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From: Committee of Civilian Aspects of Crisis Management (CIVCOM)
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Subject: Lessons and best practices of mainstreaming human rights and gender into CSDP military operations and civilian missions

Delegations will find herewith the Lessons and best practices of mainstreaming human rights and gender into CSDP military operations and civilian missions.

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1. RECOMMENDATIONS FOR FOLLOW-UP

The recommendations of the present report are to:

- 1) Regularly **update and review the relevant EU policy framework and internal checklists for planning**. In the short run, the revision of the 2006 EU document on mainstreaming human rights into the ESDP (doc. 11936/4/06) as well as of the 2008 ‘Compilation of relevant documents’ could be envisaged.
- 2) Continue to include reporting on, assess and learn from the mainstreaming of human rights and gender in future lessons reports and regular 6-monthly progress reports of operations and missions. Consider carrying out **specific evaluations** (operation-/mission-specific or thematic) of mainstreaming human rights and gender in CSDP operations and missions. Reporting should take into account the EU as well as the UN indicators for Women, Peace and Security, including indicators and monitoring systems of the OHCHR.
- 3) Within a multi-annual CSDP ‘Civilian Concept Development Programme’, consider elaborating specific **concepts on human rights and gender related aspects**¹. Draw on these lessons in ongoing CSDP conceptual work.
- 4) Ensure human rights and gender issues are reflected in operation and mission benchmarks, planning and evaluation. Specific **human rights commitments of the host country**, in accordance with UN treaties or regional instruments and as monitored for example by the UN Office of the High Commissioner for Human Rights, could be made explicit in an exchange of letters between the EU and the host country. The implementation of the host country commitments could then be closely followed in the monitoring and evaluation of the operation or mission at political as well as operational level, without prejudice to the main objectives of the operation or mission.
- 5) Continue, on a regular basis, to discuss gender and human rights in the framework of CSDP, in PSC. Include human rights and gender aspects of CSDP, where relevant, more regularly on the **COHOM** agenda as points of information.

¹ On topics such as transitional justice, prevention of sexual and gender-based violence, child protection

- 6) Invite Member/Sending States to make further efforts to **improve the gender balance of staff** deployed in CSDP operations or missions.
- 7) Emphasise the **overall responsibility of senior operation and mission management staff** at headquarters and field level for human rights and gender mainstreaming.
- 8) Promote and safeguard, whenever relevant for CSDP operations or missions, that there is **active participation of women and women's groups** at peace negotiation tables, democratisation processes, work of political parties and elections, in line with UNSCR 1325 and the subsequent UNSC resolutions on women, peace and security.
- 9) Consider devising, if appropriate, **accountability mechanisms** on possible breaches of the Code of Conduct by operation or mission staff.
- 10) Make sure that operation or mission and headquarters staff have the **key provisions in the human rights and gender area** readily available, including by making them available on the upcoming EEAS website. Consider devising a standard 'welcome package' to all operation and mission staff as they take up their duty.
- 11) Continue **facilitating exchange of best practices** between human rights and gender advisers/focal points of CSDP operations and missions and their EEAS/GSC/EC counterparts, including EU member states and external partners such as the UN, African Union, NATO and OSCE as deemed useful. The human rights and gender network is one of the first communities of experts created in line with the Guidelines for identifying and implementing lessons and best practices in civilian CSDP missions (doc 15987/08). Develop a **password-protected IT platform** for exchange of best practices. Consider developing EU best practices in related areas such as good governance, the rule of law, public order and security sector reform, to guide EU advice to host countries.
- 12) Explore synergies between **CSDP and other EU foreign policy instruments**, and identify means to increase combined effectiveness, including between lessons processes in CSDP and development co-operation and by a wider sharing of respective best practices. Experience from other international security actors, such as UN, NATO, OSCE, the African Union and international partners should also be tapped.

