest ranks (see Case Study 1).
- Implement family-friendly policies – e.g. adequate maternity and paternity leave and the provision of nursing and day care facilities.
- Ensure military education and training addresses cultural sensitivity, civic responsibility, human rights and gender-responsiveness.
- Develop, enforce and monitor codes of conduct for defence force personnel that prohibit sexual discrimination, harassment and exploitation and abuse (see Case Study 2).

Integrating gender into the economic level of defence reform

- Conduct gender analysis of defence budgets to improve the transparency, accountability and public financial management of the defence sector (see Box 2).
- Build the capacity of parliamentarians and civil society to conduct gender analysis of defence budgets.

Box 2

Questions to ask as part of a gender analysis of defence budgets:

- Do general allocations equally provide for the security of women, men, boys and girls?
- Does the budget specify funds for women, men, girls or boys? (e.g. funds to recruit more women; for maternity and paternity leave; for men's and women's health services)
- Does the budget specify gender-related activities, inputs and costs? (e.g. of gender awareness and sensitisation training)

Integrating gender into the societal level of defence reform

- Portray women within the defence forces in the media to highlight the added value that women bring to defence, and change how society views defence institutions.
- Reach out to CSOs, including women's organisations, working on peace and security issues, in order to gain insight, intelligence and establish avenues of collaboration.

Also available in Tool 3...

- Tips on how to integrate gender into a defence review process
- Ways in which parliamentarians can monitor defence reform
- Tips on increasing female recruitment and retention
- Examples of how gender issues have been addressed in defence reform from the Democratic Republic of the Congo, Estonia, Fiji, Latin America, South Africa and Sweden

Post-conflict challenges and opportunities

Defence reform is an important aspect of post-conflict stabilisation. Disarmament, demobilisation and reintegration (DDR) of former combatants is in many cases an urgent priority. Since women are both participants in and victims of any conflict, it is important that their particular needs and roles are addressed and their full participation ensured from the onset of the peace process and throughout DDR and SSR.

Opportunities for the integration of gender issues

- Broad-based consultation, including women's organisations, on defence and SSR help to establish national consensus on priorities for reform.
- Male 'gender advocates' within the military and in other positions of influence can be powerful partners for change.

- Vetting processes for new national armies benefit from consulting with women's groups and women ex-combatants, who can often provide information on perpetrators of human rights violations.

In DDR processes:

- Gender experts should be involved in planning, implementation and assessment.
- All DDR staff should receive training on gender issues so that they are able to plan, implement and assess programmes in a gender-responsive manner.
- Sex-disaggregated data must be collected and used to develop a clear picture of all ex-combatants, dependents and others associated with armed groups.
- Women's organisations should receive information about the technical and procedural aspects of DDR, so they can help ensure that women participate in decision-making and understand their entitlements.
- Initiatives can be taken to recruit female ex-combatants into the defence forces.

? Questions for defence reform

Gender can be integrated into defence reform in order to increase its effectiveness. Key questions to ask as part of assessment, monitoring and evaluation processes include:

- Has there been consultation to ensure that the defence reform agenda reflects the concerns of women and marginalised men? Have CSOs been included in defence review processes?
- Are there initiatives to build the gender capacity of defence review bodies, parliamentarians and CSOs engaged in defence oversight, such as gender training and briefings on gender and security issues?
- Have targets been set and mechanisms put in place to increase the recruitment, retention and advancement of women within defence structures including the armed forces and ministry of defence?
- Are there concrete measures, including codes of conduct, monitoring and reporting mechanisms, to prevent, respond and sanction sexual harassment and human rights violations by defence personnel?
- Have gender issues been integrated into the standard training for all levels of defence personnel? Is training in gender-awareness and sexual exploitation and abuse mandatory for all personnel? Are men involved in delivering the training? How well resourced is the training?
- Is the protection of women, men, boys and girls against all forms of GBV both during and after a conflict a priority within the defence reform agenda?
- Has gender analysis of the defence budget been undertaken?

More information

Resources

Anderlini, S.N. with Conaway, C.P. – *Negotiating the Transition to Democracy and Transforming the Security Sector: The Vital Contributions of South African Women*, 2004.

Committee on Women in the NATO Forces – *CWINF Guidance for NATO Gender Mainstreaming*, 2007.

DPKO – *Gender Resource Package*, 2004.

UN-INSTRAW – *Securing Equality, Engendering Peace: A Guide to Policy and Planning on Women, Peace and Security (UN SCR 1325)*, 2006.

UNIFEM – *Getting it Right, Doing it Right: Gender and Disarmament, Demobilisation and Reintegration*, 2004.

Organisations

ACCORD – www.accord.org.za

DCAF – www.dcaf.ch

Institute for Security Studies – www.issafrica.org/

Siyanda: Mainstreaming Gender Equality – www.siyanda.org

UN-INSTRAW – www.un-instraw.org

Gender and SSR Toolkit

1. Security Sector Reform and Gender
 2. Police Reform and Gender
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- Annex on International and Regional Laws and Instruments

Each of these Tools and Practice Notes are available from: www.dcaf.ch, www.un-instraw.org and www.osce.org/odhr.

This Practice Note was prepared by Mugiho Takeshita of DCAF, based upon Tool 3 authored by Cheryl Hendricks and Lauren Hutton of the Institute for Security Studies.

¹ Committee on Women in the NATO Forces and the Women's Research & Education Institute, 'Percentages of Female Soldiers in NATO Countries' Armed Forces'; Committee on Women in the NATO Forces, 'Percentages of Military Service Women in 2006', and 'Hungarian National Report for 2006'.

² Extract from presentation by Klutsey, E.A. (Col.) on the Code of Conduct of Ghana, presented at the Preparatory Meeting on the Draft West African Code of Conduct for the Armed and Security Forces, Oct. 2005, pp. 24-26, http://www.dcaf.ch/awg/ev_accra_051024_presentation_Klutsey.pdf

Justice Reform and Gender

CONTENTS

Why is gender important to justice reform?

How can gender be integrated into justice reform?

Post-conflict challenges and opportunities

Questions for justice reform

More information

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This Practice Note provides a short introduction to the benefits of integrating gender issues into justice reform, as well as practical information on doing so.

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Why is gender important to justice reform?

Justice reform includes not only reform of laws but also the development of policies, procedures and mechanisms that allow for the practical implementation of laws and equal access to the justice system. The goals of justice reform include developing: a constitution and laws based on international standards and human rights instruments; an effective, impartial and accountable judiciary; an integrated approach to criminal justice; and mechanisms for oversight of the justice system.¹

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Reform discriminatory laws and promote human rights

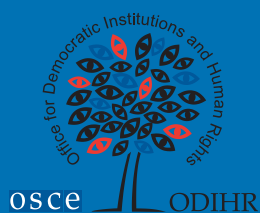
- Many countries maintain laws that are overtly discriminatory with regard to land ownership, inheritance (see Box 1), gender-based violence (GBV), child custody, employment and other issues. Discriminatory laws and regulations need to be reformed in compliance with international human rights law.

Effective, non-discriminatory delivery of justice services

- Stereotypes, discriminatory attitudes and procedural barriers should not undermine the delivery of justice services. All judicial personnel should receive training on gender issues, including appropriate responses to domestic violence and discrimination on the basis of sex or sexual orientation.
- In order to end impunity for GBV, the judiciary needs to be trained in international and national legislation on gender issues.

Ensure equal access to justice

- Men and women have the right to be afforded equal access to justice systems, including through the courts, transitional justice mechanisms, traditional/customary systems and alternative dispute resolution. However, there are many obstacles to women's access to justice including: lack of knowledge about legal rights, corruption, fear of testifying, lack of resources, language barriers and lack of child care.



Jane Watiri petitioned the court to award her one half of a parcel of land that belonged to her deceased father on which she lived with her four children. Her brother objected, arguing that he had cultivated a larger portion of the land during his father's lifetime than his sister and therefore was entitled to that larger portion.

Senior Principal Magistrate H. A. Omondi found that under Kikuyu customary law, an unmarried woman like Watiri lacked equal inheritance rights because of the expectation that she would get married. Magistrate Omondi held that this customary provision discriminated against women in violation of Section 82(1) of the Kenyan Constitution, which prohibits discrimination on the basis of sex. It also violated Article 18(3) of the Banjul Charter and Article 15(1)-(3) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which provide for legal equality between men and women. Consequently, Magistrate Omondi awarded Watiri and her brother each an equal share of their father's property.²

Representative and legitimate justice sector

- If the justice sector is to gain credibility and trust in the eyes of the community, the reform process must include the participation, and address the needs, of all members of society including women.
- To increase legitimacy, justice sector personnel should be representative of the population they serve. Currently women are largely under-represented at most levels in the judicial system, including as judges and lawyers.

Compliance with obligations under international laws and instruments

Taking the initiative to integrate gender issues into justice reform is not only a matter of operational effectiveness; it is also necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW, 1979)
- *United Nations General Assembly Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women* (1998)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into justice reform?

Gender-responsive law reform

- Accede to and ratify international and regional human rights treaties and conventions.
- Reform the constitution so that it guarantees the equal enjoyment of human rights and gender equality, and prohibits gender-based discrimination and violence.
- Review existing national legislation and enact new laws to prohibit gender-based discrimination and violence.
- Engage with traditional justice mechanisms to ensure that they uphold basic human rights, including women's rights.

Non-discriminatory procedures and practices

- Scrutinise judicial procedures and practices to ensure that they do not improperly discriminate against women or other groups in society.

Special measures to address GBV

- Establish special measures in relation to sexual and domestic violence for the protection of witnesses and victims and to increase the number of cases going to trial. Special measures can include gender-sensitive roles of evidence and procedures that are not based on harmful stereotypes and that avoid the 're-victimisation' of survivors (see Box 2).

Gender training

- Deliver training on women's rights (derived from national, regional and international laws and obligations), legal procedures for GBV and the 'gendered' impact of the judicial system to all actors within the judicial sector, including: judges, prosecutors, defence counsel, private lawyers, court personnel, police and paralegals.

Access to justice

- Employ paralegals to build legal literacy of the general population through teaching people how to access the justice system, what their legal rights are and how to utilise available legal resources.
- Provide legal aid to marginalised populations, including women.
- Support civil society organisations (CSOs), including women's organisations, that facilitate access to justice (see Box 3).

In response to low conviction rates, South Africa introduced Sexual Offences Courts and Thuthuzela centres. Sexual Offences Courts are specialised courts designed to streamline the handling and prosecuting cases of sexual abuse; the personnel have all been specifically trained to deal with sexual offences. Thuthuzela, or comfort, centres are attached to these courts and serve as a one-stop service for rape victims. A centre is manned by a project manager and provides police services, health care, counselling and legal services all under one roof, allowing for improved management of rape cases. Conviction rates have increased to 75–95% and the typical case is now resolved within 6 months from the date of the first report. Prior to these centres, case resolution took on average 18 months to 2 years.³

Representative judicial sector

- Promote the equal representation of women and men in the justice system through initiatives to increase female recruitment, retention and advancement. Temporary special measures, or affirmative actions, such as law scholarships or quotas may be required to speed progress towards parity (see Box 4).

Oversight and monitoring

- Include key stakeholders from the judiciary, prosecution authority, law associations, police, prisons, civil society, women's networks and NGOs in justice reform processes.
- Strengthen gender-responsive international, national and civil society oversight and monitoring mechanisms. For instance, the national women's machinery or a task force on gender bias in the courts can work to hold the justice system accountable for the elimination of gender bias in the courts, discrimination on the bench, or improper prosecution of GBV cases.

Also available in Tool 4...

- 'Nine Ps of Gender and Justice Reform'
- Best practices in the legal definition and criminalisation of rape
- Tips on establishing a task force on gender bias in the courts
- Good practices for engagement with traditional justice mechanisms
- Tips for the integration of gender into Truth and Reconciliation Commissions

Post-conflict challenges and opportunities

The post-conflict period presents a unique opportunity to adopt strategies for the re-establishment of the rule of law and the promotion of gender equality within the justice sector, as well as the direct participation of women throughout the justice reform process. The peace process and transition from conflict are strategic entry points to promote accountability for GBV and discrimination. Transitional justice mechanisms, such as ad hoc criminal tribunals, truth and reconciliation commissions and reparations programmes, are often important factors in this endeavour.

Box 3

Increasing public access and awareness in Timor Leste

In Timor-Leste, Fokupers, a non-governmental organisation, provides accessible legal aid services for female victims and raises public awareness of domestic violence and women's legal rights. Its information brochures are distributed to service providers, religious institutions, government agencies and lawmakers.⁴

Challenges for the integration of gender issues

- The judiciary is often dysfunctional, its independence compromised and corruption rife.
- Many conflicts include massive sexual violence against women and girls, and also against men and boys, which needs to be specifically addressed in post-conflict justice reform.⁶ Sexual and domestic violence often continue at elevated rates after conflict; justice mechanisms to address GBV are an urgent priority.
- The police and penal system are part of the problem: police not having the capacity or will to effectively respond to GBV cases and prisons being overcrowded and rife with abuse.
- The general public, especially women, often have no confidence in the judicial system.

Opportunities for the integration of gender issues

- There may be more political will of the international community, international organisations and newly-established governments to invest in gender-responsive justice reform processes.
- The peace-building process can create entry points for the direct participation of women and other key stakeholders in the justice reform process, giving them the opportunity to express their needs and priorities.
- Justice reform processes open up the opportunity to provide gender training and recruit more women and other under-represented groups.
- There may be widespread support for the establishment of transitional justice mechanisms, which provide an opportunity to incorporate gender issues, including the effective prosecution of GBV.

Box 4

More female judges in the European Court of Human Rights

The European Parliamentary Assembly in its Resolution 1366 (2004) decided that it would no longer consider lists of candidates for the European Court of Human Rights that did not include at least one candidate of each sex. This rule was changed a year later to allow for unisex candidate lists, provided they were from the under-represented sex on the Court (currently women). When this measure was decided upon, there were 11 female judges to 32 male judges: women made up only 26% of the Court's composition. As of April 2007, the situation had improved, although only slightly: there were 14 female judges to 32 male judges; women making up 30% of the Court's composition.⁵

? Questions for justice reform

One of the best ways to identify entry points, strengths and weaknesses for incorporating gender perspectives into justice reform is to conduct an assessment. Below are some sample questions on gender issues that could help to make judicial assessment, monitoring and evaluation more complete.

- Which international and regional human rights instruments have been ratified?
- Do the constitution and national laws conform to international and regional human rights obligations, including with regard to gender equality and GBV?
- Do traditional and religious laws and customs include discriminatory practices?
- Are adequate laws in place to prevent discrimination – e.g. laws that prohibit: discrimination against women and men with HIV/AIDS; discrimination or dismissal on the grounds of pregnancy, maternity leave or marriage; and sexual harassment in the workplace?
- Is there de facto and/or de jure discrimination in the laws or the way they are applied?
- Do women and men, in both rural and urban settings, have full and equal access to the justice system?
- Are gender-responsive legal literacy programmes in place?
- Are cases of GBV adequately processed and sanctioned? Are special mechanisms in place to protect and support witnesses and victims?
- Have all justice sector personnel received adequate gender training?
- Do female offenders have equal access to alternatives to imprisonment?
- Is the justice sector budget gender-responsive, such as including funding for gender training or legal aid for women?
- Are policies and procedures in place to increase the equal representation of men and women in the justice system?
- Are CSOs, including women's groups, fully included in justice reform processes and oversight and monitoring bodies?

More information

Resources

ARC International – *Gender-Based Violence Legal Aid: A Participatory Toolkit*, 2005.

ILAC – *Building Partnerships for Promoting Gender Justice in Post-Conflict Societies*, 2005.

Molyneux, M., & Razavi, S. – *Gender Justice, Development and Rights*, 2003.

Nesiah, V., International Centre for Transitional Justice – *Gender Justice Series, Truth Commissions and Gender: Principles, Policies and Procedures*, 2006.

OECD DAC – *OECD DAC Handbook on Security System Reform – Supporting Security and Justice*, 2007.

Texas Center for Legal Ethics and Professionalism – *Guidelines for Gender Neutral Courtroom Procedures*, 2001.

