

Gender and Security Sector Reform: Examples from the Ground



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Acknowledgements

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The Gender and Security Sector Reform Training Resource Package

The Gender and Security Sector Reform Training Resource Package is a companion to the Gender and SSR Toolkit (DCAF, OSCE/ODIHR and UN-INSTRAW, 2008/2010). Copies of the Gender and SSR Toolkit can be downloaded or ordered at www.dcaf.ch/gssrtoolkit

The Gender and SSR Training Resource Package is a series of practical training materials to help trainers integrate gender in SSR training, and to deliver effective gender training to SSR audiences.

The Training Resource Package comprises a “Guide to Integrating Gender in SSR Training”, which provides information on how to take into account gender issues throughout the SSR training cycle, and practical exercises, examples and topics for discussion on:

- Security Sector Reform and Gender
- Police Reform and Gender
- Defence Reform and Gender
- Parliamentary Oversight of the Security Sector and Gender
- Civil Society Oversight of the Security Sector and Gender
- National Security Policy-Making and Gender
- Justice Reform and Gender
- Border Management and Gender
- Penal Reform and Gender
- SSR Assessment, Monitoring and Evaluation and Gender

The Gender and SSR Training Resource Package can be found online at www.gssrtraining.ch, in both English and French. The website includes interactive features for trainers to share experiences and insights.

DCAF

DCAF is an international foundation under Swiss law, based in Geneva, Switzerland. DCAF is one of the world's leading institutions in the area of security sector reform (SSR) and security sector governance (SSG). DCAF's core area of activities are 1) advisory field support, 2) policy-relevant research, 3) promotion of emerging norms and standards, and 4) advocacy and training in the areas of SSR/SSG.



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INTRODUCTION

Background

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) has been working to support the integration of gender issues in security sector institutions and security sector reform (SSR) processes since 2003, including through the development of practice-oriented documents for SSR practitioners. In February 2008, DCAF published a Gender and SSR Toolkit in collaboration with the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW). Designed to provide a practical introduction to gender issues for SSR practitioners and policy-makers, the Toolkit includes a series of 24-page “tools” and 4-page “practice notes” on thirteen different SSR topics.

During the development of the Toolkit it became clear that there was also a need for practical training materials on gender and security sector reform. This led to the creation of the Gender and Security Sector Reform Training Resource Package and the Gender and Security Sector Reform Training website. These training resources are designed for SSR trainers and educators and others delivering training on gender and security issues. They include interactive exercises for different types of audiences, discussion topics, general training tips, an online discussion forum and examples from the ground.

The Examples from the Ground

These examples from the ground are concrete illustrations of ways in which a gender perspective has been integrated in different security sector institutions and security processes around the world. They can help policymakers, trainers and educators better understand and demonstrate the linkages between gender and SSR.

The examples were compiled by DCAF based largely on publicly available research, data and reports. At times these were supplemented with material obtained from individuals and institutions directly involved.

The examples are organised around the following nine themes, for which a short introduction is provided at the beginning of each section:

- Police Reform and Gender
- Defence Reform and Gender
- Justice Reform and Gender
- Penal Reform and Gender
- Border Management and Gender
- Parliamentary Oversight of the Security Sector and Gender
- National Security Policy-Making and Gender
- Civil Society Oversight of the Security Sector and Gender
- SSR Assessment, Monitoring and Evaluation and Gender

Since some of the examples are relevant to more than a single theme, the table on pages 4-5 is a key to the subject matter of each. It also identifies the examples addressing the cross-cutting issues of gender-based violence, peacekeeping and recruitment and retention of women in the security sector.

SECURITY SECTOR REFORM AND GENDER: KEY CONCEPTS AND RATIONALE

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

The security sector is a broad term used to describe the structures, institutions and personnel responsible for the management, provision and oversight of security in a country. It includes armed forces, police, intelligence, border management and customs services, justice and penal institutions, non-statutory and traditional justice and security providers, as well as actors that play a role in managing and overseeing the design and implementation of security, such as ministries, parliaments, ombuds institutions, human rights commissions and civil society organisations (CSOs).

Security Sector Reform is a process aimed at ensuring that security and justice providers:

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

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

The integration of gender issues into SSR processes and security sector institutions may enhance...

Effective delivery of security and justice services. Women, men, girls and boys have different security experiences and priorities. Taking these differences into account when reforming the security sector strengthens the ability of security sector institutions to prevent and respond to violence related to gender roles and dynamics, such as domestic violence, sexual assault, human trafficking and anti-gay violence, and thus respond to the security needs of the public.

Representation. Representative security sector institutions that mirror society at large in terms of ethnicity, tribal affiliation, religion, sex and language tend to be more trusted and legitimate. However, men continue to be vastly over-represented in security sector institutions. Women and men have the right to equal opportunities to participate in security delivery, decision-making and oversight. The increased participation of women in security sector institutions is desirable and viable; it is also operationally beneficial. For instance, in peacekeeping operations, women are needed to screen female ex-combatants, widen the net of intelligence gathering, perform searches of women and provide assistance in the aftermath of sexual violence.

Respect for human rights. Security sector personnel that respect the human rights of their colleagues and civilians gain the trust of the community. However, in many countries, security sector personnel have been involved in sexual harassment, sexual assault, human trafficking, forced prostitution and domestic violence. Measures to prevent and respond to violations of human rights need, therefore, to be incorporated into SSR processes. These can include codes of conduct, sexual harassment policies and independent oversight and complaints mechanisms.

Local ownership. The involvement of women and women's organisations in SSR processes is an essential part of effective local ownership. Women's civil society organisations and organisations working on gender issues are important local security actors, as they provide

services to victims, liaise with security sector institutions and work to prevent insecurity. They often have access to detailed information regarding local security and justice needs, and can serve as a bridge between communities and security policymakers.

Oversight and accountability of the security sector. The equal participation of men and women in oversight bodies, such as parliament, ombudsperson institutions, civil society organisations and the judiciary, builds trust and strengthens responsiveness to the concerns of the entire population. Involving gender experts and women's organisations in oversight bodies is also essential if human rights abuses committed by security sector personnel are to be prevented, or failing that, punished.

- ▶ This introduction is drawn from the Security Sector Reform and Gender *Practice Note*, which is based on a longer *Tool*, and the Gender and Security Sector Reform *Backgrounder*. These can be found online at www.dcaf.ch/gssrtoolkit.

REFERENCE TABLE: REGIONS AND TOPICS COVERED IN THE EXAMPLES

Region	Examples	Police reform	Defence reform	Justice reform	Penal reform	Border management	Parliamentary oversight	National security policies	Civil society oversight	Assessment monitoring and evaluation	Gender-based violence	Peace-keeping	Retention and recruitment of women
Asia and Pacific	Afghanistan: Addressing the needs of women in prison (p.41)			*	✓				*		*		
	Afghanistan: Increasing women's representation in parliament through quotas (p.61)					✓							
	Indonesia: Oversight and monitoring of gender issues in justice reform (p.33)			✓							*		
	Nepal: Women's civil society organisations working with security institutions (p.78)	*	*						✓		*		
	The Pacific: Women's civil society engagement in security dialogue (p.80)								✓				
	Tajikistan: Dushanbe-Kyrgyz border rehabilitation (p.56)					✓				*			
	Timor-Leste: Gender dimensions of establishing the <i>Policia Nacional</i> (p.16)	✓										*	
	Austria and Côte d'Ivoire: Implementing SCR 1325 through NAPs (p.68)							✓	*	*	*		
	Kosovo: Measures to counter human trafficking (p.7)	✓										*	
	Kosovo: Gender training for border and boundary police (p. 54)						✓				*		
Europe and North America	Hungary: Increasing the recruitment and retention of women in the armed forces (p.20)												*
	Russian Federation: Improving the living conditions for women prisoners (p.45)			*	✓				*				
	UK DFID in Africa: DFID evaluation of HIV/AIDS issues in security and justice programming (p.91)	*	*	*						✓			
	USAID in Tanzania: Gender auditing as a tool for enhancing gender in programming (p.95)									✓			
	United States: Police self-assessment of recruitment and retention of women (p.92)	*							*	✓			*
	United Kingdom: Addressing sexual harassment in the armed forces (p.26)											*	
	United Kingdom: Civil society oversight of places of detention (p.82)	*		*	*				✓		*		

✓ Main topic addressed in example
* Other topics addressed

Region	Examples	Police reform	Defence reform	Justice reform	Penal reform	Border management	Parliamentary oversight	National security policies	Civil society oversight	Assessment monitoring and evaluation	Gender-based violence	Peace-keeping	Retention and recruitment of women
Latin America and the Caribbean	Brazil: Civil Society organisations countering gun violence (p.77)	*							✓		*		
	Jamaica: Participatory and gender responsive national security policy (p. 73)							✓	*		*		
	Nicaragua: Gender initiatives in the national police (p.11)	✓									*		
	Peru: Gender assessment in the justice sector (p.35)			*						✓	*		
North Africa and the Middle East	Israel: A law for the inclusion of women in security sector decision-making (p. 71)							✓	*				*
	Central African Republic: Government and NGOs collaborate to fight FGM (p.30)			*					✓	*	*		
Sub-Saharan Africa	Austria and Côte d'Ivoire: Implementing SCR 1325 through NAPs (p.68)							✓	*	*			
	Liberia: The Liberian National Police's female recruitment programme (p.9)	✓							*			*	*
	Liberia: Integrating gender into the post-conflict needs assessment (p.86)	*	*	*						✓	*	*	*
	Liberia: Gender-sensitive disarmament, demobilisation and reintegration (p.21)		✓								*	*	
	Rwanda: Women parliamentarians and post-conflict reconstruction (p.62)						✓				*		
	Sierra Leone: Family support units (p.14)	✓									*		*
	Somalia: Reforming customary laws to meet human rights standards (p.37)			✓					*		*	*	
	South Africa: Addressing HIV/AIDS in prisons (p.49)				✓				*	*	*	*	
	South Africa: Gender budgeting (p.65)						✓		*	*			
	South Africa: Gender-responsive defence reform (p.24)		✓				*		*		*		*
West Africa: Monitoring borders with a gender lens (p.58)						✓			*	*			

✓ Main topic addressed in example
* Other topics addressed

POLICE REFORM AND GENDER

Integrating gender in police reform is a means to promote...