- 13) Make sure, whilst respecting the chain of command, that the relevant operation and mission staff has adequate **human rights and gender support from headquarters**, including from counterparts in the EEAS/GSC/EC (e.g. through dedicated focal points in the relevant services in collaboration with the human rights unit) and/or a possible senior level advisor within the EEAS.
- 14) Put in full use the **standard training elements** on human rights and gender, currently under preparation and invite CSDP/EU member state training providers to offer relevant courses at regular intervals. Encourage Member States to provide courses, through ESDC and its Internet-based Distance Learning Platform. Training on the ground and in-mission training should entail a strong human rights and gender component, supplemented by a specialised module, the attendance of which must be envisaged for all staff. Consider developing a 3-year outlook or training plan covering human rights and gender in CSDP, and consider building up interactive web-based learning tools. EU member state courses should regularly be open for participants from other EU member states. Draw on these lessons in ongoing work on civilian training.
- 15) Develop specific **standard job descriptions** for human rights and gender experts in CSDP civilian missions for the Goalkeeper software and its military counterpart. As a general rule, avoid ‘double-hatting’ of human rights and gender advisors (between operations or missions or between themes) and make possible that human rights and gender advisors have access to an operating budget for outreach activities.
- 16) Increase **communication with the public both within the EU and the host country** on human rights and gender aspects of CSDP operations and missions in order to, on the one hand, enhance prevention of human rights violations and, on the other hand, build public support to and knowledge of the CSDP both within and outside of the EU. In this respect CSDP operations and missions should regularly meet with local women’s groups and wider civil society.
- 17) In order to strengthen outreach to the public and especially women and children, the **creation of a contact point** for the local population, is encouraged.

2. INTRODUCTION

This report represents a compilation of lessons drawn from CSDP military operations and civilian missions on gender and human rights mainstreaming. It also gathers lessons and best practices from the daily work of CSDP operations and missions that the operations' and missions' human rights and gender advisers and focal points presented at a meeting in Brussels on 5-6 July 2010 and from a separate meeting of gender advisers on 9-10 November 2009. The reports records and analyses these lessons and ends with a set of recommendations for future work.

The report also takes into account available best practices of key EU partners, notably the United Nations, Nato, OSCE and the African Union.

3. EU POLICY FOR MAINSTREAMING HUMAN RIGHTS AND GENDER IN CSDP OPERATIONS AND MISSIONS

3.1. EU policy commitments

The revised and consolidated Treaty on European Union (TEU) 2010 states, in its Article 2, that:

“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.”

Article 6 of TEU makes reference to the Charter of Fundamental Rights as well as the accession to the European Convention on Human Rights (ECHR). Article 21 and Art 3(5) make explicit reference to human rights in relation to the EU's foreign policy.

Furthermore, the European Security Strategy states that:

"Spreading good governance, supporting social and political reform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order".

In June 2001, two years before the EU had launched its first ESDP operation, the Council defined four fundamental elements of the EU's human rights and democratisation policy: (i) coherence between Community action and the Common Foreign and Security Policy, (ii) openness through a strengthened dialogue with the European Parliament and civil society, (iii) regular identification and review of priority actions and (iv) *mainstreaming of human rights and democratisation into EU policies and action.*

In respect to the latter, the EU has developed since 2005 a specific body of policy tools on mainstreaming human rights and gender into CSDP (see annex for list of key policy documents), highlighting the need to address human rights and gender in all phases of CSDP operations and missions, including by ensuring the availability of the necessary expertise (in terms of personnel and training). The policy includes specific commitments in relation to children's rights, whereas on gender aspects accent has been put on the implementation of United Nations Security Council Resolutions 1325 and 1820 on women, peace and security (note that the relevant UN policy was further reinforced in 2009 by Resolutions 1888 and 1889).

3.2. Main developments

The recent key developments with regard to the implementation of mainstreaming in headquarters are summarised in **Annex 2**.

4. LESSONS IDENTIFIED AND BEST PRACTICES

4.1. Planning of operations and missions

1. Violations of human rights, including ethnic and/or gender-based discrimination, are frequently among root causes of conflict. Considering that the primary purpose of CSDP operations and missions is to promote stabilisation and security, human rights and gender related action are thus a natural part of the operations and missions' tasks in addition to being an underlying, general principle of their work.
2. Based on concepts, and on actual experience in the field, a CSDP operation or mission can have **either a direct role in the protection of human rights and/or a supporting role in relation to the host state**.
 - a. For example, a military operation with an enforcement mandate can be entrusted with a specific mandate to restore security/public order and to protect civilians from immediate human rights violations (e g EUFOR Tchad/R.C.A. and Artemis in DR Congo). Or, the operation can provide security during a sensitive moment in the peace process such as the holding of elections (e g EUFOR R.D. Congo). Or, a civilian mission with an executive mandate can take action against specific human rights violations, including war crime and top-level corruption (e g EULEX Kosovo);

