



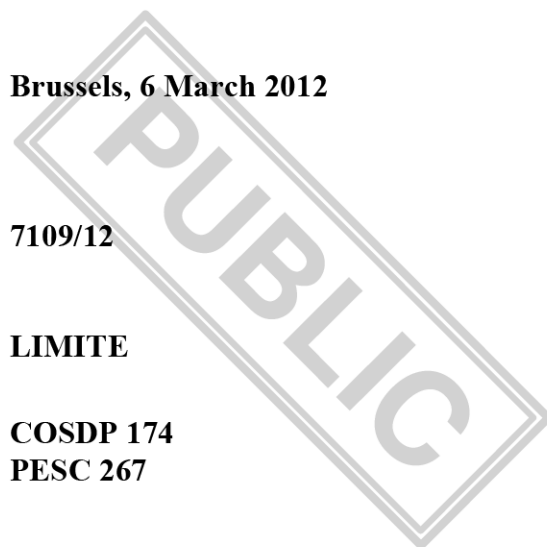
**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 March 2012

7109/12

LIMITE

**COSDP 174
PESC 267**



NOTE

From: Political Security Committee

To: Coreper / Council

No Prev. Doc.: 5799/12 COSDP 78 PESC 91

Subject : Implementation of UNSCRs on Women, Peace and Security in the context of
CSDP missions and operations

Delegations will find attached a document "Implementation of UNSCRs on Women, Peace and Security in the context of CSDP missions and operations" as agreed by the PSC on 6 March 2012.

**IMPLEMENTATION OF UNSCRS ON WOMEN, PEACE AND SECURITY
IN THE CONTEXT OF CSDP MISSIONS AND OPERATIONS**

Key reference documents

- Ref A: Resolution 1325 (2000) of the United Nations Security Council on women, peace and security (UNSCR 1325)
- Ref B: Resolution 1820 (2008) of the United Nations Security Council on women peace and security – violence against women (UNSCR 1820)
- Ref C: Compilation of Documents: Mainstreaming Human Rights and Gender into European Security and Defence Policy, Brussels, 2008 (http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news144.pdf)
- Ref D: Comprehensive approach to EU Implementation of United Nations Security Council Resolutions 1325 and 1820 on Women, Peace and Security (doc. 15671/08)
- Ref E: Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP (doc. 15782/3/08)
- Ref F: Resolution 1888 (2009) of the United Nations Security Council on women, peace and security (UNSCR 1888)
- Ref G: Resolution 1889 (2009) of the United Nations Security Council on women, peace and security (UNSCR 1889)
- Ref H: Implementation of UNSCR 1325 and UNSCR 1820 in the context of training for the ESDP missions and operations – recommendations on the way forward (doc. 13899/09)
- Ref I: Concept on Strengthening EU Mediation and Dialogue Capacities (doc. 15779/09)
- Ref J: Resolution 1960 (2010) of the United Nations Security Council on women, peace and security (UNSCR 1960)
- Ref K: Lessons and best practices of mainstreaming human rights and gender into CSDP military operations and civilian missions (doc. 17138/1/10)
- Ref L: Package of three draft concepts containing standard training elements on Human Rights, Gender and Child Protection in the context of CSDP (doc. 17209/10)

Ref M: Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations (doc. 15091/10)

Ref N: Report on the EU indicators for the Comprehensive Approach to the EU implementation of the UNSCRs 1325 & 1820 on Women, Peace and Security' (doc. 9990/11)

I. INTRODUCTION

The UN context

On 31 October 2000 the UN Security Council adopted resolution 1325 on women, peace and security as the first UNSCR to recognise the distinct experiences and contributions of women in the context of peace and security. Essentially, it recognised 'that women's exclusion from peace processes contravenes their rights, and that including women and gender perspectives in decision-making can strengthen prospects for sustainable peace'. It specifically addressed the situation of women in armed conflict and called for their participation at all levels of decision-making on conflict resolution and peace-building. The UN has conceptualised the resolution into four pillars of participation, prevention, protection and relief and recovery.