UNDOC – *Criminal Justice Assessment Toolkit*, 2006.

World Bank – *Gender Justice and Truth Commissions*, 2006.

Organisations

International Legal Assistance Consortium – www.ilac.se

ICTJ – www.ictj.org

Gender and SSR Toolkit

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This Practice Note was prepared by Nadia Nieri of UN-INSTRAW, based upon Tool 4 authored by Shelby Quast.

¹ Organisation for Economic Co-operation and Security, *OECD DAC Handbook on Security System Reform: Supporting Security and Justice*, Draft Edition, (OECD: Paris), 2007, p. 182.

² International Association of Women Judges, 'Jurisprudence of Equality Program Decisions.' <http://www.iawj.org/jep/jep.asp>

³ Thuthuzela Care Centres, *The Country's Anti-rape Strategy Improves Perpetrator Conviction Rates*, 8 May 2006. <http://www.npa.gov.za/ReadContent407.aspx>

⁴ In-depth Study on all forms of Violence Against Women, Report of the Secretary-General (6 July 2006), UN document A/61/122/Add.1, para. 299.

⁵ Report of the International Symposium on Sexual Violence in Conflict and Beyond, 21-23 June 2006, Brussels, Palais d'Egmont. http://www.unfpa.org/emergencies/symposium06/docs/final_report.pdf

⁶ Bastick, M., Grimm, K. & Kunz, R., *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector*, (DCAF: Geneva), 2007.

Penal Reform and Gender

CONTENTS

Why is gender important to penal reform?

How can gender be integrated into penal reform?

Post-conflict challenges and opportunities

Questions for penal reform

More information

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Why is gender important to penal reform?

Penal reform is the work carried out to change a penal system in order to bring it into line with the rule of law and the international human rights framework. It aims to ensure sanctions that are proportionate, non-discriminatory and rehabilitative, and to change prison institutions into places that respect individual human dignity, and ensure that those imprisoned are afforded their legal rights.¹

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Human rights standards

- For penal institutions to meet international and national human rights standards, which require all those deprived of their liberty to be treated with 'humanity and with respect for the inherent dignity of the human person'.
- To prevent and respond to sexual violence in prison environments, including that committed by prison personnel.

Non-discriminatory penal policies

- To ensure that penal policies and procedures reflect and address the distinct needs of female and male inmates, youth, children and other marginalised groups.

Prisoner rehabilitation

- To ensure that rehabilitation and reintegration initiatives address and accommodate the needs and capacities of both male and female inmates, as well as the realities of the society in which they live, without compromising the universality of the standards advocated for decency and dignity.

Public health

- To promote better public health by addressing sexually-transmitted diseases among male and female inmates and providing adequate reproductive health services to female inmates, including those who may be pregnant.



The Indian Penal Reform and Justice Association (PRAJA) organised week-long Health Camps at two jails in Hyderabad and Rajahmundry, as part of a programme to promote the mental health and care of women in prison. The Health Camps made the following facilities available for all the women and children in the prison: general check-up and examination, including of blood pressure, chest, skin, height/weight/state of health; blood test; dental examination; eye/nose/throat examination; gynaecological examination; making dietary and medicinal recommendations; answering inquiries about other physical or psychological problems. PRAJA's Health Camp project demonstrates how, even in a very poor country, methods can be found to enable basic rights to be delivered with limited resource input.

Supporting men and women as employees in the penal sector

- To promote the full participation of both women and men as employees of the penal sector.
- To adequately prevent and respond to sexual harassment and discrimination against prison staff.

Compliance with obligations under international laws and instruments

Taking the initiative to integrate gender issues into penal reform is not only a matter of operational effectiveness; it is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *Convention on the Elimination of All Forms of Discrimination Against Women* (1979)
- *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment* (1988)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into penal reform?

Assessment

Carry out a gender assessment of the penal system. Disaggregate all data (at the minimum) by sex, age and ethnicity. The assessment should look at:

- ✓ Applicable legislation
- ✓ Penal policies and procedures for both female and male inmates
- ✓ Range of programmes and services available to men and women
- ✓ Access to health services
- ✓ Data on the level of gender-based violence (GBV) in prisons
- ✓ Parity between male and female prison personnel
- ✓ Codes of conduct in place to govern the behaviour of prison staff
- ✓ Presence of complaint and oversight mechanisms to monitor compliance with policies, procedures and codes of conduct

Gender-responsive policies and procedures

- Evaluate penal policies and procedures from a gender perspective to make certain they are proportionate, non-discriminatory and address the diverse needs of both female and male inmates. In particular, ensure that women do not face

discrimination in pre-trial detention or security classification.

- Ensure that male and female inmates are imprisoned close to their families, and that provisions are in place to support regular family contact.
- Ensure access to health care for male and female prisoners (see Box 1), including access to a female doctor for female prisoners and reproductive health care, as well as independent mental health services.
- Ensure that the physical and mental health needs of pregnant women, nursing mothers and children are also recognised and provided for.

Prevent and respond to GBV

- Establish codes of conduct with respect to sexual harassment, discrimination and GBV by prison staff, and mechanisms for confidential reporting.
- Establish legislation, protocols and procedures for dealing with GBV among prisoners, including preventive and punitive measures, as well as protocols for care and referral of victims (see Box 2).
- Ensure the presence of appropriate and skilled personnel to deal with gender-sensitive issues such as sexual abuse and other forms of GBV.
- Create a culture of zero tolerance regarding sexual harassment, abuse and misconduct by prison personnel and promote a culture of respect for the rights of prisoners, including the right to benefits such as conjugal visits, regardless of their sex, sexual orientation or ethnicity.

Oversight and complaints mechanisms

- Establish national-level internal and external oversight mechanisms and bodies including independent inspection systems and clear reporting and documentation:
 - Inspection teams with male and female inspectors, and inspectors with expertise on gender issues, in order to gain the confidence of all inmates and adequately address problems such as GBV.
 - Include health specialists in the inspection team to assess prison facilities and procedures.
- Create gender-responsive internal complaint mechanisms:
 - Ensure that complaint procedures are accessible, as confidential as possible, and that prisoners are protected from reprisals.

Box 2**Eliminating prison rape**

In the United States, Stop Prisoner Rape, an NGO, has been campaigning for years against this abuse. In 2003, the Prison Rape Elimination Act was signed into law. The law calls for the gathering of national statistics on rape in US prisons, the development of guidelines for states on how to deal with prisoner rape, the establishment of a review panel to hold annual hearings and the provision of grants to states to combat the problem. An evaluation of the first three years since the Act became law shows considerable progress in work to reduce prison rape through:

- Developing policies (rather than secrecy and denial)
 - Prevention (through more considered location of prisoners, less overcrowding and prisoner education)
 - Investigation and prosecution
 - Victim services
 - Staff training
 - Collaboration with non-prison agencies
-
- Independently review complaints in order to protect male and female inmates from human rights abuses, as well as prison staff from false accusations.
 - Ensure that non-literate prisoners are also fully able to understand and access complaint mechanisms.

Gender training

Provide gender training to all prison personnel, including on topics such as:

- The human rights of prisoners and appropriate treatment of men, women, boys and girls in prison.
- Prevention and appropriate responses to GBV, including male rape.
- Health and hygiene for female prisoners, including the provision of items such as sanitary napkins and adequate toilet facilities.
- The specific needs of vulnerable groups of prisoners, such as pregnant women and mothers of young children who also live in the prison.
- The needs of female prisoners pre-release and on release, including secure housing, support for family reunification and vocational training.

Increase the participation of women and civil society organisations

- Increase the recruitment, retention and advancement of female prison personnel.

- In collaboration with civil society organisations, provide services to female inmates such as professional and confidential counselling (see Box 3).
- Engage civil society, especially women's organisations, in penal reform processes:
 - Build public support for penal reform, working with parliament, civil society and the media.
 - Collaborate with civil society organisations to raise awareness and build internal capacity on gender concerns in the penal system.
 - Build the capacity of civil society organisations to monitor the penal system from a gender perspective.

Also available in Tool 5...

- Examples and tips for gender-responsive inspection and complaints procedures
- Considerations for improving prison visiting arrangements
- Preserving human dignity in the penal system
- 12-step protocol for responding and investigating allegations of sexual assault
- Meeting the needs of pregnant women and young mothers

Post-conflict challenges and opportunities

In post-conflict contexts, rebuilding the penal system is often seen as a low priority in comparison to other reconstruction needs. Within this context, mainstreaming gender issues in penal reform frequently receives inadequate attention and support. Therefore it is important to ensure that the administrative body in control of the state understands the need for gender-responsive detention facilities.

Challenges for the integration of gender issues

- Prisons may have a very bad image among populations as a result of detention without trial, rape, torture and execution.
- The previous prison system may have been dysfunctional, principles of the rule of law may not have been applied and gender equality may have been an unknown concept. The prison may also have been managed by the police or the military, contrary to good human rights practice.

Opportunities for the integration of gender issues

- Rebuilding may be an opportunity to support the establishment of a system that will be less abusive,

Box 3**Engaging civil society**

In Yemen, the Women's National Committee promotes dialogue with decision-makers to ensure justice for women. Until recently, women prisoners who had completed their sentence were forbidden to leave prison unless a male guardian collected them. The Women's National Committee put pressure on the Ministry of Interior and this rule was changed. The Yemeni Women's Union has 36 volunteer lawyers who provide free legal support to poor women in prisons, courts and police stations. As a result of their legal assistance, 450 female prisoners were released in 2004 and 2005.²

more gender responsive and more trusted by the people.

- The post-conflict environment may provide an opportunity to conduct a census and an identification process to determine the precise number and identity of those persons on the prison system payroll followed by a vetting process to identify staff alleged to be perpetrators of major human rights violations.

? Questions for penal reform

One of the best ways to identify entry points, strengths and weaknesses for incorporating gender perspectives into penal reform is to conduct an assessment. Below are sample questions on gender that are important to include in penal reform assessment, monitoring and evaluation processes.

- Are gender-responsive laws, policies and procedures in place that adequately deal with issues such as prison rape?
- Do independent external oversight and monitoring bodies exist that effectively monitor sexual harassment, discrimination, rape and other forms of GBV?
- Do record-keeping processes enable conclusions to be drawn about the treatment of different groups? Are statistics disaggregated by sex, age and ethnicity? Is this data made available to the public, the media and governmental oversight bodies?

- Do both male and female inmates have adequate access to health services? What provisions are available for the mental and physical health of pregnant women, nursing mothers and children?
- How is family contact ensured for men and women in detention?
- Does the prison system implement specific initiatives to prevent and respond to GBV, such as providing services to victims of GBV?
- Have prison personnel received training on gender issues, including specific training on sexual harassment, rape and other forms of sexual violence?
- Are women and men proportionately represented among prison personnel? Are female staff in supervisory and management roles? Have initiatives been taken to increase the recruitment, retention and advancement of female staff?
- Is civil society involved in prison assessment, policy-making, monitoring and oversight activities?

More information

Resources

Bastick, M. – *Women in Prison: A Commentary on the Standard Minimum Rules for the Treatment of Prisoners*, Quaker United Nations Office, 2005.

OECD-DAC – *OECD DAC Handbook on Security System Reform: Supporting Security and Justice*, 2007.

ICRC – ‘Part II Women Deprived of their Freedom’, *Addressing the Needs of Women Affected by Armed Conflict*, 2004.

International Centre for Prison Studies – *A Human Rights Approach to Prison Management*, 2002.

International Centre for Prison Studies – *Guidance Notes on Prison Reform*, 2005.

The Urban Institute – *Addressing Sexual Violence in Prisons: A National Snapshot of Approaches and Highlights of Innovative Strategies Final Report*, 2006.

Organisations

International Centre for Prison Studies – www.prisonstudies.org

Penal Reform and Justice Association (India) – www.prajaindia.org/prajainaction.html

Penal Reform International – www.penalreform.org

Quaker Council for European Affairs, Women in Prison – www.quaker.org/qcea/prison/index.html

Stop Prisoner Rape – www.spr.org

Women’s Prison Association – www.wpaonline.org

Gender and SSR Toolkit

1. Security Sector Reform and Gender
 2. Police Reform and Gender
 3. Defence Reform and Gender
 4. Justice Reform and Gender
 5. Penal Reform and Gender
 6. Border Management and Gender
 7. Parliamentary Oversight of the Security Sector and Gender
 8. National Security Policy-Making and Gender
 9. Civil Society Oversight of the Security Sector and Gender
 10. Private Military and Security Companies and Gender
 11. SSR Assessment, Monitoring and Evaluation and Gender
 12. Gender Training for Security Sector Personnel
- Annex on International and Regional Laws and Instruments

Each of these Tools and Practice Notes are available from: www.dcaf.ch, www.un-instraw.org and www.osce.org/odhr.

This Practice Note was prepared by Anna Korneeva of UN-INSTRAW, based upon Tool 5 authored by the International Centre for Prison Studies.

¹ Coyle, A., *A Human Rights Approach to Prison Management: Handbook for Prison Staff*, (International Centre for Prison Studies: London), 2002.

² Oxfam, ‘Yemen Programme Overview’ http://www.oxfam.org.uk/what_we_do/where_we_work/yemen/programme.htm

Border Management and Gender

CONTENTS

Why is gender important to border management?

How can gender be integrated into border management?

Post-conflict challenges and opportunities

Questions for border management

More information

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and legitimacy of SSR processes.

This Practice Note provides a short introduction to the benefits of integrating gender issues into border management, as well as practical information on doing so.

This Practice Note is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policymakers, the Toolkit includes 12 tools with corresponding practice notes – see *More information*.

Why is gender important to border management?

Border Management ‘concerns the administration of borders. Its precise meaning varies according to national context, but it usually concerns the rules, techniques and procedures regulating activities and traffic across defined border areas or zones’.¹ Border guard, immigration and customs services are the main actors responsible for managing the movement of people and goods across borders.

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. ‘Gender’ therefore refers to *learned* differences between men and women, while ‘sex’ refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Prevention and detection of human trafficking and smuggling

- Adopting a gender-responsive approach to the prevention, investigation and control of human trafficking and smuggling can increase the detection and protection of victims.

Protection and promotion of human rights

- Border management personnel that protect and promote the human rights of men, women, girls and boys are more likely to secure public trust in their services. This in turn increases movement of persons, goods and services and enhances the criminal prevention and detection capacity of border management personnel.

Human rights violations can occur at border controls, including:

- Physical violence such as beatings, rape and torture.
- Denial of right to asylum or refugee procedures.
- Sexual harassment and discrimination on the basis of sex or sexual orientation.
- Racial/ethnic profiling that hinders the right to freedom of movement.
- Corruption, abuse and violence towards cross-border traders.
- Denial of the right to health care.

Representative border management institutions

- Ensuring increased representation of women among border personnel may help, as men are currently highly over-represented:



Box 1**Tips for gender-responsive procedures for female victims of human trafficking**

1. It is unlikely a trafficked woman will respond to male investigators. Female investigators are far preferable in such cases, particularly for the victim's sense of security.
2. A woman must be in attendance as a witness at all times. If no female personnel are available, a known and trusted women's organisation representative can be an observer.
3. Separate the victim from the trafficker.
4. A female officer must conduct body and property searches.
5. Establish immediate contact with women's organisations and victim advocates.
6. Ensure that physical and medical needs are met.

- Ensure appropriate questioning, interviewing, body searches and follow-up procedures with respect to crimes such as human trafficking and smuggling.
- Create more representative institutions that mirror the society they serve in terms of ethnicity, language, sex, religion, etc., which strengthens legitimacy and 'normalises' border environments.
- Prevent human rights violations at the border such as sexual harassment, inappropriate body searches and the use of excessive force.

Local ownership, civilian oversight and collaboration

- Increasing the participation of key stakeholders, such as women's organisations, in border management reform processes strengthens local ownership and civilian oversight.
- Collaborating with women's organisations, along with other civil society organisations, can yield critical local intelligence regarding criminal activity, expert policy advice and gender training expertise. Civil society organisations are also key referral

organisations for crime victims and provide complementary support services.

