

# International and Regional Laws and Instruments related to Security Sector Reform and Gender

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The 13 tools contained in the *Gender and Security Sector Reform Toolkit* explore how the integration of gender issues into security sector reform (SSR) increases the effectiveness and accountability of the security sector, while promoting local ownership and legitimacy of SSR processes. Integrating gender issues in SSR is also necessary to comply with international laws, instruments and norms.

A number of international and regional resolutions, conventions, agreements and guidelines refer in both general and detailed terms to the need for gender equality, gender mainstreaming, the inclusion of women and men in decision-making, the elimination of violence against women and the protection of women's human rights. These laws, instruments and norms have established specific responsibilities for the security sector and therefore should guide SSR processes.

The following is a compilation of key laws and instruments relevant to gender and SSR. These include references to articles relating to specific security sector institutions and are categorised chronologically as either 'international' or 'regional' instruments.

Readers are recommended to consult the more general norms guiding SSR and instruments relating to *Security Sector Reform and Gender* in Section 1, as well as the instruments relating to the specific part(s) of the security sector that they are interested in.

Laws and norms governing private security and military companies are not included in this compilation; they are discussed in Section 5 of the tool *Private Military and Security Companies and Gender*.



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# ACRONYMS

<b>AU</b>	African Union
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women (1979)
<b>DCAF</b>	Geneva Centre for the Democratic Control of Armed Forces
<b>DDR</b>	Disarmament, Demobilisation and Reintegration
<b>ECOWAS</b>	Economic Community of West African States
<b>ESDP</b>	European Security and Defence Policy
<b>EU</b>	European Union
<b>NATO</b>	North Atlantic Treaty Organisation
<b>OAS</b>	Organisation of American States
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OSCE</b>	Organization for Security and Cooperation in Europe
<b>SADC</b>	Southern African Development Community
<b>SCR</b>	United Nations Security Council Resolution
<b>SSR</b>	Security Sector Reform
<b>UN</b>	United Nations
<b>UNSC</b>	United Nations Security Council

# 1 Security Sector Reform and Gender

## 1.1 Norms Guiding Security Sector Reform

### **Organisation for Economic Co-operation and Development (OECD), *Security Sector Reform and Governance: Policy and Good Practice, DCD/DAC(2003)30/REV3***

Date of adoption: 15-16 April 2004

Through this policy statement and paper the Development Assistance Committee donors intend to help their own governments/organisations, developing countries and international organisations to reinforce work on SSR. The document states that gender perspectives should be integrated in SSR processes by working through local actors. It stipulates that '[i]n many cases, particularly during war and armed conflicts, civil society is usually in majority represented by women including in the security areas. They are well placed, at all levels, to work for peace and reconciliation and to set standards for the reconstruction of war-torn society' (para. 77).

### **Organisation for Economic Co-operation and Development, *DAC Guidelines and Reference Series: Security System Reform and Governance***

Year of publication: 2005

The OECD Development Assistance Committee Guidelines emphasise the relevance of gender issues to SSR, recognising that SSR provides an opportunity to advance gender equality; acknowledging that women are key civil society actors in the creation of peace, reconciliation and reconstruction; and emphasising the importance of addressing gender issues to enhance the professionalism of security forces. In addition, the Guidelines state that '[e]nsuring women's participation beyond the grass-roots enhances the legitimacy of the process by making it more democratic and responsive to all parts of the affected population' (p. 42).

### **Commission of the European Communities, *Communication from the Commission to the Council and the European Parliament: A Concept for European Community Support for Security Sector Reform***

Date of publication: 24 May 2006

The European Commission names gender equality as one of the European Union's (EU) common values. One of the principles guiding the EU's support for SSR

is that SSR processes should be 'seen as a framework for addressing diverse security challenges facing States and their populations, based on a gender-sensitive multi-sector approach;' (section 4-2).

### **Council of the EU, *Council Conclusions on Promoting Gender Equality and Gender Mainstreaming in Crisis Management***

Date of adoption: 13 November 2006

The Council of the EU underlines the importance of promoting gender equality and gender mainstreaming in the context of Common Foreign and Security Policy and European Security and Defence Policy (ESDP) at all levels. It emphasises that a '...gender perspective needs to be fully integrated in peace building...' (para. 6), and that a '...gender perspective should be incorporated in EU policies and activities on Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR)' (para. 8).

### **United Nations Security Council (UNSC), *Statement by the President of the United Nations Security Council (S/PRST/2007/3)***

Date of statement: 21 February 2007

The President of the UNSC stated that '[t]he Security Council recognises the inter-linkages between security sector reform and other important factors of stabilisation and reconstruction, such as transitional justice, disarmament, demobilisation, repatriation, reintegration and rehabilitation of former combatants, small arms and light weapons control, as well as gender equality, children and armed conflict and human rights issues' (p. 2).

### **UN General Assembly and UNSC, *'Securing peace and development: the role of the United Nations in supporting security sector reform', report of the Secretary-General, A/62/659-S/2008/39***

Date of adoption: 23 January 2008

In this report the Secretary-General states that a gender-sensitive approach to SSR is a basic principle for the UN's engagement in SSR throughout its planning, design, implementation, monitoring and evaluation phases. The UN approach '...must also include the reform of recruitment processes and improvement in the delivery of security services to address and prevent sexual and gender-based violence;' (para. 45 (e)).

## 1.2 International Instruments

### **UN General Assembly, *Universal Declaration of Human Rights***

Date of adoption: 10 December 1948

The Universal Declaration of Human Rights articulates the entitlement of each individual to enjoy their rights and freedoms ‘...without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status’ (Art. 2). Article 3 states that ‘[e]veryone has the right to life, liberty and security of person’. Article 7 stipulates that ‘[a]ll are equal before the law and are entitled without any discrimination to equal protection of the law.’

### **UN General Assembly, *International Covenant on Civil and Political Rights***

Date of adoption: 16 December 1966

Article 26: ‘All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.’

### **UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (A/34/46)***

Date of adoption: 18 December 1979

CEDAW seeks to end discrimination against women, defined as ‘...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field’ (Art. 1). The Convention holds States Parties responsible for adopting appropriate legislation and other measures to prohibit discrimination against women and establish legal protection of the equal rights of women. It specifically requires States to ensure the right of women ‘[t]o participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government’ (Art. 7-b); and to ensure their right to the same employment opportunities, promotion, job security, equal remuneration and equality before the law.

### **UN General Assembly, *Declaration on the Elimination of Violence against Women (A/RES/48/104)***

Date of adoption: 20 December 1993

This was the first international human rights instrument that exclusively addressed violence against women. The Declaration calls on States to refrain from engaging in violence against women and to exercise due diligence to prevent, investigate and punish acts of violence against women. States are called upon to provide women who have been subjected to violence access to the mechanisms of justice; prevent re-victimisation; ensure adequate government budgets for activities related to the elimination of violence against women; and collaborate with and enhance the work of the women’s movement and non-governmental organisations. The Declaration also calls on States to ‘[t]ake measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women;’ (Art. 4-i).

### **Fourth World Conference on Women, *Beijing Declaration and Platform for Action A/CONF.177/20 and A/CONF.177/20/Add.1***

Date of adoption: 15 September 1995

The Beijing Declaration and Platform for Action contain 12 areas of critical concern and hundreds of actions to be taken in relation to the advancement and empowerment of women, including numerous obligations related to the security sector. These obligations include ensuring access to free or low-cost legal services; striving for gender balance in government bodies, public administrative entities and the judiciary; and providing gender-sensitive human rights education and training for police, military, corrections officers, members of the judiciary, members of parliament and people who deal with migration issues.

The Beijing Declaration emphasises that the success of the Platform for Action will depend on a commitment to ‘the equal participation of women and men in all national, regional and international bodies and policy-making processes’ (para. 36). The Platform for Action calls for the removal of ‘all the obstacles to women’s active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making’ (para. 1).

### ***Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (S/2000/693)***

Date of adoption: 31 May 2000

The Windhoek Declaration and Namibia Plan of Action were adopted at a seminar organised by the UN Department of Peacekeeping Operations and the Office of the Special Adviser on Gender Issues

and Advancement of Women, and hosted by the Namibian Government in Windhoek, Namibia. The Declaration and Plan were noted in United Nations Security Council Resolution 1325 on Women, Peace and Security (SCR 1325). The Declaration and Plan of Action state that:

- ‘...the principles of gender equality must permeate the entire mission, at all levels, thus ensuring the participation of women and men as equal partners and beneficiaries in all aspects of the peace process — from peacekeeping, reconciliation and peacebuilding, towards a situation of political stability in which women and men play an equal part in the political, economic and social development of their country’ (Preamble)
- ‘[g]ender issues should be mainstreamed throughout all regional and national training curricula and courses for peace support operations, particularly those sponsored directly by the Training Unit of DPKO’ (para. 6)
- ‘Standard Operating Procedures applying to all components of missions should be developed on the issues of sexual assault and sexual harassment.’ (para. 7)

#### ***UNSC Resolution 1325 on Women, Peace and Security (S/RES/1325)***

Date of adoption: 31 October 2000

In SCR 1325 the UNSC recognised for the first time women’s particular roles and needs in conflict and post-conflict situations. The Resolution stresses the importance of women’s ‘...equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution’ (Preamble). It calls for supporting local women’s peace initiatives; protecting women and girls from gender-based violence; ensuring the human rights of women and girls, particularly as they relate to the police and the judiciary; bringing an end to impunity for those responsible for genocide, crimes against humanity, and sexual and other violence against women and girls; and gender-sensitising DDR.

#### ***UNSC Resolution 1674, S/RES/1674 (2006)***

Date of adoption: 28 April 2006

The UNSC, recalling the particular impact which armed conflict has on women and children, including refugees and internally displaced persons, ‘[c]alls upon all parties concerned to ensure that all peace processes, peace agreements and post-conflict recovery and reconstruction planning have regard for the special needs of women and children...’ (para.11). The UNSC undertakes to ensure that all peace support operations employ all feasible measures to prevent all sexual and other forms of violence committed against civilians in armed conflict, in particular women and children (para. 19). The UNSC also requests the Secretary-General

and personnel-contributing countries to continue to take all appropriate action necessary to combat all acts of sexual exploitation, abuse and trafficking of women and children by military, police and civilian personnel involved in UN operations (para. 20).

#### ***UNSC Resolution 1820 on Women, Peace and Security (S/RES/1820)***

Date of adoption: 19 June 2008

UN Security Council Resolution 1820 (SCR 1820) demands that states take special measures to protect women and girls from sexual violence in armed conflict, and ensure access to justice and assistance for victims. SCR 1820 emphasises the role of peacekeepers in protecting civilians and urges greater numbers of female peacekeepers. It requests that the UN, in consultation with women and women’s organisations, develop mechanisms in DDR and SSR processes to protect women from violence. SCR 1820 also ‘[u]rges the Secretary-General and his Special Envoys to invite women to participate in discussions pertinent to the prevention and resolution of conflict, the maintenance of peace and security, and post-conflict peacebuilding, and encourages all parties to such talks to facilitate the equal and full participation of women at decision-making levels;’ (Art. 12).

#### ***UNSC 1888 on Women, Peace and Security (S/RES/1888)***

Date of adoption: 30 September 2009

UN Security Council Resolution 1888 (SCR 1888) focuses on sexual violence in armed conflict. SCR 1888 urges that sexual violence issues be included in peace processes, DDR and SSR arrangements, and that justice reform address impunity and ensure that survivors of sexual violence have access to justice. The Resolution establishes new mechanisms within the UN to address sexual violence in conflict, such as the appointment of a Special Representative of the Secretary-General. It emphasises women’s representation in mediation and decision-making processes and the inclusion of female personnel in UN missions as priorities.