- b. A CSDP mission with a mentoring/monitoring/advisory mandate will advise the host state authorities to take measures themselves to promote and protect human rights, under their ultimate responsibility:
- i. If results need to be achieved quickly by the mission, establishing respect and protection of human rights in the host country is usually more effective through a **top-down**, rather than a bottom-up, approach. Political and administrative leaders of the host country security services need to set the tone and take the measures to reform/re-organise the services to stop serious human rights violations from being carried out (e.g. EUSEC and EUPOL R.D. Congo). Training of senior and middle management can support such reform in the immediate term (e.g. EUPOL COPPS).
 - ii. **Preventive action:** A CSDP mission, with other actors, can seek to lay the ground for longer-term state-building and development activities that will follow once security and stabilisation have been achieved. This may entail initiating key reforms of the political system (e.g. against ethnic discrimination, for good governance, the rule of law and more equal access to public services) and security sector reform (particularly where the security actors have acted unconstitutionally or in a hostile way against the local population) or an independent supervisory body/ombudsman for human rights may usefully be installed (many missions provide experience of this). For peace to take hold, a social contract between governments and citizens of some sort needs to be established.

- iii. Crucially important for rebuilding the societal and political environment is the **active participation of women and women's groups** at peace negotiation tables, democratisation processes, work of political parties and elections, in line with UNSCR 1325 and the subsequent UNSC resolutions on women, peace and security. CSDP operations and missions should regularly meet with women's groups in order to hear their concerns, grievances and demands, with a view to integrating issues, as relevant and appropriate, into ongoing mission planning.

- iv. During planning, the **needs and situation of vulnerable groups** of any gender in the host country, such as women and children, should be specifically considered (human security), in addition to the overall political situation as the basis of the conflict, the immediate contenders and drivers of the conflict, and the establishment of the centre(s) of gravity. Consideration should be made of the guidelines for children in armed conflict (doc 9822/08).

- v. Impartial **monitoring of the respect of human rights** is a confidence-building measure to restore public confidence, prevent unrest and legitimise the host state government (e.g. EUMM Georgia and AMM). The international presence, if accepted by both parties, can act as an arbiter where there are differing assessments of the situation, for example in relation to ethnic discrimination. Within a more limited mandate, a mission can monitor respect for human rights by local security services that they advise and serve, such as equal treatment of different ethnicities or men and women within these services (e.g. EULEX Kosovo, EUSEC and EUPOL R.D.Congo and EUPM in Bosnia and Herzegovina). Missions may also come across human rights abuses during their work.

- vi. In the guiding document "Mainstreaming human rights across CFSP and other EU policies" (doc 10076/06), **democratisation** is addressed alongside human rights. It should also be considered that **security** is a key human right (article 3 of Universal Declaration: "[e]veryone has the rights to life, liberty and security of person"), that the rule of law is an inalienable right (article 7: "[a]ll are equal before the law and are entitled without any discrimination to equal protection of the law...") as is participation in political life (article 21: "[e]veryone has the right to take part in government of his country, directly or through freely chosen representatives. Everyone has the right of equal access to public service in his country. The will of the people shall be the basis of authority of government...").
- vii. Impunity efficiently hampers statebuilding. When serious human rights violations go unpunished or unrecognised in a society, it prolongs the animosity and conflict, even where a formal peace agreement has been signed. The government in place is de-legitimised. This is why **transitional justice** needs to be considered as part of peacebuilding (EUMM Georgia has contributed to a functioning of national mechanism for transitional justice in Georgia, following the 2008 war with South Ossetia). Most work in this area to date though has been promoted by EU under other instruments, notably the Instrument for Stability.
- viii. **Sexual violence** is a crime that is used as an illegal tactic of war leaving deep scars in society. Among the efforts to fight this phenomenon, the EU can seek to reform the security sector and encourage taking perpetrators to court through local police services, prosecutors, courts and prisons as well as through international tribunals. The primary task of the local security services should be to protect the population. Clear orders and training should be given on this at all levels of the security services. Impunity for sexual crimes should end and the government responsibility to prevent trafficking and slave trade should be made clear. Collaboration with the Special Representative of the Secretary-General (SRSG) on Sexual Violence in Conflict is encouraged.