Compliance with obligations under international laws and instruments

Integrating gender into border management is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Beijing Declaration and Platform for Action* (1995)
- *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (The Palermo Protocol) (2000)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into border management?**Gather information**

- Collect, analyse and distribute accurate data on migration flows, human trafficking and human smuggling in order to improve border management policies and practices. At the minimum, disaggregate all data by sex, age, destination and purpose/intent of travel.

Establish gender-sensitive policies, protocols and procedures

- Develop gender-responsive policies, protocols and procedures (see Box 1) for identification, interviewing, body searches, investigation, detainment and other processes that take into account the different needs of women and men and differentiate between migration, human trafficking and human smuggling.
- Establish clear codes of conduct; internal and external complaint, investigation and disciplinary procedures; and external conduct and review processes.
- Make border management guidelines and policies openly available to the public and conduct regular consultations with various stakeholders on public opinion regarding perceived security threats and appropriate responses.
- Implement gender-responsive and family-friendly human resources policies and practices, including sexual harassment policies.

Box 2**Ethical and safe interviews with trafficked people ²**

1. Do no harm – treat each person as if the potential for harm is extreme until there is evidence to the contrary.
2. Know your subject and assess the risks before undertaking an interview.
3. Prepare appropriate legal, health, shelter, social support and security services referral information.
4. Adequately select and prepare interpreters.
5. Ensure anonymity and confidentiality.
6. Obtain informed consent from the respondent.
7. Listen to and respect each individual's assessment of the situation and risks to her/his safety.
8. Do not re-traumatise anyone by asking questions intended to provoke an emotionally charged response.
9. Be prepared for emergency intervention.
10. Use information collected in a way that benefits individuals or advances the development of policies and interventions for trafficked people.

- As a critical step towards eliminating bribery and other corruption, review pay scales, staff development and other incentives for border management. Personnel are more likely to be responsive to reform measures if adequate pay and conditions of service are in place.

Conduct gender training

- Develop gender training and capacity-building materials, specifically targeted at border management personnel and the unique challenges they face, including border guards, customs authorities and immigration service personnel.
- Include women's organisations in the development and delivery of gender training and other capacity-building initiatives.

Increase detection and protection of human trafficking victims

- Make sure border management personnel have the capacity to recognise and identify human trafficking and distinguish it from smuggling, prostitution, voluntary work migration and other forms of cross-border movement:
 - Conduct thorough, informed surveillance and cross checks.
 - Recognise the different purposes and experiences of trafficking for women, men, girls and boys.
 - Build personnel capacity to provide adequate responses to victims of trafficking (see Box 2) – recognising vulnerabilities, resistance and needs – and familiarise personnel with standard operating procedures for referral and investigation.
 - Cooperate with women's organisations and other non-governmental organisations to provide services to victims.

Create more representative and participative border management institutions

- Plan and target recruitment to attract more female applicants, including reviewing selection criteria, developing appropriate job descriptions, training recruitment officers on gender issues, revising recruitment materials and reviewing interview formats.

Box 3

Female recruitment in Kosovo

In the immediate aftermath of the war in Kosovo, efforts were made to recruit women as cadets in the new basic policing programme established by the OSCE. Courses in the first years recorded as high as 33% female graduates, but not everyone liked the job, some women quit when they had families, while others got better work offers elsewhere. Today, women represent close to 14% of the Kosovo Police personnel. The Kosovo Border and Boundary Police (BBPT) was formed later. In January 2007, of a total of 1,009 border police, 76 were women, and the General who heads the service is a woman.

Box 4

Civil society oversight³

The Border Action Network, with community organisations in the border states of the USA, have developed 'Guidelines for Alternative Border Enforcement Policies and Practices', to provide for accountability, human rights and community security. In June 2006, the Border Network for Human Rights in El Paso, Texas and Southern New Mexico submitted a Shadow Report to the Human Rights Committee that documents violations of human and civil rights in the US/Mexico border area.

- Appoint or promote qualified women to senior positions in border management (see Box 3).
- Increase the participation of local actors such as civil society organisations, including women's groups, in the assessment, design, implementation and monitoring/evaluation of reform processes in order to increase transparency and local ownership (see Box 4).

Monitor and evaluate

- Have an independent authority conduct 'customer satisfaction' surveys as part of monitoring.

Also available in Tool 6...

- Tips for gender-responsive procedures
- National referral mechanism model questionnaire
- Tips for effective codes of conduct
- Examples of gender training curricula for Kosovo Border and Boundary Police
- Tips for increased recruitment, retention and advancement of female personnel

Post-conflict challenges and opportunities

Post-conflict border management reform may be an extremely sensitive process due to disputes over borders and control of borders by local armed groups. In many cases, border management systems will have to be built from scratch. Demilitarising and demining borders, preventing the illicit traffic of arms and humans, as well as ensuring the protection of refugees and displaced persons, are some of the immediate priorities of border management reform.

Challenges for the integration of gender issues

- Borders remain contested areas and potentially hostile after conflict: an environment that is often deemed 'too dangerous' for women.
- GBV against women and girls in environments with little oversight and near total impunity.
- Increasing rates of human trafficking.
- Priority is often given to general policing reform – reform of specialised policing, including border management, may be delayed and initial recruitment efforts to include women in security forces lose momentum.

Opportunities for the integration of gender issues

- There may be more political will among members of the international community, international organisations and newly-established governments to invest in reform processes.
- Building up or reforming border management systems provides an opportunity to set targets for female recruitment and integrate gender issues into policy and protocol formation, operational programming, recruitment and training.
- There may be an increased number of women available for employment within border services – including women heading and supporting households, and demobilised women with leadership and organisational skills.

? Questions for border management

One of the best ways to identify entry points, strengths and weaknesses for incorporating gender issues into border management is to conduct an assessment. Below are sample questions on gender that are important to include in border management assessment, monitoring and evaluation processes.

- Have border management personnel received accurate information and adequate and appropriate training on gender issues?
- Are border personnel adequately prepared to protect the rights and respond to the needs of trafficked and/or smuggled persons?

- Have standard operating procedures for the referral of trafficking and smuggling victims been created?
- Are gender-responsive policies in place, such as codes of conduct and policies on sexual harassment and discrimination?
- Do border personnel reflect the society in terms of sex, ethnicity, religion, language, etc.?
- Are women and men equally employed at all levels of border management institutions?
- Are key stakeholders from government ministries and civil society, including women's organisations, involved in assessment, planning, decision-making, and monitoring and evaluation processes for border management?
- Have border identification, interview and investigation processes been reviewed from a gender perspective?
- Have centralised registers for information gathering and exchange been created at border crossings? Is all data disaggregated by sex, age, and other relevant factors?

More information

Resources

ILO – *Human Trafficking and Forced Labour Exploitation: Guidance for Legislation and Law Enforcement*, 2005.

IOM – 'Migration and Gender', *Essentials of Migration Management*, 2007.

IOM – *Identification and Protection Schemes for Victims of Trafficking in Persons in Europe: Tools and Best Practices*, 2005.

OSCE – *National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook*, 2004.

UNODC – *Toolkit to Combat Trafficking in Persons*, 2006.

WHO – *Ethical and Safety Recommendations for Interviewing Trafficked Women*, 2003.

Organisations

CLEEN Foundation – www.cleen.org

Coalition Against Trafficking in Women – www.catwinternational.org

Human Rights Watch – www.hrw.org

International Organization for Migration – www.iom.int

No Border Network – www.noborder.org

OSCE – www.osce.org

UNIFEM – www.unifem.org

Gender and SSR Toolkit

1. Security Sector Reform and Gender
2. Police Reform and Gender
3. Defence Reform and Gender
4. Justice Reform and Gender
5. Penal Reform and Gender
6. Border Management and Gender
7. Parliamentary Oversight of the Security Sector and Gender
8. National Security Policy-Making and Gender
9. Civil Society Oversight of the Security Sector and Gender
10. Private Military and Security Companies and Gender
11. SSR Assessment, Monitoring and Evaluation and Gender
12. Gender Training for Security Sector Personnel Annex on International and Regional Laws and Instruments

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This Practice Note was prepared by Nadia Nieri of UN-INSTRAW, based upon Tool 6 authored by Angela Mackay.

¹ Hills, A., 'Towards a Rationality of Democratic Border Management', *Borders and Security Governance: Managing Borders in a Globalised World*, (DCAF: Geneva), 2006, p. 33.

² Adapted from: Zimmerman, C. and Watts, C., *WHO Ethical and Safety Recommendations for Interviewing Trafficked Women*, (WHO: Geneva), 2003.

³ Border Network for Human Rights, 'US/Mexico Border Report to the United States Human Rights Committee Regarding the United States Compliance with the International Covenant on Civil and Political Rights', June 2006. <http://www.borderaction.org>

Parliamentary Oversight of the Security Sector and Gender

CONTENTS

Why is gender important to parliamentary oversight?

How can gender be integrated into parliamentary oversight?

Post-conflict challenges and opportunities

Questions for parliamentary oversight

More information

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and legitimacy of SSR processes.

This Practice Note provides a short introduction to the benefits of integrating gender issues into parliamentary oversight of the security sector, as well as practical information on doing so.

This Practice Note is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policymakers, the Toolkit includes 12 tools with corresponding practice notes – see *More information*.

Why is gender important to parliamentary oversight?

Parliamentary oversight of the security sector: ‘The Legislature exercises parliamentary oversight by passing laws that define and regulate the security services and their powers and by adopting the corresponding budgetary appropriations. Such control may also include establishing a parliamentary ombudsman or a commission that may launch investigations into complaints by the public.’¹

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. ‘Gender’ therefore refers to *learned* differences between men and women, while ‘sex’ refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Integrating gender into parliamentary oversight of the security sector can help create accountable, effective and equitable security policies and institutions:

Inclusive, needs-based security policies

- Parliamentarians, as elected representatives of specific constituencies, have the responsibility to ensure that the security needs of women, men, girls and boys are incorporated into security policy-making. For instance, gender-based violence (GBV), including human trafficking, intimate partner violence, sexual assault and anti-gay violence, is one of the greatest threats to human security worldwide.
- Participative policy-making processes that involve a broad range of civil society actors, including women’s organisations, help ensure public consensus on security priorities, and increase the responsiveness and legitimacy of security policies, security institutions and the parliament itself.

Operationally effective security sector institutions

- Parliaments can take measures to increase the representation of women within security sector institutions and in relevant government positions, which has been shown to have a wide range of operational benefits.
- Parliament plays an essential role in preventing and holding security sector institutions accountable for discrimination, sexual harassment and human rights violations.

Representative parliamentary decision-making

- A more equal number of female and male parliamentarians, including on defence and security committees, can strengthen the legitimacy and equity of parliaments. Globally, in 2007, 82.6% of parliamentarians were men.²



The 1996 White Paper on National Defence for the Republic of South Africa was drafted by Laurie Nathan of the University of Cape Town. The first draft of the paper was widely commented on by civil society organisations and members of the defence industry. It included a focus on human security and emphasised the creation of a non-sexist institutional culture, including an obligation of the Ministry of Defence to identify and eliminate discriminatory practices and attitudes in the armed forces. In addition, it called for affirmative action and equal opportunity programmes as well as acknowledgment of the right of women to serve in all ranks and positions, including combat roles.

The White Paper also called for a defence review to outline operational details such as doctrine, force design, logistics, armaments, human resources and equipment. At the insistence of women parliamentarians, the Parliamentary Joint Standing Committee on Defence called for a national consultation as part of the defence review process. A variety of measures were taken to ensure public participation, including using military planes and buses to transport religious and community leaders, NGO activists and representatives of women's organisations to regional meetings and workshops.

Grassroots women's organisations were vital in drawing attention to previously ignored issues such as the environmental impact of the military and the sexual harassment of women by military personnel. To respond to these issues, two new sub-committees were formed within the Defence Secretariat. Ultimately, the participatory nature of the Defence Review was credited with assisting the process of building national consensus around defence issues and generating public legitimacy for new security structures.

Equitable budgeting and resource management

- Gender analysis of budgets and resource management can strengthen transparency, accountability and the equitable distribution of funds to address the security needs of men, women, girls and boys.

Compliance with obligations under international laws and instruments

Integrating gender into parliamentary oversight of the security sector is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- The Convention on the Elimination of All Forms of Discrimination Against Women* (1979)
- The Beijing Declaration and Platform for Action* (1995)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

- Use gender-inclusive ('police officers') and gender-specific language ('male and female military personnel') as appropriate.
- Seek the advice of gender experts in drafting and reviewing security policies.
- Establish a gender caucus, including female and male parliamentarians, in order to raise awareness of gender issues.
- Conduct a gender impact assessment of proposed and existing security policies.

Gender training and mandates for security policymakers

- Provide parliamentarians and their staff, especially those on defence and security committees, with training and other capacity building on gender and security issues.
- Ensure that gender issues are included within the mandate of defence and security committees.

How can gender be integrated into parliamentary oversight?

The particular challenges and opportunities involving parliamentary oversight of the security sector differ between countries, so the following suggestions for the integration of gender issues should be adapted to the specific country context:

To create inclusive, needs-based security policies

Participatory process

- Implement broad-based public consultations, including women's and men's organisations, on security policies.
- Set up mechanisms for public debate, such as public hearings.
- Individual parliamentarians can make themselves available to hear concerns expressed by urban and rural women's organisations.

Gender-responsive security policies

- Include gender-related content such as addressing GBV and promoting equal participation of men and women in security institutions.

To strengthen the effectiveness of security sector institutions

Initiatives to increase the recruitment, retention and advancement of women within security sector institutions

- Call for specific targets for women's recruitment and retention.
- Change human resource policies and practice for a better work-life balance.
- Commission and/or request sex-disaggregated data concerning gender mainstreaming and composition of security sector institutions.
- Request analyses of the drop-out of female cadets in police and military academies, as well as in later stages of their career, and monitor initiatives to enhance female retention.

Gender training for security sector personnel

- Ensure that all security sector personnel are given appropriate gender training.

Comprehensive legislation on GBV

- Monitor the implementation of international, regional and national commitments on the elimination of GBV, including within security sector institutions.

- Develop legislation, policies and national action plans on the elimination of GBV that highlight the specific responsibilities of the law enforcement, justice and penal systems.

■ **Hold security institutions and personnel accountable for prevention of and response to GBV**

- Ensure clear legislation and codes of conduct on the responsibility of security sector personnel concerning the internal prevention and response to human rights violations, including disciplinary procedures.
- Monitor complaints, investigation and punishment of human rights violations by security sector personnel.
- Establish inquiries/studies into the nature and extent of sexual harassment and other forms of GBV with security sector institutions.

■ **Ombudsperson**

- Consider creating a position, such as an Ombudsperson, with special powers to oversee the integration of gender issues within defence and other security sector institutions.
- Ensure that the ombudsperson's office has an appropriate mandate and expertise to address GBV, including a gender team or gender experts.

To increase women's representation and participation within parliaments

■ **Increase women's representation in parliament**

- Implement constitutional, legislative or voluntary party quotas, reform electoral systems and provide support and capacity-building to female candidates.
- Raise the awareness of political party representatives, and the general public, on the importance of women's representation in politics.

■ **Make security and defence committees more gender-balanced**

- Pass legislation calling for an increased participation of female parliamentarians on security-related committees (see Box 2).
- Consider creating strategic targets or quotas for women's participation in all committee structures.

To promote equitable budgeting and resource management

■ **Gender budgeting**

- Conduct a gender audit of proposed and existing budgets to ensure funding to address the security needs of women, men, boys and girls.
- Integrate gender issues into proposed budgets.

Box 2

Israel: equal representation in security policy decision-making⁴

In 2005 the Knesset, Israel's parliament, passed an amendment to the 1956 Equal Representation of Women law which mandates the inclusion of women in teams appointed for peace negotiations and setting domestic, foreign or security policy. Two members of parliament initiated the law in collaboration with Isha L'Isha, a grassroots women's organisation. In order to get the law passed, an ad hoc coalition of women's and peace organisations was formed and an extensive lobbying and media campaign was initiated.

■ **Gender and defence procurement**

- Ensure that funds are earmarked for purchasing uniforms and equipment that fit women, for separate facilities for women and for women's reproductive health needs.
- Ensure that national arms trade regulations prohibit trade with regimes or individuals that perpetrate GBV.

Also available in Tool 7...