#### ***UNSC 1889 on Women, Peace and Security (S/RES/1889)***

Date of adoption: 5 October 2009

UN Security Council Resolution 1889 (SCR 1889) ‘[u]rges Member States, international and regional organisations to take further measures to improve women’s participation during all stages of peace processes ... including by enhancing their engagement in political and economic decision-making at early stages of recovery processes, through inter alia ... supporting women’s organizations, and countering negative societal attitudes about women’s capacity to participate equally...’ (Art. 1). SCR 1889 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 and girls' needs and priorities. It calls for DDR processes to address the needs of women associated with armed groups/forces.

**UNSC, *Women, Peace and Security, Report of the Secretary-General, (S/2010/498)***

Date of adoption: 28 September 2010

SCR 1889 requested the Secretary-General submit to the UNSC a set of indicators which could serve as a common basis for reporting on the implementation of SCR 1325. This report presents these indicators, developed through an inter-agency technical exercise and a consultation process involving Member States and civil society. The Secretary-General notes that while most of the indicators relate specifically to armed conflict situations, many are applicable across all contexts (para.116). Member States are tasked with reporting on eight of the 26 indicators, including the extent to which measures to protect women's and girls' human rights are included in national security policy frameworks; women's and girls' physical security; the level of women's participation in the justice and security sectors; the percentage of referred cases of sexual and gender-based violence against women and girls that are reported, investigated and sentenced; and the hours of training of decision-making personnel in security and justice sector institutions to address cases of sexual and gender-based violence (pp. 33-44).

**UNSC, *Statement by the President of the Security Council, S/PRST/2010/22***

Date of adoption: 26 October 2010

The Presidential Statement on behalf of the UNSC supported 'taking forward' the indicators described above for use as an initial framework to track implementation of SCR 1325 in armed conflict, post-conflict and other relevant situations, and encouraged Member States to take them into account.

**UNSC 1960 on Women, Peace and Security (S/RES/1960)**

Date of adoption: 16 December 2010

UN Security Council Resolution 1960 (SCR 1960) stresses the need to end impunity and take appropriate steps to address widespread or systematic sexual violence in situations of armed conflict. It calls for better cooperation among UN actors for a system-wide response to sexual violence, prosecution of perpetrators of war crimes and genocide and emphasizes the responsibilities of States to comply with their obligations under applicable international law. SCR 1960 asks the Secretary-General to publish annually a list of armed groups that target women for sexual abuse and to establish monitoring, analysis

and reporting arrangements on sexual violence in conflict. In addition, SCR 1960 emphasises women's inclusion in civil, military and police functions in peacekeeping missions, and stresses their role in monitoring, analyzing and reporting on conflict-related sexual violence.

## 1.3 Regional Instruments

### AFRICA

**Southern African Development Community (SADC), *Declaration on Gender and Development***

Date of adoption: 8 September 1997

The Heads of State or Government of the SADC 'endorse the decision of Council on ... the establishment of a policy framework for mainstreaming gender in all SADC activities, and in strengthening the efforts by member countries to achieve gender equality' (para. F-i). They also commit their countries to 'repealing and reforming all laws, amending constitutions and changing social practices which still subject women to discrimination, and to enacting empowering, gender sensitive laws' (para. H-iv).

**Economic Community of West African States (ECOWAS), *Protocol A/SP1/12/01 on Democracy and Good Governance Supplementary to the Protocol relating to the Mechanism For Conflict Prevention, Management, Resolution, Peacekeeping and Security***

Date of adoption: 21 December 2001

The Protocol stipulates that 'Member States shall take all appropriate measures to ensure that women have equal rights with men ... to participate in the formulation of government policies and the implementation thereof and to hold public offices and perform public functions at all levels of governance.' (Art. 2-3). In Article 40 Member States '...undertake to eliminate all forms of discrimination and harmful and degrading practices against women.'

**African Union (AU), *Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa***

Date of adoption: 11 July 2003

The Protocol stipulates that 'States Parties shall combat all forms of discrimination against women through appropriate legislative, institutional and other measures' (Art. 2-1). States Parties shall ensure 'increased and effective representation and participation of women at all levels of decision-making' (Art. 9-2) and that 'women have the right to a peaceful existence and the right to participate in the promotion and maintenance of peace' (Art. 10-1). Article 8 provides that 'States Parties shall take all appropriate measures to ensure: effective access by women to judicial and legal services, including legal aid; and

support to local, national, regional and continental initiatives directed at providing women access to legal services, including legal aid’.

#### **AU, Solemn Declaration of Gender Equality in Africa**

Date of adoption: 8 July 2004

With this Declaration, Member States undertake to ‘[e]nsure the full and effective participation and representation of women in peace process including the prevention, resolution, management of conflicts and post-conflict reconstruction in Africa’ (Art. 2). States committed within two years to launch public campaigns against gender-based violence and reinforce legal mechanisms to protect women and end impunity for crimes committed against them (Art 4). Member States also committed to report annually on progress made in gender mainstreaming.

#### **SADC, Protocol on Gender and Development**

Date of Adoption: 17 August 2008

The Protocol commits States Parties to put in place measures to ensure that by 2015 women have equal representation and participation in key decision-making positions in conflict resolution and peacebuilding processes (Art. 28.1). During times of conflict, States Parties are committed to taking the steps necessary to prevent and eliminate human rights abuses, especially of women and children, and ensuring that the perpetrators are brought to justice (Art. 28.2).

#### **AU, Gender Policy, Rev 2/Feb 10, 2009**

Date of adoption: 10 February 2009

The AU Gender Policy commits the Organs of the AU, the Regional Economic Communities and Member States to promote the effective participation of women in peacekeeping and security, including their participation in reconciliation efforts during post conflict reconstruction and development. Gender will be integrated in policies, programmes and activities on conflict and peace using the frameworks of SCRs 1325 and 1820. Regional consultative platforms will be created for sharing knowledge and promoting harmonization of strategies. Female leaders will be mobilised and included in mediation processes, reflection groups and post-conflict actions (Commitment 8).

## **EUROPE**

#### **Council of Europe, European Convention on Human Rights**

Date of adoption: 4 November 1950

Article 14 of the Convention states that ‘[t]he enjoyment of the rights and freedoms ... shall be secured without discrimination on any ground such as

sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.’

#### **European Communities, Treaty of Amsterdam Amending the Treaty on European Union, the Treaties Establishing the European Communities and Certain Related Acts**

Date of adoption: 2 October 1997

This is the first international treaty to expressly highlight discrimination on the basis of sexual orientation. According to Article 2-7 (ex Article 6a), ‘... the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation’.

#### **European Parliament Resolution on Participation of Women in Peaceful Conflict Resolution (2000/2025(INI))**

Date of adoption: 30 November 2000

The Resolution ‘[c]alls on the Commission and the Member States to gender sensitise peace and security related initiatives’, including the provision of gender training of military personnel ‘so that respect for women becomes a matter of course and a female-friendly atmosphere prevails in the army’ (para. 8).

#### **Parliamentary Assembly of Council of Europe, Conflict Prevention and Resolution: the role of Women, Resolution 1385**

Date of adoption: 23 June 2004

The Parliamentary Assembly notes that ‘[t]he maintenance and promotion of international peace and security cannot be realised without fully understanding the impact of armed conflicts on women and without appropriate measures being taken to ensure their empowerment and security’ (para. 7). It therefore calls upon the governments and parliaments of its Member States to, inter alia, penalise all forms of violence against women in conflict and post-conflict situations, support women’s participation in peacebuilding and post-conflict reconstruction, and encourage research on women’s peacebuilding activities and the impact they have had on peace processes (para. 8 (i)).

#### **European Parliament Resolution on Homophobia in Europe**

Date of adoption: 18 January 2006

The European Parliament Resolution ‘[c]alls on the Commission to ensure that discrimination on the basis of sexual orientation in all sectors is prohibited ...’ (para. 4). It calls on all Member States ‘...to take any other action they deem appropriate in the fight against homophobia and discrimination on grounds of sexual orientation and to promote and implement the principle

of equality in their societies and legal systems' (para. 10) and '[u]rges Member States to enact legislation to end discrimination faced by same-sex partners in the areas of inheritance, property arrangements, tenancies, pensions, tax, social security etc.' (para. 11).

**European Commission, *Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions "Towards an EU response to situations of fragility", COM(2007) 643 final***

Date of adoption: 25 October 2007

The European Commission underlines that '[a] broad, developmental approach to security, that integrates human security concerns in governance related programmes such as SSR ... can ensure that the focus is placed on the security of individuals and their basic needs and rights' (p. 8). The document acknowledges that women must not be considered passive victims, but "drivers of change". 'Women and minorities have an important role in promoting sustainable peace and fostering security, but they usually do not have access to mechanisms, power and resources, and face discriminatory legal frameworks. Transition periods offer windows of opportunity to address gender issues and minorities' rights, through constitutional or legal reviews, reform of the judiciary, and involvement in setting priorities in the reconstruction agenda' (p. 7).

**Council of the EU and European Commission, *Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security***

Date of adoption: 1 December 2008

This document commits the EU, in supporting SSR, to '...ensure that the reform processes account for the specific security needs of both women and men, boys and girls, and promote women's inclusion in the staff of the institutions concerned (such as the police).' The EU will seek to enhance the involvement of women in the justice sector and their access to justice, including transitional justice mechanisms, and pay specific attention to building capacity for prosecuting crimes against women and protecting witnesses, as well as considering provision of reparations and other forms of redress for survivors wherever possible (para. 35).

**Council Secretariat, *Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP***

Date of adoption: 3 December 2008

This operational paper seeks to ensure gender mainstreaming and implementation of SCR 1325 and 1820 in ESDP operations, from planning to follow-up (p. 4). It explicitly states that the EU's engagements in support of SSR should take into account implementation of SCR 1385 and 1820 (p. 14).

**European Parliament, *Resolution on gender mainstreaming in EU external relations and peace-building/nation-building, 2008/2198(INI)***

Date of adoption: 7 May 2009

The European Parliament states that the realisation of women's human rights and women's empowerment is essential to successful implementation of the EU's external policies in conflict resolution, security and peacebuilding (para. A). The Parliament asks the Commission to 'address and prioritise, in a more consistent and systematic manner, gender inequalities in the programming and implementation of the external assistance instruments, in particular as regards the provision of assistance for the reform of the security sector;' (para. 11). The Parliament also emphasises quotas as 'an indispensable means of ensuring gender equality in peace and security missions and in decision-making in national and international reconstruction processes, and of guaranteeing the political presence of women at the negotiating table;' (para. 29).

**General Secretariat of the Council of the EU, *Indicators for the Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security, 11948/10***

Date of adoption: 14 July 2010

*The Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security* mandated the EU "Women, Peace and Security Task Force" to elaborate indicators for progress regarding the protection and empowerment of women in conflict settings and in post conflict situations. Indicator 5, among others, explicitly mentions SSR as one of the EU priority sectors. This indicator will show the number of SSR projects or programmes implemented in fragile, conflict or post conflict countries that significantly contribute to gender equality and women's empowerment or have gender equality as their principal purpose (p. 11).

## THE AMERICAS

**Organisation of American States (OAS), *Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)***

Date of adoption: 9 June 1994

The Convention calls upon security sector actors in government, the justice sector and law enforcement agencies to prevent, punish and eradicate physical, sexual and psychological violence against women that occurs within the family; within other interpersonal relationships; in the community; or that is perpetrated or condoned by the state or its agents (Art. 2).