With increasing international attention to the horror of war rape and sexual exploitation and abuse, the Security Council adopted UNSCR 1820 in 2008 to further the obligation to act on the second and third pillars of 1325 – prevention and protection. The aim was to bring greater attention to conflict-related sexual and gender based violence (SGBV) as a tactic of warfare and a matter of international peace and security, requiring a peacekeeping, justice, services and peace negotiation response. This resolution was also ground breaking as it finally designated SGBV as a war crime and a tactic of war.

Leading up to the tenth anniversary of 1325, the Security Council released two further resolutions – 1888 and 1889. These called on Member States and the UNSG to further commit to implementation and develop tools, reporting mechanisms, responses, services, indicators, monitoring, planning and funding. UNSCR 1889 (2009) complements 1325 as it calls for the establishment of global indicators to measure progress on its implementation. Resolution 1888 (2009) aimed to strengthen UNSCR 1820

by focusing on strengthening leadership, expertise and other institutional capacities within the United Nations and in Member States to help put an end to conflict-related sexual violence. Resolution 1888 also established the mandate of a SRSG on Sexual Violence in Armed Conflict.

In 2010, this framework was further strengthened with UNSCR 1960. This resolution focused on addressing gender-based violence in conflict, in particular, and the language obliged the UNSG to publish lists of perpetrators and for sanctions committees to use this as a ‘basis for more focused United Nations engagement with those parties, including, as appropriate, measures in accordance with the procedures of the relevant sanctions committees’ hence attempting to act on impunity.

It also firmly requires the UNSG to ‘track and monitor’ and develop a strategy for implementing 1820 and 1888.

The EU Commitment and action

Following the earlier mentioned UNSCRs, the EU has firmly committed to advancing and implementing the goals related to women, peace and security. EU's strong policy on women, peace and security is based on:

- the joint Commission and Council document ‘Comprehensive EU Approach to the Implementation of UNSCR 1325 and 1820 on Women, Peace and Security’ of December 2008. This document outlines common definitions and principles, and includes a series of specific measures to move forward.
- the December 2008 operational paper ‘Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP’, building on the previous operational document (2005) and checklist (2006) on the same topic and taking into consideration new developments, notably the UNSCR 1820 on sexual violence.
- In 2010, the EU adopted progress indicators to measure how it implements this policy; the first report was issued in May 2011 and provides important insight to the current state of play.

In addition, in November 2009 the EU devoted further attention to gender training for CSDP personnel with the adoption by the Council of the document 'Implementation of UNSCR 1325 and 1820 in the

context of training for the ESDP missions and operations – recommendations on the way forward'. The document, based on an inventory of EU MS' gender training practices, contains specific recommendations to improve the coherence and quality of pre-deployment training for staff deployed in CSDP missions and operations.

It also aims to ensure the availability of and access to gender training, for example by developing standard elements for a training curriculum on the implementation of UNSCRs 1325 and 1820 in CSDP. Basic EU/CSDP standard training elements were then agreed by the EU in the autumn of 2010, in the format of a 'Package of three draft concepts containing minimum standard training elements on Human Rights, Gender and Child Protection in the context of CSDP', also envisaging the finalisation of fully-fledged training modules as soon as possible.

Importantly, on the basis of two meetings of CSDP missions' and operations' gender advisers and focal points, one of which together with the respective human rights advisers, in 2010 the Council adopted the first thematic lessons and best practices report on mainstreaming human rights and gender in CSDP. This report contains a number of recommendations, including undertaking a revision of the current document. Many of the recommendations of this report have been used to inspire the present revised document.

II. AIM

According to the 2008 document 'Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP', the document should be viewed as a living document and require adaptation as lessons are subsequently identified and implemented. Responding to this, and taking into consideration new developments as outlined above, the present document introduces a revised EU policy for the implementation of UNSCRs on women, peace and security in the context of CSDP.

The aim of the present document is to ensure gender mainstreaming and implementation of UNSCRs on women, peace and security from the early planning to the conduct of CSDP missions and operations, including their follow-up and evaluation. The document is to be used by all actors involved in planning and conducting CSDP missions and operations, particularly including the Heads of Missions and Operational Commanders, as the key implementers of this policy at the operational level.