- ix. Missions should consider preventing **domestic violence** through promoting the creation of specialised police units (e.g. EUPOL COPPS) and, where appropriate, incorporating training for local police officers on preventing domestic violence into the mission mandate. Occurrences of suicide by women and girls should be monitored as indicators of deferred honour crimes and incidents of domestic violence generally.
- x. Whatever action is taken in the human rights area, it should be **done in unison with the other local and international actors**, in order to be effective and have impact. The actors in the human rights area tend to be numerous, and if a common agenda can be agreed, including with the NGOs that normally do advocacy on these issues, a broader and more lasting change may be achieved in the host country. The added value of a human rights/gender element in the CSDP operation or mission mandate needs to be put into the context of overall stabilisation actions in the host country. It may be that another EU instrument is better placed, in the particular circumstances, to take on the particular human rights/gender task than the operation or mission.
- xi. The tasks of the operation or mission need to be in line with the overall EU human rights policy, as part of a **comprehensive approach**, and clarity needs to be sought on the value added of each instrument deployed. Considering that security and the rule of law are prerequisites for the respect of human rights in a given country, the core business of CSDP operations and missions is closely linked to laying the ground for restoring human rights protection.

- xii. In fragile states, it is always difficult to devise clear-cut **end states**, and it should be borne in mind that in the human rights and gender areas, the time needed to conduct key reforms by the host state may be much longer than the time the CSDP operation or mission will deploy. As a result, the operation or mission may only be able to address by itself a fraction of the human rights needs in the country and might have to focus its action on the gravest human rights violations.
3. Human rights and gender should be fully taken into account in the planning of a CSDP operation or mission, already in the **Crisis Management Concept (CMC)** which sets the key areas of intervention of the future operation or mission (e.g. EUMM Georgia). It needs to be assessed whether human rights constitutes a centre of gravity in the stabilisation work that will be carried out by the operation or mission, and priorities need to be made based on the needs as well as the reality on the ground. There are several examples of incorporation of human rights in an operation or **mission mandate** (EUFOR Tchad/R.C.A., EULEX Kosovo, EUPOL Afghanistan; the Aceh Monitoring Mission - AMM - was the first mission to be given an explicit mandate to monitor human rights).
4. During planning, integration of human rights and gender in the operation or mission mandate requires an **in-depth analysis** of the issues, legal and others (e.g. how to capture suspected pirates at high sea - prosecution, detention on board, transport custody, castaways, refugees etc), and provide the operation or mission with the capacity to do this. Information on how EU assesses the human rights situation in the host country can be obtained from the EEAS in Brussels and the EU delegation on the ground. The "human rights sheet" for the host country should be studied at the outset of planning.

5. Human rights and gender **tasks in the mandate need to be sufficiently specific**, in order to allow their implementation that is visible and measurable (**benchmarking**/measures of progress). At this point in time, the OPLAN of EUMM Georgia is the most elaborate one with regard to integrating human rights, and may serve as an example for planning similar operations or missions in the future.
6. It is also essential to **set feasible goals** – the presence of EU human rights experts in an operation or mission naturally raises expectations both in the host country – especially civil society – and inside the operation or mission as to what the operation or mission will be able to achieve. What the operation or mission promises, it needs to deliver upon for the credibility of the operation or mission and the reputation of the EU.
7. Early inclusion of **human rights and gender expertise** in the planning team for an operation or mission has proved essential in order to ensure that those aspects are adequately covered during planning and then once an operation or mission is deployed (for example, up-stream planning allowed the inclusion of human rights and gender training in the syllabus used by EUTM Somalia).
8. A continued genuine **commitment by the host country government** is an essential condition for success and sustainability of an operation or mission,. 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 operation's or mission's action on human rights and gender (e g PM Fayyad's explicit support for EUPOL COPPS). It is essential that host country authorities are seen to take the lead in appearance as well as in substance, for any activities or reorganisation of local structures to be a lasting and effective one over time.

9. In order to achieve synergies and consolidate reform, it is useful to link **aid programmes** funded by the EU and other donors to CSDP action, even if only lasting a few years. Human rights in developing countries are often perceived foremost as issues of economic and social rights, and development cooperation may open windows of opportunity for the EU to promote the notion of human rights in their entirety. In this regard, the EU should provide designated and easily accessible funds for civil society, particularly women's groups, as part of an inclusive human security strategy.

10. CSDP Operations and missions, and the EU, are increasingly using **public diplomacy** to promote political change, including on human rights and gender equality, as a complement to the traditional diplomacy, i.e. it tries to influence public opinion in a foreign country to de-escalate a conflict. Media has played a key role in the propagation of hate speech in recent years and played a key role in inciting genocide and war crimes through hate speech in Rwanda and the Balkans, for example.

11. As important as they are for sustainable peace, laying the foundations for a **functioning economy and basic social services** has mostly fallen outside the mandate of CSDP operations and missions. Other international actors, principally the World Bank, the UNDP or large EU external assistance instruments take the lead on promoting the establishment of a functioning regulatory framework for investment and economic growth to happen. The same is true for establishing a framework for basic protection of workers rights as well as time-limited larger investment programmes by the host state following conflict and to generate time-limited employment.