## THE PACIFIC

### **The Pacific Community, *Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005 to 2015: a Regional Chapter***

Date of adoption: 20 August 2004

The Pacific Community's Platform for Action calls for implementing SCR 1325, improving sex-disaggregated data and the use of gender indicators, providing gender training for peacekeepers, including women in all peace and justice decision-making and processes, eliminating violence against women and providing women equal access to justice. The Platform calls on governments to '[r]ecognise and enhance women's inclusion in early warning systems, conflict prevention peace processes and negotiations and post conflict reconstruction' and to '[m]ake use of regional and international organisations to conduct gender sensitivity training for peacekeepers' (p. 37).

### **Pacific Islands Forum Secretariat, *Pacific Plan for Strengthening Regional Cooperation and Integration***

Date of adoption: October 2005

The Plan agrees 'to explore ways to enhance participation, particularly by women, in decision making processes and institutions, and in particular parliamentary processes;' (p. 48).

## OTHER

### **Organisation for Security and Co-operation in Europe (OSCE), *OSCE Action Plan for the Promotion of Gender Equality (MC.DEC/14/04)***

Date of adoption: 7 December 2004

The OSCE Action Plan states that '[e]qual rights of women and men and the protection of their human rights are essential to peace, sustainable democracy, economic development and therefore to security and stability in the OSCE region' (Preamble). It directs OSCE Participating States, the Secretariat, institutions and missions to ensure that a gender perspective is integrated into OSCE activities, programmes and projects, focusing in particular on women's empowerment and the participation of women as well as men in public, political and economic life, and developing attitudes conducive to bringing about equality between women and men (para. 32).

### **OSCE, *Decision No. 14/05 on Women in Conflict Prevention, Crisis Management and Post-conflict Rehabilitation***

Date of adoption: 6 December 2005

The Decision encourages participating States to '... develop national rosters of potential women candidates ... and take active steps to ensure that women are fully informed of and encouraged to apply

for positions in the area of conflict prevention and post-conflict rehabilitation processes, in particular for senior management positions' (para. 3). It calls on participating States and OSCE structures '... to support and encourage ... projects aimed at women's participation in building sustainable peace; to empower women's organizations; to support women's peace initiatives through the media and workshops on human rights and gender equality; and to raise awareness among women concerning the importance of their involvement in political processes' (para. 6).

### **Commonwealth Secretariat, *Commonwealth Plan of Action on Gender Equality 2005 – 2015***

Year of publication: 2005

The Plan of Action reaffirms '[a] target of no less than 30% of women in decision-making in the political, public and private sectors by 2005' and recommends that states '... include women at all levels of peacebuilding, peacekeeping, conflict prevention, mediation and resolution, and post-conflict reconciliation and reconstruction activities' (para. 6). It also encourages mainstreaming gender equality, human rights and HIV/AIDS into training for security sector institutions, and encourages governments to '... improve the collection, analysis and dissemination of sex-disaggregated data for policy, planning and implementation processes' (para. 4-12).

### **Committee on Women in the NATO Forces *Guidance for NATO Gender Mainstreaming***

Date of adoption: June 2007

The Guidance for NATO Gender Mainstreaming addresses how NATO Nations and NATO Authorities might integrate a gender perspective in operational planning and operations, education and training, and evaluation.

### **North Atlantic Treaty Organization (NATO), *Bi-SC Directive 40-1, Integrating UNSCR 1325 and Gender Perspectives in the NATO Command Structure including Measures for Protection during Armed Conflict***

Date of adoption: 2 September 2009

This Directive seeks to enhance the effectiveness of NATO-led operations and missions by incorporating women's perspectives in the military forces of the Alliance and in all stages of conflict and crises (para. 1-4). The Directive addresses, inter alia: measures to be taken during the planning and implementation of NATO-led operations and missions to protect women and girls; expanding women's roles in operations and missions; training materials on issues such as the importance of involving women in operations and missions and cultural awareness in deployment; and analysing measures available to protect against gender based violence (para. 1-8).

# 2 Police Reform and Gender

## 2.1 International Instruments

### **UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (A/34/46)***

Date of adoption: 18 December 1979

Under CEDAW, States Parties undertake: '(c) ... to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination; (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation' (Art. 2). This commitment requires reform of police services to ensure effective equal protection of women and prevent discrimination against women. CEDAW further calls for equal representation of women and men in areas of work, requiring police reform to address equal access to employment opportunities.

### **United Nations Committee on the Elimination of Discrimination against Women (CEDAW Committee), *General Recommendation No. 19 (11th session, 1992) Violence against women***

Year of adoption: 1992

The CEDAW Committee's General Recommendation 19 states that gender-sensitive training of law enforcement officers is essential for the effective implementation of the Convention (para. 24-b).

### **UN General Assembly, *Declaration on the Elimination of Violence against Women (A/RES/48/104)***

Date of adoption: 20 December 1993

The Declaration calls upon States to '[t]ake measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women' (Art. 4-i).

### **Fourth World Conference on Women, *Beijing Declaration and Platform for Action A/CONF.177/20 and A/CONF.177/20/Add.1***

Date of adoption: 15 September 1995

The Platform for Action states that '[t]raining of all officials in humanitarian and human rights law and the punishment of perpetrators of violent acts against women would help to ensure that such violence does not take place at the hands of public officials in whom

women should be able to place trust, including police and prison officials and security forces' (para. 121). Governments committed to provide gender-sensitive human rights education and training to police (para. 232-i) and ensure that women have the same right as men to be police officers (para. 232-m).

### **UN General Assembly, *Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women (A/RES/52/86)***

Date of adoption: 2 February 1998

The annex of the Resolution provides concrete examples of state action taken by the police to combat violence against women. States are urged: '... to empower the police to respond promptly to incidents of violence against women'; 'to encourage women to join police forces, including at the operational level' and 'to provide for or to encourage mandatory cross-cultural and gender-sensitivity training modules for police ... that deal with the unacceptability of violence against women, its impact and consequences and that promote an adequate response to the issue of violence against women' (Annex paras. 8 and 12).

### **UNSC Resolution 1325 on Women, Peace and Security (S/RES/1325)**

Date of adoption: 31 October 2000

SCR 1325 urges Member States to ensure increased representation of women at all decision-making levels in national institutions and mechanisms for the prevention, management and resolution of conflict (Art. 1). Article 8-c '[c]alls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including ... [m]easures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the police'. The Council invites Member States to incorporate information relating to the protection, rights and particular needs of women, as well as the importance of women's involvement in peace-keeping and peacebuilding measures, into their national training programmes for military and civilian police personnel who are preparing for deployment (Art. 6). It also '[e]mphasises the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes including those relating to sexual violence against women and girls ...' (Art. 11).

### **UNSC Resolution 1820 on Women, Peace and Security (S/RES/1820)**

Date of adoption: 19 June 2008

Article 3 '[d]emands that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence, which could include, inter alia, ... vetting armed and security forces to take into account past actions of rape and other forms of sexual violence, ...'. The UNSC calls upon Member States to comply with their obligations to prosecute persons responsible for rape and other forms of sexual

violence in conflict, and to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice (Art. 4). It urges Member States to support the development and strengthening of the capacities of national institutions in armed conflict and post-conflict situations to provide sustainable assistance to victims of sexual violence (Art. 13). SCR 1820 also encourages countries contributing police to UN peace-keeping operations to consider steps they can take to heighten the awareness and responsiveness of their personnel to protect civilians, including women and children, and prevent sexual violence against women and girls (Art. 8).

### ***UNSC Resolution 1888 on Women, Peace and Security (S/RES/1888)***

Date of adoption: 30 September 2009

SCR 1888 demands that ‘all parties to armed conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, including measures such as ... vetting candidates for national armies and security forces to ensure the exclusion of those associated with serious violations of international humanitarian and human rights law, including sexual violence;’ (Art. 3). Article 17 urges including sexual violence issues from the outset of peace processes, in particular during the vetting of armed and security forces. Furthermore, the UNSC urges States to undertake comprehensive legal and judicial reforms to ensure that survivors of sexual violence have access to justice, are treated with dignity throughout the justice process, are protected and receive redress for their suffering (Art. 6). It encourages States to increase access to health care, psychosocial support, legal assistance and socio economic reintegration services for victims of sexual violence and provide police personnel with adequate training to carry out their responsibilities (Arts. 13 and 19). It urges countries contributing police to UN peace-keeping operations to take actions such as providing pre-deployment and in-theatre awareness training to implement the policy of zero tolerance of sexual exploitation and abuse (Art. 21).

### ***UNSC Resolution 1889 on Women, Peace and Security (S/RES/1889)***

Date of adoption: 5 October 2009

SCR 1889 ‘... emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for all forms of violence committed against women and girls in armed conflicts, including rape and other sexual violence;’ (Art. 3). The UNSC encourages Member States in post-conflict situations to specify in detail women’s and girls’ needs and priorities and design concrete strategies to address those needs, including gender-responsive law enforcement (Art. 10).

### ***UNSC 1960 on Women, Peace and Security (S/RES/1960)***

Date of adoption: 16 December 2010

SCR 1960 encourages Member States to deploy greater numbers of female police personnel to United Nations peacekeeping operations, and to provide all police personnel with adequate training on sexual and gender-based violence (Art. 15).

## **2.2 Regional Instruments**

### **AFRICA**

#### ***AU, Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa***

Date of adoption: 11 July 2003

States Parties committed to taking appropriate measures to ensure ‘that law enforcement organs at all levels are equipped to effectively interpret and enforce gender equality rights’ and ‘that women are represented equally in the judiciary and law enforcement organs’ (Art. 8).

#### ***African Commission on Human and Peoples’ Rights, Resolution on the Right to a Remedy and Reparation for Women and Girls Victims of Sexual Violence, ACHPR/Res.111 (XXXII) 07***

Date of adoption: 28 November 2007

The Commission urges States Parties to the African Charter on Human and Peoples’ Rights to ‘[e]nsure that police and military forces ... receive adequate training on the principles of international humanitarian law, women’s rights and the children’s rights;’ (Art. 2).

### **EUROPE**

#### ***Council of Europe, Recommendation Rec (2002) 5 of the Committee of Ministers to Member States on the Protection of Women against Violence***

Date of adoption: 30 April 2002

The Committee of Ministers recommends that member states include the treatment of domestic violence and other forms of violence affecting women in the basic training programmes of members of the police force (Appendix para. 8).

#### ***Council Secretariat, Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP***

Date of adoption: 3 December 2008

This document requests reporting on achievements made with regard to gender equality in the local police when gender equality is within the mandate of the

mission/operation (p. 10). It emphasises that mission personnel should receive training on gender issues including sexual and gender-based violence (p. 13).

**General Secretariat of the Council of the EU, *Indicators for the Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security, 11948/10***

Date of adoption: 14 July 2010

This document contains two indicators linked to police personnel in UN and EU missions. Indicator 11 measures the extent to which women participate in the EU's external policy formulation and implementation, including the proportion of women and men among police staff participating in UN peace-keeping operations and CSDP missions. Indicator 12 measures the proportion of men and women trained in gender equality among police staff participating in UN peace-keeping operations and CSDP missions. A gender training session must last at least 4 hours to be considered meaningful.

## THE AMERICAS

**OAS, *Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)***

Date of adoption: 9 June 1994

States Parties agree 'to promote the education and training of all those involved in the administration of justice, police and other law enforcement officers as well as other personnel responsible for implementing policies for the prevention, punishment and eradication of violence against women' (Art. 8-c).

**OAS, *Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, AG/RES. 1732 (XXX-O/00)***

Date of adoption: 5 June 2000

The Inter-American Commission of Women of the OAS recommends that the governments of the States Parties '[s]upport the provision of continuing gender education and training for judiciary and legislative staff and for law enforcement officers of both sexes ...' (section IV-1-13).