III. DEFINITIONS AND GUIDING PRINCIPLES

In what follows, the document employs the title ‘gender, peace and security’, marking the clear intention to make sure that both men and women are concerned by the issues dealt with and to avoid the often perceived misconception that the policy relates to women only.

Gender equality is a fundamental principle of the EU’s Common Foreign and Security Policy (CFSP), and as such also a central consideration for crisis management capacity. Gender mainstreaming in the area of CSDP is not a goal in itself; the ultimate objective is to increase the EU's crisis management effectiveness and impact, as well as to promote the human rights of both men and women.

Gender mainstreaming concerns both sexes, and requires the commitment and participation of both men and women.

Acknowledging the EU commitments to human rights, gender equality and gender, peace and security, each and every member of CSDP missions and operations have a personal responsibility to take these objectives into account in his/her work. Leadership at various levels has a particularly central role in implementing the EU policy.

In their efforts to mainstream women, peace and security objectives, CSDP missions and operations will be informed by the three Ps (Protection, Prevention and Participation) and the humanitarian aspects set out in the UNSCR 1325 and subsequent resolutions.

IV. MEASURES TO IMPLEMENT GENDER, PEACE AND SECURITY - CHECKLIST

Measures to ensure both men’s and women’s representation at all decision-making levels

- Improve the gender balance in all relevant bodies involved in preparing CSDP missions and operations;

- Generate a more gender-balanced pool of potential candidates for upcoming international assignments and vacancies, in particular senior CSDP positions. To this end, increase the awareness among women of the recruitment opportunities in the CSDP missions and operations. The Member States and the EEAS should also consider gender balance when nominating and appointing positions on all levels including senior positions in missions and operations, as well as in the EEAS crisis management structures.

Planning and conduct of CSDP missions and operations

1) Advance planning

Early Warning and Situation Analysis – EU Watch List

- SITCEN and EUMS are to consider gender, including sexual and gender-based violence, as a factor in situation analyses and be encouraged to liaise and to share information with EU Member States present and other organisations, i.a. relevant UN agencies, OSCE, AU, NATO, ICRC and NGOs, who could have valuable information and experiences. The specific situation, including in terms of security, of both men and women needs to be analysed, as appropriate.

Exploratory missions, Fact Finding Missions and Planning Teams

- Exploratory missions, fact finding missions, planning teams and all other planning activities are to consider gender aspects. Such missions and teams are to ensure the inclusion of relevant gender expertise. In addition to mainstreaming gender aspects throughout the analysis (for example with regard to the causes of conflict, men and women victims, current security situation of both men and women, women's participation in decision making), a specific section on gender aspects, including where relevant on sexual and gender-based violence, is to be included in the mission reports.
- The relevant local EU human rights country strategies should be used when preparing the mission. Information is to be collected on gender dimensions in the different functional areas covered by the assessment. The specific situation of both men and women needs to be analysed, as appropriate.

- The fact finding missions and planning teams are to meet with local and international non-state actors promoting human rights and gender aspects in the area of operation, in order to assess the situation of both men and women and learn about their expectations. Meetings with both men and women in decision-making functions should be held.

Crisis Management Concept/Strategic Options/Initiating Military Directive

- Situation assessments should draw from the wider expertise and information on gender, peace and security available in the EEAS in Brussels and the EU delegations, as well as in other organisations, i.a. relevant UN agencies. Situation assessments should include a summary of gender related aspects, including the possible threat of or the actual sexual and gender-based violence in the area of operation.
- Concepts should consider, as appropriate, integrating gender related aspects to the options, based on the assessments and means available.

2) Council Decision establishing a CSDP mission/operation – financial aspects

- Council decisions establishing a CSDP mission or operation are to adequately consider gender aspects within the framework of the mission or operation mandate, including action against the possible threat of or actual sexual and gender based violence in the area of operation, when pertinent.
- Budgetary provisions for gender and human rights expertise and outreach activities are to be made, according to the mandate of the mission or operation, in order to raise awareness of these aspects and promote better commitment from the missions and operations.