The effective provision of security to men, women, girls and boys. As police are responsible for the maintenance of public order and the protection of people, they have a duty to understand and take action to prevent and respond to the different forms of crime and insecurity faced by men, women, girls and boys. These include violence related to gender roles and dynamics, such as gang violence, rape, child abuse and anti-gay violence. Police officers must receive appropriate training to prevent gender-based violence, assist victims, and investigate and prosecute these crimes.

Representative police services. Creating a police service that is representative of the population it seeks to serve – in terms of ethnicity, sex, religion, language, and tribal affiliation – increases the credibility, trust and legitimacy of the service in the eyes of the public. It also increases operational effectiveness, through access to a broader range of skills, experiences, education and culture, which maximises the ability to deliver local solutions to local problems.¹ Women often bring specific skills and strengths to police work, such as the ability to defuse potentially violent situations, minimise the use of force and employ good communication skills.² Globally, men are currently greatly over-represented in police services. Specific initiatives are needed to increase the recruitment, retention and advancement of female personnel.

Non-discriminatory and human rights promoting police services. Eliminating discrimination and human rights violations by police personnel against their co-workers and civilians will help to create an effective and productive work environment. Discriminatory attitudes of police personnel can prevent equal access to police services. In many countries, women report that police are insensitive and fail to adequately investigate gender-based crimes.³ Gender-responsive policies, protocols and capacity building can increase police professionalism and access to police services for both male and female citizens.

- ▶ This introduction is drawn from the Police Reform and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

¹ United Kingdom Police Home Office, 'It works...The Operational Benefits of Diversity for the Police Service', 2005, 4.

² Lonsway, K. et al., *Hiring & Retaining More Women: The Advantages to Law Enforcement Agencies*, National Center for Women & Policing, 2003.

³ UNIFEM, *Not a Minute More: Ending Violence Against Women*, (UNIFEM: New York), 2003, 46.

KOSOVO

Measures to counter human trafficking

Human trafficking and prostitution exploded in Kosovo after the 1999 war. Women primarily from the former Soviet bloc countries of Moldova, Romania, Ukraine, Bulgaria and Russia were tricked and/or forced into becoming sex slaves in brothels run by various organised crime families.¹ The presence of international peacekeeping forces, as well as other international personnel, contributed to the demand for trafficked women. Some international personnel were directly implicated in trafficking rings.²

The Kosovo Police Service (KPS), which was formed with the support of the UN and the OSCE, has been characterised by a high degree of gender-sensitivity. The KPS targeted women and ethnic minority applicants for recruitment. As of January 2010 women comprised 14.77 percent of the KPS. In 2009, 75 sergeants, 27 lieutenants, five captains, four majors, two lieutenant colonels, two colonels and one departmental general director were women.³

NATO and UN police were initially responsible for anti-trafficking, but the KPS gradually took over this responsibility. KPS officers, who received specialised training from UN counterparts, started to participate in intelligence gathering, investigations, raids and counter-trafficking operations. An Anti-Trafficking Unit was established in the KPS in 2004. The Unit focuses on prevention, protection and prosecution, and has officers in all six regional headquarters and at headquarters. The Anti-Trafficking Unit, in collaboration with the Domestic Violence Unit, has created proactive mechanisms to combat trafficking and has ensured that anti-trafficking is a priority item on police and political agendas.⁴

Specialised training in interviewing, investigations, victim and witness protection, and preparation for prosecution is given to members of the Anti-Trafficking Unit at the Kosovo Centre for Public Safety Education and Development. These courses use scenarios and role-plays to teach officers how to recognize trafficking, to adapt their responses to the evolving environment and to support the victim. The International Organisation for Migration (IOM) has provided “training of trainers” courses for the KPS and the Border Police, and has helped to draft standard operating procedures to help police identify the victims of trafficking.⁵ Furthermore, the KPS Gender Unit has organised training for all KPS departments on gender issues, including human trafficking.

The procedure for dealing with victims of trafficking is as follows: after a suspected case is brought to its attention, the KPS immediately informs the prosecutor, and as soon as is feasible interviews the suspected victim and witnesses. The Victim’s Assistance Unit in the Ministry of Justice and the Centre for Social Welfare in the Ministry of Labour are also informed of the case. These two entities, together with IOM’s Counter-Trafficking Unit and various local NGOs, form the “Direct Assistance to Victims of Trafficking Working Group”. Once victims are identified, the KPS transports them to a designated shelter where they are fed, housed and given free medical care and counselling if needed. The Anti-Trafficking Unit provides secure escorts for court proceedings and medical appointments.

The KPS has elaborated a prevention strategy, with the growing involvement and support of local women’s organisations, which focuses on warning at-risk women of the lies, tricks and other methods employed by traffickers.

¹ UNIFEM, *No Safe Place: An Assessment of Violence Against Women in Kosovo* (Prishtina: 2000), http://www.unifem.org/materials/item_detail.php?ProductID=74 (accessed October 1, 2009).

² Ibid.

³ Personal correspondence from OSCE Mission, 20 January 2010; Kosova Women’s Network, *Monitoring Implementation of United Nations Security Council Resolution 1325 in Kosova, Second Edition* (Prishtina, Kosova: 2009), http://www.peace-women.org/resources/Kosovo/KWNKosova1325_2009.pdf (accessed October 15, 2009).

⁴ Sarah Maquire, “Implementation of Security Council Resolution 1325 in Kosovo – Lessons learned to inform EULEX Kosovo” (paper presented for UNIFEM Brussels, September 2008), http://www.isis-europe.org/pdf/2008_artrel_213_esr41-gender-esdp-kosovo.pdf.

⁵ OSCE Mission in Kosovo, “Background Report. Combating Trafficking in Kosovo,” June 5, 2001, section 3.b. <http://www.osce.org/item/15736.html>.

KOSOVO

Measures to counter human trafficking

In 2007, 33 victims of trafficking were assisted. In the first quarter of 2008, the KPS managed to close 27 brothels that were suspected of trafficking.⁶

Despite these positive efforts, problems still remain in the fight against human trafficking:

- The long chain of command is impeding quick action.
 - Vehicles and covert tools needed for investigations are lacking.
 - The lack of funds to support anti-trafficking is reducing the efficiency of police operations. For example, in bars under surveillance for trafficking, undercover officers who cannot afford to buy alcoholic drinks will buy a coffee instead, tipping the owners off immediately that the “customer” is a police officer.⁷
- ▶ The importance of integrating gender into police reform is discussed in section 3 of the *Police Reform and Gender Tool*.
 - ▶ Procedures and initiatives to address gender-based violence are discussed in section 4.3 of the *Police Reform and Gender Tool*.
 - ▶ The creation of specialised units in police forces is discussed in section 4.4 of the *Police Reform and Gender Tool*.
 - ▶ The challenges of integrating gender into police reform in post-conflict countries, including in peacekeeping operations, are discussed in section 5.1 of the *Police Reform and Gender Tool*.

⁶ US State Department, “Trafficking in Persons Report,” June 2008.

⁷ William G. O’Neill, “Kosovo. Field Notes” (prepared for UNIFEM, UNDP, DPKO, November 21, 2006), 8.

LIBERIA

The Liberian National Police's female recruitment programme

The rebuilding of the Liberian National Police (LNP) commenced in 2005, after the end of Liberia's fourteen-year-long, devastating war. During the war, the LNP had committed serious human rights violations and thus acquired a poor reputation among the population. The United Nations Mission in Liberia (UNMIL) designed a "vetting/de-activation programme" to purge the LNP of its most brutal elements, which led to the enrolment of a new crop of police recruits. In addition, UNMIL developed a Gender Policy as part of the reform and restructuring of the LNP, the first such policy in UN peace operations.¹

UNMIL set a 20 per cent quota for women's inclusion in the police and armed forces, and the LNP established a Female Recruitment Programme. The lack of educational qualifications among potential female recruits posed a challenge. The Programme selected 150 women to attend classes to receive their high school diplomas. These women, in return, promised to join and serve in the LNP for a minimum number of years.² Affirmative action of this kind expanded the pool of female police recruits without having to lower essential qualifications.

Caravans of LNP officers, including female officers, and representatives from the Ministry of Gender and Development periodically visit markets, churches and schools to recruit women into the LNP. Using music, short speeches and the distribution of posters and t-shirts, they describe the roles that women can play as police officers. These recruitment campaigns attempt to dispel the myth that women lack the physical strength to do police work, focusing on police duties requiring different abilities, such as performing community service and providing help and assistance to citizens. The LNP also holds regular "Community Forums" with community leaders in each district, during which they describe the career opportunities for women police officers and distribute material on the application process.

A boost to recruitment of women in the Liberian police has come from India. In January 2007, the UN's first all-female peacekeeping contingent, made up of 103 Indian policewomen, was deployed in Liberia. During the month following their deployment, the LNP received three times the usual number of female applicants.³

Despite these positive developments, important challenges still remain to be addressed. For example:

- The 29-week long LNP training package includes only four hours of training related to gender issues. Thus, instructors can raise certain gender issues but do not have the time to explore the issues in depth
- Because the LNP is severely under-resourced, the police academy's facilities are extremely rudimentary. Participants live in tents and women are not usually provided with separate dormitories. Such conditions can be a disincentive for women to join the police service
- Officers do not have vehicles, phones, computers, elementary rape kits and other forensic tools needed to investigate sexual abuse cases

Successes from Liberia include:

- In April 2005, the Women and Child Protection Section was created within the LNP, tasked with, inter alia, training selected police officers to address crimes against

¹ William G. O'Neill, "Field-notes: Liberia" (prepared for UNIFEM, UNDP, DPKO, January 4, 2007), 4.

² Office of the Gender Advisor, Gender Mainstreaming fact sheet, http://unmil.org/documents/Gender_Background_and_mainstreaming.pdf (accessed October 1, 2009); O'Neill, "Field-notes: Liberia"; See also: UNMIL Press Release, "Launching of Special Education Programme for Potential Female Recruits of Liberia National Police," January 22, 2007, <http://unmil.org/article.asp?id=1951>.