# 3 Defence Reform and Gender

## 3.1 International Instruments

**UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (A/34/46)***

Date of adoption: 18 December 1979

Defence institutions, including the ministries and armed forces, should '...ensure, on a basis of equality of men and women ... the right to the same employment opportunities' (Art. 11-1-b).

**CEDAW Committee, *Implementation of Article 21 of CEDAW: Analysis of Articles 7 and 8 of the Convention (CEDAW/C/1994/4)***

Date of adoption: 30 November 1993

The CEDAW Committee has adopted a General Recommendation on Articles 7 and 8 of the Convention that addresses the issue of the participation of women in the military. The Committee stated: 'The military is important to women in their role as citizens ... the military is an integral part of any political system ... Since the military constitutes an important element of State order, decision-making and governance, all citizens should be concerned about the kind of military they have. By being outside the military, women cannot be involved in the decisions related to the use of military forces, changes in the military institutions and overall control over its performance. The military accounts for a large portion of public expenditure, constitutes an important employer and provides career opportunities and training, which can often lead to other than military careers as well' (paras. 29 and 30).

The Committee also stated: 'The issue of the participation of women in the military takes on a particular meaning in peace-keeping, the main purpose of which is to avoid or to defuse conflict in order to permit a peaceful solution ... As peace-keeping increases in importance, the question will need to be raised whether the exclusion of women from many peace-keeping tasks is acceptable. Given the fact that peace-keeping differs in many ways from the traditional military and involves characteristics related to conflict resolution, an increased presence of women could make some difference' (paras. 33 and 34).

**Fourth World Conference on Women, *Beijing Declaration and Platform for Action***

**A/CONF.177/20 and A/CONF.177/20/Add.1**

Date of adoption: 15 September 1995

The Platform for Action recognises that: 'Although women have begun to play an important role in conflict resolution, peace-keeping and defence and foreign

affairs mechanisms, they are still underrepresented in decision-making positions. If women are to play an equal part in securing and maintaining peace, they must be empowered politically and economically and represented adequately at all levels of decision-making' (para. 134). Furthermore, the Platform for Action states that '[w]omen may be vulnerable to violence perpetrated by persons in positions of authority in both conflict and non-conflict situations. Training of all officials in humanitarian and human rights law and the punishment of perpetrators of violent acts against women would help to ensure that such violence does not take place at the hands of public officials in whom women should be able to place trust, including police and prison officials and security forces' (para. 121). Governments committed to provide gender-sensitive human rights education and training to military personnel (para. 232-i).

#### **UNSC Resolution 1325 on Women, Peace and Security (S/RES/1325)**

Date of adoption: 31 October 2000

SCR 1325 '[u]rges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;' (Art. 1). It '[e]ncourages all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants;' (Art. 13). The Council invites Member States to incorporate the protection, rights and particular needs of women, as well as the importance of involving women in all peace-keeping and peacebuilding measures, into their national training programmes for military and civilian police personnel who are preparing for deployment (Art. 6).

#### **UNSC Resolution 1820 on Women, Peace and Security (S/RES/1820)**

Date of adoption: 19 June 2008

SCR 1820 '[d]emands that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence, which could include, inter alia, ... vetting armed and security forces to take into account past actions of rape and other forms of sexual violence...' (Art. 3).

#### **UNSC Resolution 1888 on Women, Peace and Security (S/RES/1888)**

Date of adoption: 30 September 2009

The UNSC '[d]emands that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, including measures such as, inter alia, ... vetting candidates for national armies and security forces to ensure the exclusion of those associated with serious violations of international humanitarian and human rights law, including sexual

violence;' (Art. 3). It urges inclusion of sexual violence issues from the outset of peace processes, as well as in DDR and SSR arrangements (Art. 17).

#### **UNSC Resolution 1889 on Women, Peace and Security (S/RES/1889)**

Date of adoption: 5 October 2009

The UNSC '[c]alls upon all those involved in the planning for disarmament, demobilization and reintegration to take into account particular needs of women and girls associated with armed forces and armed groups and their children, and provide for their full access to these programmes;' (Art. 13).

#### **UNSC 1960 on Women, Peace and Security (S/RES/1960)**

Date of adoption: 16 December 2010

SCR 1960 '[c]alls upon parties to armed conflict to make and implement specific and time-bound commitments to combat sexual violence, which should include, inter alia, issuance of clear orders through chains of command prohibiting sexual violence and the prohibition of sexual violence in Codes of Conduct, military field manuals, or equivalent; and further calls upon those parties to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable;' (Art. 5). It encourages Member States to deploy greater numbers of female military personnel to United Nations peacekeeping operations, and to provide all military personnel with adequate training on sexual and gender-based violence (Art. 15).

## **3.2 Regional Instruments**

### **AFRICA**

#### **African Commission on Human and Peoples' Rights, Resolution on the Right to a Remedy and Reparation for Women and Girls Victims of Sexual Violence, ACHPR/Res.111 (XXXII) 07**

Date of adoption: 28 November 2007

The Commission urges States Parties to the African Charter on Human and Peoples' Rights to '[e]nsure that police and military forces ... receive adequate training on the principles of international humanitarian law, women's rights and the children's rights;' (Art. 2).

#### **Mediation and Security Council of ECOWAS, ECOWAS Conflict Prevention Framework, Regulation MSC/REG.1/01/08**

Date of adoption: 16 January 2008

The ECOWAS Conflict Prevention Framework stipulates that 'Member States shall take practical steps, including legislative reform and affirmative measures, to promote the recruitment of women into the

armed forces and other security agencies, and their active participation in the military and civilian components of ESF [ECOWAS Standby Force]' (para. 82-j).

## EUROPE

### ***European Parliament Resolution on Participation of Women in Peaceful Conflict Resolution (2000/2025(INI))***

Date of adoption: 30 November 2000

The Resolution '[c]alls on the Commission and the Member States to gender sensitise peace and security related initiatives, and to that end ... provide gender training at an early stage in the training of military personnel so that respect for women becomes a matter of course and a female-friendly atmosphere prevails in the army' (para. 8-d). Furthermore, it '[c]alls on the Council and the Member States to promote the gender sensitisation of peace, security and reconstruction operations in which they participate, and to that end ... ensure that all military personnel — male as well as female — and specifically peacebuilding, peacekeeping, and peace-enforcement personnel have thorough gender training' (para. 14-b).

### ***Council of Europe, Recommendation 1742 (2006) on Human Rights of Members of the Armed Forces***

Date of adoption: 11 April 2006

The Parliamentary Assembly '... considers that the Council of Europe should pay greater attention to the issue of the status of women in the armed forces. A great many female soldiers are subjected to sexual harassment. The issues of access to military duties and to specific posts in the armed forces, career structures and equal rights are all relevant to discrimination against women, a matter requiring in-depth consideration in itself' (para. 6). The Assembly asks member states to take a number of steps to ensure protection of the human rights of members of the armed forces.

### ***Council of the EU, Council Conclusion on Promoting Gender Equality and Gender Mainstreaming in Crisis Management***

Date of adoption: 13 November 2006

In Paragraph 8, the Council emphasises that a '... gender perspective should be incorporated in EU's policies and activities on Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR). DDR programmes should ensure that female combatants are identified and registered early and that both sexes can participate equally in these programmes. Women need to be ensured equal access to the assistance package to which they are eligible under the DDR programme and to be involved in economic reintegration activities.'

### ***Council of the EU and the European Commission, EU Concept for support to Disarmament, Demobilisation and Reintegration (DDR)***

Date of adoption: Respectively, 11 December and 14 December 2006

The EU Concept emphasizes that '[p]articular attention should be given to the complexities of gender issues, addressing the special needs and roles of women, men, girl and boy ex-combatants, non fighters and their dependants. A gender-sensitive approach should be adopted from the early planning stage to the implementation, monitoring and evaluation of DDR' (para. 48).

## OTHER

### ***NATO, BI-SC Directive 40-1, Integrating UNSCR 1325 and Gender Perspectives in the NATO Command Structure including Measures for Protection During Armed Conflict***

Date of adoption: 1 September 2009

This Directive seeks to enhance the effectiveness of NATO-led operations and missions by incorporating women's perspectives in the military forces of the Alliance and in all stages of conflict and crises (para. 1-4). NATO recognises that 'female perspectives, insights and skills add value across all its activities, and will pursue all practical measures to optimise this integration' (paragraph 3-1). Such measures include training and the use of qualified Gender Advisors in the planning phase. The Directive also recognises that '[d]uring NATO operations, it is important to obtain a clear understanding of the local culture, including gender dimensions, and to take measures to promote gender equality relevant to the operation' (para. 3-1).

# 4 Justice Reform and Gender

## 4.1 International Instruments

### ***UN General Assembly, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (A/34/46)***

Date of adoption: 18 December 1979

States Parties undertake: '(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation and to ensure, through law and other appropriate means, the practical realization of this principle; (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women; (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national

tribunals and other public institutions the effective protection of women against any act of discrimination; (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation; ... (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women; (g) To repeal all national penal provisions which constitute discrimination against women' (Art. 2).

CEDAW specifies a range of areas in which States Parties must guarantee women's equality, including in public and political life, education, health, employment and family life. In particular, States Parties must accord to women equality with men before the law, a legal capacity identical to that of men and the same opportunities to exercise that capacity. Women shall be given equal rights to administer property and be treated equally in all stages of procedure in courts and tribunals (Art. 15).

**CEDAW Committee, General Recommendation No. 19 (11th session, 1992) Violence against women**

Year of adoption: 1992

The CEDAW Committee's General Recommendation 19 states that gender-sensitive training of judicial officers is essential for the effective implementation of the Convention (para. 24-b).

**UN General Assembly, Declaration on the Elimination of Violence against Women (A/RES/48/104)**

Date of adoption: 20 December 1993

According to Article 4, States shall: '(c) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons; (d) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered ...'; and '(i) Take measures to ensure that ... public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women'.

**Fourth World Conference on Women, Beijing Declaration and Platform for Action A/CONF.177/20 and A/CONF.177/20/Add.1**

Date of adoption: 15 September 1995

The Platform for Action calls on governments to '[r]eview national laws, including customary laws and legal practices in the areas of family, civil, penal, labour and commercial law in order to ensure the implementation of the principles and procedures of

all relevant international human rights instruments by means of national legislation, and revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice' (para. 232-d). Governments shall take actions to 'ensure access to free or low-cost legal services, including legal literacy, especially designed to reach women living in poverty' (para. 61-a). Additionally, governments are committed to '[e]nsure that women have the same right as men to be judges, advocates or other officers of the court ...' (para. 232-m).

**UN General Assembly, Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women (A/RES/52/86)**

Date of adoption: 2 February 1998

The Resolution urges Member States to '... review and evaluate their legislation and legal principles, procedures, policies and practices relating to criminal matters, in a manner consistent with their legal systems, to determine if they have a negative impact on women and, if they have such an impact, to modify them in order to ensure that women are treated fairly by the criminal justice system;' (para. 1). They are urged '... to promote an active and visible policy of integrating a gender perspective into the development and implementation of all policies and programmes in the field of crime prevention and criminal justice which may assist in the elimination of violence against women so that, before decisions are taken, an analysis may be made to ensure that they entail no unfair gender bias;' (para. 3). The resolution also calls on Member States to '... review, evaluate and revise their criminal procedure, as appropriate, in order to ensure that ... [w]omen subjected to violence have an opportunity to testify in court proceedings equal to that of other witnesses and that measures are available to facilitate such testimony and to protect their privacy;' (para. 7 (c)).