3) Operational planning

- Dedicated, adequately trained and skilled gender expertise in the EEAS crisis management structures, and throughout the operational planning process, is to be strengthened.
- The relevant EU policy documents on human rights and gender need to be continuously included among the key reference documents of all operational planning documents for CSDP missions and operations.

Concept of Operations – CONOPS

- Where specific concerns and priorities have been identified in the Crisis Management Concept, the concept of operations is to address this by way of appropriate identification of related tasks, with a view to the three Ps (Protection, Prevention and Participation) and the humanitarian aspects. It should also consider the linking of the mission or operation to the wider EU policy objectives, programmes and presence in the host country, as well as take into consideration the activities of other key actors such as UN agencies and NGOs.

Operation Plan – OPLAN

- The OPLAN is to consider gender aspects in the planning of the mission or operation tasks, as appropriate. It should also consider the linking of the mission or operation to the wider EU policy objectives, programmes and presence in the host country.
- In addition to operational activities, the OPLAN should give instruction to the ways gender aspects should be conducted in the mission or operation. Specifically, the OPLAN is to establish the position and responsibilities, as well as the objectives and envisaged results, of the gender advisor/focal point, as appropriate.
- With regard to mission or operation staff conduct, standards for CSDP personnel (based on the 'Generic Standards of Behaviour for ESDP Missions and Operations' (doc 8373/3/05)) are to be spelled out in the standard operating procedures and in the code of conduct that forms part of the OPLAN.
- A specific complaint mechanism and procedure should be set up. Where possible abuses in the mission or operation staff conduct have been encountered, mission and operation guidelines should also detail instructions on how to act further.
- The OPLAN is also to include requirements to report on gender related aspects, including on sexual and gender-based violence, within the mission or operation, as well as to the relevant structures in Brussels.

4) Force generation/Call for Contributions

- All calls for contributions and invitations to Force Generation Conferences should include the following sentence: 'The EU strives for an improved gender balance in CSDP missions and operations, in conformity with UNSCR 1325. The European External Action Service (Head of Mission/Operation Commander) asks Contributing States and European Institutions to take this into account when offering contributions'. The call for contributions should also stress any specific needs related to gender aspects (e.g. the need for both men and women in border controls, male and female soldiers at check points, male and female personnel at field hospitals, male and female police and prisons officers, the need for both men and women in Civil-Military Co-operation (CIMIC), Psychological Operations (PSYOPS) and Human Intelligence (HUMINT) teams, as well as in normal patrols, for both male and female interpreters, etc).
- The gender balance in CSDP missions and operations should be improved, particularly in the components that have direct contact with the local population. Calls for contribution and force generation conferences are to specifically take this into account. While candidate selection will be based on qualifications, it is also to consider gender balance. To this end, a follow up of women's representation in CSDP missions and operations, has already been ensured, by i.a. sex-disaggregated data and statistics provided by the EU Member States participating in missions and operations. In this context, Member States are encouraged to further promote a better gender balance in all CSDP relevant areas. National good/best practices in this field should be shared.

5) Conduct of operations

- The Chain of Command is to ensure gender mainstreaming and the implementation of more specific gender related tasks set out in the OPLAN and to consider how each component of the mission or operation is to take account of gender aspects, including with regard to the possible sexual and gender-based violence in the area of operation.
- Missions and operations should also co-ordinate their activities with the wider EU programmes in the host country and the efforts of EU delegations and EUSRs with regard to gender, peace and security.

- Gender expertise should be identified at all levels, including senior decision-making level, as early as possible in order to make the best use of the expertise during the detailed planning of the mission or operation.
- The gender adviser/focal point is to be strategically positioned in the organisation chart, close to the mission or operation management and taking part in strategic meetings, so as to give advice, as well as to have access to the necessary information that support to effective mainstreaming inside the mission or operation requires, and the backing to carry out the mainstreaming across different mission or operation components.
- Where the mission's or operation's size so allows, it is advisable to nominate gender focal points also in the mission's or operation's different components to support the mainstreaming. Moreover, the missions and operations could consider setting up multi-disciplinary teams/task forces within the missions or operations to support the work on gender and human rights. Nomination of male gender focal points or including senior male staff in the relevant teams/task forces should be sought in order to increase efforts to engage men through training and mentoring.
- A gender perspective is to be integrated into policies, programmes and projects of the mission or operation, and when conducting different out-reach projects to the local community, monitoring and data collection. Mission or operation planning processes, reporting systems and progress indicators should take into account relevant gender aspects.
- A gender perspective is to be integrated into the information strategy of the mission or operation. In particular, media material and press releases can be made more gender sensitive and the missions and operations should use their websites and other communications tools to promote a gender perspective.