4.2. Management of operations and missions

Mainstreaming fundamentally takes place in two respects in the operation or mission. Firstly, it takes place inside the operation or mission itself – the operation or mission should respect human rights and gender equality to be an example and to live up to the EU's own standards. Secondly, mainstreaming takes place in the activities the operation or mission carries out in the host country – to prevent conflict, provide security, and stabilise the host country.

4.2.1. *Mainstreaming human rights and gender into the operation's or mission's management, leadership and organisation*

1. Emphasize the **overall responsibility of senior operation and mission management staff** at headquarters and field level for human rights and gender mainstreaming. They need to ensure that the operation or mission delivers on the EU's foreign policy objectives, and they should also be in a position to understand how this mainstreaming increases **operational effectiveness**.
2. The **human rights and gender adviser/focal point should be strategically positioned** in the organisation chart, close to the operation or mission management and taking part in strategic meetings, where relevant, so as to have access to the necessary information that mainstreaming inside the operation or mission requires, and the backing to carry out the mainstreaming across different operation or mission components.
3. Where the operation's or mission's size allows, it is useful to nominate human rights and gender focal points also in the **operation's or mission's components** to support the mainstreaming. Moreover, it has proven useful to constitute multi-disciplinary teams/task forces within the operations or missions to support the work on gender and human rights. In addition, contact points, providing easy access for the local population, especially vulnerable groups, should be integrated into CSDP operations and missions where relevant.

4. With regard to operation or mission staff conduct, it is essential that **Standards of behaviour for EU personnel** (based on the generic EU standards - doc 8373/3/05) are spelled out in the **standard operating procedures** (for a military operation) **and in the code of conduct** (for a civilian mission) that forms part of the OPLAN. Oversight of the respect of the Code of Conduct should not be part of the gender adviser's responsibilities, as this distorts his/her role as a team member, but is a task for the chain of command/executive management. Alternatively, a specific complaint mechanism and procedure (either through specialised staff in the human resources department, counselling services, or specially trained volunteers) could be set up. Mission guidelines should also detail instructions should human rights abuses be encountered.
5. It is useful to devise practical tools and directives to systematise and communicate the mainstreaming work, such as 'gender road maps' or 'gender milestone matrix' (EUPOL COPPS) or a 'gender situational awareness matrix' (EUFOR Althea). These need to form part of the overall operation or mission implementation plans, where the operation or mission has specific human rights/gender tasks that can be quantified. The elaboration of an **action plan** can serve as an important process in itself, guiding the thinking within the operation or mission, raising awareness and increasing ownership among the operation or mission staff. An action plan can guide the operation or mission personnel in making their objectives operational and also ensure coherence and continuity of actions notwithstanding rotation of operation or mission personnel. It would be useful to exchange information about these tools between operations and missions.

4.2.2. Operation and mission reporting to headquarters and Council

1. In order to reflect the objective of human rights and gender mainstreaming, it is important to ensure that **all operation or mission components report on human rights and gender aspects** as part of their general reporting, where relevant and in line with instructions from the chain of command. In addition, specific human rights and gender reports can prove useful. Human rights/gender reporting in the case of military operations may include debriefings from CIMIC/outreach teams. The reporting should take into account the EU indicators as well as the UN indicators on women, peace and security. The reporting requirements should be made explicit in the **OPLAN**.

2. The operations, missions and headquarters **need to have readily available, in a user-friendly format, the relevant commitments and provisions** of international humanitarian law, including UN conventions and EU commitments, other public international law that is relevant, UN Security Council Resolutions and EU concepts and guidelines. These provide important support for the operation or mission personnel in general and particularly for those members of staff in charge of human rights and gender.
3. It is useful that the **operation or mission budget** has funds for human rights and gender activities, such as outreach and public education, where such activities are not covered by other budget items such as CIMIC. If the operation or mission has a project cell, it will have the capacity itself to develop projects and to fund them.

4.3. Achieving results in the host country - prevention, promotion, protection

1. Even in a conflict-torn society, the formal human rights obligations of the state(s) remain in force. Not all states in the United Nations system are democracies, and cultures vary greatly, but all are bound by the international human rights legislation. International human rights law can thus be used as a means to enhance CSDP operation and mission success.
2. CSDP civilian missions can play an important role, if mandated to do so, in ensuring/promoting that **new legislation** in the host country provides for more **equal participation by men and women** in the state institutions and their key processes such as elections (for example EUSEC and EUPOL R.D. Congo promoted the inclusion of women's views in the security sector reform and supported the local authorities in the drafting of laws). CSDP operations and missions can also promote gender equality by for example **mapping exercises** that support reorganisation of security services that create better opportunities and conditions for employment of women (EUPM), or by setting up of a **help-line for female police officers** that have been threatened (EUPOL Afghanistan).