Additionally, Member States are urged '[t]o provide for or to encourage mandatory cross-cultural and gender-sensitivity training modules for police, criminal justice officials, practitioners and professionals involved in the criminal justice system that deal with the unacceptability of violence against women, its impact and consequences and that promote an adequate response to the issue of violence against women' (Annex para. 12 (a)).

**UNSC Resolution 1325 on Women, Peace and Security (S/RES/1325)**

Date of adoption: 31 October 2000

SCR 1325 calls on all actors involved in negotiating and implementing peace agreements to include measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution and the judiciary (Art. 8-c). The UNSC '[e]mphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls...' (Art. 11).

**UNSC Resolution 1820 on Women, Peace and Security (S/RES/1820)**

Date of adoption: 19 June 2008

The UNSC calls upon Member States to comply with their obligations to prosecute persons responsible for rape and other forms of sexual violence in armed conflict, and to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice (Art. 4). It urges all parties concerned to support the development and strengthening of the capacities of national institutions, particularly of judicial and health systems, with the aim of providing sustainable assistance to victims of sexual violence in armed conflict and post-conflict situations (Art. 13).

**UN General Assembly, Intensification of efforts to eliminate all forms of violence against women, A/RES/63/155**

Date of adoption: 18 December 2008

The General Assembly urges States to continue to develop strategies and approaches to eliminate all forms of violence against women. This document gives particular attention to strategies related to legislation, prevention, law enforcement, victim assistance and rehabilitation, such as:

(b) Reviewing and, where appropriate, revising, amending or abolishing all laws, regulations, policies, practices and customs that discriminate against women or have a discriminatory impact on women...;

c) Evaluating and assessing the impact of current legislation, rules and procedures regarding violence against women, including the reasons for low reporting, and, where necessary, reinforcing criminal law and procedure relating to all forms of violence against women ...;

(k) Treating all forms of violence against women and girls as a criminal offence ... and ensuring penalties commensurate with the severity of the crimes and sanctions in domestic legislation to punish and redress, as appropriate, the wrongs caused to women who are subjected to violence;

(l) Taking effective measures to prevent the victim's consent from becoming an impediment to bringing perpetrators of violence against women to justice, while ensuring that appropriate safeguards to protect the victim are in place;

(m) Ensuring that effective legal assistance is available to all female victims of violence so that they can make informed decisions regarding, *inter alia*, legal proceedings and issues relating to family law, and also ensuring that victims have access to just and effective remedies for the harm that they have suffered...' (para. 16).

**UNSC Resolution 1888 on Women, Peace and Security (S/RES/1888)**

Date of adoption: 30 September 2009

The UNSC urges States to undertake comprehensive legal and judicial reforms to bring perpetrators of sexual violence in conflicts to justice and to ensure that survivors have access to justice, are treated with dignity throughout the justice process and are protected and receive redress for their suffering (Art. 6). The UNSC also urges inclusion of sexual violence issues from the outset of peace processes in all United Nations-sponsored peace negotiation agendas, in particular in the areas of justice and reparations (Art. 17).

**UNSC Resolution 1889 on Women, Peace and Security (S/RES/1889)**

Date of adoption: 5 October 2009

SCR 1889 '...emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for all forms of violence committed against women and girls in armed conflicts, including rape and other sexual violence' (Art. 3). The UNSC encourages Member States in post-conflict situations to design concrete strategies in order to address women's and girls' needs and priorities and give them gender-responsive access to justice (Art. 10).

**UNSC 1960 on Women, Peace and Security (S/RES/1960)**

Date of adoption: 16 December 2010

SCR 1960 calls upon parties to armed conflict '... to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable' (Art.5).

## 4.2 Regional Instruments

### AFRICA

**SADC, Gender and Development Declaration**

Date of adoption: 8 September 1997

Through this Declaration the SADC Heads of State have committed themselves and their respective countries to 'repealing and reforming all laws, amending constitutions and changing social practices which still subject women to discrimination, and enacting empowering gender sensitive laws' (Art. H-iv).

**AU, Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

Date of adoption: 11 July 2003

The Protocol stipulates, in Article 2-1, that 'States Parties shall combat all forms of discrimination against women through appropriate legislative, institutional



and other measures'. States Parties shall 'include in their national constitutions and other legislative instruments ... the principle of equality between men and women and ensure its effective application'. Article 8 provides that 'women and men are equal before the law and shall have the right to equal protection and benefit of the law. States Parties shall take all appropriate measures to ensure: effective access by women to judicial and legal services, including legal aid; support to local, national, regional and continental initiatives directed at providing women access to legal services, including legal aid ...; that law enforcement organs at all levels are equipped to effectively interpret and enforce gender equality rights; that women are represented equally in the judiciary and law enforcement organs; [and] reform of existing discriminatory laws and practices in order to promote and protect the rights of women.'

**African Commission on Human and Peoples' Rights, Resolution on the Right to a Remedy and Reparation for Women and Girls Victims of Sexual Violence, ACHPR/Res.111 (XXXII) 07**

Date of adoption: 28 November 2007

The Commission urges States Parties to the African Charter on Human and Peoples' Rights to criminalise all forms of sexual violence, ensure that perpetrators and accomplices are held accountable by the justice system and ensure that members of the judiciary receive adequate training on the principles of international humanitarian law, women's rights and children's rights (Art. 2). The Commission calls for efficient reparation programmes that will give victims of sexual violence access to information, rehabilitation and compensation, and stresses that women must participate in developing, adopting and implementing such programmes. (Art. 2).

**SADC, Protocol on Gender and Development**

Date of Adoption: 17 August 2008.

State Parties shall adopt legislative and other measures which ensure '... that women have equitable representation on, and participation in, all courts including traditional courts, alternative dispute resolution mechanisms and local community courts...' (Art. 7 (f)). State Parties have committed to '...ensure that perpetrators of gender based violence, including domestic violence, rape, femicide, sexual harassment, female genital mutilation and all other forms of gender based violence are tried by a court of competent jurisdiction' (Art. 20 (b)) and '...enact legislative provisions, and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres, and provide deterrent sanctions for perpetrators of sexual harassment' (Art. 22 (1)).

## EUROPE

**Council of Europe, Recommendation Rec(2002)5 of the Committee of Ministers to Member States on the Protection of Women against Violence**

Date of adoption: 30 April 2002

The Committee of Ministers recommends that member states include the treatment of domestic violence and other forms of violence affecting women in the basic training programmes of judicial personnel and 'encourage the inclusion of questions concerning violence against women in the training of judges' (Appendix paras. 8 and 11).

**Council of the EU, Council Conclusion on Promoting Gender Equality and Gender Mainstreaming in Crisis Management**

Date of adoption: 13 November 2006

The Council underlines the importance of 'addressing gender perspective in the context of rule of law activities. Gender equality could also be promoted in post conflict situations through legal reforms in the justice sector, *inter alia*, through revising discriminatory laws, such as laws concerning inheritance, family relations, property and employment, and through empowering women to access rule of law and economic and social justice institutions' (para. 9). The Council emphasises 'the importance of including measures against sexual and gender based violence in transitional justice mechanisms. All peace building and reconstruction plans should include comprehensive victim-protection and support mechanisms' (para. 10).

**Council of Europe, Recommendation CM/Rec(2007)17 of the Committee of Ministers to member states on gender equality standards and mechanisms**

Date of adoption: 21 November 2007

This Recommendation identifies elements of effective national gender equality legislation and mechanisms such as: legislation that prohibits sex-based discrimination in all aspects of life and society and ensures *de jure* gender equality, including effective sanctions to address violations of the law; specialised institutional mechanisms for enforcing gender equality legislation; and guidelines for including a gender perspective in the drafting of legislation and in the designing of policies in all areas (para. 15). Other measures for preventing and eliminating violence against women include: legislation and effective judicial procedures for preventing violence against women, protecting the victims, punishing the perpetrators, and protecting victims and witnesses from retaliation; services to support and protect victims of violence, such as women's shelters and hotlines; intervention programmes for perpetrators of violence; and financial and other support for NGOs working in these areas (para. 52).

## THE AMERICAS

### ***OAS, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)***

Date of adoption: 9 June 1994

The Convention requires that States use ‘... due diligence to prevent, investigate and impose penalties for violence against women;’ (Art. 7-b). States Parties agreed to undertake specific measures to promote the education and training of all those involved in the administration of justice and those implementing policies for the prevention, punishment and eradication of violence against women (Art. 8-c).

### ***OAS, Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality, AG/RES. 1732 (XXX-O/00)***

Date of adoption: 5 June 2000

The Inter-American Commission of Women of the OAS recommends that governments support the provision of continuing gender education and training for members of the judiciary of both sexes (section IV-1-13).

## 5 Penal Reform and Gender

### 5.1 International Instruments

#### ***UN Congress on the Prevention of Crime and the Treatment of Offenders, Standard Minimum Rules for the Treatment of Prisoners***

Date of adoption: 30 August 1955

The Standard Minimum Rules apply to all prisoners without discrimination, but include a number of provisions directly addressed to female prisoners and their children. The Rules stipulate that men and women shall so far as possible be detained in separate institutions – and otherwise, in entirely separate parts of an institution (rule 8(a)), and that women prisoners shall be attended and supervised only by women officers (rule 53(3)). In an institution for both men and women, that part of the institution set aside for women shall be under the authority of a responsible woman officer and no male member of the staff shall enter there unless accompanied by a woman officer (rule 53(1)(2)). There shall be special accommodation in women’s institutions for pre-natal and post-natal care and treatment (rule 23(1)). Where nursing infants are allowed to remain in the institution with their mothers, provision shall be made for a nursery (rule 23(2)).

#### ***UN General Assembly, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (A/34/46)***

Date of adoption: 18 December 1979

Article 2 of the Convention commits States Parties ‘(g) [to] repeal all national penal provisions which constitute discrimination against women.’

#### ***UN General Assembly, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment***

Date of adoption: 9 December 1988

Principle 5-2 stipulates that ‘[m]easures applied under the law and designed solely to protect the rights and special status of women, especially pregnant women and nursing mothers ... shall not be deemed to be discriminatory.’

#### ***Fourth World Conference on Women, Beijing Declaration and Platform for Action A/CONF.177/20 and A/CONF.177/20/Add.1***

Date of adoption: 15 September 1995

According to the Platform for Action, governments shall take actions to remove gender bias in the administration of justice (para. 232-d). The Platform for Action states that ‘[w]omen may be vulnerable to violence perpetrated by persons in positions of authority in both conflict and non-conflict situations. Training of all officials in humanitarian and human rights law and the punishment of perpetrators of violent acts against women would help to ensure that such violence does not take place at the hands of public officials in whom women should be able to place trust, including police and prison officials and security forces’ (para. 121). Governments committed to provide gender-sensitive human rights education and training to corrections officers (para. 232-i) and ensure that women have the same right as men to be prison and detention officers (para. 232-m).

#### ***Human Rights Council, Human rights in the administration of justice, in particular juvenile justice, Resolution 10/2***

Date of adoption: 25 March 2009

In this resolution the Human Rights Council emphasises ‘... the responsibility of the State to provide adequate care for women in prison and their children’ (operative para. 12). The Council ‘[i]nvites Governments, relevant international and regional bodies, national human rights institutions and non-governmental organizations to devote greater attention to the issue of women and girls in prison, including issues relating to the children of women in prison, with a view to identifying and addressing the gender-specific aspects and challenges related to this problem;’ (Art.4).