³ Guéhenno, J.M., "Statement to the UN Security Council, Debate on Women, Peace and Security," UN Document S/PV.5766, October 23, 2007, 5.

LIBERIA

The Liberian National Police's female recruitment programme

women and children. Within three years there was a Women and Child Protection Section of the LNP located in every county capital in Liberia (fifteen in total)⁴

- On 17 January 2009, at the graduation ceremony of the Liberia National Police Academy, 150 recruits were women, almost 40 more than in 2005. The LNP's female representation has grown exponentially and as of January 2009 stood at 449 officers, or 12.6% of the LNP's strength⁵
 - As of January 2009, more than 2,887 of the 3,800 LNP officers had been trained in the protection of women and children, criminal investigations, traffic investigations, media relations and firearms. This represents great strides in creating a service able to meet the policing needs of all communities⁶
- ▶ The importance of integrating gender into police reform is discussed in section 3 of the *Police Reform and Gender Tool*.
 - ▶ Gender-sensitive recruitment policies and practices are discussed in section 4.7 of the *Police Reform and Gender Tool*.
 - ▶ The challenges of integrating gender into police reform in post-conflict countries are discussed in section 5.1 of the *Police Reform and Gender Tool*.

⁴ Benjamin de Carvalho and Niels Nagelhus Schia, "The Protection of Women and Children in Liberia," Policy Brief, Norwegian Institute of International Affairs, No.1, 2009, http://www.nupi.no/publikasjoner/policy_briefs/policy_briefs (accessed October 1, 2009).

⁵ African Press Organization, Liberia National Police graduate record number of women in revamped force, January 20, 2009, <http://appablog.wordpress.com/2009/01/20/liberia-national-police-graduate-record-number-of-women-in-revamped-force/> (accessed October 1, 2009).

⁶ Ibid.

NICARAGUA

Gender initiatives in the National Police

Women are often reluctant to file complaints of abuse with the police for different reasons, including cultural practices that limit interactions between men and women, social norms that inhibit women to speak about violence in the home and failure of the police to process complaints. To address these challenges, women's police stations have been established in a number of countries. These stations are often staffed primarily with specially trained female officers in order to create an environment where women feel comfortable reporting violations and reassured that their reports will be properly handled.¹

In a number of Latin American countries (Argentina, Brazil, Colombia, Costa Rica, Ecuador, Nicaragua, Peru and Uruguay), women's police stations have become a popular and successful instrument for fighting violence against women.² Although the types of women's police stations vary and serve different segments of the population, depending on each country's criminal and other legislation, they have characteristics in common: they deal with domestic, family, and sexual violence against women, boys and girls. Women's police stations aim to:

- Protect women against threats to their security, including implementing protection orders
- Provide access to justice
- Provide access to services that users, most often the poor, may not otherwise have access to
- Contribute to a gendered focus on security in general
- Collect data on the crimes they address.³

The development of women's police stations in Nicaragua

Nicaragua's first *Comisarías de la Mujer y de la Niñez* (Women's and Children's Police Station, or CMN) was established in 1993 in response to pressure from policewomen and the women's movement. The then head of the National Police of Nicaragua Secretariat, Aminta Granera, noted that rape had increased disproportionately to other kinds of crimes over the previous few years. After participating in gatherings of the Nicaraguan women's movement and visiting women's police stations in Argentina and Brazil, Ms. Granera developed strong convictions and a proposal that later became the basis for the CMNs. In 1996, CMNs become nationally institutionalised through inclusion in the new Police Code, although it was not until 1999 that a national office for CMNs was established, staffed and funded.⁴

The development and establishment of CMNs resulted from collaborative efforts among the National Police of Nicaragua, the Nicaraguan Women's Institute, and the NGO Women's Network against Violence, with the support of a number of international and regional donors. The Nicaraguan Women's Institute, representing the government's public policy institutions for women, performed functions that were necessary for institutionalising the CMNs, such as their monitoring at the national level and the creation of protocols that defined technical quality of service standards.

¹ Tara Denham, "Police Reform and Gender," in *Gender and SSR Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN-INSTRAW, 2008), 9, <http://www.dcaf.ch/gssrtoolkit>.

² Nadine Jubb and Wania Pasinato Izumino, "Women and Policing in Latin America: A Revised Background Paper" (paper prepared for the 2003 meeting of the Latin American Studies Association, Dallas, Texas, March 27-29, 2003), 1.

³ Tara Denham, "Police Reform and Gender," in *Gender and SSR Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN-INSTRAW, 2008), 9, <http://www.dcaf.ch/gssrtoolkit>.

⁴ Nadine Jubb, "Gender, Funding, and the Social Order: Contradictions among the State, the Women's Movement, and Donors regarding the Nicaragua Women's and Children's Police Stations" (paper prepared for the 2006 Congress of the Canadian Political Science Association, Toronto, June 1-3, 2006), <http://www.cpsa-acsp.ca/papers-2006/Jubb.pdf> (accessed: December 2, 2009); Nadine Jubb, "Enforcing Gendered Meanings and Social Order: The Participation of The National Police in the Nicaraguan Women's and Children's Police Stations" (document presented at the XXIII Congress of the Latin American Study Association (LASA), Washington, DC, 6-8 September, 2001).

NICARAGUA

Gender initiatives in the National Police

By 2008 there were a total of 32 CMNs in Nicaragua: one in each departmental/regional capital, one in each district of Managua and two in other cities.⁵ The CMNs have a mandate to address sexual and domestic violence against adult women, children and adolescents. Cooperation with women's NGOs and other non-governmental and state actors (e.g. children's and human rights organisations, public health clinics and the prosecuting attorney) allows the CMNs to combine policing, medical, psychological, legal and other services, including emergency shelter. CMNs provide specialised services at two levels. On the one hand, they provide professional services to victims of violence, such as helping them gain access to legal processes and/or get psycho-social care. On the other hand, they engage in a variety of prevention activities such as training, visiting schools, organising door-to-door campaigns and maintaining a database that tracks the cases of domestic and sexual violence. CMNs are staffed by female police officers with specialised training, female forensic doctors and social workers who provide follow-up and referral services.⁶

Awareness-raising on intra-family violence

In September 2006, Police Commissioner Granera announced a "Break the Silence" campaign which aimed to raise public awareness of intra-family violence and help victims of domestic abuse identify themselves as crime victims and denounce perpetrators. With the assistance of the police, civil society and educational institutions, the campaign undertook approximately 1,400 awareness-raising media information and educational activities which encouraged women to speak out against situations of abuse. A total of 5,914 persons were trained to provide victim support, including 2,080 students, teachers and police who were trained by the CMNs to identify and handle domestic violence situations through 60 workshops. The CMNs also facilitated 129 discussions on related topics involving more than 4,500 persons. There was a significant increase in the number of recorded gender-based and domestic violence complaints.⁷ Nonetheless, despite greater public willingness to report crimes to the authorities, impunity for the perpetrators of violence against women remains a problem in Nicaragua, as is the case in so many countries.

Gender mainstreaming and women in the Nicaraguan Police Force

The development of CMNs resulted and benefited from the internal gender-responsive reforms that had been initiated in the National Police of Nicaragua in the 1990s. A gender mainstreaming strategy was adopted as part of a broader commitment within the service to address human rights and social justice. Gender mainstreaming has been a gradual process aimed at including gender equity in the institution's policies, plans and strategies. A key factor accounting for the success of the National Police of Nicaragua in its undertaking of gender mainstreaming has been the involvement of the highest ranks of police forces in leading the changes, as well as the successful guidance and commitment of female leaders.⁸

Since its founding in 1979, women have constituted a relatively large proportion of the National Police of Nicaragua, reaching a high of 35% during the 1980s. In 2005, half of the senior ranks in the National Police Headquarters were held by women, 57 per cent of

⁵ Nadine Jubb, et al., "Regional Mapping Study of Women's Police Stations in Latin America," International Development Research Centre (IDRC), Quito, Ecuador, 2008, <http://www.peacewomen.org/resources/SSR/MAPEO%20Regional-English.pdf> (accessed: December 1, 2009).

⁶ Nadine Jubb, "Enforcing Gendered Meanings and Social Order: The Participation of The National Police in the Nicaraguan Women's and Children's Police Stations"; Nadine Jubb, "Gender, Funding, and the Social Order: Contradictions among the State, the Women's Movement, and Donors regarding the Nicaragua Women's and Children's Police Stations."

⁷ US Department of State, *Country Reports on Human Rights Practices: Nicaragua*, released on February 25, 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119167.htm> (accessed: December 2, 2009).

⁸ Carola Mittrany, "Women in Charge: Interview with Elizabeth Rodriguez Obando," *Comunidade Segura*, released on February 4, 2008, <http://www.comunidadesegura.org/?q=en/node/38108> (accessed: December 15, 2009).

NICARAGUA

Gender initiatives in the National Police

the Commissioners, 60 per cent of the Assistant Commissioners and 17 per cent of the Captains were women.⁹

- ▶ The importance of integrating gender into police reform is discussed in section 3 of the *Police Reform and Gender Tool*.
- ▶ Women's police stations/specialised units are discussed in section 4.4 of the *Police Reform and Gender Tool*.

⁹ Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), "Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women; Sixth periodic report of States parties: Nicaragua," CEDAW/C/NIC/6, 5 July 2005, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/409/10/PDF/N0540910.pdf?OpenElement> (accessed: December 3, 2009).

SIERRA LEONE

Family Support Units

Sexual and gender-based violence (SGBV) was used as a method of warfare by various parties during Sierra Leone's 11-year civil conflict. Post-conflict, it has turned into a major social and security challenge. Family Support Units (FSUs) were created in 2001 in order to address what was seen as a "plague" of SGBV.