3. Collecting **gender-disaggregated information** provides new insights. The benefits so far have related mainly to situational awareness (e.g. EUPOL Afghanistan, EUMM Georgia and EUSEC & EUPOL D.R. Congo). In Afghanistan and Georgia, by addressing women, the operation or mission gets complementary and often essential information about local communities and the security situation. As the EUMM Georgia experience shows, the effectiveness of human rights monitoring can be enhanced by complementing the traditional patrolling and recording of statements by organising group meetings, round tables, seminars and town-hall meetings, for example, to reach the women. In some countries, women are explicitly discriminated against through legislation.

4. Including human rights and gender in the **outreach activities** by the operation or mission can be a broader but often important aspect of achieving operation or mission success, as the operations and missions largely depend on the goodwill and confidence of the local population ("winning hearts and minds"). Specific booklets on human rights can be distributed to raise awareness and knowledge of human rights in the host country (e.g. EUMM Georgia). Publicising information on human rights situation on the operation's or mission's website can prevent rumours and political unrest (e.g. EULEX Kosovo which publicises court rulings for transparency and to build trust in the local judicial system). The website can also publish information, including interviews, to promote gender equality (e.g. EUPOL COPPS). Press releases should be made public at the occasion of international human rights and gender-related celebrations as deemed useful¹.

¹ For example the International Human Rights Day (10 December), EU Anti-Trafficking Day (18 October), the adoption of UNSCR 1325 (31 October), the International Day for the Elimination of Violence against Women (25 November) and the International Day against the Use of Child Soldiers (12 February) etc.

5. For effectiveness, it is useful to **mainstream human rights and gender aspects in general policies and training programmes of the host country**, instead of limiting them to specific, self-contained actions or projects. As an example it is more sustainable to push for a standard curriculum on human rights and gender to be included in the academic program of a police academy than to organise one-off training seminars on the issue (EUPOL R.D. Congo). Training should also include a module/modules on the Code of Conduct.
6. In order to achieve maximum impact it has proved useful to concentrate on activities with multiplier effects such as **training of local trainers** instead of/in addition to local officials (e g EUTM Somalia, EUPOL R.D. Congo).
7. There is room for **specific actions/projects** as well though, to carry out pilot projects where there is resistance to more general mainstreaming of policies or programmes (EUPOL COPPS - pilot juvenile police units; EUPOL RD Congo).
8. A CSDP mission supporting security sector reform may find it useful to promote the **establishment of internal disciplinary mechanisms in the host country security services** as means to enhance their capacity to sanction staff members responsible for human rights violations (e g EUPOL COPPS, EUPOL R.D. Congo). Where a mission is made aware of alleged human rights violations by the local security service that it works with or trains/advises, including torture, the mission may follow up these claims either within an internal disciplinary mechanism, where available, or with a local human rights ombudsperson (e g EUPOL COPPS) or other relevant institution with which it has established cooperation.

9. As representatives of the international community in a host country, **operation and mission staff should be capable to receive claims of human rights violations** from the local population, or direct the plaintiff to another, reliable international or local organisation. It is useful for the operation or mission to have standardised modalities for to facilitate receiving claims of human rights violations and to make reporting uniform. These claims should include mechanisms of standardised reporting on domestic violence and human trafficking. In one case, due to the executive character of the mandate, EU established a Human Rights Review Panel (the Panel) on 29 October, 2009 with a mandate to review alleged human rights violations by EULEX Kosovo. The Panel is an independent, external accountability body which performs its functions with impartiality and integrity. It complements the overall accountability of EULEX which includes the EULEX Internal Investigation Unit and the EULEX Third Party Liability Insurance Scheme and the disciplinary and judicial measures of Sending States.
10. Where human rights issues in the host country prevent a CSDP operation or mission from operating, the issue can be raised in the chain of command and addressed, as appropriate, in the **EU's political and human rights dialogue** with the host country if a solution cannot be found at operational level. The EU does not yet regularly raise issues of mal governance, state service delivery failure or corruption in its political dialogue, however this should be considered in future given their importance in stability and state-building, based on a continued gathering of evidence of what works, and what does not work, in stabilisation and state-building processes. This requires a compilation of best practices based on EU experience to a much greater extent than currently is the case: EU and international standards and tools for a well-functioning state and government need to be made explicit and clear, first inside the EU. This could provide a more effective tool to counter and prevent oppression and human rights violations and endemic corruption.