- Examples of different forms of quotas for women
- Practical strategies for addressing GBV
- Methods for gender budgeting

Post-conflict challenges and opportunities

In post-conflict environments, the oversight role of parliament is often quite weak. However, parliaments have the opportunity to play constructive roles in ensuring that gender issues are integrated into the process of creating security and reconstructing security sector institutions.

Challenges for the integration of gender issues

- The role and authority of parliaments may be severely compromised, especially in relation to oversight of security institutions such as the military.
- As the security sector is a highly complex field, not all parliamentarians have sufficient knowledge or expertise for effective oversight, especially in post-conflict contexts.
- Parliamentarians and security institutions may see civil society organisations as political opponents, and therefore be reluctant to work with women's organisations.
- Participation in politics and in the security forces may have negative associations due to past violence and human rights abuses. This might make it harder to increase the participation of women.
- There may be resistance to prioritising gender issues, such as GBV, when other security threats are seen as more pressing.

Opportunities for the integration of gender issues

- Parliaments can advocate for the inclusion of women (such as female parliamentarians) in peace negotiations and the integration of gender issues into peace agreements. Peace agreements often serve as a framework for SSR.
- Oversight over disarmament, demobilisation and reintegration processes can provide an entry point to ensure that the needs of male and female ex-combatants are adequately addressed.
- Parliament's legislative, oversight and budgetary authority enables it to influence the gender-responsive reform of the justice and penal systems.
- SSR processes provide the opportunity for parliamentarians to ensure that gender issues such as GBV are addressed and that specific initiatives are taken to recruit women.
- Post-conflict transformation of electoral policies and parliament itself provides an opportunity to implement measures to increase the percentage of female parliamentarians (including on defence and security committees) and establish mechanisms for consultation with civil society organisations.

Afghanistan changed from a country where women's rights were severely restricted to one that guarantees gender equality by law. In the area of political representation, the new constitution guarantees the formal inclusion of women in political decision-making processes. Article 83 states that at least two female candidates from each province should be elected to parliament. This constitutional provision was successfully implemented. In the September 2005 elections, 69 women, representing about 27% of the 249 members of the Wolesi Jirga, were elected.

Similarly, the new constitution of Iraq, ratified in October 2005, guarantees women one quarter of parliament's 275 seats. In Iraq too, the constitutional quota was enforced. Following the December 2005 election, women represent one quarter of the National Council of Representatives. These two electoral outcomes are of particular significance in a region where women continue to be under-represented in political decision-making and, in some instances, lack full citizenship rights.

- Donors may be willing to support gender-responsive reforms including the gender capacity-building of male and female parliamentarians.

? Questions for parliamentary oversight

Key questions to ask when assessing whether or not gender issues are being integrated into parliamentary oversight of the security sector include:

- Have the parliamentarians on defence and security committees received capacity building on gender, such as gender training or briefings?
- Are formal and/or informal structures in place for consultation with civil society organisations on security issues, including women's organisations?
- What is the representation of male and female parliamentarians on defence and security-related committees?
- Has an ombudsperson's office been established and does it have the mandate and capacity to address gender issues?
- Are initiatives in place to increase the representation of women within parliament, such as quota systems or support for female candidates?
- Has legislation been passed to guarantee the full and equal participation of women and men within security sector institutions? Is there adequate legislation in place on GBV?
- Has a gender/women's caucus been established? Are security issues being discussed within the caucus?
- Has a gender budget analysis been applied to security-related budgets?

More information

Resources

Byanyima, W. and Wehner, J. - *Parliament, the Budget and Gender - IPU Handbook for Parliamentarians N° 6*, 2004.

Born, H., Fluri, P. and Johnson, A. eds. - *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices*, DCAF and IPU, 2003 (available in 40 languages).

Freeman, M. - *Making Reconciliation Work: the Role of Parliaments - IPU Handbook for Parliamentarians N° 10*, 2005.

Organisations

Association of European Parliamentarians for Africa (AWEPA) – www.awepa.org

IKNOW Politics: International Knowledge Network of Women in Politics – www.iknowpolitics.org

Initiative for Inclusive Security – www.huntalternatives.org/pages/7_the_initiative_for_inclusive_security.cfm

International Institute for Democracy and Electoral Assistance – www.idea.int

Inter-Parliamentary Union – www.ipu.org

Gender and SSR Toolkit

1. Security Sector Reform and Gender
2. Police Reform and Gender
3. Defence Reform and Gender
4. Justice Reform and Gender
5. Penal Reform and Gender
6. Border Management and Gender
7. Parliamentary Oversight of the Security Sector and Gender
8. National Security Policy-Making and Gender
9. Civil Society Oversight of the Security Sector and Gender
10. Private Military and Security Companies and Gender
11. SSR Assessment, Monitoring and Evaluation and Gender
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Each of these Tools and Practice Notes are available from: www.dcaf.ch, www.un-instraw.org and www.osce.org/odhr.

This Practice Note was prepared by Mugiho Takeshita of DCAF, based upon Tool 7 authored by Ilija Luciak.

¹ DCAF and IPU, *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices*, DCAF and IPU, 2003, p. 22. http://www.dcaf.ch/oversight/_publications.cfm?navsub1=12&navsub2=3&nav1=3

² IPU, *Women in National Parliaments*, 31 Oct. 2007. <http://www.ipu.org/wmn-e/world.htm>

³ Anderlini, S.N. and Conaway, C.P., *Negotiating the Transition to Democracy and Reforming the Security Sector: The Vital Contributions of*

South African Women, (Initiative for Inclusive Security: Washington DC), 2004, pp.17-18; 23-25.

⁴ Isha L'Isha News Release (21 July 2005), *Parliament/Knesset Passes New Law Mandating Inclusion of Women for Peace and Security Negotiations & Policy*. <http://www.peacewomen.org/news/Israel-OPT/July05/Knesset.html>

⁵ IPU, *Women in Politics*. <http://www.ipu.org/wmn-e/suffrage.htm>; Mosadiq, *The New Afghan Constitution*.

National Security Policy-Making and Gender

CONTENTS

Why is gender important to national security policies?

How can gender be integrated into national security policies?

Post-conflict challenges and opportunities

Questions for national security policy-making

More information

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and the legitimacy of SSR processes.

This practice note provides a short introduction to the benefits of integrating gender into national security policy-making, as well as practical information on doing so.

This practice note is part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policy-makers, the Toolkit includes 12 tools with corresponding practice notes - see *More Information*.

Why is gender important to national security policies?

National Security Policies set out a government's approach to security and how security is expected to be achieved. They include broad national security strategies and policies, which may be referred to as a plan, vision, strategy, concept or doctrine, as well as institution-specific policies, such as a white paper on defence.

Gender refers to the particular roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but to the relationship between them.

The integration of gender issues into national security policies increases their relevance and sustainability:

Local ownership through participatory policy-making processes

- Broad-based consultations on security needs and priorities that include a wide range of civil society organisations strengthen local ownership, public legitimacy and help build national consensus on security issues. The different perspectives that women's and men's organisations can bring to the table are critical.

Comprehensive security policy that addresses diverse security needs

- Taking into account the different security and justice needs of women, men, girls and boys leads to more comprehensive and effective security policies.
- Attention to gender issues in national security policies highlights the importance of addressing actual internal threats to security, such as gender-based violence (GBV).

Non-discrimination in security policies and security sector institutions

- Reducing discrimination by security sector personnel builds trust, increases legitimacy and improves the provision of security and justice. A security policy can establish protective rules against discrimination within security sector institutions.

Compliance with obligations under international laws and instruments

Integrating gender into national security policy-making is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Convention on the Elimination of All Forms of Discrimination against Women* (1979)
- *United Nations Security Council Resolution 1325 on Women, Peace and Security* (2000)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.



Box 1	Gender issues to include in national security policies
<ul style="list-style-type: none"> ■ The equal right of men and women to participate in security sector institutions. ■ GBV as an internal threat to security. ■ Elimination of discrimination and other human rights violations within security sector institutions or in the provision of security and justice services. ■ Mechanisms that ensure the participation of civil society, including women's organisations, in oversight of the implementation of security policies, SSR processes and security sector institutions. 	

How can gender be integrated into national security policies?

The development or revision of national security policy requires the participation of a wide range of actors, including the national government, parliament, local government and civil society organisations (CSOs). Each set of actors can take steps to integrate gender into security policy-making:

National government

(including security coordinating bodies and security policy drafting committees)

- Build the capacity and commitment of senior-level staff and officials to address gender in security policy-making through training, briefings and reports on gender issues, and mentoring programmes.
- Increase the participation of women in security policy-making by:
 - Appointing women to national security councils and security policy drafting committees.

Case Study 1	Jamaica's National Security Policy – an inclusive process ¹
<p>In mid-2007 the Government of Jamaica adopted a comprehensive National Security Policy – <i>Towards a Secure and Prosperous Nation</i>. This policy was based on a National Security Strategy Green Paper, which was first tabled in Parliament in January 2006, and a subsequent National Security Strategy White Paper. Initially, the Jamaican Government planned to conduct a defence review. However, it was quickly realised that a broader approach was required to address the range of potential threats to national security, including organised crime, gang violence, socio-economic concerns and environmental disaster. A broad-based consultation was initiated, involving all potentially relevant branches of government, state agencies and CSOs, including women's groups.</p> <p>Under the heading 'The Effects of Violence on Communities', the National Security Policy calls for close attention to the impact of violence on individuals, communities and society. 'Domestic violence', it noted, 'is one of the more pervasive and common forms of violence plaguing the society. It contributes to the overall pattern of crime and violence due to its debilitating effects on the social fabric and its role in socialising the youths to violence as a means of dispute resolution. Women and children are disproportionately at risk from domestic violence.'</p>	

- Including in security bodies representatives from the ministry and/or other government entities or parliamentary caucuses responsible for gender and women's issues.
- Instituting mechanisms to consult with representatives from women's organisations and gender experts on security policy issues.
- Explicitly include gender issues in security policies (see Box 1).
- Use gender-sensitive language to avoid discrimination and exclusion – e.g. refer to 'police officer' rather than 'policeman' and 'chairperson' rather than 'chairman'.

Parliament

- Ensure that security policy-making processes are inclusive and participatory by:
 - Undertaking broad-based public consultation processes (see Box 2).
 - Holding parliamentary hearings, open debates and town hall meetings to seek the input of men and women throughout society on security issues, and to discuss draft security policies.
 - Holding separate meetings for groups in society that will not or perhaps cannot speak out in public – e.g. minority ethnic groups.
- Strive for equal participation of male and female parliamentarians in security policy-making by:
 - Promoting the participation of women parliamentarians on defence and security committees.
 - Encouraging female parliamentarians and/or parliamentarians interested in gender issues to meet across party lines to develop a shared platform on gender and security issues.
 - Supporting the establishment of women's caucuses/coalitions in parliament and within political parties (see Case Study 2).

Local government

- Involve women, gender experts and representatives from women's organisations in community level security committees and councils and community safety audits.
- Take into account the different security and justice needs of men, women, boys and girls in local crime prevention and response initiatives, as well as with regard to GBV issues.
- Communicate the results of safety audits and planning processes to regional and national security bodies, so that local security realities of men and women can be incorporated into national security policies.

Civil society organisations

- Advocate for gender issues to be addressed in national security policies.

Box 2 Consultation on national security policies should include:

- Rural and urban women's community organisations
- Labour unions
- Religious organisations
- Community leaders and activists
- Youth organisations
- Indigenous, ethnic and other minority associations
- Social justice organisations
- Migrant associations
- Associations for people with disabilities
- Children's advocacy groups
- Academics and researchers
- International organisations

- Represent the views of men, women, boys and girls across society, including those from marginalised groups, in security policy-making processes.
- Provide a pool of technical knowledge and training expertise on gender and security issues for security policy-makers and parliamentarians to draw upon.
- Monitor gender issues in the implementation of security policies.
- Conduct gender audits and assessments of security policy and security sector institutions.

Gender training is an important tool to build capacity for the development and implementation of gender-responsive security policy. Key target groups for gender training include:

- Staff of ministries involved in security policy-making, including staff in the defence, interior and foreign affairs ministries.
- Members of security coordinating bodies and security policy drafting committees.
- Parliamentarians on defence and security committees and their staff.
- Members of local citizen security councils or community police forums.
- CSOs working on security policy.

Gender-responsive assessment, monitoring and evaluation of security policies is necessary to ensure that they meet the needs of men, women, girls and boys. Useful strategies include:

- Gender and socio-economic analysis of existing gender roles and relations, in particular, differences in activities, access to resources and decision-making, and the economic, social, political and other constraints faced by women and men.
- Gender impact assessment of security policy to determine the potential or existing impact of security policy upon men, women, girls and boys.

- Gender budget analysis to determine whether equitable and adequate funding is allocated to meet the different security and justice needs of men, women, girls and boys.

Also available in Tool 8...

- Examples of gender-sensitive language in national security policies
- A five-step community safety audit process
- Actions that CSOs can take to support gender-responsive security policy-making
- Questions for a gender impact assessment of security policy
- Questions for gender analysis of budgets
- Challenges and opportunities for the integration of gender issues into security policy-making in post-conflict, transitional, developing and developed countries

Post-conflict challenges and opportunities

Security sector reform is a key priority in post-conflict countries, and security policies will form an important basis for structuring this process. Security policy-making processes can be an opportunity to renegotiate the security-related roles and responsibilities of state and non-state actors alike.

Challenges for the integration of gender issues

- State institutions and infrastructure may be weak and thus have limited capacity to conduct broad-based consultation processes. This in turn limits the involvement of women's organisations and the inclusion of gender issues.
- Low levels of education and lack of technical expertise may be barriers to public engagement in policy-making processes, impacting women and certain ethnic groups in particular.

Case Study 2

Integrating gender into security policy-making: the role of women within the African National Council (ANC) in South Africa²

South Africa's transition to democracy demonstrates how a conducive political environment, the formation of a women's league within a political party and advocacy on gender issues across the political spectrum can influence national security policy.

The political space to address gender issues was created by women within both civil society and political parties. Concerned that women were being marginalised, the ANC Women's League was reformed in 1990. It vigorously demanded women's inclusion in leadership positions and the inclusion of gender equality in ANC policies. Its advocacy is evident throughout the ANC's pivotal 1992 publication *Ready to Govern: Policy Guidelines for a Democratic South Africa*, which acknowledged that 'gender discrimination has either excluded or subordinated women's participation in all socio-economic and political institutions'.³ *Ready to Govern* proposed embracing four interrelated values: democracy and civilian authority, human security, anti-militarism and gender equality. It reiterated that security sector institutions must respect the ideals of democracy, non-racialism and non-sexism, and reflect the national and gender composition of South African society.

Box 3 **Engaging women's organisations in security policy-making**

- Facilitate interaction between women's groups and local security providers – e.g. through their inclusion in local security committees.
- Build the capacity of women's organisations to address security policy issues, including security sector oversight.
- Include representatives from women's organisations as gender experts in parliamentary hearings.

- The executive and security institutions may see CSOs as political opponents and therefore be reluctant to work with women's organisations.

Opportunities for the integration of gender issues

- Peace agreements can mandate the development of gender-responsive national security policies.
- Participatory national dialogues on security and reconciliation can make it possible for both women and men to have a voice in identifying national security needs and priorities.
- Women's civil society groups that worked for peace and supported community-level security throughout the conflict can offer valuable expertise to security policy-making.
- Constitutional and electoral reform that increases the proportion of women in parliament makes it more possible for women to hold positions in security decision-making bodies.
- Rising rates of post-conflict GBV can bring to the forefront the need for security policies to include the

prevention and response to GBV as a security priority.

- Donors and international organisations may support gender-responsive security policy-making processes.

? Questions for national security policy-making

Key questions to ask to ensure that gender issues are addressed in national security policy-making include:

- Is the emphasis on national or human security? Have internal security threats and day-to-day threats to human security been included?
- Has the policy been developed in a participatory manner, including women's groups and other CSOs, staff from the ministry of women's affairs, female parliamentarians and gender experts?
- How does the policy address the particular security needs of women, men, girls and boys?
- How does the policy address GBV?
- How does the policy emphasise the importance of gender equality goals, including non-discrimination and the equal participation of women and men?
- Is the policy formulated in gender-sensitive language?
- Is the policy in line with international, regional and national legislation and policies on gender issues?
- Will the policy be implemented, monitored and evaluated in a gender responsive manner?