**UN General Assembly, *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)*, A/RES/65/229**

Date of adoption: 21 December 2010

The Bangkok Rules have been developed to complement and supplement the United Nations' *Standard Minimum Rules for the Treatment of Prisoners* and the *Standard Minimum Rules for Non-custodial Measures* in connection with the treatment of women prisoners and alternatives to imprisonment for women offenders. The 70 rules cover such issues as the economic inequality that deprives many women of access to justice; the heightened discrimination women prisoners may suffer; the need for gender-sensitive risk assessment and classification of prisoners; and the need for gender-specific health and hygiene services. The Bangkok Rules address particular safety and personal security concerns associated with women prisoners, such as developing alternatives to strip searches and invasive body searches; excluding pregnant women, women with infants and breastfeeding mothers from punishment by close confinement or disciplinary segregation; and providing immediate protection, support and counselling to women prisoners who report abuse, and investigation of their claims. The rules also ask that pre- and post-release programmes take into account the stigmatization and discrimination that women face once released from prison.

## 5.2 Regional Instruments

### AFRICA

**Organisation of African Unity, *African Charter on the Rights and Welfare of the Child (OAU Doc. CAB/LEG/24.9/49)***

Date of adoption: 11 July 1990

Under Article 30 of the Charter, States Parties committed to provide special treatment to expectant mothers and mothers of infants and young children who have been accused or found guilty of infringing the penal law. Furthermore, the Charter provides that a non-custodial sentence will always be first considered when sentencing expectant mothers and mothers of infants and young children, and no death sentence will be imposed on such women. Children will not be imprisoned with their mothers.

### EUROPE

**Committee of Ministers, *European Prison Rules, Recommendation Rec(2006)2***

Date of adoption: 11 January 2006

This instrument contains several rules for improving the treatment of women prisoners, including:

Rule 19 (7): 'Special provision shall be made for the sanitary needs of women.'

Rule 34 (1): '...the authorities shall pay particular attention to the requirements of women such as their physical, vocational, social and psychological needs when making decisions that affect any aspect of their detention.'

Rule 34 (2): 'Particular efforts shall be made to give access to special services for women prisoners who have experienced physical, mental or sexual abuse.'

Rule 34 (3): 'Prisoners shall be allowed to give birth outside prison, but where a child is born in prison the authorities shall provide all necessary support and facilities.'

Rule 81 (3): 'Staff who are to work with specific groups of prisoners, such as ... women, juveniles or mentally ill prisoners, ... shall be given specific training for their specialised work.'

Rule 85: 'Men and women shall be represented in a balanced manner on the prison staff.'

## 6 Border Management and Gender

### 6.1 International Instruments

**Fourth World Conference on Women, *Beijing Declaration and Platform for Action A/CONF.177/20 and A/CONF.177/20/Add.1***

Date of adoption: 15 September 1995

The Platform for Action states that '[w]omen may be vulnerable to violence perpetrated by persons in positions of authority in both conflict and non-conflict situations. Training of all officials in humanitarian and human rights law and the punishment of perpetrators of violent acts against women would help to ensure that such violence does not take place at the hands of public officials ...' (para. 121). Also, governments have committed to '[p]rovide gender-sensitive human rights education and training to public officials... including people who deal with migration and refugee issues...' (para. 232-i).

**UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime***

Date of adoption: 15 November 2000

This Protocol calls for assisting and protecting victims of trafficking in persons and taking into account their age, gender and special needs (Art. 6-4). States Parties shall '... provide or strengthen training for law

enforcement, immigration and other relevant officials in the prevention of trafficking in persons' and this training shall address 'human rights and child- and gender-sensitive issues' and encourage 'cooperation with non-governmental organizations, other relevant organizations and other elements of civil society' (Art. 10-2).

**Office of the United Nations High Commissioner for Human Rights, *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, Report of the United Nations High Commissioner for Human Rights to the Economic and Social Council (E/2002/68/Add. 1)**

Date of adoption: 20 May 2002

According to Guideline 1-4, States and intergovernmental and non-governmental organisations should '...ensure that the issue of gender-based discrimination is addressed systematically when anti-trafficking measures are proposed with a view to ensuring that such measures are not applied in a discriminatory manner.' They should also ensure that '...data concerning individuals who are trafficked is disaggregated on the basis of age, gender, ethnicity and other relevant characteristics' (Guideline 3-3).

**CEDAW, *General Recommendation No. 26 on Women Migrant Workers* (CEDAW/C/2009/WP.1/R)**

Date of adoption: 5 December 2008

The Recommendation refers to States' obligations to respect, protect and advance the human rights of women throughout the migration cycle (para. 3). Countries of transit '...should ensure that their border police and immigration officials are adequately trained, supervised and monitored for gender-sensitivity and non-discriminatory practices when dealing with women migrants...' (para. 25-a). Paragraph 26-g) calls on States to provide mandatory gender-sensitivity training to criminal justice officers, border police, immigration authorities and health-care and social service providers.

**Human Rights Council, *Resolution on trafficking in persons, especially women and children: regional and subregional cooperation in promoting a human rights-based approach to combating trafficking in persons*, A/HRC/14. L.4**

Date of adoption: 11 June 2010

The Human Rights Council emphasises that policies and programmes for prevention, rehabilitation, return and reintegration should be developed through, *inter alia*, a gender sensitive approach. The Council calls upon Governments '[t]o promote the provision of gender- and age-sensitive responses which adequately address the needs of women, children and men as victims ...' (para. 7 (c)).

## 6.2 Regional Instruments

### EUROPE

**Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Council of Europe Treaty Series - No. 197**

Date of adoption: 16 May 2005

Article 17 stipulates that each Party shall promote gender equality and apply gender mainstreaming to develop, implement and assess measures for identifying victims (Article 10), protecting their private life and identity (Article 11), assisting them with their recovery (Article 12), providing them a recovery and reflection period (Article 13), issuing them residence permits (Article 14), offering them compensation and legal redress (Article 15) and facilitating their repatriation and return (Article 16). In order to discourage the demand that fosters trafficking in persons, Parties have agreed to adopt '...preventive measures, including educational programmes for boys and girls during their schooling, which stress the unacceptable nature of discrimination based on sex, and its disastrous consequences, the importance of gender equality and the dignity and integrity of every human being' (Article 6-d).

**European Parliament Resolution on Preventing Trafficking in Human Beings (B7-0029/2010)**

Date of adoption: 10 February 2010

The European Parliament Resolution calls on the Council and the Commission to approach all policies, strategies and measures against trafficking from a gender perspective (para.1).

# 7 Parliamentary Oversight of the Security Sector and Gender

## 7.1 International Instruments

**UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)* (A/34/46)**

Date of adoption: 18 December 1979

Parliaments play a crucial role in ensuring that a State's CEDAW obligations are met: they can firmly establish the principle of equality of men and women in their country's legal system, abolish discriminatory laws and work towards establishing new laws that effectively prohibit discrimination against women. Of particular relevance to parliamentary oversight is the

right of women '[t]o vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;' (Art. 7-a) and '[t]o participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;' (Art. 7-b).

**UN General Assembly, *Declaration on the Elimination of Violence against Women (A/RES/48/104)***

Date of adoption: 20 December 1993

The Declaration stipulates that 'States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should ... [i]nclude in government budgets adequate resources for their activities related to the elimination of violence against women' (Art. 4).

**Fourth World Conference on Women, *Beijing Declaration and Platform for Action A/CONF.177/20 and A/CONF.177/20/Add.1***

Date of adoption: 15 September 1995

Governments committed to providing gender-sensitive human rights education and training to members of parliament '... in order to enable them to better exercise their public responsibilities;' (para. 232-i).

**UNSC Resolution 1325 on Women, Peace and Security (S/RES/1325)**

Date of adoption: 31 October 2000

SCR 1325 urges all Member States to strengthen gender equality '... at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;' (Art. 1). All actors involved in negotiating and implementing peace agreements are called upon to adopt a gender perspective and take '[m]easures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;' (para. 8-c).

**Inter-Parliamentary Union, *Resolution on How Parliaments Can and Must Promote Effective Ways of Combating Violence Against Women in All Fields***

Date of adoption: 12 May 2006

The Assembly of the Inter-Parliamentary Union calls upon parliaments to '...ensure that information, education and training on gender-related violence are available to all public agents, including the judiciary, [who are] involved in the prevention and prosecution of violence against women and in the provision of health care and support services for victims...[and] to denounce and combat the extreme forms of gender violence against women that are derived from the violation of their human rights and shaped by forms

of misogynous conduct that may go unpunished, and which have culminated in homicide and other forms of violent death of women;' (paras. 14 and 17). In regard to violence in armed conflict, the Resolution requests parliaments to '...ensure a gender balance in military and peacekeeping operations, including the participation of women at the decision-making level in all peacekeeping and peace processes, and to provide training in gender equality issues;' (para.46).

**Inter-Parliamentary Union, *Resolution on Cooperation and Shared Responsibility in the Global Fight Against Organized Crime, in Particular Drug Trafficking, Illegal Arms Trafficking, Trafficking in Persons and Cross-Border Terrorism***

Date of adoption: 1 April 2010

The IPU calls on Member Parliaments '... to enhance awareness by the competent authorities of the need to preserve the human rights of trafficked victims and their families, taking into account the special needs of women and children;' (para. 17).

## 7.2 Regional Instruments

### EUROPE

**Parliamentary Assembly of the Council of Europe, *Increasing women's representation in politics through the electoral system (Resolution 1706 (2010))***

Date of adoption: 27 January 2010

In this resolution the Assembly recommends that member states link '...the gender equality and anti-discrimination provisions in their constitutions and their electoral laws with the necessary exception allowing positive discrimination measures for the under-represented sex' (Art. 6-1) and encourage political parties to '... voluntarily adopt gender quotas and to take other positive action measures...' (Art. 6-5).

### OTHER

**OSCE, *OSCE Action Plan for the Promotion of Gender Equality (MC.DEC/14/04)***

Date of adoption: 7 December 2004

The OSCE Action Plan encourages the OSCE Parliamentary Assembly to '[c]ontinue to have on its agenda the issue of equal opportunities for men and women in national parliaments as well as within the OSCE and the OSCE Parliamentary Assembly ...' and to produce '... reports on the status of women in the OSCE area and seek to raise awareness by making such material available to all participating parliaments' (para. 44-h).

# 8 National Security Policy-Making and Gender

## 8.1 International Instruments

### **UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (A/34/46)***

Date of adoption: 18 December 1979

Article 7 of CEDAW commits States Parties to take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, to ensure women's equal right to participate in the formulation and implementation of government policy, and to hold public office and perform all public functions at all levels of government.

### **UN General Assembly, *Declaration on the Elimination of Violence against Women (A/RES/48/104)***

Date of adoption: 20 December 1993

The Declaration stipulates that 'States should... (e) Consider the possibility of developing national plans of action to promote the protection of women against any form of violence ... (h) Include in government budgets adequate resources for their activities related to the elimination of violence against women' (Art. 4).

### **Fourth World Conference on Women, *Beijing Declaration and Platform for Action A/CONF.177/20 (1995) and A/CONF.177/20/Add.1 (1995)***

Date of adoption: 15 September 1995

The Beijing Declaration emphasises that the success of the Platform for Action will depend on a commitment to 'the equal participation of women and men in all national, regional and international bodies and policy-making processes' (para. 36). The Platform stresses that 'governments and other actors should promote an active and visible policy of mainstreaming a gender perspective into all policies and programmes, so that, before decisions are taken, an analysis is made of the effects on women and men' (para. 79). It also calls for the removal of all 'obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making' (para. 1).

### **UNSC Resolution 1325 on Women, Peace and Security (S/RES/1325)**

Date of adoption: 31 October 2000

SCR 1325 '[u]rges Member States to ensure increased representation of women at all decision-making levels

in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict...' (Art. 1).