Reporting

- It is important to ensure that all operation or mission components report systematically on gender aspects as part of their general reporting, in line with instructions from the Chain of Command. Human rights/gender reporting in the case of military operations may include debriefings from CIMIC/outreach teams. The internal and external reporting requirements regarding gender aspects are to be made explicit in the OPLAN, to the extent possible making the link to the

relevant EU indicators on women, peace and security and, as soon as they are approved, the UN indicators on women, peace and security. Specific thematic reports should be produced at least once a year, as appropriate.

- The reports should include information on consultations with local and international non-state actors promoting human rights and gender equality. Reporting is also to include a reference to achievements with regard to gender equality of the local counterparts (police, military, local authorities, etc.) when it is a part of the mandate of the mission or operation.
- Gender advisers should be able to communicate on specific gender aspects directly with appropriate structures within the EEAS and the Commission services, in accordance with the directions of the mission's or operation's Chain of Command.
- Missions and operations and their gender advisers/focal points rely on EEAS services for support on issues related to gender, peace and security. Mechanisms providing updated volumes of best practices (i.a. guidelines, checklists, toolkits, resource libraries) should be developed by the EEAS and the relevant European Commission services.
- The HoMs or Commanders are to cover mission-specific gender aspects in their regular briefings to the relevant Council committees and working groups and EEAS bodies. Gender advisers of the missions and operations will continue to be invited to brief the relevant Council committees and working groups and EEAS bodies as deemed useful.

Reviews

- Gender aspects are to be included in the regular mission and operation reviews. This is to be done systematically and not only when problems have occurred.
- Standards of behaviour are to be included in the regular mission and operation reviews.
- The CSDP missions and operations further impact on the situation of men and women in the area of operation is to be assessed.
- The contribution of gender mainstreaming to the effectiveness of the CSDP mission or operation is to be assessed.

Supervision and disciplinary matters

- In line with the Generic Standards of Behaviour, all CSDP missions and operations are to have clear and appropriate provisions for the handling of gender-related complaints, including sexual assault and sexual harassment. The HoMs/Commanders must ensure that their personnel are aware of complaint procedures. The officer to whom the complaints are to be reported should not be the same person as the gender adviser.
- HoMs and Commanders are responsible to ensure that breaches of the agreed standards of behaviour are reported within the EU Chain of Command responsible for appropriate action. Statistics of breaches of the standards of behaviour should be compiled.

CSDP missions' and operations' contacts with key partners including local and international non-state actors promoting human rights and gender equality

- The missions and operations should co-operate with the national and local authorities and civil society in order to promote the importance of gender equality, including the fight against sexual and gender-based violence, as appropriate.
- The mission or operation can play a supportive role towards local human rights or women's organisations. Exchange of information, consultations, and common events and projects can be mutually beneficial. Representatives of these organisations can for example be invited to trainings organised by the mission or operation.
- The missions and operations are to ensure that they solicit and incorporate the views of both men and women and local human rights groups working on gender issues in order to promote their participation. These groups are to be consulted on wider issues of peace and security. Regular meetings, such as 'Open Days' (as implemented by CSDP missions and operations in the autumn of 2010) are to be encouraged.
- Where the CSDP mission or operation is involved in mediation processes and peace negotiations, the equal and full participation of both men and women as well as the inclusion of a gender perspective throughout these processes are to be encouraged, in line with the 2009 'Concept on Strengthening EU Mediation and Dialogue Capacities', adopted by the Council, and with reference to the UN General Assembly resolution on Strengthening the role of mediation in

the peaceful settlement of disputes, conflict prevention and resolution (17 June 2011). In accordance with their mandate, the missions and operations could support national authorities in developing national action plans or other methods of implementing relevant UNSCRs.