FSUs are part of the Criminal Investigation Department of the Sierra Leone Police and are tasked to deal primarily with physical and sexual assault, and cruelty to children.¹ Special training was provided to police officers on how to handle domestic and sexual violence. The FSUs work together with the Ministry of Social Welfare, Gender and Children's Affairs to monitor and report SGBV and child abuse, and work with a number of international organisations on service delivery.² The services offered by the FSUs include:

- Skills training for abused women
- Financial support to homeless battered women
- A women's help line
- Referral
- Sensitisation campaigns and awareness-raising activities around the country to encourage women to report SGBV

The FSU have established a referral service for victims of SGBV, whereby they are referred to "Rainbow Centres" in Freetown, Kenema and Koidu. There, victims are treated for free and their medical certificate is sent to the competent FSU for use in the police investigation and any subsequent court action. In addition, the Rainbow Centres offer psycho-social and legal counselling.

The FSU engages in extensive public awareness-raising, especially on the topics of sexual violence, domestic violence, HIV/AIDS, trafficking and female genital mutilation. FSU officers attend monthly meetings of the Local Policing Partnership Boards, which aim to give local communities a voice in how they want to be policed. Since community leaders chair the Boards, FSU officers use these opportunities to convince influential leaders of the importance of spreading the message among their communities that domestic and sexual violence are crimes that must be reported to the police.

By 2005, there were 19 FSUs in the Police Local Command Units. 178 FSU officers were deployed throughout the country, of whom 71 were women. 105 staff (including police and social workers) had been trained in awareness-raising, human rights, media and communication skills, record-keeping, sexual investigation and in how to conduct joint police/social worker investigations of sexual offences. While the FSUs have been praised, there continues to be evidence that women find officers reluctant to intervene in domestic assault unless they are considered serious, i.e., involve maiming, wounding, or disabling.³

In the broader context of reform of the Sierra Leonean Police, positive results in integrating gender include:

- Adoption of a formal quota system to increase the number of female officers to 30 per cent of the service. As of 2006, 1,411 women served as part of an 8,881 strong force (16 per cent).⁴
- Creation a database of all reported crimes, including SGBV (although getting accurate figures on rape and sexual violence remains difficult).

¹ William G. O'Neill. "Field-notes: Sierra Leone". Prepared for UNIFEM, UNDP, DPKO. October 24, 2006.

² UNFPA. *Gender-based Violence in Sierra Leone: A Case Study* (Geneva: UNFPA, 2005), http://www.unfpa.org/women/docs/gbv_sierraleone.pdf (accessed April 27, 2009).

³ Ibid., 9, 18; O'Neill. "Field-notes."

⁴ O'Neill. "Field-notes," 2.

SIERRA LEONE

Family Support Units

- Training of over 9,000 police officers on the main topics of general policing, and modules on human rights, gender and community policing (through the UK Department for International Development's Commonwealth Community Safety and Security Project).

- ▶ Family support units and women's police stations are further discussed on pages 9–10 of the *Police Reform and Gender Tool*.

- ▶ Other procedures and initiatives to address gender-based violence are discussed on pages 8–9 of the *Police Reform and Gender Tool*.

- ▶ The integration of gender into police reform in post-conflict countries is discussed on pages 16–18 of the *Police Reform and Gender Tool*.

TIMOR-LESTE

Gender dimensions of establishing the PNTL

The *Policia Nacional de Timor-Leste* (PNTL) was established by the United Nations on 10 August 2001. The United Nations Transitional Administration in East Timor (UNTAET) was initially given the mandate to “develop a credible, professional and impartial police service”. UNTAET focused largely on personnel recruitment and training.¹ Following the UNTAET phase, the UN extended the scope of the reform to include capacity building in human resources management, finances, community relations and field training.

After the 2006 crisis involving the police service and armed forces, the United Nations Integrated Mission in Timor-Leste (UNMIT) was given the responsibility for internal security and “reforming, restructuring and rebuilding the PNTL”.² Not until May 2009, with the improved security situation, did UNMIT and the Government of Timor-Leste agree to hand the responsibility for internal security back to the PNTL one district at a time.

Measures to incorporate gender issues in the development of the PNTL

From the outset, gender concerns were on the agenda in developing the PNTL. One of the first requirements established, for example, was that at least 20 percent of PNTL recruits were to be women.³ Addressing gender-based violence was identified early on as an urgent need. UN police statistics in December 2001 counted gender-based violence as the most commonly recorded crime in Timor-Leste:

*... in December 2001 alone, a record 40 percent of all reported crimes were offences against women. They included crimes such as domestic abuse, rape, attempted rape and sexual assault, making violence against women being the number one reported crime in that month. CivPol further says that while 382 cases of domestic violence were reported last year, it was just the tip of the iceberg as the figure is believed to represent only 15 percent of total cases.*⁴

During the initial period of the development of the PNTL, UNTAET elaborated standard operating procedures for domestic and gender-based violence cases. Building the capacity of police officers to interview victims of sexual abuse received priority attention.

The PNTL training program lasts for three months (in the Police Academy) and is followed by a three to six month long Field Training Program.⁵ UN agencies (including UNIFEM, UNDP and the Gender Affairs Unit of the UN mission) and external trainers conduct training on human rights, gender, children’s rights and gender based violence.

UNTAET set up a Vulnerable Persons Unit (VPU) in March 2001, which eventually became a network of VPUs, one in each of the 13 districts. The VPUs are part of the PNTL Criminal Investigations Unit and mandated to deal with issues of rape, attempted rape, domestic abuse (emotional, verbal and physical), child abuse, child neglect, missing persons, paternity and sexual harassment. The VPUs represent an effort to bring such crimes into the realm of the formal justice system rather than the traditional justice system. VPUs are staffed by both PNTL and UN police. VPU officers receive 17 days of additional training to fulfil their special role.⁶ Sustained efforts have been made to include female police officers

¹ W. G. O’Neill, *Police Reform and Human Rights* (New York: HURIST, July 20, 2004), 20.

² Y. Funaki, *The UN and Security Sector Reform in Timor-Leste: A Widening Credibility Gap* (New York: Centre on International Cooperation, 2009), 7-8.

³ UNFPA, “Gender-based Violence in Timor-Leste. A Case Study” (paper prepared for UNFPA Consultative Meeting, UNFPA: Bucharest, Romania, 17-20 October, 2005), 45, http://www.unfpa.org/women/docs/gbv_timorleste.pdf.

⁴ UNTAET, *Gender Equality Programme*, 3, cited in: Henri Myrtilinen, “Poster Boys No More: Gender and Security Sector Reform in Timor-Leste,” Geneva Center for the Democratic Control of Armed Forces (DCAF) Policy Paper No.31: Geneva, 2009, 19.

⁵ Judicial System Monitoring Programme, “Police Treatment of Women in Timor-Leste,” January 2005, 7-8.

⁶ *Ibid.*, 7-8.

TIMOR-LESTE

Gender dimensions of establishing the PNTL

in all VPUs to interview female victims, as well as female UN police officers to support the VPUs. The VPUs have also received support from the respective Gender Affairs Units of the UN missions and other UN agencies, and have co-operated with East Timorese women's organisations and the Association of Men Against Violence.⁷

Challenges

Barriers to women's full participation in the PNTL continue to exist. As of November 2009, the force had 608 female officers, which amounted to eighteen percent. Whilst this is a comparatively high proportion of women, the institution remains heavily male-dominated, especially in the leadership positions. A recent UN assessment mission identified the lack of career prospects for female officers as a major impediment to increasing the recruitment and retention of female police officers. Female officers have complained about the short maternity leave period of three months (as compared to six months in the armed forces), which makes it difficult for female officers to combine child-raising with their police career. Furthermore, cases of discrimination and sexual harassment in the force have not been adequately addressed. According to UNMIT, sexual harassment is a serious concern and a deterrent for women assigned to the field in the districts, especially if they are assigned as the only woman among male counterparts.⁸

Whilst the VPUs' work is useful, it has been hampered by inadequate staffing levels and lack of technical and financial resources. In addition, female officers tend to be over-represented within the VPUs (although only three are headed by women), perpetuating the notion that working with gender issues is 'women's work' and therefore inherently seen as 'low status' work by male officers. An independent evaluation of the VPUs highlighted the need to deploy additional officers to UNMIT with the necessary training and experience to deal with gender based crimes.⁹

The PNTL continues to lack a proper system for recording crimes of gender-based violence. In its statistics, many crimes which should be classified as gender-based violence are classified in other categories, such as assault and battery and murder. There is no central database for gender-based violence, only a few, if any, sex disaggregated statistics and a range of different methodologies used to track cases of gender-based violence.¹⁰

Despite these shortcomings, the PNTL is attempting to develop its capacity to address gender-based violence with support from UNMIT, including through ongoing training. In 2008, PNTL and UMIT collaborated to deliver a specialised "Train the Trainer" course on gender-based violence investigations.¹¹ In March 2009, a joint initiative of UNIFEM, the East Timorese government and the PNTL led to the organisation of a consultation between the national police and the different stakeholders from the community. The consultation brought together the heads of villages, civil society members and victims of gender-based violence in an effort to inform and improve law enforcement services.¹² Despite the many problems that persist, these are encouraging examples of measures taken to address gender issues in the provision of police services.

⁷ H. Myrntinen, "Poster Boys No More: Gender and Security Sector Reform in Timor-Leste," 26.

⁸ Ibid., 32.

⁹ Ibid., 26-27, 32.

¹⁰ Ibid., 20.

¹¹ UNMIT, *Gender Quarterly Report*, 5-8 cited in: Myrntinen, "Poster Boys No More: Gender and Security Sector Reform in Timor-Leste," 32.

¹² UNMIT Press Releases, "Female police officers work to end gender-based violence," 20 March 2009, <http://unmit.unmissions.org/Default.aspx?tabid=214&ctl=Details&mid=627&Itemid=3230> (accessed: November 25, 2009).

TIMOR-LESTE

Gender dimensions of establishing the PNTL

- ▶ The importance of integrating gender into police reform is discussed in section 3 of the *Police Reform and Gender Tool*.
- ▶ Measures to incorporate gender into police reform are discussed in section 4 of the *Police Reform and Gender Tool*.
- ▶ The challenges of integrating gender into police reform in post-conflict countries are discussed in section 5.1 of the *Police Reform and Gender Tool*.