More information

Susanna Bearne, Olga Oliker, Kevin A. O'Brien and Andrew Rathmell - **National Security Decision-Making Structures and Security Sector Reform**, The RAND Corporation, 2005.

DCAF - **DCAF Background: National Security Policy**, 2005.

Initiative for Inclusive Security and International Alert - **Inclusive Security, Sustainable Peace: A Toolkit for Advocacy and Action**, 2004.

OECD - **OECD DAC Handbook on Security System Reform: Supporting Security and Justice**, 2007.

Kristin Valasek with Kaitlin Nelson - **Securing Equality, Engendering Peace: a Guide to Policy and Planning on Women, Peace and Security (UN Security Council Resolution 1325)**, UN-INSTRAW, 2006.

Gender and SSR Toolkit

1. Security Sector Reform and Gender
 2. Police Reform and Gender
 3. Defence Reform and Gender
 4. Justice Reform and Gender
 5. Penal Reform and Gender
 6. Border Management and Gender
 7. Parliamentary Oversight of the Security Sector and Gender
 8. National Security Policy-Making and Gender
 9. Civil Society Oversight of the Security Sector and Gender
 10. Private Military and Security Companies and Gender
 11. SSR Assessment, Monitoring and Evaluation and Gender
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This Practice Note was prepared by Mugiho Takeshita of DCAF, based upon Tool 8 authored by Peter Albrecht and Karen Barnes of International Alert.

¹ *National Security Strategy for Jamaica: Towards a Secure and Prosperous Nation*, a Green Paper, revised in May 2006; and Stone, C. et al, *Supporting Security, Justice, and Development: Lessons for a New Era*, 2005.

² Anderlini, S.N. and Conaway, C.P., *Negotiating the Transition to Democracy and Reforming the Security Sector: The Vital contributions of South African Women*, (Washington DC: Women Waging Peace), 2004.

³ African National Congress (ANC), *Ready to Govern*, ANC Policy Guidelines for a Democratic South Africa adopted at the National Conference 28-31 May 1992. <http://www.anc.org.za/ancdocs/history/readyto.html>

Civil Society Oversight of the Security Sector and Gender

CONTENTS

Why is gender important to civil society oversight?

How can gender be integrated into civil society oversight?

Post-conflict challenges and opportunities

Questions for CSOs to ask

More information

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This Practice Note provides a short introduction to the benefits of integrating gender issues into civil society oversight of the security sector, as well as practical information on doing so.

This Practice Note is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policymakers, the Toolkit includes 12 Tools with corresponding Practice Notes – see *More information*.

Why is gender important to civil society oversight?

Civil society oversight of the security sector, including SSR, involves the active participation of civil society organisations (CSOs) in defining security policies and overseeing the structures and practices of security sector actors.¹ The objective is to ensure the incorporation of community-level and grassroots interests and perspectives in the provision of internal and external security, and to support local ownership and sustainability. CSOs participate in oversight of the security sector in many different ways, including through policy advice and technical expertise, monitoring, awareness-raising, and research and analysis.

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Strengthening local ownership

- Integrating gender issues and including women's organisations can generate local ownership of SSR processes by ensuring that both men and women are engaged and have the opportunity to express their distinct needs, views and priorities. This makes security institutions more representative, responsive and legitimate in the eyes of the population.

Comprehensive oversight through the integration of gender issues

- Security sector oversight that monitors how security and justice policies and institutions address gender-based violence (GBV) *can strengthen the provision of security and justice*.
- Security sector oversight that holds security sector institutions accountable for having a non-discriminatory workplace and preventing sexual harassment and other forms of GBV *can increase productivity and operational effectiveness*.
- Security sector oversight that holds security sector institutions accountable for increasing the recruitment, retention and advancement of women and other under-represented groups *can strengthen public trust and effectiveness*.

Effective oversight through the involvement of women's organisations

- Women's organisations are often an untapped resource for security sector oversight. They can strengthen oversight through:
 - Providing policy advice on improving transparency, accountability and responsiveness.



In Malaysia, CSOs such as the Women's AID Organisation have monitored the enforcement and efficacy of Malaysia's Domestic Violence Act, as well as the delivery of its services to victims. Findings were used to advocate for improvements in the substance and implementation of the legislation.

In Cambodia, women's organisations and human rights groups such as LICADHO are cooperating with government oversight agencies to investigate allegations of abuse and to monitor compliance with Cambodia's recently adopted Law on the Prevention of Domestic Violence and the Protection of Victims. This law gives police greater powers to intervene in domestic violence cases and strengthens the legal recourse available to victims. In addition to monitoring, the CSOs provide legal aid and safe houses for victims.

- Monitoring the implementation of international and regional agreements, as well as national and institutional policies.
- Providing capacity building for oversight bodies on gender issues.
- Identifying security threats and issues facing individuals and communities.
- Facilitating dialogue between local communities and security sector oversight bodies.
- Raising public awareness of how to hold security sector institutions accountable.
- Conduct a gender analysis of the SSR process and disseminate findings and recommendations through the media and to government officials and donors.
- Perform a gender budget analysis of government spending on security and defence or of individual security sector institution budgets, in order to better understand the distinct impact of budget allocation on men and women. Use these findings as a tool for advocacy.
- Ensure that women and women's organisations are included in all audit, assessment, planning, implementation, monitoring and evaluation processes undertaken by CSOs.

Compliance with obligations under international laws and instruments

Taking the initiative to integrate gender issues into civil society oversight is not only a matter of operational effectiveness; it is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Beijing Declaration and Platform for Action (1995)*
- *United Nations Security Council Resolution 1325 on Women, Peace and Security (2000)*

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into civil society oversight?

Security sector monitoring bodies

- Strengthen the participation of women's organisations in formal security sector oversight bodies, such as civilian review boards, public complaints commissions, expert technical teams and independent monitoring groups (see Box 1).
- Place gender issues, such as the prevention of GBV or increased female recruitment, on the agenda of security sector monitoring bodies.

Research and data collection

- Ensure that gender issues are integrated into internal and external assessments or reviews of security sector institutions and policies.
- Ensure that all data is disaggregated by sex. Sex-disaggregated data highlights the different circumstances of men and women, and is a necessary basis for equitable security services.
- Carry out a gender audit of a security sector institution or policy.

Advocacy and awareness-raising

Use gender-sensitive research and the results of assessment and data-collection processes to develop public information and advocacy campaigns on security issues related to gender – such as raising awareness on how to report GBV to the police or lobbying for government funding for gun violence prevention programmes.

- Identify ways to convey this information to marginalised populations (such as rural populations, illiterate women, or ethnic communities) who may not speak the dominant language.
- Target advocacy at different levels – local, provincial and national – reaching key policymakers who can influence security sector programming.
- Engage local media by distributing information through small newspapers, community radio and local television stations, as well as state-run media outlets.
- Work with the media to sensitise journalists and others to the gender dimensions of security and justice issues.
- Involve men in advocacy campaigns, particularly those dealing with violence against women (see Box 2).

Gender training

Women's organisations and CSOs with gender expertise can support the development and delivery of gender training for security sector personnel (see Box 3), including by:

- Conducting a training needs assessment.
- Developing gender training materials and delivering training.

- Developing a standard gender training curriculum that can be adapted and used by trainers.
- Lobbying for policies that mandate comprehensive gender training.
- Creating a roster of civil society gender trainers.

Participatory and effective CSOs

CSOs that are involved in security sector oversight also have an obligation to revise internal policies and practices so that they promote gender equality, and to ensure in-house capacity on gender issues:

- Develop gender and equal opportunities policies and procedures that address human resources issues, recruitment practices, job performance requirements and sexual harassment and discrimination.
- Provide gender training for all staff – including training on gender-sensitive data collection and research methodologies.
- Mainstream gender issues into security sector oversight work.
- Conduct an internal gender audit to assess organisational capacity.

Also available in Tool 9...

- Stages of an SSR Gender Audit
- Questions to ask when planning an advocacy campaign
- Tips for working with the media
- Training topics to build the oversight capacity of women's NGOs
- How to strengthen the legitimacy of civil society networks
- Examples from Eastern Europe, Fiji, Iraq, Russia, South Africa, the United Kingdom and West Africa

Post-conflict challenges and opportunities

CSOs may have become fragmented or weakened during conflict and, as a result, may not have the reach, legitimacy or capacity to effectively perform oversight of the security sector. In other cases, collaboration between CSOs may increase in the

Box 2

Involving men in combating violence against women

The White Ribbon Campaign (WRC) was launched in Canada in 1991 by a group of men to advocate for an end to violence against women and to educate other men about the issue. Through awareness-raising campaigns, public statements and their growing network, members of the WRC provide an alternative vision of non-violent masculinity and offer positive role models for men and boys in communities around the world.³

post-conflict period, as army and police reform, as well as ongoing insecurity, are key concerns of many organisations, providing them with opportunities to work together.

Challenges for the integration of gender issues

- The capacity of state institutions is often weak, to the degree that even if there is political will, the means to deliver security and justice services is not available in technical, financial or human resource terms.
- Laws, structures and mechanisms to prevent and respond to GBV are rarely in place, or properly functioning.
- Security sector personnel may have committed human rights abuses, and may continue to perpetrate abuses in peacetime.

Opportunities for the integration of gender issues

- SSR processes can open up the political space for CSO input into security and justice decision-making, which is an opportunity to raise gender issues.
- Evidence shows that gender roles and relationships often shift during and after conflict, which can open up an important space for negotiating the integration of gender issues and increased recruitment of women.
- Donors may be willing to provide support to CSOs in order to build their gender-responsive oversight capacity.

Box 3

Sexual health education for the armed forces in Mongolia⁴

The NGO Mongol Vision works on reproductive health issues with soldiers and officers of Mongolia's armed forces:

The issue: *New recruits to the Mongolian armed forces, especially those from the countryside, have little or no knowledge of HIV/AIDS and STIs. Consequently, the rate of STIs has been relatively high among officers and soldiers.*

The aim: *To gain support from the Ministry of Defence and the Mongolian armed forces to increase HIV/AIDS, STI and reproductive health awareness among officers and soldiers.*

Key stakeholders: *Ministry of Defence and headquarters of the Mongolian armed forces.*

Primary stakeholders: *Soldiers/officers and their sex partners.*

Approaches and communication: *Letters were sent to the Ministry of Defence and headquarters of the armed forces; official and unofficial meetings were held with high-level officials; a project was developed in collaboration with high-level officials; a workshop was held with high-level officials; and commanding officers and military unit doctors presented a report on the current STI situation among armed forces personnel.*

Indicators of success and sustainability: *Sexual health was included in the official education curriculum for military staff; increased awareness of high-level officers; and increased support from the Ministry of Defence.*

- ✓ How is civil society, including women, being included in oversight processes?
- ✓ How are women's and men's particular security needs being identified and met?
- ✓ How many men and women work within the military, police, intelligence services, border police, customs, immigration and other law enforcement services, and in what capacities (percentage of women/men, by grade and category)?
- ✓ Are measures in place to ensure that women have equal opportunities to be part of every security institution?
- ✓ Is gender training provided to the police, military and other security services?
- ✓ What measures are in place to prevent, investigate and punish GBV by security sector personnel?
- ✓ Is there adequate funding for gender-related programming?

? Questions for CSOs to ask

One of the best ways to identify entry points to integrate gender issues into SSR processes is for civil society organisations to conduct an assessment. Below are sample questions on gender that CSOs might include in SSR assessment, monitoring and evaluation.

- What are the particular security and justice needs, perceptions and priorities of men, women, girls and boys?
- Do security sector personnel have the capacity to respond to all of these needs? If not, why not?
- Are women, men, boys and girls equally able to access security and justice services?
- Are security legislation, policies and protocols gender-responsive? Is there adequate legislation against GBV?
- Do women have full and equal access to employment within security sector institutions?
- What is the work environment like within security sector institutions? Are there problems of sexual harassment and other barriers to women's advancement?
- Do security sector oversight bodies include women and consult with women's organisations?
- Do security sector oversight bodies monitor issues related to GBV and equal opportunities for men and women?

More information

Resources

Amnesty International – *Monitoring and Reporting Human Rights Abuses in Africa: A Handbook for Community Activists*, 2002.

Amnesty International – *Understanding Policing: A Resource for Human Rights Activists*, 2006.

DCAF – *Public Oversight of the Security Sector: A Handbook for CSOs on Democratic Security Governance*, forthcoming 2008.

Family Violence Prevention Fund – *Toolkit for Working with Men and Boys to Prevent Gender-Based Violence*, 2003.

International Alert and Women Waging Peace – *Inclusive Security, Sustainable Peace: A Toolkit for Advocacy and Action*, 2004.

OECD DAC – *OECD DAC Handbook on Security System Reform: Supporting Security and Justice*, 2007.

Organisations

DCAF – www.dcaf.ch

International Alert – www.international-alert.org

UNIFEM Portal on Women, Peace and Security – www.womenwarpeace.org

UN-INSTRRAW – www.un-instraw.org

WILPF Peacemakers – www.peacemakers.org

Gender and SSR Toolkit

1. Security Sector Reform and Gender
 2. Police Reform and Gender
 3. Defence Reform and Gender
 4. Justice Reform and Gender
 5. Penal Reform and Gender
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 7. Parliamentary Oversight of the Security Sector and Gender
 8. National Security Policy-Making and Gender
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 11. SSR Assessment, Monitoring and Evaluation and Gender
 12. Gender Training for Security Sector Personnel
- Annex on International and Regional Laws and Instruments

Each of these Tools and Practice Notes are available from: www.dcaf.ch, www.un-instraw.org and www.osce.org/odihr.

This Practice Note was prepared by Rahim Kanani of UN-INSTRRAW, based upon Tool 9 authored by Karen Barnes and Peter Albrecht of International Alert.

¹ Caparini, Cole and Kinzelbach, *Public Oversight of the Security Sector: A Handbook for CSOs on Democratic Security Governance* (Renesans: Bratislava), forthcoming July 2008.

² Adapted from: OECD DAC. *OECD DAC Handbook on Security System Reform: Supporting Security and Justice* (OECD DAC: Paris), 2007, p. 117.

³ Adapted from: 'The White Ribbon Campaign'. http://www.whiteribbon.ca/about_us/

⁴ Cited from: Albrecht, P., 'Advocacy', *Public Oversight of the Security Sector: A Handbook for CSOs on Democratic Security Governance*, eds. Caparini, Cole and Kinzelbach (Renesans: Bratislava), forthcoming July 2008.

Private Military and Security Companies and Gender

CONTENTS

Why is gender important to private military and security companies?

How can gender be integrated into PMSCs?

Conflict and post-conflict challenges and opportunities

Questions to ask PMSCs and their clients

More information

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and legitimacy of SSR processes.

This Practice Note provides a short introduction to the benefits of integrating gender issues into private military and security companies (PMSCs), as well as practical information on doing so.

This Practice Note is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policymakers, the Toolkit includes 12 Tools with corresponding Practice Notes – see *More information*.

Why is gender important to private military and security companies?

Private Security Companies (PSCs) are defined here as ‘companies that specialize in providing security and protection of personnel and property, including humanitarian and industrial assets’.¹ This means that their services are not necessarily armed; their operations are defensive rather than offensive in nature; and they cater to a large group of customers, including governments, international agencies, non-governmental organisations (NGOs), and commercial organisations.

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values, that society ascribes to men and women. ‘Gender’ therefore refers to *learned* differences between men and women, while ‘sex’ refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Private Military Companies (PMCs) ‘are private companies that specialize in military skills, including combat operations, strategic planning, intelligence collection, operational support, logistics, training, procurement and maintenance of arms and equipment’. This implies that their clients are usually governments, but may comprise insurgents, militia groups and other armed factions.²

Gender mainstreaming

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.