4.4. Cooperation with other international actors in the field

1. In order to be effective, the proposed operation or mission tasks in the human rights and gender area need to **be designed and implemented in relation to the actions by other EU and non-EU actors, seeking complementarity and synergies**. Furthermore, it is important to support CSDP operations and missions through adequate political messages (EU declarations and statements, demarches, political dialogues, human rights dialogues etc.).
2. The operation or mission can play a **supportive role towards local human rights or women's organisations**, or even individual human rights defenders. Representatives of these organisations can for example be invited to trainings or other meetings organised by the operation or mission. The operation or mission can help to build bridges between local governmental and non-governmental actors, thus contributing to more transparent governance and confidence building in society.
3. Regarding advocacy for human rights and gender equality, it has proven useful to seek to **define common lines with other actors**, such as the United Nations or non-governmental organisations active in the region. Regular meetings with these have been found useful in order to coordinate action and positions. As EUTM Somalia and other examples show, it is important to clearly define the roles of different organisations and seek to identify the specific value added of the EU.

4.5. Training of operation and mission staff

1. The Council has several times underlined the importance of **human rights and gender training and training on international humanitarian law for all CSDP operation and mission staff** (for example documents 10076/06, 13899/09, 14798/06 annex III and 16849/06 annexes I and II). Operation and mission experience shows that **pre-deployment and pre-mission training** is essential in order to give all staff a similar basic knowledge about the issues at stake and that it needs to be standardised to a greater extent (e.g. EUFOR Tchad/R.C.A.). Also, as experience has shown, operation and mission staff is better disposed for training prior to going into theatre with its operational imperatives and stressful environment (EUFOR Tchad/R.C.A.). In general, the link between training offered and deployment needs to be strengthened (people who are trained should be those who are deployed). Staff exercises could be used in **(military) training on the ground and (civilian) in-mission training** as an instrument to further increase knowledge and know-how. This should be reflected in the work on harmonisation of pre-deployment (military operations) and pre-mission (civilian missions) training.
2. Although human rights/gender advisors are recruited for their expertise, it is useful to give them opportunities to **upgrade their knowledge**. Gender advisers have for example reported that it would be useful to be trained in how to promote change in an organisation or a society. Those staff members who assume their tasks in the human rights/gender area only as part of a wider set of tasks, as focal points, need more and dedicated training, and should be offered to follow relevant courses of CSDP training providers.

3. **Training on the ground and in-mission training of all staff arriving to an operation or mission** should also be used in order to ascertain that all personnel dispose of a basic knowledge of human rights/gender, as well as other issues, but should not be expected to cover fully for incomplete earlier training. For contacted staff, this is often the only training they receive before deploying. Training on the ground and in-mission training should entail a strong human rights and gender component, both integrated in other training modules and supplemented by a specialised module on human rights and gender. Attendance must be envisaged for all staff. The effectiveness of training can be further enhanced by handing, to each new arrival, a ‘welcome package’ containing the basic documentation, or training trainers inside the operation or mission, if it is a large one. These issues should be built into guidelines on pre-mission and in-mission training for civilian CSDP missions being developed (doc 17506/09).
4. All operation and mission staff should be **trained on the standards of behaviour** as set out in the OPLAN. CSDP advisors have reported back on the need for this training to be of a sufficient length and ideally be coupled with lessons on cultural awareness.

4.6. Staffing

1. Female candidates are still in short supply for many operations and missions, even compared to their share in the Member State services that put forward the candidates. The EU strives for improved gender balance in CSDP operations in compliance with UNSCR 1325. The CPCC encourages Member/Contributing States and European Institutions to take this into account when offering contributions.
2. It is also important to foresee **female interpreters** to interact with women in the local population.
3. It would be useful for the contributing countries to look for **innovative ways to improve the gender balance of staff** deployed in CSDP operations or missions , including for senior positions, such as considering adding flexibility or other targeted incentives in conditions of employment.

4. As a general rule, avoid ‘**double-hatting**’ of human rights and gender advisors (between operations or missions or between themes) and make possible that human rights and gender advisors have access to an operating budget for outreach activities. Human rights and gender cover a very large variety of issues, calling for a similar variety of expertise.