DEFENCE REFORM AND GENDER

Integrating gender in defence reform is a means to...

Respond to different security needs within society. Defence reform must effectively respond to the needs of all in society. Individuals' security needs vary depending on factors such as sex, ethnicity, age, physical ability, sexual orientation, economic status, citizenship status and religion. Gender-based violence remains a significant threat to human security worldwide - including for men, who can be threatened by sex-selective massacres, sexual violence and gang-related violence. Ensuring the protection of women, men, girls and boys both during and after a conflict should be a priority within any defence reform agenda.

Respond to the changing needs of the defence sector. Defence forces are increasingly involved in complex peacekeeping and reconstruction missions which require skills such as communication, facilitation and cooperation with civilians. Diversity in force composition and gender mainstreaming in operations enables the defence sector to better perform the tasks associated with its evolving mandate. In particular, through gender training, the enforcement of codes of conduct and targeted operations, armed forces have the potential to strengthen prevention, response and accountability in regard to sexual violence in conflict.¹

Create representative defence forces and security organizations. Women are under-represented in militaries, defence ministries and defence oversight bodies around the world. Even where there are not formal barriers, there are often ceilings to women's career advancement. The full integration of women into the armed forces maximises the military's ability to fulfil its roles, including in defence and peacekeeping operations. For instance, female personnel are often more trusted by host communities and able to access a broader range of intelligence.

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

- ▶ This introduction is drawn from the Defence Reform and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

¹ UNIFEM & DPKO, *Addressing Conflict Related Sexual Violence - An Analytical Inventory of Peacekeeping Practice*, 2010. http://www.unifem.org/attachments/products/Analytical_Inventory_of_Peacekeeping_Practice_online.pdf

HUNGARY

Increasing the recruitment and retention of women in the armed forces

Between 2005 and 2006, Hungary raised the participation of women in its armed forces from 4.3 per cent to 17.56 per cent. In 2007, Hungary had (with Canada) the second highest rate of female participation amongst NATO countries, at 17.3 per cent.¹

Hungary's dramatic success in increasing the retention, promotion and deployment of women reflects a number of targeted initiatives:

- The *Hungarian Military Service Law* upholds the equal rights of men and women and guarantees non-discriminatory promotion based on professional skills, experience, performance and service time. Combat positions have been opened to women since 1996 and women are allowed to occupy all positions within the armed forces. Eligibility requirements for employment are the same for women and men.
- A Committee on Women of the Hungarian Defence Forces was established in 2003, with the purpose of ensuring equal opportunities for men and women in the defence forces through research, analysis and policy recommendations. The Committee holds meetings with servicewomen to gather experiences, from which they prepare a report on the status of gender equality, including problems and recommendations for change. Members of the Committee are assigned by the leadership of the Ministry of Defence and the Hungarian Defence Forces, and represent all the female personnel serving in organisations and units of the Hungarian Defence Forces. A network of women's focal points has been also established at unit level in collaboration with the Committee.
- An Equal Opportunity Team of five people representing middle management in each service was established. The Team reports to the Chief of Defence and is charged with providing information and exchanging ideas with leadership and personnel in subordinate units, attending conferences to gather and exchange information on gender integration, and publicising its work through the media and civilian organisations.²

Servicewomen are integrated into the Hungarian Defence Forces: women work and train together with their male counterparts, and are subject to the same chain of command, standards of performance and discipline. Female soldiers entering the service have to complete the integrated basic training, which is equal to that of their male counterparts, although with different physical standards. Servicewomen are entitled to maternity leave. Changes have also been made to pre-deployment training to include gender issues, such as sexual exploitation and abuse, and culturally-specific information about women.

Because of high interest from female candidates for service, in Hungary there is currently no need to develop special recruitment programs for women.

- ▶ The need for more representative security sector institutions is discussed on pages 7–8 of the *Security Sector Reform and Gender Tool*.
- ▶ Recruitment, retention and advancement of women is discussed on pages 13–14 of the *Defence Reform and Gender Tool*.

¹ Latvia had the highest rate of female participation with 23 per cent. Committee on Women in the NATO Forces, *Percentages of Female Soldiers in NATO Countries' Armed Forces: 2001-2006* (Brussels: NATO, 2006) http://www.nato.int/issues/women_nato/perc_fem_soldiers_2001_2006.pdf and http://www.nato.int/issues/women_nato/perc_fem_soldiers_2007.pdf (both accessed April 27, 2009).

² Committee on Women in the NATO Forces, *Hungarian National Report for 2006* (Brussels: NATO, 2006), http://www.nato.int/ims/2006/win/pdf/hungarian_report_2006.pdf (accessed April 27, 2009).

LIBERIA

Gender-sensitive disarmament, demobilisation and reintegration

Women's activism for peace and disarmament

At the end of the civil war in Liberia in 1993, the Security Council authorised the then-UN Observer Mission in Liberia (UNOMIL) to monitor the cease-fire between the parties and assist with the cantonment, disarmament and demobilisation of the combatants. During the mandate of UNOMIL, women's groups were active in organising around disarmament. The Liberian Women's Initiative (LWI) began a campaign in 1993 that called for the factions to be disarmed prior to the installation of the transitional government.¹ In March 1994, LWI and other women's groups organised a march and wrote an open letter to the UN Special Representative calling for disarmament to start before the handover of power to the transitional government. Women's groups also started an organisation called Funds for Disarmament which raised money to purchase weapons from combatants in order to destroy them.²

Unresolved insecurity, poor governance and slow development plunged Liberia back into turmoil in 1997, with new conflicts erupting among the Government of Liberia, the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL). Women and girls actively participated as combatants, supporters, peace-builders and political actors in every stage of the armed conflict. They joined the ranks of armed groups, in some cases voluntarily and in some cases not, in order to survive harsh economic conditions or because they believed in the cause for which a particular side was fighting. In total, women and children are thought to have comprised up to 38 percent of the 38,000 to 53,000 Liberian combatants eligible for disarmament, demobilisation and reintegration (DDR) in 2004.

In April 2003, Liberian women began a Mass Action for Peace campaign which drew in "women from the market place, churches, mosques, civil society, refugee camps and the government."³ President Charles Taylor granted them an audience and allowed them to read their statement. When the factions signed a comprehensive peace agreement in Ghana on 18 August 2003, the women took their Mass Action to Accra, "bodily blocking the delegates in the hall and blocking the entrance" when rebel leaders threatened to walk out.⁴ Their actions succeeded in giving them entry to key meetings. As a result, the Accra Agreement, which came into force on 18 August 2003, not only outlined the provisions for the establishment of a DDR programme, but also included language on the protection and promotion of women's human rights.⁵

The disarmament, demobilisation and reintegration process

Planning gender-sensitive DDR: The World Bank, the United Nations and other actors developed a Results-Focused Transition Framework (RFTF) in order to implement the political and development objectives of the Accra Accords. Not only did the RFTF consider DDR a priority cluster, but it also specifically stated the need for disarmament and demobilisation of female and male ex-combatants, including children and disabled people. The RFTF set an initial target of only 2,000 female combatants to be demobilised. Nevertheless, the establishment of a clear target number for these beneficiaries marked an improvement compared to earlier DDR processes which did not even consider female combatants, supporters and dependents to belong to a target group.⁶

¹ African Women and Peace Support Group, "Liberian Women Peacemakers: Fighting for the Right to be Seen, Heard and Counted," *Africa World Press*, New Jersey, 2004.

² UNIFEM, "Getting it Right, Doing it Right: Gender and Disarmament, Demobilization and Reintegration," New York, October 2004.

³ "Liberian Women Mass Action for Peace," *WIPNET Journal*, 12 December 2003.

⁴ *Ibid.*

⁵ UNDP, "Strategic and Operational Framework of Reintegration Support of Ex-Combatants," Monrovia, 20 April 2004.

⁶ UNIFEM, "Getting it Right, Doing it Right: Gender and Disarmament, Demobilization and Reintegration".

LIBERIA

Gender-sensitive disarmament, demobilisation and reintegration

On 19 September 2003, the Security Council adopted resolution 1509, which established the United Nations Mission in Liberia (UNMIL); the resolution tasked UNMIL with incorporating a gender perspective into its activities in accordance with Security Council Resolution 1325 on women, peace and security.⁷ Resolution 1509 requested that UNMIL develop a DDR Action Plan that would pay “particular attention to the needs of child combatants and women.”⁸ Like the RFTF’s progress in having been able to set gender-sensitive targets for the first time, UNMIL’s mandate and scope also marked progress compared to other missions in that UNMIL was able to recognise the need for separate facilities and services for women, girls, boys and men in the DDR process.

A false start: Despite UNMIL’s mandate and DDR Action Plan, the DDR process in Liberia suffered a false start. Over 12,000 fighters presented themselves to be demobilised at a cantonment site in Monrovia that was only intended to accommodate 1,000. The camp could not provide adequate services for the unexpected numbers. Overwhelmed by the large numbers of combatants who arrived eager to trade their weapons for the US\$ 300 cash payment, UNMIL was unable to provide the payments.⁹ Thus the combatants, who came with high expectations, were neither able to fulfil their basic needs nor receive the promised benefits. As a result, riots erupted and many male and female combatants were injured.

The first DDR process was officially suspended on 17 December 2003, after 12,664 combatants had been disarmed and 8,686 weapons collected.

Support for DDR by women’s civil society organisations: The Liberian Women in Peacebuilding Network (WIPNET) was called upon to assist UNMIL cope with the chaotic conditions in the cantonment site. Women came to the site to calm the combatants, provide them with essential services and safeguard the underage combatants. WIPNET members and volunteers, who were largely civilian women without formal training or equipment, performed essential tasks at the cantonment site that would normally have been the responsibility of armed military personnel.