To improve operational effectiveness

- Men and women usually have different security and justice needs and experiences. Thus, in order to increase the chances of operational success, security personnel need to consider the impact of all of their activities on local women, men, boys and girls.
- Awareness of culturally-specific gender issues will help staff to adjust to the host community and to be more responsive to the cultural milieu in which they will work, which can enhance local acceptance of the presence of private security staff.
- Female operators are needed to conduct searches on women and gather accurate intelligence, and may be able to take a different approach in the identification of security risks.



Self-regulation through industry associations is especially important where government regulation is either inexistent or insufficient. Self-regulation is a critical mechanism to improve standards for PMSCs:

- Standards work in two ways. Firstly, they improve the performance, transparency, and accountability of PMSCs. Secondly, they drive 'cowboys' out of the industry. However, self-regulation is no silver bullet and is most effective in a context of interlocking and mutually reinforcing regulatory schemes at the industry, national and international levels.
- Compliance with standards in hostile environments may be monitored by an industry association.
- A self-regulatory body could discuss advantages and problems of gender mainstreaming on a bilateral basis with individual companies if necessary.

- There is evidence that local men and women tend to see female staff as more approachable and less threatening, even in traditional societies. Thus, the presence of female staff can strengthen the legitimacy of a company and its operations amongst host communities.³ Female staff may also serve as positive role models for local women who are considering joining security sector institutions.

To improve staffing procedures and employment standards

- Men are highly over-represented in PMSCs not least because the companies largely recruit former service personnel. Gender mainstreaming can improve staffing procedures and employment standards within PMSCs to ensure a non-discriminatory and inclusive work culture.

To prevent misconduct and human rights violations

- Condoning and cultivating certain forms of aggressive behaviour is part of the institutional culture in many PMSCs and has, in the past, been linked to human rights abuses. Appropriate gender training for PMSC operators, alongside training in international humanitarian law (IHL) and human rights law, will help to prevent human rights abuses and the concomitant loss of revenue and reputation.
- Addressing a perceived culture of impunity will benefit the reputation of individual companies and the industry as a whole.

To improve coordination among agencies in peace support operations

- Many clients of PMSCs, like the United Nations and donor governments, have already mainstreamed gender concerns into their peace support operations and post-conflict reconstruction projects, including SSR. Inclusion of gender considerations by PMSCs would improve coordination regarding the gender policies of all actors operating in complex multi-agency environments.

Compliance with obligations under international laws and instruments

Taking the initiative to integrate gender into PMSCs is not only a matter of operational effectiveness; it is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Beijing Declaration and Platform for Action* (1995)
- *United Nations Security Council Resolution 1325 on Women, Peace and Security* (2000)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into PMSCs?

Establish gender-responsive standards and procedures

In order to improve standards for PMSCs, a combined approach of contractual obligations on the one hand and regulatory processes on the other is necessary. Clients play a key role in shaping the behaviour of PMSC personnel, especially if contractual obligations are backed up through regular evaluation.

- Integrate gender issues into the emerging self-regulatory frameworks that govern increasing parts of the industry (see Box 1). The setting and monitoring of standards in the area of gender could be carried out alongside other issues such as human rights.
- Include compliance mechanisms and internal reporting procedures on sexual harassment, bullying and GBV in company and industrial codes of conduct.
- Introduce mechanisms for the local community and/or other personnel to report incidents of GBV, discriminatory behaviour or misconduct to an independent authority empowered to investigate.
- Establish and implement transparent policies and procedures that govern investigations of misconduct, impropriety and criminal activity in order to eliminate impunity.
- Conduct background checks on all potential PMSC personnel, in particular for prior criminal charges, human rights abuses and GBV.

Implement inclusive and non-discriminatory human resources policies and practices

Review and, where necessary, reform recruitment processes and human resources policies to ensure a non-discriminatory and inclusive work culture, in particular by addressing issues such as the recruitment, retention and promotion of women; sexual harassment; and discriminatory behaviour.

Draw upon the wealth of experience in the police, military and the private sector in promoting the recruitment, retention and advancement of women.

Conduct gender training

Integrate gender issues and gender-awareness training into the basic training given to PMSC personnel (see Box 2):

- Tailor training to the specific local situation, in order to optimise the effectiveness of the operation.
- Involve civil society organisations, including women's groups, in the design and delivery of gender training.
- Include in the gender training:
 - How to respond to the distinct needs of both female and male clients.
 - How to interact appropriately and effectively with victims of GBV.
 - Internal human resources policies, in particular norms on sexual harassment.

Monitor and evaluate

- Governments should develop national and international monitoring and reporting mechanisms to oversee the PMSC industry that include a focus on human rights violations, including GBV.
- Clients of PMSCs can monitor the fulfilment of contractual obligations through regular audits and other quality control procedures. It is therefore crucial for clients to include standards of good practice on gender issues in their contracts with PMSCs.

Also available in Tool 10...

- Discussion of the roles and services provided by PMSCs
- Checklist for sexual harassment policies
- Model strategy for increasing female recruitment and retention
- Gender issues in international and national regulation of PMSCs

Conflict and post-conflict challenges and opportunities

In conflict and post-conflict countries there is usually a breakdown or shortage of public security services, and PMSCs frequently fill the gap. The dynamics of these countries are of particular interest because of the recent boom in the private security sector in

conflict and post-conflict contexts, in particular in Afghanistan and Iraq.

Challenges for the integration of gender issues

- Monitoring mechanisms for security institutions, in particular PMSCs, are usually absent, which contributes to a general culture of impunity for GBV and other crimes.
- Men, women, girls and boys face different security risks in conflict and post-conflict contexts. PMSC personnel are expected to guarantee their protection, respond to their special security needs and consider their human rights, even though they might not have been given adequate training or background knowledge to do so.
- International PMSCs operating in (post-)conflict environments, as well as local PSCs in developing countries, tend to recruit some of their most vulnerable and lowest paid employees from marginalised groups in the developing world. These employees are often poor, uneducated, rural men, many of them former soldiers, who have been improperly demobilised and reintegrated into their societies. Enormous challenges follow from these practices and must be addressed by donors, governments and companies alike.

Opportunities for the integration of gender issues

- International PMSCs have started to work in new areas, such as SSR; disarmament, demobilisation and reintegration; and development and disaster relief. The demand for PMSCs in these areas will likely increase, which provides an important opportunity for the development of guidelines on the gender dimensions of these tasks.
- Post-conflict situations also provide unparalleled opportunities for societal change; where gender discrimination can be redressed and gender roles

Box 2

Gender training topics for PMSC personnel

- What does 'gender' mean?
- Definitions of the core work of PMSCs and understanding the impact on women and on men
- Why incorporating gender can increase chances of operational success and effectiveness
- Viewing your work through gender spectacles – how to include a gender perspective within your security operational work
- Addressing gender in SSR (e.g. working with local women's organisations, recruitment of women into security forces)
- How to work with and protect female and male members of your host community
- What does GBV mean? How can it be addressed?
- Company codes of conduct and zero tolerance policies on sexual harassment, sexual misconduct and sexually offensive behaviour

re-defined. PMSCs can participate in these processes by setting positive examples through the recruitment and equitable treatment of women.

- PMSCs respond to clients' demands. Hence, there is a real opportunity to create standards and regulations that make PMSCs partners in overall operations. Governments and other clients that contract PMSCs should include accountability for integrating gender issues in PMSC contracts.

? Questions to ask PMSCs and their clients

- Do governments and other clients demand the inclusion of gender issues (such as accountability for GBV or mandatory gender training) in contracts with PMSCs? Do PMSCs include these issues of their own accord?
- Have gender issues been included in national and international regulatory frameworks for PMSCs?
- Do PMSCs have equal opportunity employment practices and codes of conduct that include grievance procedures for complaints about sexual harassment, GBV and discrimination?
- Are mechanisms in place for the local community to report human rights violations by PMSCs, including incidents of GBV?
- Have mechanisms been established to increase the recruitment, retention and advancement of female personnel?
- Have gender issues been integrated into existing training for PMSC personnel? Have they been given specific training on gender-awareness, sexual harassment and sexual exploitation and abuse?
- Have personnel been trained in identifying and addressing the specific security and justice needs of local men, women, girls and boys?
- Do PMSCs include thorough background checks that vet for criminal charges, human rights abuses and GBV in their recruitment processes?

More information

Resources

OECD-DAC – *OECD DAC Handbook on Security System Reform: Supporting Security and Justice*, 2007.

Caparini, M., – 'Applying a Security Governance Perspective to the Privatisation of Security', *Private Actors and Security Governance*, 2006.

Abrahamsen, R., & Williams, M., – *The Globalisation of Private Security. Country Report: Sierra Leone*, 2005.

Saferworld and Centre for Security Studies – *The Sarajevo Client Guidelines for the Procurement of Private Security Companies*, 2006.

Swisspeace – *The Impact of Private Military and Security Companies on the Local Population in Post-Conflict Countries: A Comparative Study for Afghanistan and Angola* (Forthcoming).

Organisations

British Association of Private Security Companies – www.bapsc.org.uk

ICRC – www.icrc.org

International Peace Operations Association – ipoaonline.org/php

OECD – www.oecd.org

Privatemilitary – www.privatemilitary.org/home.html

Private Security Company Association of Iraq – www.psc.ai.org

Swisspeace – www.swisspeace.org

Gender and SSR Toolkit

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3. Defence Reform and Gender
4. Justice Reform and Gender
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This Practice Note was prepared by Nadia Nieri of UN-INSTRAW based upon Tool 10, in consultation with Sabrina Schulz and Christina Yeung.

¹ Caparini, M. and Schreier, F., *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, Occasional Paper (Geneva: DCAF), 2005. p. 2.

² Ibid.

³ Valenius, J., *Gender Mainstreaming in ESDP Missions* (Institute for Security Studies. Paris), 2007, p. 28.

Security Sector Reform Assessment, Monitoring and Evaluation and Gender

CONTENTS

Why is gender important to SSR assessment and M&E?

How can gender be integrated into SSR assessment and M&E?

Post-conflict challenges and opportunities

More information

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and legitimacy of SSR processes.

This Practice Note provides a short introduction to the benefits of integrating gender issues into SSR assessment and monitoring and evaluation (M&E), as well as practical information on doing so.

This Practice Note is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policymakers, the Toolkit includes 12 Tools with corresponding Practice Notes – see *More information*.

Why is gender important to SSR assessment and M&E?

Assessment is a systematic data-collection process that aims to reflect a given situation. This process analyses the context – including different factors, actors, risks and needs – in order to determine programme objectives and create a baseline for future M&E.

Monitoring is a 'continuing function that aims primarily to provide managers and main stakeholders with regular feedback and early indications of progress or lack thereof in the achievement of intended results. Monitoring tracks the actual performance or situation against what was planned or expected according to pre-determined standards. Monitoring generally involves collecting and analysing data on implementation processes, strategies and results, and recommending corrective measures.'¹

Evaluation is the 'systematic and objective assessment of an ongoing or completed project, programme or policy; its design, implementation and results. The aim is to determine the relevance and fulfilment of objectives, development efficiency, effectiveness, impact and sustainability. An evaluation should provide information that is credible and useful, enabling the incorporation of lessons learned into the decision-making process of both recipients and donors. Evaluation also refers to the process of determining the worth or significance of an activity, policy or programme'.²

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Strengthen the delivery of security and justice

- Men, women, boys and girls have different security and justice needs, priorities and capacities. SSR assessments and M&E processes that are gender-responsive will provide more accurate information to enable reform processes to be designed and implemented to better meet the specific needs of men, women, girls and boys.
- Gender-responsive assessments and M&E can lead to strengthening the prevention of and response to gender-based violence (GBV) such as domestic violence, human trafficking and gang violence.

Inclusive and participatory SSR

- Including marginalised groups such as women, ethnic minorities and indigenous people in assessment and M&E processes will build civilian trust and local ownership of SSR processes.
- Increased participation of marginalised groups will also improve the accuracy and comprehensiveness of the data collected.



Box 1**Questions to ask in an SSR assessment**

In addition to a general analysis of the country context, the assessment should aim to answer the following questions:

1. What is the existing governance and capacity of security sector institutions? What are the major gaps? Which reforms should be prioritised?
Gender-related questions: What is the proportion of female and male staff and what are their respective positions? Is GBV effectively prevented, responded to and sanctioned? Are human rights violations, including GBV, being perpetrated by security sector personnel? Are security sector institutions collaborating with CSOs, including women's organisations?
2. What are the different security and justice needs, perceptions and priorities of men, women, girls and boys, and communities?
Gender-related questions: What are the types and rates of GBV, including against men and boys? Do men, women, girls and boys have equal access to security and justice institutions/mechanisms? What types of reforms do men and women prioritise? What local non-governmental strategies/initiatives exist to provide security and justice?

Build human rights-promoting and representative security institutions

- Integrating gender-sensitive questions about sexual harassment, discrimination and human rights violations in SSR assessments and M&E can uncover these negative practices and highlight necessary reforms.
- Gender-responsive assessment and M&E can collect data on the number and rank/position of female and male security sector personnel as well as information on how to increase the recruitment and retention of women and other under-represented groups. Security sector institutions that reflect the population it seeks to serve increase their legitimacy and operational effectiveness.

Compliance with obligations under international laws and instruments

Taking the initiative to integrate gender issues into SSR assessment and M&E is not only a matter of operational effectiveness; it is also necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Beijing Declaration and Platform for Action* (1995)
- *United Nations Security Council Resolution 1325 on Women, Peace and Security* (2000)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

Box 2**UK DFID: Integrating gender into SSR evaluation³**

In 2007 the UK Department for International Development (DFID), in collaboration with the Foreign and Commonwealth Office and the Ministry of Defence, commissioned four SSR experts to conduct an independent evaluation of DFID security and justice reform programming in Africa. The evaluation included an examination of gender and HIV/AIDS mainstreaming within security and justice reform programming – as they are key themes of DFID bilateral programmes.

The evaluation found that gender and HIV/AIDS issues are strongly represented in safety, security and access to justice programming but have largely been absent from programmes dealing with defence and police, or those with a wider remit such as the Sierra Leone Security Sector Reform Programme. The evaluation's recommendations included:

Recommendation 5: We recommend that the 'Paris Declaration on Aid Effectiveness' theme on Public Financial Management and Whitehall mainstream themes on HIV/AIDS and gender be incorporated into all SJSR [security and justice sector reform] interventions, not only those specifically dealing with SSAJ [Safety, Security and Access to Justice].

How can gender be integrated into SSR assessment and M&E?**Gender tips for SSR assessment and M&E**

- Establish a gender-aware team, including women and men with gender expertise. Hire male and female translators, if needed.
- Provide gender training or briefings to staff.
- Collaborate with civil society organisations (CSOs), including women's organisations.
- Collect information from both men and women of different positions/ranks.
- Disaggregate all data by sex and age.
- Establish gender-responsive indicators.
- Gather qualitative and quantitative data, using tools such as household surveys and focus group interviews.
- Employ specific research methodologies for gathering data on GBV.
- Collect data on gender issues such as the recruitment and retention of male and female personnel; sexual harassment rates; the implementation of national, regional and international laws and instruments related to gender and security; GBV and other human rights violations.

SSR assessments

- Systematise an assessment strategy and include a gender dimension in every stage – planning, designing, data collection and discussion of the results.
- Prioritise conducting joint assessments that involve cooperation and coordination between local and international stakeholders.
- Include assessment questions related to gender (see Box 1).

SSR monitoring and evaluation

- Plan and budget for gender-responsive M&E as a core part of SSR.
- Monitor and evaluate the various impacts that SSR processes have had upon men, women, boys and girls.
- Make the monitoring process as inclusive and participatory as possible – e.g. through establishing inter-agency task forces or inter-departmental working groups, including representatives from family or development ministries and CSOs.
- Take into account international and regional gender monitoring mechanisms, such as reporting under the UN

Box 3		Examples of justice reform and gender indicators ⁴	
Area of justice reform	Examples of gender equality results	Examples of gender-sensitive indicators	Methods of data collection
GBV	Implementation of legislation and national plans of action to eliminate GBV	<ul style="list-style-type: none"> - Procedures are in place and implemented to provide redress to survivors of gender-based crimes, including in armed conflict, post-conflict reconstruction, and violence perpetrated by security sector personnel - Number of prosecutions against security sector personnel for GBV - Increase in consistent sentencing for crimes of GBV, by type of violence and relationship of perpetrator 	<ul style="list-style-type: none"> - Baseline assessment and review of protocols - Surveys and interviews with women's organisations and other CSOs - Court statistics - Review of newspapers - Data from women's organisations
Institutional reform	Equal access to justice for women and men	<ul style="list-style-type: none"> - Percentage of women and men who report that they are able to access the formal legal system to resolve disputes - Number of police stations in poor rural areas that are resourced and staffed with women and men - Number of court cases related to women's rights compared with the number related to men's rights - Operational procedures and rules of evidence are gender-sensitive 	<ul style="list-style-type: none"> - Baseline and follow-up surveys - Review of police organisational and human resource records - Observation - Court statistics - Baseline and follow-up review of court procedures

Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

- Include gender indicators (see Box 3).