5. ANNEXES

5.1. Annex 1. References

- A. Mainstreaming Human Rights and Gender into European Security and Defence Policy, compilation of relevant documents (2008)
- B. Mainstreaming human rights into ESDP (doc 11936/4/06)
- C. Mainstreaming human rights across CFSP and other EU policies (doc 10076/06)
- D. Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security (doc 15671/1/08)
- E. Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP (doc 15782/3/08)
- F. Check-list for transitional justice (contained in doc 10674/06)
- G. Draft General review of the Implementation of the Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations (9822/08)
- H. Update of the EU Guidelines on children and armed conflict (10019/08)
- I. EU guidelines on violence against women and girls and combating all forms of discrimination against them (16173/08)
- J. Implementation of UNSCR 1325 and UNSCR 1820 in the context of training for the ESDP missions and operations - recommendations on the way forward (13899/09)
- K. Checklist for working with civil society (doc 10056/1/04)
- L. Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations (doc 15091/10)

5.2. Annex 2. Implementation of EU policy on human rights and gender mainstreaming in CSDP - achievements at headquarters level during 2010

- **Adoption of EU indicators on gender:** In July 2010 the Council adopted 17 indicators on the implementation of the two key EU documents concerning Resolutions 1325 and 1820 on women, peace and security : ‘EU Comprehensive Approach on UNSCR 1325 and 1820 on women, peace and security’ (15671/1/08 REV 1) and ‘Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP’ (15782/3/08 REV 3). Several of these indicators are directly relevant to the CSDP, namely:

- Proportion of men and women trained specifically in gender equality among diplomatic staff, civilian and military staff employed by the Member States and Community institutions and military and police staff participating in UN peacekeeping operations and CSDP operations and missions.
- Number and percentage of CSDP missions and operations with mandates and planning documents that include clear references to gender/women, peace and security issues and that actually report on this.
- Number and percentage of CSDP missions and operations with gender advisors or focal points.
- Number of cases of sexual abuse or exploitation by CSDP staff reported on and acted upon
- Percentage of EUSRs activity reports that include specific information on women, peace and security

The first report is currently being prepared on the basis of responses received by EU delegations, EU MS and CSDP missions/operations.

- **Elaboration of standard training elements on gender:** As a follow up to the Council document ‘Implementation of UNSCR 1325 and UNSCR 1820 in the context of training for the ESDP missions and operations - recommendations on the way forward’ (13899/09), the Council Secretariat and the Belgian presidency initiated the elaboration of standard human rights and gender training elements. As part of this process an initial preparatory workshop was organised to work on the structure of the training elements, leading to a wider seminar bringing together experts from EU member states and partners. The latter meeting gave the member states an opportunity to present their ongoing and planned training initiatives and their input to the proposed structure of the training elements. External partners such as the UN, AU, NATO and OSCE participated in the seminar.

- **Facilitating networking between human rights and gender advisers and focal points:** The Council Secretariat started, in 2009, to facilitate regular meetings between gender advisers and focal points deployed in CSDP operations and missions. The first meeting took place in November 2009. The second meeting (in July 2010) took place in conjunction with the first thematic lessons exercise and was a combined meeting of human rights and gender advisers and focal points. There are currently gender and/or human rights advisers or focal points in all CSDP operations and missions. The establishment of such communities of experts is foreseen in the 2008 Guidelines on identifying and implementing lessons and best practices in civilian CSDP missions (doc 15987/08).

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-**Specific Website on Women, Peace and Security:** The Council Secretariat has set up a specific website on Women, Peace and Security at <http://www.consilium.europa.eu/showPage.aspx?id=1886&lang=EN>. This website, regularly updated, is also linked to the general Council CSDP website for easy access.

- **Open Days in CSDP operations and missions and in EU Delegations:** In order to mark the 10th anniversary of Resolution 1325, CSDP operations and missions and EU Delegations will organised ‘Open Days’ to interact with women’s organisations and civil society organisations working on gender issues in their respective countries. The missions/operations have been requested to prepare reports of the meetings which will be compiled to a single document and made public.

- **Involving Heads of Missions and Commanders:** A number of Commanders and Heads of Mission had meetings with the Human Rights Unit of the Council Secretariat to discuss Human Rights aspects of missions and operations. In conjunction with annual meetings of Heads of Mission, the Council Secretariat will organise briefings on human rights and gender developments to their attention.

- **Revision of CAAC implementation strategy:** The Implementation Team organised a workshop to revise the 2006 Implementation Strategy of the EU Guidelines on Children and Armed Conflict. CSDP aspects will also be covered.