- The missions and operations are to stress the importance of gender mainstreaming and actions against sexual and gender-based violence as well as women's participation and encourage local authorities to implement gender sensitive policies, depending on the mandate. It has proved useful to seek to build this commitment at different levels, including through diplomatic/political dialogue tools, and to identify committed individuals that visibly support the mission's or operation's action on human rights and gender.

Measures to protect civilians affected by conflict

- In the area of a CSDP mission or operation the EU is to systematically call on all parties to take special measures to protect civilians, in particular women and girls but also men and boys, from sexual and gender-based violence, particularly rape and other forms of sexual abuse and exploitation, forced labour, trafficking and all other forms of violence in situations of armed conflict and post-conflict environments.
- The mission or operation is also to promote co-ordination between the different actors present, in order to enhance the effectiveness of the protection.
- The missions and operations are to collect information on sexual and gender-based violence in armed conflict and report to headquarters. Relevant information should be made available, by the EU, to the UN Secretary-General Special Representative on Sexual Violence in Conflict, and the ICC, as appropriate.
- Specific guidance to CSDP missions and operations on sexual and gender-based violence, including on the relevant monitoring and reporting, should be made available.

Training

- In addition to regular training the HoM/the Operation Commander should, before taking up his/her duties, be briefed by the relevant EEAS (and European Commission) services on the EU gender policies and tools, and training on gender aspects for HoMs and Commanders already deployed in a mission or operation should be conducted on a regular basis.
- Pre-deployment training is to include gender, and relevant UNSCRs training, using as a minimum the concept containing standard training elements on gender in the context of CSDP. The CSDP training activities under the responsibility of the European Security and Defence College (ESDC) should continue to reflect the gender perspective. The EU Member States are encouraged to use the ESDC Internet-based Distance Learning course on gender aspects.
- During ongoing missions and operations, mission and operation personnel are to receive training with a strong and sufficiently long component on gender aspects, including on sexual and gender based violence, where relevant. In-mission training is also to ensure full information on and adherence to the Generic Standards of Behaviour for CSDP missions and operations as well as emphasize zero tolerance for abuse or misconduct.
- An increased participation of women in the missions and operations training activities for the local population is to be encouraged.
- Contracted personnel, in addition to receiving in-mission training, should be invited to participate in the human rights and gender trainings organised by the EEAS.
- Training of local staff should take into account relevant gender aspects.

6) Lessons identified

- Gender mainstreaming and implementation of relevant UNSCRs is to be included (and evaluated) as a specific item in the lessons processes.
- Networking among the gender advisers on the ground is to be further encouraged (i a through mailing lists, or in the format of networking meetings) to exchange good practices and lessons from all missions and operations, whilst fully respecting the Chain of Command of each mission and operation. The EEAS is to continuously facilitate and contribute to these efforts, as appropriate.

7) Other provisions

- The linkage to the wider EU policy on women, peace and security – covering the whole spectrum of EU's external action instruments throughout the conflict continuum – as outlined in the Council document ‘Comprehensive EU Approach to the Implementation of UNSCR 1325 and 1820 on Women, Peace and Security’ of December 2008, should continuously be taken into account.
- Cooperation, information sharing and exchange of good practices with international organisations such as the UN (including the UNSRSG on sexual violence in armed conflict), the OSCE, AU, NATO, ICRC, ICC and international NGOs is to be continued, and the implementation of the relevant UNSCRs included in the regular dialogue with these and other organisations.
- The importance of gender and prevention of sexual and gender-based violence in the framework of EU relations with third countries or regional organisations in the field of CSDP is to be promoted.
- Public information on CSDP should further reflect aspects of gender and issues with regard to sexual and gender-based violence.
- Good practices on gender mainstreaming in security and defence, as well as measures against the use of sexual and gender-based violence in crisis situations, including the implementation of the relevant UNSCRs should continue to be exchanged among Member States.

This document should continuously be viewed as a living document and will require adaptation as lessons are subsequently identified and implemented.