Gender audits of security sector institutions

- Create necessary preconditions such as political will and technical capacity.
- Ensure that the gender auditor is both independent and has a good understanding of the internal procedures of the security sector institution – e.g. audit team of external gender audit consultant and internal assessment expert.
- Questions to ask as part of a gender audit include:⁵

Does the institution:

- Have equal representation of men and women at all levels of the organisation?
- Have human resource policies and practices that encourage the recruitment, retention and advancement of women?
- Have policies and mechanisms to prevent and address sexual harassment, discrimination and violence?
- Have the technical capacity to work on gender-specific issues?
- Give basic gender training to its entire staff?

- Mainstream gender issues into its policies, programmes and initiatives?
- Dedicate adequate funding to gender-specific initiatives?

M&E of gender mainstreaming initiatives in the security sector

- Prioritise comprehensive M&E of gender mainstreaming initiatives within security sector institutions in order to gauge their impact.
- Develop institutional and programme-specific quantitative and qualitative gender-sensitive indicators (see Box 4).
- If necessary, implement follow-up activities such as workshops, group discussions and strategic planning meetings in order to readjust gender mainstreaming initiatives.

Also available in Tool 11...

- Methods for SSR assessment data collection
- Integrating gender into the Clingendael SSR assessment framework
- List of key SSR M&E actors
- Table with a Results-Based Management approach to gender-responsive SSR M&E
- Gender audit methods

Box 4 Monitoring of gender mainstreaming in the United Nations

Since 1997 the Assistant Secretary-General and Special Adviser to the UN Secretary-General on Gender Issues and the Advancement of Women has been charged with supporting and overseeing the implementation of gender mainstreaming mandates in the UN. Gender advisor units, gender focal points and reporting mechanisms are instruments used within the UN. Furthermore, the UN Interagency Network on Women and Gender Equality has drafted terms of reference on how to include a gender perspective into all reporting and M&E mechanisms in the UN system.⁶

Information to collect includes:⁷

- Demographic information, including disaggregated age and sex data.
- Description of population movements (to understand risk of sexual violence).
- Description of the setting(s), organisations present and types of services provided and activities underway.
- Overview of sexual violence (populations at higher risk, any available data about sexual violence incidents).
- National security and legal authorities (laws, legal definitions, police procedures, judicial procedures, civil procedures).
- Community systems for traditional justice or customary law.
- Existing multi-sector prevention and response action (coordination, referral mechanisms, psychosocial, health, security/police, protection/legal justice).

Post-conflict challenges and opportunities

SSR assessment and M&E are both challenging and particularly important in post-conflict contexts.

Challenges for the integration of gender issues

- Record-keeping and data collection that routinely exist during peacetime may be interrupted during armed conflict, including hospital records, criminal records and other data kept by the police or government ministries. The change or collapse of public institutions often makes comprehensive and representative data collection and assessment difficult.
- Lack of time and financial resources may not allow for comprehensive assessment and M&E frameworks. Nonetheless, data collection and monitoring of programmes and projects are crucial for their success and coordination.

Opportunities for the integration of gender issues

- There may be more political will of the international community, international organisations and newly-established governments to invest in gender-responsive SSR processes.
- Building up new security sector policies and procedures provides the opportunity to implement monitoring and evaluation procedures from the beginning, including setting targets for female recruitment and integrating gender issues into the formation of policies and protocol, operational programming, recruitment and training.

More information

CIDA – *Guide to Gender-Sensitive Indicators*, 1997.

Clingendael Institute for the Netherlands Ministry of Foreign Affairs – *Enhancing Democratic Governance of the Security Sector: An Institutional Assessment Framework*, 2003.

Commonwealth Secretariat – *Using Gender-Sensitive Indicators: A Reference Manual for Governments and Other Stakeholders*, 2005.

OECD DAC – *OECD DAC Handbook on Security System Reform - Supporting Security and Justice*, 2007.

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UNDP – *Handbook on Monitoring and Evaluation of Results*, 2002.

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Gender and SSR Toolkit

1. Security Sector Reform and Gender
2. Police Reform and Gender
3. Defence Reform and Gender
4. Justice Reform and Gender
5. Penal Reform and Gender
6. Border Management and Gender
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9. Civil Society Oversight of the Security Sector and Gender
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This Practice Note was prepared by Nicola Popovic of UN-INSTRAW, based upon Tool 11 by the same author.

¹ UNDP, *Handbook on Monitoring and Evaluation of Results*, Evaluation Office, (UN: New York), 2002.
http://stone.undp.org/undpweb/eo/evalnet/docstore3/yellowbook/glossary/glossary_m_o.htm

² DAC Working Party on Aid and Evaluation, pp.21-22.

³ Ball, N., et al., *Security and Justice Sector Reform Programming in Africa*, Evaluation Working Paper 23, (DFID: London), April 2007.
<https://www.oecd.org/dataoecd/42/1/38635081.pdf>

⁴ Hunt, J., 'Gender and Security Sector Reform Workshop,' (DCAF, OSCE/ODIHR and UN-INSTRAW: Geneva), 16-19 August 2007.

⁵ Valasek, K., 'Gender and Democratic Security Governance', *Public Oversight of the Security Sector: A Handbook for CSOs on Democratic Security Governance*, eds. Caparini, Cole and Kinzelbach. (Renesans: Bratislava), forthcoming July 2008.

⁶ UN Inter-Agency Network on Women and Gender Equality, "Gender Mainstreaming in Evaluation, Monitoring and Programme Reporting (IANWGE/2005/12 Fourth session)" (New York: United Nations), 22-25 February 2005.

⁷ 'Guidelines for Gender-based Violence – Interventions in Humanitarian Settings Focusing on Prevention of and Response to Sexual Violence in Emergencies', The Interagency Standing Committee, Taskforce on Gender in Humanitarian Assistance, 2005, p.25.

Gender Training for Security Sector Personnel

CONTENTS

Why is gender training important for security sector personnel?

How can security sector personnel be trained on gender issues?

Gender training for post-conflict contexts

More information

There is strong recognition that SSR should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and legitimacy of SSR processes.

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Why is gender training important for security sector personnel?

Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to learned differences between men and women, while 'sex' refers to the biological differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Gender training is a capacity building activity that aims to increase awareness, knowledge and practical skills on gender issues by sharing information, experiences and techniques as well as by promoting reflection and debate. The goal of gender training is to enable participants to understand the different roles and needs of both women and men in society, to challenge gender-biased and discriminatory behaviours, structures and socially-constructed inequalities, and to apply this new knowledge to their day-to-day work.¹

Security sector personnel include all the personnel of security sector institutions including armed forces, police, intelligence services, justice and penal systems, border management services, private security and military companies.

Effective delivery of security and justice services

- The security sector must be able to respond to the different security and justice needs of men, women, boys and girls, many of which are determined by differences in gender roles, norms and behavior. Gender training provides security sector personnel with essential tools to enhance their capacity to prevent and respond to different forms of gender-based violence (GBV) such as domestic violence or human trafficking, and more effectively deliver justice and security to all members of the community.

Non-discriminatory and productive workplaces

- Gender training promotes a non-discriminatory workplace free from sexual harassment, violence and discrimination.
- Gender training can also make existing personnel more receptive to the recruitment, retention and promotion of women, as well as to men from minority groups. A more diverse and representative pool of security sector personnel can enjoy strengthened trust and collaboration with civilians.

Prevent human rights violations

- Gender training can help to discourage security sector personnel from committing human rights violations, such as GBV against civilians or colleagues.



Genderforce Sweden initiated a 'Gender Coach' Programme pairing 12 senior managers within peace and security institutions with 12 coaches with extensive knowledge of gender equality issues. Participants in the programme include the Chief of Staff for the Swedish Army and the Director of the Armed Forces Training and Procurement units. Feedback on the programme has been positive with participants stating that they have changed ways in which they act and communicate.

Top management have both the power and ability to influence structures and behaviour within the organisations. Hence, it is important for them to deepen their understanding of gender equality. However, women and men at this level often do not have the time to take part in in-depth training programmes, which is why coaching is can be an effective way to achieve the desired result.

Compliance with obligations under international laws and instruments

Conducting gender training is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

- *The Beijing Declaration and Platform for Action (1995)*
- *United Nations Security Council Resolution 1325 on Women, Peace and Security (2000)*

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can security sector personnel be trained on gender issues?



1. Planning and preparing

- Get senior management support for gender training and ensure that senior managers also receive gender training (see Box 1).
- Perform a pre-training gender assessment in order to identify awareness and capacity gaps that can be addressed by gender training. Questions to ask include:
 - ✓ What is the current level of gender awareness and capacity? Have participants undergone previous gender training?
 - ✓ What type of training is needed to improve the institution's provision of security and/or justice to men, women, girls and boys?

- ✓ What type of training is needed to prevent discrimination, harassment and human rights violations?
 - ✓ What institutional gender policies exist, and are participants familiar with them?
 - ✓ Which specific gender-related skills have the participants identified that they would like further training on?
 - ✓ What are the specific cultural contexts of participants that might affect their responses to gender training?
- Adapt gender training to the specific context and participants based on the results of the pre-training gender assessment. Gender training can be made more context-specific by:
 - Conducting a desk review on regional and cultural gender issues.
 - Involving a local civil society organisation.
 - Engage men, as well as women, to work as gender trainers, especially in institutions with a high percentage of male staff. This can make it easier to handle scepticism among participants as having a male trainer present may help to 'legitimise' the issue of gender in the eyes of male participants.
 - Provide internal staff with training-of-trainers on gender and create a pool of skilled gender trainers who know the internal environment of the institution and have the ability to address gender issues within that specific context. Gender training-of-trainers

- General gender and diversity awareness
- Institutional codes of conduct and policies on discrimination and sexual harassment
- Respect and promotion of human rights, including women's rights
- Protocols and practices on:
 - Domestic violence
 - Rape
 - Sexual assault
 - Stalking
 - Human trafficking
 - Anti-gay violence
 - Child abuse
- Techniques for interviewing victims of GBV

- Use role plays and group work to facilitate interaction and discussion.
- Use practical examples to demonstrate how integrating gender helps security sector personnel improve their work.
- Give examples of field practices that are not gender-sensitive and discuss their consequences.
- Ask participants to share their own experiences of gender, male and female roles and GBV.
- Use humour to make the training more personal and dispel the sense of guilt or blame that often surrounds men when talking about gender issues.

also helps to develop institutional capacity and reduce dependency on external gender trainers.

2. Implementing

- Mainstream gender issues into standard, mandatory security sector training in addition to specific gender training.
- The curriculum and pedagogy of gender training vary greatly according to participants' prior exposure to gender issues, and operational needs and context (see Box 2). Some of the most important issues to address might be:
 - The meaning of 'gender' and gender equality.
 - Gender roles and the different insecurities faced by men, women, girls and boys.
 - The impact of gender-based discrimination and violence and security, at individual and social levels.
 - The conditions and consequences of sexual exploitation and abuse by security personnel.
 - Institutional policies and codes of conduct concerning gender equality and GBV.
 - International, national and regional laws and instruments on gender and security.
 - How gender is related to other security issues such as gun violence and human trafficking.
 - How to be gender-responsive in one's daily work.

3. Evaluating ⁴

- Evaluate participants' reactions to the gender training session (see Box 4).
- If gender issues have been integrated into the regular training for security personnel, include specific gender questions in the training evaluation form.
- Assess the change in attitudes of the participants through different types of learning tests, e.g. team assessments (usually oral), self-assessment forms, classical exams (oral or written), or other oral and written evaluation schemes.
- Assess the capacity of participants to put the change in attitude generated by gender training into practice by changing their behaviours:
 - Conduct interviews with service beneficiaries, such as survivors of GBV that report to the police.
 - Conduct anonymous surveys of male and female security sector staff regarding harassment due to sex or sexual orientation.

- Ask the gender training participants to complete evaluation forms several months after the training and ask questions regarding their attitudes, perceptions and behaviour with respect to the distinct security needs of women and men and related issues.
- Interview supervisors/managers to elicit their assessment of the changes they have witnessed in the training participants.

4. Following-up

- Use the results of evaluation to improve future training and design follow-up activities.
- Provide participants who have already attended gender training sessions with further capacity building or other support on gender issues. This can be a session to refresh their basic knowledge or a technical course on a certain gender aspect such as interviewing victims of human trafficking.
- Establish gender focal points responsible for following up gender training.

Please rate with a score of 1-5 (1=poor, 5=excellent)

1. Value of this topic in relation to my job __
2. Usefulness of the course content __
3. Presentation methods used __
4. Trainer's ability to transfer knowledge __
5. Atmosphere conducive to participation __
6. My opinions were taken into consideration __
7. Value of the Fact Sheets __
8. Relevance of the Work Sheets __

Please answer the following questions in your own words:

9. Have you suggestions about additions to the course?
10. Is there anything you think should have been dropped from the course?
11. What did you enjoy most about the course?
12. What did you dislike most about the course?
13. What aspect of the course did you find most useful?
14. What aspect of the course did you find least useful?
15. Was the course (please circle) a) Too long b) Too short c) The right length
16. Do you have any comments to make about the administrative arrangements for the course? (e.g. room, food).
17. Do you have any other comments to make?

In Haiti, training-of-trainers programmes for the police have been conducted by the UN Stabilization Mission (MINUSTAH) to build up a pool of well-trained officers on different subjects. Nadine Puechguirbal, MINUSTAH's Senior Gender Advisor, describes gender-based violence as 'the real issue in Haiti, where violence against women is somehow tolerated on cultural grounds and police agents have been notorious for abusing women.' Female national police officers provided with gender training by MINUSTAH have appointed Gender Focal Points throughout the country that distribute the information learned during the gender training to police stations. Gender training and gender training-of-trainers has become an integral part of the basic training at the Police Academy for the Haitian National Police.

- Give the participants the possibility to keep in contact with the gender trainer – which allows them to make additional comments or ask questions related to integrating gender into their daily work.

Also available in Tool 12...

- Advantages and disadvantages of internal/external trainers
- Tips on how to tackle time constraints
- Examples of gender training curricula
- Good practices to promote interactive gender training
- Discussion of gender training materials

Gender training for post-conflict contexts

Security sector personnel working in countries emerging from conflict, whether they are local or international personnel, require gender training. A significant volume of gender training material exists for peacekeeping troops, and training materials are beginning to be developed by national security services in post-conflict countries.

- Post-conflict SSR programmes should support the initiation and implementation of gender training for all security sector personnel (see Box 5). Local women's organisations can be strong partners in designing and implementing such training, and international actors can provide technical assistance.
- Pre-deployment gender training is essential for peacekeeping personnel. Training should cover general gender issues as well as information specific to culture and gender in the country of mission; sexual exploitation and abuse and the particular security needs of men and women in the country.
- Personnel working with disarmament, demobilisation and reintegration programmes need to receive gender training focused on the roles and needs of:
 - Female ex-combatants and women associated with armed forces and groups.
 - Male and female child soldiers.
 - Male ex-combatants, including issues concerning male roles and masculinities and strategies to prevent domestic and other forms of violence.

More information

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United States Army - *Training Package – The Sexual Assault Prevention and Response Program*, 2005.

DPKO/Best Practices Unit - *Gender Resource Package for Peacekeeping Operations*, 2004.

UNITAR POCI/Ximena Jimenez - *Gender Perspectives in United Nations Peacekeeping Operations*.