Shortly before the suspension of the DDR programme, Liberian women’s groups held a press conference to identify key flaws they had observed in the DDR process. WIPNET, along with the LWI, the Christian Community, the Government of Liberia and local NGOs, acted under the banner “Concerned Women of Liberia” to identify the gaps they thought had contributed to the chaos in the cantonment sites. These included:

- The lack of clarity surrounding how information on the disarmament package was being given to combatants
- Inadequate transportation and logistical arrangements, in particular the shortage of vehicles and adequate lodging facilities
- The fact that the DDR process was not localised, which created cultural and language barriers between the combatants and the peacekeepers¹⁰

⁷ Security Council Resolution 1509 (S/RES/2003/1509) “reaffirms the importance of a gender perspective in peacekeeping operations and post-conflict peace-building in accordance with resolution 1325 (2000)” and “recalls the need to address violence against women and girls as a tool of warfare, and encourages UNMIL as well as the Liberian parties to actively address these issues.”

⁸ Ibid.

⁹ “Second Progress Report of the Secretary-General on the United Nations Mission in Liberia”, 22 March 2004 (S/2004/229); and IRIN News, “Liberia: Former Fighters in Second Day of Riots, UNMIL Offers Initial Payment,” 9 December 2003, http://www.irinnews.org/report.asp?ReportID=38318&SelectRegion=West_Africa&SelectCountry=LIBERIA.

¹⁰ Nelson, Estella, “Women Identify Flaws in DDR Program, Want to Assist,” The NEWS, Monrovia, 12 December 2003, <http://allafrica.com/stories/printable/200312120184.html>.

LIBERIA

Gender-sensitive disarmament, demobilisation and reintegration

The women's groups expressed a "ready-to-help" posture, highlighting that the abovementioned flaws could have been mitigated if citizens with expertise and experience in the field, including women, had been brought into the process.¹¹ As a consequence of the Concerned Women of Liberia's work, Liberian women worked with UNMIL and the Ministry of Gender and Development to design an awareness campaign that used print media and radio to encourage women and girls to participate in the DDR process.¹²

The re-launched DDR process: DDR was officially re-launched on 15 April 2004.¹³ During the interim period and partly in response to the problems identified by Concerned Women of Liberia, UNMIL created a Joint Operational Plan which articulated specific provisions and services that were to be made available to women and girls in the DDR process. These included separate transport; separate registration lines; and separate medical examination, dining, sleeping and recreation areas for male and female ex-combatants. In addition, reproductive health and gender-based violence screening and services were identified as priority activities while combatants remained in the camps.¹⁴ Access to DDR was not based on the holding of weapons: "Women Associated with Fighting Forces" were eligible for enrolment. With its mandate to mainstream gender in all the activities of the Mission, UNMIL's Office of the Gender Advisor undertook a comprehensive assessment on reintegration opportunities for men and women and identified specific requirements of female vis-à-vis male beneficiaries during the process.

Despite these preparations, UN IRIN News reported that during the first week of the re-launched process, UNMIL had disarmed and demobilised fewer than 130 women out of a total of 1,789. As the weeks went on, however, more women presented themselves for disarmament and demobilisation.¹⁵ By February 2005, 22,370 women and 2,440 girls (24% of all participants in the DDR programme) had been disarmed and demobilised. By the end of 2006, 13,223 of the women had been 'reinserted', mainly into agriculture, formal education and vocational training.¹⁶

- Gender-responsive disarmament, demobilisation and reintegration (DDR) is discussed in section 5.1 of the *Defence Reform and Gender Tool*, and in section 7.1 of the *Security Sector Reform and Gender Tool*.

¹¹ Ibid.

¹² UN DPKO, *Gender Mainstreaming in Peacekeeping Operations: Progress Report*, (New York: 2005), <http://www.peacekeepingbestpractices.unlb.org/PBPS/Library/Gender%20Mainstreaming%20Progress%20report.pdf>.

¹³ "Second Progress Report of the Secretary-General on the United Nations Mission in Liberia"; and IRIN News, "Liberia: Former Fighters in Second Day of Riots, UNMIL Offers Initial Payment."

¹⁴ Office of the Deputy Special Representative of the Secretary-General, "Joint Operational Plan," UNMIL, April 15, 2004.

¹⁵ "Third Progress Report of the Secretary-General on the United Nations Mission in Liberia," May 26, 2004 (S/2003/430).

¹⁶ UNMIL web-page, <http://www.unmil.org/>.

SOUTH AFRICA

Gender-responsive defence reform

In 1994, during its transition towards democracy, South Africa embarked on an extensive SSR process. Given the strong militarism that characterised the former apartheid regime, reform of the defence sector stood out as an absolute priority. The African National Congress (ANC) began an inclusive and participatory process to define the new face of South African national security. The process started with the drafting of a white paper on defence followed by a national defence review, which sought to identify the military needs of the country. Between 1996 and 1998, ministerial advisors and members of the Parliamentary Joint Standing Committee on Defence, as well as representatives of the academic community and defence-related non-governmental organisations (NGOs), formed a Defence Review Working Group, in order to discuss doctrine, force design, logistics, armaments, human resources and equipment.

Women were active during this process in demanding accountability from government and military institutions, an open and transparent system, and the engagement of civil society. It was at the insistence of women parliamentarians that the defence review was undertaken as a nationwide consultative process. A number of measures were put in place to ensure public participation, including the use of military planes and buses to transport religious and community leaders, NGO activists, and other civil society representatives to regional meetings and workshops. Using local facilities, such as schools, the Defence Secretariat organised public dialogues during which everyone was allowed to express concerns and needs. In this way, new issues emerged. Women representatives from rural communities, for example, highlighted the plight of dispossessed communities whose land had been seized for military use, the environmental impact of military use, as well as the problem of sexual harassment by military personnel.¹

The participatory South African defence review process, which lasted more than two years, helped build national consensus around defence issues and generated public legitimacy for the new security structures. The inclusion of civil society, and in particular of women's organisations, as well as the involvement of women parliamentarians, contributed to the creation of relatively gender-sensitive security structures.

Particular efforts have been made to integrate a gender perspective into the defence sector. The appointment of Nozizwe Madlala-Routledge as Deputy Defence Minister from 1999 to 2004 was a strong signal of the Government's commitment to making the defence forces a more gender-equitable body. With an emphasis on equality and representativeness, a concerted effort continues to be made to increase the number of women in senior positions and at all decision-making levels in all the defence services. To this end, a range of different mechanisms have been established within the Department of Defence, such as:²

- A **Gender Focal Point** within the Transformation Management Chief Directorate, tasked with:
 - monitoring the advancement of women and ensuring that they are properly represented
 - promoting gender awareness in the Department of Defence (e.g. in relation to sexual harassment, gender-based violence, gender equity, and law)
 - conducting and coordinating gender training
 - monitoring Department of Defence statistics for gender representation
 - liaising with civil society and other international organisations
- A **Gender Forum**: to implement gender policies at the lower levels of the Department of Defence and to provide gender training to personnel at all levels.

¹ Sanam Naraghi Anderlini, *Negotiating the Transition to Democracy and Reforming the Security Sector: The Vital Contributions of South African Women*, (Washington D.C.: Hunt Alternatives, 2004), 23–24.

² For further information, see the website of the South African Ministry of Defence, <http://www.dod.mil.za/> (accessed March 9, 2009).

SOUTH AFRICA

Gender-responsive defence reform

- A **Telephone Hotline**: to report cases of sexual harassment and gender-based violence within the defence forces.
- **Gender Sensitisation Programs**: to raise awareness and understanding of gender policies among all members of the Ministry of Defence.
- The **Women's Peace Table Initiative**: a forum that brings together more than 100 women from across the defence services and from civil society to discuss and define a common peace agenda. It is also an attempt to create ties and partnerships within the military and civil society.¹

This gender machinery has greatly supported the implementation of gender-sensitive policies and programmes. Women's participation in the defence force has also been enhanced by changing social perceptions about the role of women in the armed forces. The defence force magazine *Soldier* has contributed, over the years, to challenging the stereotypes of women in the defence forces. Furthermore, the increased presence of women in the security sector has fostered the promotion and adoption of laws guaranteeing equal pay for equal work and access to the same incentives, as well as women and family-friendly policies such as allowing parents to work flexible hours and introducing maternity and paternity leave. In 2006, women constituted 23.8 per cent of the South African National Defence Force, and represented 11.6 per cent of its top management structure. The Ministry of Defence employed 17,780 women out of a total of 77,858 employees (22.8 per cent).

- ▶ Gender and defence reform are discussed in the *Defence Reform and Gender Tool*, and in the *Security Sector Reform and Gender Tool*.
- ▶ Gender-sensitive defence review processes are discussed in the *Defence Reform and Gender Tool*, pages 7–8.
- ▶ Policies and mechanisms for institutional reform of the defence sector are discussed in the *Defence Reform and Gender Tool*, pages 14–15.
- ▶ Integrating gender into defence reform in post-conflict countries is discussed in the *Defence Reform and Gender Tool*, pages 17–18.

¹ Sanam Naraghi Anderlini, *Negotiating the Transition to Democracy and Reforming the Security Sector*, 27.

UNITED KINGDOM

Addressing sexual harassment in the armed forces

In 2004, after several high-profile cases of sexual harassment and facing an increasing number of complaints, the United Kingdom's Equal Opportunities Commission (now part of the Equality and Human Rights Commission) embarked upon a formal investigation of sexual harassment against women serving in the armed forces. The investigation was suspended in June 2005 on the condition that the armed forces fulfil an *Agreement and Action Plan to Prevent and Deal Effectively with Sexual Harassment in the Armed Forces*.¹

The Action Plan's goal was to ensure that the Ministry of Defence (MoD), with the support and assistance of the Equal Opportunities Commission, took practical and effective steps within a reasonable time to prevent and deal effectively with sexual harassment. This meant:

- Creating a working environment in which sexual harassment is considered unacceptable
- Ensuring that service personnel who experience sexual harassment feel able to complain and have confidence in the complaints process
- Ensuring that the outcome of any service redress and administrative procedures relating to sexual harassment effectively remedies the sexual harassment and protects the victim from future victimisation
- Providing effective sanctions to deter and discourage sexual harassment²

The Action Plan had three phases, to be implemented over three years:

1. Diagnostics and data gathering
2. Period for the MoD to review the information collected and to propose a programme of future work to the Commission, including outcomes and targets to be achieved
3. Implementation and monitoring

The MoD commissioned extensive independent research into the nature and extent of sexual harassment in the armed forces, as part of the first phase in 2005. This research was the largest study of its kind undertaken in the UK, and was both quantitative (a survey) and qualitative (focus groups). A questionnaire was sent to all 18,178 servicewomen in the armed forces and responses were received from 9,384 (52 per cent). 29 focus group discussions—19 with servicewomen and 10 with servicemen—and 9 individual discussions with servicewomen who had experienced sexual harassment were held.