### **UNSC Resolution 1888 on Women, Peace and Security (S/RES/1888)**

Date of adoption: 30 September 2009

In Article 16 the UNSC '[u]rges the Secretary-General, Member States and the heads of regional organizations to take measures to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding;'

## 8.2 Regional Instruments

### **AFRICA**

#### **ECOWAS, *Protocol A/SP1/12/01 on Democracy and Good Governance Supplementary to the Protocol relating to the Mechanism For Conflict Prevention, Management, Resolution, Peacekeeping and Security***

Date of adoption: 21 December 2001

The Protocol stipulates that 'Member States shall take all appropriate measures to ensure that women have equal rights with men ... to participate in the formulation of government policies and the implementation thereof and to hold public offices and perform public functions at all levels of governance.' (Art. 2-3).

#### **Mediation and Security Council of ECOWAS, *ECOWAS Conflict Prevention Framework, Regulation MSC/REG.1/01/08***

Date of adoption: 16 January 2008

The Regulation stipulates that ECOWAS shall increase the numbers of women in senior decision making positions dealing with peace and security within the Commission and other ECOWAS institutions (para. 82 (c)). The Regulation also states that 'Member States shall take practical steps to increase the number of women in senior positions on peace and security matters within Government institutions at all levels' (para. 82-h).

#### **AU, *Gender Policy, Rev 2/Feb 10***

Date of adoption: 10 February 2009

The AU Gender Policy commits the Organs of the AU, the Regional Economic Communities and Members States to integrate gender into policies, programmes and activities on conflict and peace using the frameworks of SCRs 1325 and 1820 (p.18). They should also '[m]obilise and include female leaders in mediation process and reflection groups, and in post-conflict actions' (p.18).

## EUROPE

### **Council of Europe, *Gender Mainstreaming Conceptual Framework, Methodology and Presentation of Good Practices: Final Report of Activities of the Group of Specialists on Mainstreaming (EG-S-MS)***

Date of publication: May 1998

The Council of Europe Framework emphasises that it is important to 'evaluate the effects of policies on current gender relations, as this can serve as a starting point for the development of new policies' (Part II-2). Part III explains how to construct a 'gender mainstreaming policy plan' and provides good practices for gender mainstreaming.

### **Parliamentary Assembly of the Council of Europe, *Conflict prevention and resolution: the role of women (Resolution 1385)***

Date of adoption: 23 June 2004

Through this Resolution the Assembly calls on member states' governments and parliaments to increase the percentage of women delegations participating in national, regional and international meetings on peace and security and in formal peace negotiations (Art. 8.ii.c). The Assembly also calls on governments and parliaments '...to facilitate the input of women's peace groups and organisations into key peace conferences at all levels through systematic consultation with them, ensuring that their problems and priorities are reflected in the official peace process;' (Art. 8.iii.a).

### **Council of the EU, *Council Conclusion on Promoting Gender Equality and Gender Mainstreaming in Crisis Management***

Date of adoption: 13 November 2006

This Conclusion underlines the importance of promoting gender equality and gender mainstreaming in the Common Foreign and Security Policy and European Security Defence Policy (ESDP) at all levels. In paragraph 8 the Council emphasises that '... gender perspective should be incorporated in EU's policies and activities on Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR).'

## THE AMERICAS

### **OAS, *Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, AG/RES. 1732 (XXX-O/00)***

Date of adoption: 5 June 2000

This Program recommends that Member States of the OAS '... ensure that a gender perspective and equality of opportunity between men and women are integrated into public policies relating to all spheres of society and government' (IV-1.4).

## OTHER

### **OSCE, *OSCE Action Plan for the Promotion of Gender Equality (MC.DEC/14/04)***

Date of adoption: 7 December 2004

Paragraph 3 of the OSCE Action Plan stipulates that '[i]t is the joint responsibility of the participating States, the Chairman-in-Office, the Secretary General, and the Heads of institutions and missions to promote equality between women and men as an integral element of policies and practices of the OSCE.'

### **OSCE Ministerial Council, *Women's participation in political and public life (Decision No. 7/09)***

Date of adoption: 2 December 2009

The Ministerial Council calls on the Participating States to '[c]onsider possible legislative measures, which would facilitate a more balanced participation of women and men in political and public life and especially in decision-making;' (para. 2). The Ministerial Council also calls on the Participating States to introduce open and participatory processes that enhance participation of women and men in all phases of policy development (para. 5) and support non-governmental and research bodies in identifying specific challenges to women's participation in political and public life (para. 8).

# 9 Civil Society Oversight of the Security Sector and Gender

## 9.1 International Instruments

### **UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (A/34/46)***

Date of adoption: 18 December 1979

States Parties commit to ensuring women's rights on equal terms with men '[t]o participate in non-governmental organizations and associations concerned with the public and political life of the country' (Art. 7).

### **UN General Assembly, *Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women (A/RES/52/86)***

Date of adoption: 2 February 1998

The Resolution urges Member States to cooperate with non-governmental organizations, including those seeking women's equality, and relevant professional

associations to ‘... provide gender-sensitivity training for police, criminal justice officials, practitioners and professionals involved in the criminal justice system...’ (Annex para. 12-a).

**UNSC Resolution 1325 on Women, Peace and Security (S/RES/1325)**

Date of adoption: 31 October 2000

SCR 1325 emphasises the importance of involving women in decision-making at all levels and taking action to support women’s organisations. The Resolution calls on all actors involved in negotiating and implementing peace agreements to take ‘measures that support local women’s peace initiatives’ (para. 8-b). Also, the UNSC ‘[e]xpresses its willingness to ensure that [its] missions take into account gender considerations and the rights of women, including through consultation with local and international women’s groups;’ (Art. 15).

**UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime**

Date of adoption: 15 November 2000

This Protocol stipulates that ‘[e]ach State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including...in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, ... the provision of: (a) [a]ppropriate housing; (b) [c]ounseling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand; (c) [m]edical, psychological and material assistance; and (d) [e]mployment, educational and training opportunities’ (Art. 6 (3)). Also, the Protocol mandates that all policies, programmes and other measures established in accordance with the article on prevention of trafficking in persons shall include cooperation with non-governmental organizations, other relevant organizations and other elements of civil society (Art. 9 (3)). Furthermore, States Parties commit to provide or strengthen anti-trafficking training for law enforcement, immigration and other relevant officials that encourages cooperation with non-governmental organizations and civil society (Art. 10 (2)).

**UNSC Resolution 1820 on Women, Peace and Security (S/RES/1820)**

Date of adoption: 19 June 2008

SCR 1820 ‘[s]tresses the important role the Peacebuilding Commission can play... in ensuring consultation and effective representation of women’s civil society in its country-specific configurations, as part of its wider approach to gender issues;’ (Art. 11).

**UNSC Resolution 1888 on Women, Peace and Security (S/RES/1888)**

Date of adoption: 30 September 2009

SCR 1888 recognises that support for women’s organisations and networks is essential for consolidating peace as well as for promoting the equal and full participation of women (para. 14). The UNSC ‘[e]xpresses its intention to make better usage of periodical field visits to conflict areas, through the organization of interactive meetings with the local women and women’s organizations in the field about the concerns and needs of women in areas of armed conflict;’ (Art. 14).

**UNSC Resolution 1889 on Women, Peace and Security (S/RES/1889)**

Date of adoption: 5 October 2009

Through this Resolution the UNSC urges Member States, international and regional organisations to take further measures to improve women’s participation during all stages of peace processes, including increased support of women’s organisations (Art.1). The UNSC highlights the role civil society plays in ensuring that women’s empowerment be taken into account during post-conflict needs assessments and planning (Art. 9). Furthermore, the UNSC ‘[e]ncourages Member States in post-conflict situations, in consultation with civil society, including women’s organizations, to specify in detail women and girls’ needs and priorities and design concrete strategies, in accordance with their legal systems, to address those needs and priorities...’ (Art. 10).

**UNSC 1960 on Women, Peace and Security (S/RES/1960)**

Date of adoption: 16 December 2010

SCR 1960 encourages the Secretary-General to engage with, amongst others, civil society organisations, health-care service providers and women’s groups to enhance data collection and analysis of incidents, trends, and patterns of rape and other forms of sexual violence (Art. 8).

**UN General Assembly, United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), A/RES/65/229**

Date of adoption: 21 December 2010

Rule 46 of the Bangkok Rules stipulates that ‘[p]rison authorities, in cooperation with probation and/or social welfare services, local community groups and non-governmental organizations, shall design and implement comprehensive pre- and post-release reintegration programmes which take into account the gender-specific needs of women.’ The role of the non-governmental organizations or other community services is also stressed in relation to their involvement in the provision of non-custodial means



of protection to women (rule 59). In order to monitor the conditions of detention and treatment of women prisoners, inspectorates, visiting or monitoring boards or supervisory bodies shall include women members (rule 25(3)).

## 9.2 Regional Instruments

### AFRICA

**Mediation and Security Council of ECOWAS, ECOWAS Conflict Prevention Framework, Regulation MSC/REG.1/01/08**

Date of adoption: 16 January 2008

To enhance the role, visibility and impact of women in peace and security, the Framework commits different actors to undertake a variety of activities with civil society. *Inter alia*: 'ECOWAS shall develop and implement targeted programs to enhance the leadership, negotiation and dispute resolution skills within women organizations ... Member States shall develop, enhance and build on existing programmes to strengthen the capacity of women organizations in project design and implementation, and support them with targeted financial packages and equipment ... Civil society organizations shall develop and implement pro-women programmes in Member States, including capacity building for women, awareness raising and advocacy on women empowerment' (para. 82-b (i) (l)).

### EUROPE

**European Parliament, Women in armed conflicts and their role in post-conflict reconstruction, 2005/2215(INI)**

Date of adoption: 1 June 2006

The European Parliament stresses that in post-conflict situations women's peace movements and women's organisations should receive pedagogical, political, financial and legal support to enable them to help bring about gender equality in constitutional, legislative and policy reforms (Art. 13). The Parliament '[c]alls on the Commission and other donors to channel resources to support capacity-building by civil society organisations, particularly of local women's groups engaged in non-violent conflict resolution and to provide technical assistance and vocational training;' (Art. 41).

### OTHER

**OECD, Security Sector Reform and Governance: Policy and Good Practice, DCD/DAC(2003)30/REV3**

Date of adoption: 15-16 April 2004

This document advocates working through local actors in order to integrate gender perspectives into

SSR. It points out that '[i]n many cases, particularly during war and armed conflicts, civil society is usually in majority represented by women including in the security areas. They are well placed, at all levels, to work for peace and reconciliation and to set standards for the reconstruction of war-torn society' (para. 77).

# 10 SSR Assessment, Monitoring and Evaluation and Gender

## 10.1 International Instruments

**Fourth World Conference on Women, Beijing Declaration and Platform for Action A/CONF.177/20 and A/CONF.177/20/Add.1**

Date of adoption: 15 September 1995

The Beijing Platform for Action gives concrete advice on integrating gender issues into data collection and monitoring mechanisms in national, regional and international statistical services and relevant governmental agencies. It points out that '[t]he absence of adequate gender-disaggregated data and statistics on the incidence of violence makes the elaboration of programmes and monitoring of changes difficult. Lack of or inadequate documentation and research on domestic violence, sexual harassment and violence against women and girls in private and in public, including the workplace, impede efforts to design specific intervention strategies' (para. 120). The Platform calls for the creation of '...mechanisms to monitor women's access to senior levels of decision-making...' (para. 192-b) including the use of appropriate qualitative and quantitative data.

**Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (S/2000/693)**

Date of adoption: 31 May 2000

The Declaration calls for the equal participation of women in security assessment, monitoring and evaluation procedures in peace operations. Section 8 stipulates comprehensive reporting and evaluation of gender mainstreaming efforts.