National Institute of Corrections/The Center for Innovative Public Policies - *Preventing and Addressing Staff Sexual Misconduct In Community Corrections: A Training Program for Agency Administrators*, 2004.

UNIFEM - the Commonwealth Secretariat, IDRC, *Gender Responsive Budgeting Initiative*.

UNICEF - *Training of Trainers on Gender-Based Violence: Focusing on Sexual Abuse and Exploitation*.

International Council of Voluntary Agencies - *Building Safer Organisations Handbook*.

Gender and SSR Toolkit

1. Security Sector Reform and Gender
2. Police Reform and Gender
3. Defence Reform and Gender
4. Justice Reform and Gender
5. Penal Reform and Gender
6. Border Management and Gender
7. Parliamentary Oversight of the Security Sector and Gender
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9. Civil Society Oversight of the Security Sector and Gender
10. Private Military and Security Companies and Gender
11. SSR Assessment, Monitoring and Evaluation and Gender
12. Gender Training for Security Sector Personnel Annex on International and Regional Laws and Instruments

Each of these tools and practice notes are available from: www.dcaf.ch, www.un-instraw.org and www.osce.org/odihr.

This Practice Note was prepared by Toiko Kleppe of UN-INSTRAW, based upon Tool 12 by the same author.

¹ Kleppe, T.T., 'Gender Training and Capacity Building for the Security Sector: A Discussion on Good Practices', *Gender, Peace and Security Working Paper #2* (UN-INSTRAW: Santo Domingo), forthcoming 2008.

² Genderforce Sweden, 'From Words to Action', pp. 20-21.

http://www.genderforce.se/dokument/From_words_to_action.pdf

³ Adapted from Denham, T., 'Police Reform and Gender', *Gender and Security Sector Reform Toolkit*, Megan Bastick and Kristin Valasek (eds.) (DCAF, OSCE/ODIHR, UN-INSTRAW: Geneva), 2008.

⁴ Based on Kirkpatrick's Evaluation Methodology.

⁵ ECPAT, 'Training for Police and Social Workers on Child Rights and Child Protection in relation to Trafficking in Children for Sexual Purposes', (ECPAT: Amsterdam, Bangkok), 2006, pp.132-133.

⁶ Puechguirbal, N., UN-INSTRAW Virtual Discussion on Gender Training for Security Sector Personnel, questionnaire, April 2007.

Implementing the Women, Peace and Security Resolutions in Security Sector Reform

CONTENTS

What are the women, peace and security resolutions?

Why are the women, peace and security resolutions important to SSR?

How can the women, peace and security resolutions be implemented in SSR?

Women, peace and security questions for SSR assessment

More information

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, as well as to the local ownership and legitimacy of SSR processes.

The UN Security Council recently passed a number of resolutions that address the need for SSR processes to take into account the particular security needs of women and girls and to promote women's participation.

This Practice Note provides a short introduction to the women, peace and security resolutions, and how they can be implemented in SSR. It is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policymakers, the Toolkit comprises 13 Tools with corresponding Practice Notes—see *More information*.

What are the women, peace and security resolutions?

Since 2000, the UN Security Council has adopted four resolutions on women, peace and security:

UN Security Council Resolution 1325, adopted in October 2000, recognises the particular impacts that armed conflict has on women and the important contributions women make to security and reconciliation. It urges increased representation of women in conflict prevention and management. It also stresses the need to include a gender perspective in implementation of peace agreements; disarmament, demobilisation and reintegration (DDR) processes; and training for peacekeepers.

UN Security Council Resolution 1820, adopted in June 2008, calls on states to take special measures to protect women and girls from sexual violence in armed conflict, and to ensure access to justice and assistance for victims. It emphasises the role of peacekeepers in protecting civilians, and urges more female peacekeepers. It requests that the UN develop mechanisms in DDR and SSR processes to protect women from violence, in consultation with women and women's organisations.

UN Security Council Resolution 1888, adopted in September 2009, develops the Council's focus on sexual violence in armed conflict. It urges inclusion of sexual violence issues in peace processes, DDR and SSR arrangements, and justice reform. It establishes new mechanisms within the UN to address sexual violence in conflict. Women's representation in decision-making processes and the inclusion of female personnel in UN missions are again emphasised.

UN Security Council Resolution 1889, adopted in October 2009, extends the Council's focus on women's participation in peacebuilding, emphasising their essential role in political and economic decision-making. It urges gender mainstreaming in all post-conflict recovery processes; funding and programming for women's empowerment activities; and concrete strategies in law enforcement and justice to meet women's and girls' needs and priorities.

Why are the women, peace and security resolutions important to SSR?

SSR is a process aimed at ensuring that security and justice providers:

- Deliver effective and efficient security and justice services that meet people's needs
- Are accountable to the state and its people
- Operate within a framework of democratic governance, without discrimination and with full respect for human rights and the rule of law

The security sector includes armed forces, police, intelligence, border management and customs services, justice and penal institutions, non-statutory and traditional justice and security providers, as well as actors that play a role in managing and



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Box 1**Ways of increasing women's participation in SSR**

- Include representatives of the ministry of gender/women
- Include representatives of women's CSO networks
- Organise consultations with women and women's groups
- Seek input from gender experts
- Include "gender expertise" in the criteria used to identify members of relevant teams and committees

overseeing the design and implementation of security, such as ministries, parliaments, ombuds institutions, human rights commissions and civil society organisations (CSOs).

The women, peace and security resolutions are important to SSR because:

- Addressing the different security needs of women, men, girls and boys and ensuring the equal participation of women and men in decision-making is increasingly recognised as vital to successful SSR. It is critical to ensuring local ownership and effective delivery of security services, as well as strengthened oversight and accountability.
- The women, peace and security resolutions provide an internationally-supported normative framework to promote the human rights of women and girls in conflict and post-conflict situations.
- The UN, the European Union, the African Union, NATO and other international and regional organisations involved in supporting SSR use these resolutions as guiding standards and many countries shape national security and development policies around them.

How can the women, peace and security resolutions be implemented in SSR?

National security, defence and SSR policies

The women, peace and security resolutions call for the equal and full participation of women in policy-making at all levels, for gender mainstreaming, and for strategies that address women's and girls' security and justice needs, priorities and empowerment.

- In developing and implementing SSR-related policies, assess how different policy options will impact upon women, men, girls and boys. Ensure that gender experts and women participate fully in the policy-making process.
- In all SSR-related policies, explicitly address women's and girls' security and justice needs, sexual violence issues and the need to promote women as equal participants in security sector institutions.
- Develop National Action Plans to implement the resolutions that include SSR activities. National Action Plans should derive from an inclusive, consultative process, involving women's CSOs in their development, implementation, monitoring and evaluation.
- Monitor and evaluate i) how women, peace and security issues are addressed in SSR programmes and, ii) implementation of National Action Plans.
- Establish systems to ensure that individuals within government agencies and security institutions are held accountable for implementation of obligations under

the women, peace and security resolutions, as included in national security, defence and SSR policies.

Women's participation in SSR processes and security sector institutions

The women, peace and security resolutions urge states to take measures to increase women's participation in post-conflict planning and peacebuilding—which includes SSR processes. They also call for women to be involved at decision-making levels in mechanisms for the prevention, management and resolution of conflict.

- Include women at all levels in security sector governance and oversight institutions, such as government ministries, human rights commissions and ombuds institutions, and provide space for input from women's CSOs.
- Empower women and women's CSOs to participate meaningfully in SSR processes (see Box 1). This might require special consultations with women, where transport and child care are provided, or capacity building and mentoring to provide women with relevant skills and knowledge. Coalition-building among women's CSOs can enable women to speak with a stronger voice.
- Implement strategies that enable women to attain senior ranks within the armed forces, police services, defence institutions and the judiciary (see Box 2).

Defence reform

The women, peace and security resolutions provide guidance in relation to gender-responsive DDR programmes (see Box 3), and vetting of armed and security forces' personnel.

- Address the particular needs of female and male ex-combatants, as well as women and girls associated with armed forces and armed groups and their children.
- Involve women's groups in the planning and implementation of DDR programmes, especially when engaging with female beneficiaries and in the reintegration of ex-combatants.
- Take action to mitigate the likelihood that the return of ex-combatants to civilian communities leads to increased sexual violence.
- Ensure that members of new or re-forming armed and police services are vetted for crimes of sexual violence and other violations of international humanitarian and

Box 2**Checklist to promote women's leadership within the armed forces and police services**

- ✓ High-level support for women's advancement
- ✓ No formal barriers—such as excluding women from certain types of services or functions
- ✓ Fair promotion criteria
- ✓ Targets and policy for women's promotion
- ✓ Unit tasked with supporting and monitoring women's promotion
- ✓ Women's staff association
- ✓ Mentoring programme
- ✓ Family-friendly work environment
- ✓ Extra training, if necessary
- ✓ Changing discriminatory attitudes

Box 3**Lessons learned in gender-responsive DDR**

- Ensure peace agreements recognise women and girls associated with armed forces/groups and their children as beneficiaries
- Work with women's CSOs in planning and implementing DDR
- Use participatory needs assessment, involving women at all stages and levels
- Train all DDR staff on gender issues
- Make sure demobilisation sites are safe for women and girls, including by having female staff
- Encourage women and girls undergoing DDR to form their own groups and networks
- Prioritise rehabilitation and socio-economic reintegration for men *and* women
- Link with vetting programmes, small arms collection, community security initiatives and SSR

human rights law, while paying particular attention to the protection of victims of sexual violence.

Police reform

To meet commitments under the women, peace and security resolutions, police reform processes should prioritise gender-responsive law enforcement, assistance for victims of sexual violence and prosecution of those responsible for violence committed against women and girls in armed conflict.

- Reform police mandates, operating practices, training, incentive systems, performance measures, staffing and accountability systems to prioritise gender-based violence (GBV). Consider creating specialised police units—staffed by men and women—linked to social and legal support services for GBV victims (see Box 4).
- Dedicate resources to sexual violence prevention, investigation and prosecution, as well as to victim assistance and protection.

Transitional justice and justice sector reform

Justice and security are intricately linked. As such, the women, peace and security resolutions require reforms within the justice sector to ensure the protection of and respect for the human rights of women and girls, including strategies to address their needs and priorities.

- Reform laws and judicial procedures, practices and training to address GBV, in line with international standards, making special provision for prosecution of perpetrators and support to victims.

- Increase women's and girls' access to justice by supporting legal aid, paralegals, CSOs and legal outreach.
- Work with conflict-affected countries to support capacity to investigate and prosecute crimes of violence against women committed during armed conflict and maintain local and international pressure to prosecute perpetrators.

Preparation for deployment to peacekeeping operations

The women, peace and security resolutions devote particular attention to how states prepare their personnel for peacekeeping missions.

- Integrate practical training on women, peace and security issues, including the prevention of sexual violence, into military and police training, supplemented by mission-specific training for peacekeepers (see Box 5).
- Develop codes of conduct and accountability mechanisms to address sexual exploitation and abuse, and ensure that perpetrators are held accountable—and are seen to be held accountable in the host country.
- Establish specialised units to lead and monitor implementation of policies, strategies and training to increase the recruitment and deployment of women in peacekeeping operations.

During armed conflict

The women, peace and security resolutions demand that parties to armed conflict fully respect international law applicable to the rights and protection of women and girls, immediately stop all acts of sexual violence, and adopt special measures to protect civilians from sexual violence.

- Document and share strategies for the protection of civilians from sexual violence during armed conflict, including through engagement with non-state actors.

**Women, peace and security questions for SSR assessment**

Women, peace and security issues should be integrated into all SSR assessments. This will both strengthen their comprehensiveness, and help ensure that the SSR process addresses the issues raised in the SCRs. Key questions to ask include:

On the assessment process

- Do the terms of reference include the security and justice needs and priorities of women and girls?

Box 4**Services to victims of sexual violence in Timor Leste¹**

A network of Vulnerable Person Units (VPUs) has been created within Timor-Leste's national police force to handle cases of rape, attempted rape, domestic violence, child abuse, child neglect, missing persons, paternity and sexual harassment. VPUs provide designated police officers at an identifiable access point for victims of GBV and for service providers. Efforts are made to have female officers in all VPUs to interview female victims. Since the establishment of VPUs, the number of GBV cases brought to the police has been increasing, and they have fostered positive collaboration and coordination between police and CSOs.

With the close involvement of CSOs, a functional network of services for victims of sexual and domestic violence and child abuse has been established. The network includes a "safe room" in the national hospital, facilitation of medical and forensic examination, psychosocial counselling, a shelter and legal assistance. CSOs are involved in providing many of these services, as well as in public education and awareness-raising.

- Does the assessment team include women and men, and include persons with gender expertise?
- Will interviews be conducted with female and male staff of security sector institutions, women's CSOs, gender experts and women, men, girls and boys in local communities?
- Has provision been made to ensure that women participate in the assessment, such as focus groups for women only, transport, child care or security?
- Is data disaggregated by sex and age?

On security sector institutions

- How do security sector institutions identify and address the particular security and justice needs of women, men, girls and boys?
- Are national and institutional security and defence laws, policies and protocols appropriate with regard to addressing the particular concerns of women, men, girls and boys and promoting women's participation?
- Do security sector personnel have the capacity, through training and resources, to address the different security and justice needs of women, men, boys and girls?
- What special measures are in place to address sexual violence?
- How are women's CSOs, ministries of gender/women and gender experts involved in security sector oversight and collaboration with security sector institutions?

Box 5 Training the military to protect civilians from sexual violence

- Integrate protecting civilians against sexual violence into core curricula as well as mission-specific training
- Be practical, not theoretical
- Include responses to sexual violence in scenario-based training
- Involve women's CSOs
- Include:
 - Risk assessment
 - Data gathering and analysis
 - Community liaison
 - Referral protocols
- Develop strategies for physical protection — such as special patrols — appropriate to the context
- Include — but don't limit to — sexual exploitation and abuse

- What proportion of police/military/justice (and other security sector) personnel are female and are women represented at the highest ranks/levels?
- Are there appropriate initiatives in place to increase the recruitment, retention and advancement of female personnel?

On the SSR process

- Are women participating in and represented on SSR steering bodies (for example, through representatives of a women's CSO network and the ministry of gender/women)?
- Are women and men being consulted at local level?

More information

Resources

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Valasek, K., The UN International Research and Training Institute for the Advancement of Women (UN-INSTRAW), **Securing Equality, Engendering Peace: A Guide to Policy and Planning on Women, Peace and Security**, 2006.

Organisations

DCAF Gender and Security Programme - <http://www.dcaf.ch/gssrtoolkit>

UN Action Against Sexual Violence in Conflict - www.stoprapienow.org

UN-INSTRAW Gender, Peace and Security Programme - <http://www.un-instraw.org/peace-and-security/programme-page/>

The Gender and SSR Toolkit

1. Security Sector Reform and Gender
 2. Police Reform and Gender
 3. Defence Reform and Gender
 4. Justice Reform and Gender
 5. Penal Reform and Gender
 6. Border Management and Gender
 7. Parliamentary Oversight of the Security Sector and Gender
 8. National Security Policy-Making and Gender
 9. Civil Society Oversight of the Security Sector and Gender
 10. Private Military and Security Companies and Gender
 11. SSR Assessments, Monitoring and Evaluation and Gender
 12. Gender Training for Security Sector Personnel
 13. Implementing the Women, Peace and Security Resolutions in Security Sector Reform
- Annex on International and Regional Laws and Instruments

These Tools and Practice Notes are available at www.dcaf.ch.

This Practice Note was prepared by Megan Bastick of DCAF, based on Tool 13 authored by Megan Bastick and Daniel de Torres of DCAF.

¹ UNFPA, *Gender-Based Violence in Timor-Leste: A Case Study*, 2005, http://www.unfpa.org/women/docs/gbv_timorleste.pdf; UNFPA, Terms of Reference: International Referral Network Project Coordinator: GBV Sub-Project, 2010, <http://ocha-gwapps1.unog.ch/rw/res.nsf/db900SID/OCHA-83Z4LC?OpenDocument>; H. Myrntinen, *Poster Boys No More: Gender and SSR in Timor-Leste*, DCAF, 2009, <http://www.dcaf.ch/publications/kms/details.cfm?lng=en&id=111804&nav1=5>.