The research found that sexualised behaviours (jokes, stories, language and material) were widespread in all three services within the armed forces. 99 per cent of the servicewomen who responded to the survey had been in situations in the previous 12 months where such sexualised behaviours had taken place. There was a high tolerance of these behaviours but over half of the respondents sometimes found them offensive. Qualitative data from men suggested that there was a lack of awareness that women might be offended or upset by their language and behaviour.

Two thirds of questionnaire respondents said that sexualised behaviours had been directed at them personally in the previous 12 months. Such behaviour included making unwelcome comments, sending sexually explicit material, unwanted touching and sexual assaults. 15 per cent reported having had a "particularly upsetting" experience. The greater proportion of these comprised lower ranks and younger women.³

¹ *Agreement between the Ministry of Defence and the Equal Opportunities Commission on an Action Plan to Prevent and Deal Effectively with Sexual Harassment in the Armed Forces* (2006), http://www.mod.uk/NR/rdonlyres/13856EA1-1D13-4872-A5EF-797D8EA3E025/0/mod_eoc_agreement.pdf (accessed April 27, 2009)

² Ibid.

³ Equal Opportunity Commission, *Press Release: EOC and MOD Sign New Action Plan to Address Sexual Harassment in the Armed Forces*, May 25, 2006, <http://83.137.212.42/sitearchive/eoc/Defaultbdc1.html?page=18793> (accessed April 27, 2009).

UNITED KINGDOM

Addressing sexual harassment in the armed forces

Over half of those who made a formal complaint stated that there had been negative consequences as a result of doing so and 64 per cent were considering leaving the armed forces. Survey respondents strongly supported effective training for line managers on preventing and dealing with sexual harassment. Although line managers were seen as key to preventing and dealing with sexual harassment, advice and help outside the chain of command were also considered important.

On review of this data, the MoD formulated a phase three action plan that aimed to “create an environment in the Armed Forces in which harassment is recognised as inappropriate and preventable by: ensuring leaders in the Armed Forces take seriously their responsibilities to prevent and deal with harassment; ensuring the active, transparent and appropriate resolution of every complaint filed; and by putting in place ongoing, robust processes for monitoring the nature and extent of harassment.”⁴ Measures identified to this end were:

- Engagement of service personnel at all levels
- Raising awareness about the problem of sexual harassment
- Review of equality and diversity training
- Using appraisals to reinforce acceptable behaviours
- Review of harassment complaints procedures
- Support to the individuals who experience sexual harassment
- Monitoring the careers of parties to harassment
- Ongoing research on sexual harassment
- Monitoring informal and formal complaints of harassment
- Sanctions

Timing of work was set out, and key outcomes, measurements of progress and monitoring mechanisms identified. The project team leading the work was linked to a Stakeholder Working Group comprising representatives from across the services. Overall accountability for the implementation of the steps was specified as being at the highest levels: with the Secretary of State for Defence, Chief of Defence Staff and the Chiefs of Staff of the Army, Navy and Royal Air Force.

In June 2008, the Equality and Human Rights Commission conducted a final review of the MoD and armed forces’ performance to determine whether they had successfully reformed as required under the Agreement, including achieving the agreed outcomes. A follow up sexual harassment survey indicated some positive findings:

- 63 per cent of respondents believed that the sexual harassment complaints process was not biased
- 98 per cent of service personnel believed everyone has a responsibility to deal with harassment

The Commission concluded that the MoD had made a concerted effort to tackle the lack of official support for staff who wanted to report claims of harassment, had put in place a robust and fair way of handling complaints, and made it clear that harassment will not be tolerated. However, the Commission also noted that, although good processes are now in place, problems of sexual harassment in the forces remain, which mostly derive from persisting cultural tendencies towards inappropriate behaviour to women.

⁴ *Agreement between the Ministry of Defence and the Equal Opportunities Commission on Preventing and Dealing Effectively with Sexual Harassment in the Armed Forces: Progress Report and Phase Three Action Plan (2005)*, http://83.137.212.42/sitearchive/eoc/Docs/Actionplan_25_May_2006.doc?page=18801 (accessed April 27, 2009).

UNITED KINGDOM

Addressing sexual harassment in the armed forces

While the Commission has completed its formal investigation into sexual harassment of women in the armed forces, it is committed to continue working with the MoD on addressing issues of culture. The Commission and MoD will also begin a new partnership to tackle bullying and inappropriate behaviour relating to race, sexuality and religion, as well as gender.⁵

- ▶ Measures to address sexual harassment are discussed on pages 14–15 of the *Defence Reform and Gender Tool* and on pages 8–11 of the *Security Sector Reform and Gender Tool*.

⁵ Equality and Human Rights Commission, *Commission Ends Investigation into Sexual Harassment in the Armed Forces and Begins Partnership on Culture Change as Problems Persist* July 5, 2008. <http://www.equalityhumanrights.com/en/newsandcomment/Pages/Investigationintosexualharassmentinthearmedforcesends.aspx> (accessed April 27, 2009).

JUSTICE REFORM AND GENDER

Integrating gender in justice reform is a means to...

Reform discriminatory laws and promote human rights. Many countries maintain laws that are discriminatory, notably with regard to land ownership, inheritance, gender-based violence, child custody, and employment. Discriminatory laws and regulations need to be reformed in compliance with international human rights law.

Deliver justice services in an effective and non-discriminatory manner. Stereotypes, discriminatory attitudes and procedural barriers should not undermine the delivery of justice services. All judicial personnel should receive training on gender issues, including appropriate responses to domestic violence and gender-based discrimination. In order to end impunity for gender-based violence, the judiciary needs to be trained in international and national legislation on gender issues.

Ensure equal access to justice. Men and women have the right to equal access to justice, including through the courts, transitional justice mechanisms, traditional or customary systems and alternative dispute resolution. However, there are many obstacles to achieving justice that particularly affect women, including lack of knowledge about legal rights, lack of resources, language barriers, restrictions on women's freedom of movement and in some cases, lack of independent legal status.

Create a representative and legitimate justice sector. If the justice sector is to hold credibility and trust in the eyes of the community, the reform process must include the participation and address the needs of all members of society, including women. To increase its legitimacy, the judiciary should also be representative of the population it serves. However, women are currently largely under-represented at most levels in the judicial system, including as judges and lawyers.

- ▶ This introduction is drawn from the Justice Reform and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

CENTRAL AFRICAN REPUBLIC

Government and NGOs collaborate to fight female genital mutilation

The 1994 Constitution of the Central African Republic (CAR) guarantees equal rights to men and women in all domains of society. However, local traditions that discriminate against women remain strong amidst the predominantly rural population.

Female genital mutilation (FGM)¹ was forbidden by national law in 1966.² FGM is punishable by “imprisonment from one month and one day to two years and by a fine of from 5,501 to 100,000 francs, or by either punishment.”³ Nonetheless, a 1994–1995 Demographic and Health Survey of 5,884 girls and women aged 15–49 years revealed that 43.4 per cent had undergone FGM. Prevalence varied from 40 per cent in urban areas to 46 per cent in rural areas, and variability between regions was from 14 per cent to 91 per cent. This reflected varied FGM practices between different ethnic groups. Among the Banda and Mandjia, for example, FGM prevalence exceeded 70 per cent, while among the Gbaya, Haoussa and Sara, less than half of the population practiced FGM, and among the Yakoma-Sango, Mboum and Zandé-Nzakara, FGM prevalence was less than 5 per cent.⁴

The Demographic and Health Survey recorded that 27 per cent of girls and women reported side effects after cutting: 65 per cent reported bleeding, 40 per cent cited pain, and 17 per cent indicated that they had experienced a fever.⁵ It did not, however, record the number of girls and women suffering death or chronic health complications as a consequence of FGM. The World Health Organisation reports that FGM causes, inter alia, severe bleeding and problems urinating, and potential complications in childbirth, newborn deaths and infertility.⁶ Moreover, as the conditions in which the procedure is conducted are in most cases highly unhygienic (not to mention that it is performed without anaesthetic), many girls develop severe infections, which in some cases are deadly if untreated.