**UNSC Resolution 1889 on Women, Peace and Security (S/RES/1889)**

Date of adoption: 5 October 2009

SCR 1889 [u]rges Member States, United Nations bodies, donors and civil society to ensure that women's empowerment is taken into account during

post-conflict needs assessments and planning, and factored into subsequent funding disbursements and programme activities, including through developing transparent analysis and tracking of funds allocated for addressing women's needs in the post-conflict phase;' (Art. 9). The Resolution also '[r]equests the Secretary-General to submit to the Security Council within 6 months, for consideration, a set of indicators for use at the global level to track implementation of its resolution 1325 (2000), which could serve as a common basis for reporting by relevant United Nations entities, other international and regional organizations, and Member States, on the implementation of resolution 1325 (2000) in 2010 and beyond;' (Art. 17).

### **UNSC 1960 on Women, Peace and Security (S/RES/1960)**

Date of adoption: 16 December 2010

SCR 1960 requests the Secretary General establish monitoring, analysis and reporting arrangements on conflict-related sexual violence, including rape in situations of armed conflict and post-conflict, and encourages the Secretary-General to engage with United Nations actors, national institutions, civil society organisations, health-care service providers, and women's groups to enhance data collection and analysis of incidents, trends, and patterns of rape and other forms of sexual violence (Art. 8). The UNSC also requests the Secretary General track and monitor implementation of the specific and time-bound commitments to combat sexual violence by parties to armed conflict on the Security Council's agenda that engage in patterns of rape and other sexual violence, and regularly update the Council in relevant reports and briefings (Art. 6).

## **10.2 Regional Instruments**

### **EUROPE**

#### **Council of Europe, Recommendation CM/Rec(2007)17 of the Committee of Ministers to member states on gender equality standards and mechanisms**

Date of adoption: 21 November 2007

The Committee of Ministers recommends that Member States undertake regular assessment of the incidence of abuse of the human rights of women in conflict situations (para. 58-iii) and of women's participation in structures and mechanisms for social reconstruction in post-conflict situations (para. 58-v). They recommend development of methods, tools and instruments for gender analysis/gender impact assessment and gender budgeting (para. 72-vi). Member States should develop and use such tools and instruments (e.g. checklists, manuals, handbooks, statistics, questionnaires, software, surveys, forecasts) for gender analysis/gender impact assessment of laws and policies (para. 75 -iv).

### **THE PACIFIC**

#### **The Pacific Community, Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005 to 2015: a Regional Chapter**

Date of adoption: 20 August 2004

The Pacific Community's Platform for Action calls for improvements in sex-disaggregated data and the use of gender indicators.

## **11 Gender Training for Security Sector Personnel**

### **11.1 International Instruments**

#### **CEDAW Committee, General Recommendation No. 19 (11th session, 1992) Violence against women**

Year of adoption: 1992

The CEDAW Committee's General Recommendation 19 states that '[g]ender-sensitive training of judicial and law enforcement officers and other public officials is essential for the effective implementation of the Convention;' (para. 24-b).

#### **UN General Assembly, Declaration on the Elimination of Violence against Women (A/RES/48/104)**

Date of adoption: 20 December 1993

The Declaration calls on States to '[t]ake measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women;' (Article 4-i).

#### **Fourth World Conference on Women, Beijing Declaration and Platform for Action A/CONF.177/20 and A/CONF.177/20/Add.1**

Date of adoption: 15 September 1995

The Platform for Action states that '[t]raining of all officials in humanitarian and human rights law ... would help to ensure that [violence against women] does not take place at the hands of public officials in whom women should be able to place trust, including police and prison officials and security forces' (para. 121). Governments committed to providing gender-sensitive human rights education and training to public officials, including police, military personnel

and corrections officers (para. 232-i), and to creating, developing, improving and funding training in order to sensitise such officials to the nature of gender-based threats and acts of violence and to promote the fair treatment of female victims (para. 124-n).

**UN General Assembly, *Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women (A/RES/52/86)***

Date of adoption: 2 February 1998

The Resolution urges Member States '[t]o provide for or to encourage mandatory cross-cultural and gender-sensitivity training modules for police, criminal justice officials, practitioners and professionals involved in the criminal justice system that deal with the unacceptability of violence against women, its impact and consequences and that promote an adequate response to the issue of violence against women;' (Annex para. 12-a).

***Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (S/2000/693)***

Date of adoption: 31 May 2000

The Declaration states that '[g]ender issues should be mainstreamed throughout all regional and national training curricula and courses for peace support operations...' (section 6).

***UNSC Resolution 1325 on Women, Peace and Security (S/RES/1325)***

Date of adoption: 31 October 2000

SCR 1325 '[r]equests the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all peacekeeping and peacebuilding measures, invites Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment, and further requests the Secretary-General to ensure that civilian personnel of peacekeeping operations receive similar training;' (para. 6). Additionally, paragraph 7 '[u]rges Member States to increase their voluntary financial, technical and logistical support for gender-sensitive training efforts ...'

***UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime***

Date of adoption: 15 November 2000

States Parties commit to '... provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons' that takes into account 'human rights and child-and gender-sensitive issues' and encourages 'cooperation with non-governmental organizations, other relevant organizations and other elements of civil society' (Art. 10-2).

***UNSC Resolution 1820 on Women, Peace and Security (S/RES/1820)***

Date of adoption: 19 June 2008

SCR 1820 '[e]ncourages troop and police contributing countries, in consultation with the Secretary-General, to consider steps they could take to heighten awareness and the responsiveness of their personnel participating in UN peacekeeping operations to protect civilians, including women and children, and prevent sexual violence against women and girls in conflict and post-conflict situations...' (Art. 8)

***UNSC Resolution 1888 on Women, Peace and Security (S/RES/1888)***

Date of adoption: 30 September 2009

The UNSC '[e]ncourages Member States ... to provide all military and police personnel with adequate training to carry out their responsibilities;' and '[r]equests the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse in United Nations peacekeeping operations; and urges troop and police contributing countries to take appropriate preventative action, including pre-deployment and in-theater awareness training ...' (Arts 19 and 21).

***Human Rights Council, Accelerating efforts to eliminate all forms of violence against women: ensuring due diligence in prevention (A/HRC/14/L.9/Rev.1)***

Date of adoption: 15 June 2010

The Human Rights Council '...encourages States to create gender sensitized training and education programmes and other appropriate measures for their armed forces, civilian police, peacekeeping units and humanitarian personnel that include instructions on their responsibilities towards the civilian population, particularly women and children,

as well as mechanisms to ensure adequate safeguards to prevent violence against women and full accountability in cases of misconduct involving their personnel;' (para.18).

**UNSC 1960 on Women, Peace and Security (S/RES/1960)**

Date of adoption: 16 December 2010

SCR 1960 encourages Member States to use the Secretary-General's scenario-based training materials for peacekeepers on combating sexual violence (Art. 11). The UNSC also encourages Member States to provide all military and police peacekeeping personnel with adequate training on sexual and gender-based violence (Art. 15).

**UN General Assembly, United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), A/RES/65/229**

Date of adoption: 21 December 2010

The Bangkok Rules require that female prison staff receive equal access to training as male staff (rule 32). Staff employed in women's prisons shall undergo capacity-building that enables them to address the special social reintegration requirements of women prisoners and manage safe and rehabilitative facilities (rule 29). All staff assigned to work with women prisoners should also be provided with training on gender sensitivity, prohibition of discrimination, sexual harassment, women's health and the gender-specific needs of women prisoners (rules 32 and 33). Prison staff shall also be trained to detect mental health-care needs and risk of self-harm and suicide among women prisoners and to offer assistance by providing support and referring such cases to specialists.(rule 35). In addition, rule 33(3) states that '[w]here children are allowed to stay with their mothers in prison, awareness-raising on child development and basic training on the health care of children shall also be provided to prison staff, in order for them to respond appropriately in times of need and emergencies.' The regular training curricula of all prison staff should include gender and human rights, with a particular focus on their link to HIV, stigma and discrimination (rule 34).

## 11.2 Regional Instruments

### EUROPE

**European Parliament Resolution on Participation of Women in Peaceful Conflict Resolution (2000/2025(INI))**

Date of adoption: 30 November 2000

This Resolution 'calls on the Commission and Member States to ... provide gender training at an early stage in the training of military personnel so that respect for women becomes a matter of course and a female-friendly atmosphere prevails in the army' (para. 8-d). Furthermore, it calls on the Council and Member States to '... ensure that all military personnel — male as well as female — and specifically peacebuilding, peacekeeping, and peace-enforcement personnel have thorough gender training' (para. 14-b).

**Council of Europe, Recommendation Rec(2002)5 of the Committee of Ministers to Member States on the Protection of Women against Violence**

Date of adoption: 30 April 2002

The Committee of Ministers recommends that member states include the treatment of domestic violence and other forms of violence affecting women in the basic training programmes for members of the police force and judicial personnel and 'encourage the inclusion of questions concerning violence against women in the training of judges;' (Appendix paras. 8 and 11).

**Council of the EU, EU Concept for ESDP support to Security Sector Reform (SSR)**

Date of adoption: 13 October 2005

This document suggests that the EU consider providing assistance in training armed forces, border guards and customs officers in gender issues; as well as educating the police sector in gender issues.

**Council of the EU, Council Conclusion on Promoting Gender Equality and Gender Mainstreaming in Crisis Management**

Date of adoption: 13 November 2006

The Council emphasises the importance of training military and civilian personnel participating in ESDP operations, including those at the highest command, in gender equality, human rights and gender-based violence, and encourages Member States to intensify such training efforts (para 5).

**Council of Europe, Recommendation CM/Rec(2007)17 of the Committee of Ministers to member states on gender equality standards and mechanisms**

Date of adoption: 21 November 2007

The Committee of Ministers recommends that Member States adopt educational programmes and specific training for all professionals involved in interventions with victims of violence, including the judiciary and the police (para. 52 -vii); and put in place training to prevent and combat trafficking in human beings and to identify and assist victims and protect their human rights (para. 55-vi). Where they contribute to peacekeeping forces, Member States should develop systematic training for members of peacekeeping operations which takes into account gender equality concerns and focuses on the prevention of violence against women and trafficking in human beings (para. 58-vii).

**Council Secretariat, Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP**

Date of adoption: 3 December 2008

This document stipulates that pre-deployment training should include gender, SCR 1325 and SCR 1820, and Member States should be urged to develop and offer training courses on gender in ESDP missions/operations (p. 12). In-mission training should address gender issues, including sexual and gender-based violence, and ensure adherence to standards of behaviour in peacekeeping operations, emphasising zero tolerance for abuse and misconduct (p. 13).

## THE AMERICAS

**OAS, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)**

Date of adoption: 9 June 1994

The Convention calls on States Party '[t]o promote the education and training of all those involved in the administration of justice, police and other law enforcement officers as well as other personnel responsible for implementing policies for the prevention, punishment and eradication of violence against women;' (Art. 8-c).

**OAS, Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, AG/RES. 1732 (XXX-O/00)**

Date of adoption: 5 June 2000

In this Program the Inter-American Commission of Women of the OAS recommends that governments '[s]upport the provision of continuing gender education and training for judiciary and legislative staff and for law enforcement officers of both sexes...' (section IV-1.13).

## THE PACIFIC

**The Pacific Community, Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005 to 2015: a Regional Chapter**

Date of adoption: 20 August 2004

The Pacific Community's Platform for Action calls upon governments to '[m]ake use of regional and international organisations to conduct gender sensitivity training for peacekeepers' (p. 37).

This Annex was prepared by Ana Dangova Hug, Megan Bastick and Mugiho Takeshita of DCAF. Ben Buckland and Beverly Youmans provided editorial assistance.