Since the mid-1990’s, the government and civil society in CAR have collaborated to try to eradicate FGM. Data suggests that this is having a positive effect. In 2000, just five years after the Demographic and Health Survey, government surveys recorded FGM prevalence as having dropped to 36 per cent.⁷ Later UNICEF statistics record a further decrease: between 2002 and 2007, the prevalence of FGM among girls and women aged 15 to 49 years was 26 per cent. The percentage of women aged 15 to 49 with at least one mutilated/cut daughter was 7 per cent.⁸

The government’s strategies to fight FGM have included gathering and assessing information, establishing structures and developing action plans. Since 1996, demographic

- ¹ Female genital mutilation (FGM), also known as female genital cutting or female circumcision is defined by the World Health Organization as “all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural, religious or other non-therapeutic reasons.” See: World Health Organization, *New Study Shows Female Genital Mutilation Exposes Women And Babies To Significant Risk At Childbirth*, Press release, June 2, 2006, <http://www.who.int/mediacentre/news/releases/2006/pr30/en/index.html> (accessed August 6, 2009).
- ² US Department of State, “Prevalence of the Practice of Female Genital Mutilation (FGM); Laws Prohibiting FGM and their Enforcement; Recommendations on How to Best Work to Eliminate FGM”, 20, <http://www.state.gov/documents/organization/9424.pdf> (accessed August 6, 2009).
- ³ 5,501 to 100,000 Communauté Financière Africaine francs is roughly 8 to 152 Euro. Anika Rahman, and Nahid Toubia, *Female Genital Mutilation: A Guide to Laws and Policies Worldwide* (London: Zed Books in assoc. with CRLP and Rainbo, 2001).
- ⁴ Robert Ndamobissi, Gora Mboub, and Edwige Opportune Nguélébé, *République Centrafricaine: Enquête Démographique et de Santé 1994-95* (Bangui and Calverton MD : Direction des Statistiques Démographiques et Sociales, Division des Statistiques et des Etudes Economiques, Ministère de l’Economie, du Plan et de la Coopération Internationale and Macro International Inc., December 1995), 11, 201, http://www.measuredhs.com/pubs/pub_details.cfm?ID=108&ctry_id=5&SrchtP=ctry&flag=sur&cn=CAR (accessed August 9, 2009).
- ⁵ Ibid., 16.
- ⁶ WHO, “Key Facts on Female Genital Mutilation,” WHO Media Centre, <http://www.who.int/mediacentre/factsheets/fs241/en/index.html> (accessed August 6, 2009).
- ⁷ UN Human Rights Committee, Eighty-Seventh Session, Replies to Questions, *List of issues to be taken up in connection with the consideration of the second periodic report of the Central African Republic*, CCPR/C/CAF/Q/2/Add.1, June 23, 2006, 4, <http://daccessdds.un.org/doc/UNDOC/GEN/G06/428/19/PDF/G0642819.pdf?OpenElement> (accessed August 6, 2009).
- ⁸ UNICEF, “Central Africa Republic: Statistics,” UNICEF February 2004, http://www.unicef.org/infobycountry/car_statistics.html#59 (accessed August 6, 2009).

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and health surveys at the national level include questions related to FGM, so as to improve the level of understanding of the phenomenon, and help the government to identify the appropriate steps to address it.⁹ The government, in partnership with UNICEF, commissioned three multi-indicator surveys (in 1994, 2000, and 2006) to gain a clearer picture of the results of its efforts towards combating FGM.¹⁰ In 1996, the Government established a national committee against traditional practices that affect women's health. In 1999, it adopted a national policy for the advancement of women, which led to an action plan for combating harmful practices and violence against women and girls.¹¹ This was subsequently reviewed and, in 2007, a new four year action plan was adopted to combat harmful practices, gender-based violence and sexual violence including genital mutilation.¹²

A key challenge is to alter community attitudes. The major obstacle to eradicating FGM is that it is a highly valued ritual, marking the transition from childhood to womanhood, and making a woman culturally and socially acceptable. If a girl or woman does not undergo FGM, social sanctions are likely to be applied: other girls will no longer associate with her, she will be called derogatory names, and she will be denied the status and access to positions and roles that "adult" women in the community can otherwise occupy. Traditionally, among communities that practice FGM, no eligible man would consider marrying a girl who has not undergone the procedure.¹³

The government has thus collaborated with women's and human rights non-governmental organisations (NGOs) on campaigns to change attitudes to FGM in rural areas. One such NGO is the Inter-African Committee on Traditional Practices (CIAF), which operates in 28 countries across Africa. CIAF was formed in 1984 by a group of women in Senegal who started raising public awareness of the dangers of FGM, and began pressuring decision-makers to take concrete action to implement the relevant laws. CIAF's activities include:

- organising events and conducting door-to-door awareness raising to highlight the harmfulness of FGM
- training legislators, health workers, youth, religious and community leaders on FGM
- reporting instances of FGM to the appropriate authorities
- research on intergenerational perceptions, trends, attitudes and practices related to FGM.

CIAF particularly tries to involve men and boys in their forums, hoping by this to change attitudes and make a breakthrough with regard to the elimination of negative cultural practices.

⁹ Karungari Kiragu, « La mutilation génitale des femmes : Un problème de santé publique, » *Population Reports, Répondre aux besoins des jeunes adultes XXIII*, no.41 Série J (Octobre 1995), <http://www.infoforhealth.org/pr/pr/fj41/fj41fgm4.shtml> (accessed August 6, 2009).

¹⁰ UN Human Rights Committee, Eighty-Seventh Session, Replies to Questions, *List of issues to be taken up*, 4. See also: République Centrafricaine, Ministère de l'Economie, du Plan et de la Coopération Internationale, Institut Centrafricain des Statistiques, et des Etudes Economiques et Sociales, *Suivi de la Situation des Enfants et des Femmes : Résultats de l'enquête à indicateurs multiples couplée avec la sérologie VIH et anémie en RCA 2006, Rapport Préliminaire* (Bangui : Ministère de l'Economie, du Plan et de la Coopération Internationale, Institut Centrafricain des Statistiques, et des Etudes Economiques et Sociales, Novembre 2007), http://www.childinfo.org/files/MICS3_CAR_PreliminaryReport_2006_Fr.pdf (accessed August 6, 2009).

¹¹ UN Human Rights Council, Fifth Session, Working Group on the Universal Periodic Review, *Universal Periodic Review: Central African Republic*, Highlights, May 4, 2009, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Highlights4May2009.aspx> (accessed August 6, 2009).

¹² UN Human Rights Council, Fifth Session, Working Group on the Universal Periodic Review, *National Report submitted in accordance with Paragraph 15(A) of the Annex to Human Rights Council Resolution 5/1: Central African Republic*, A/HRC/WG.6/5/CAF/1, February 23, 2009, http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/CF/A_HRC_WG6_5_CAF_1_E.pdf (accessed August 6, 2009).

¹³ IRIN News, "Africa: When culture harms the girls – the globalisation of female genital mutilation," *IRIN News*, March 2005, <http://www.irinnews.org/InDepthMain.aspx?InDepthId=15&ReportId=62462> (accessed August 6, 2009).

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Government and NGOs collaborate to fight female genital mutilation

In CAR, CIAF's activities in 2008 included:

- A workshop for 48 legislators, including magistrates, lawyers, marshals, police officers and human rights specialists, from both the provinces and from Bangui. The opening ceremony was attended by members of the Ministry of Family and Social Affairs, the Ministry of Health, and the Ministry of Justice. Participants discussed the harmful consequences of certain traditional practices, and produced recommendations for government action.¹⁴
- Training 16 women from NGOs on the harmful consequences of FGM and the relevant international and national legal frameworks. Participants worked together on strategies to prevent FGM. Later in the process, these 16 women would train another 168 women in six workshops, giving them the necessary tools and knowledge to sensitise their own communities.¹⁵

Despite the apparent achievements of awareness raising campaigns on FGM, law enforcement is still required. In 2006, the United Nations Human Rights Committee urged CAR to take measures to criminalise FGM and ensure that the perpetrators are brought to justice.¹⁶ In the words of Marguerite Ramadan, President of CIAF in CAR, "radio and TV spots, newspaper articles and community events all help raise the awareness of this harmful practice ... But to fully eradicate FGM we need to have the authorities on our side enforcing the law."¹⁷

¹⁴ Inter-African Committee on Traditional Practices, *Annual Report 2008* (Dakar: IACTP, 2008), 15, <http://www.iac-ciaf.com/Reports/IAC%20Annual%20report%202008.pdf> (accessed August 6, 2009).

¹⁵ *Ibid.*, 9.

¹⁶ UN Human Rights Committee, Eighty-Seventh Session, Official Records, *Concluding Observations, Central African Republic*, CCPR/C/CAF/CO/2, July 27, 2006, <http://www.unhcr.org/refworld/docid/453777a9e.html> (accessed August 6, 2009).

¹⁷ Rebecca Bannor-Addae, "Fighting circumcision in the Central African Republic," *Humanitarian and Development Partnership Team Central African Republic (HDPT CAR)*, February 9, 2009, <http://hdptcar.net/blog/2009/02/09/fighting-circumcision-in-the-central-african-republic/> (accessed August 6, 2009).

INDONESIA

Oversight and monitoring of gender issues in justice reform

The independent Indonesian National Commission on Violence Against Women (*Komnas Perempuan*) was established in response to demands by women leaders and activists from a broad political spectrum for state accountability on the mass rapes that occurred during the 1998 riots.¹ The demand was made amidst national controversy challenging the truth of a citizen's report on the mass rapes, on the basis of the fact that none of the reported 152 rape victims – all of whom came from a racial minority targeted during the riots—came forward to speak publicly on the attacks.²

Komnas Perempuan was established by a Presidential Decree in 1998³ after lengthy negotiations between women leaders and the President's office, particularly with regard to its independent status, the procedure for selecting commissioners, and the naming of this commission.⁴ While violence against women was the entry point, the mandate of this commission was then defined more broadly in terms of protecting and promoting women's human rights.⁵ Since its establishment, *Komnas Perempuan* has in fact given priority to addressing the violence and human rights violations that women experience during armed conflict, as well as the issues of women victims of domestic violence; women servants working in Indonesian households, or overseas as migrant workers; women victims of sexual assaults whose cases are being processed in courts; women living in conflict areas; women who fulfil head-of-household roles; and village dwelling women living in poverty.⁶

The mandate of the *Komnas Perempuan* covers two fundamental objectives:⁷

1. To develop an environment conducive to the elimination of all forms of violence against women and the enforcement of women's human rights in Indonesia
2. To strengthen efforts aimed at preventing and addressing violence against women and to protect women's human rights.

To these ends, the commission is tasked with:⁸

- Providing information and recommendations to the government, legislative and judicial bodies, as well as civil society organisations facilitating and advocating for the formulation and ratification of a legal and policy framework that is conducive to preventing and addressing all forms of violence against Indonesian women, and protecting, enforcing and promoting women's human rights.
- Promoting public awareness on all forms of violence against Indonesian women and on efforts to prevent, address and eliminate violence against women.
- Undertaking monitoring activities, including fact finding and documenting all forms of violence against women and violations of women's human rights and then publicising the results of such activities so as to encourage necessary steps towards ensuring accountability for and addressing of issues uncovered in the monitoring process.

¹ C.A. Coppel, *Violent Conflicts in Indonesia: Analysis, Representation, Resolution* (London: Routledge Contemporary Southeast Asia Series, 2006).

² See: Citizens for Justice and Peace, *Concerned Citizens Tribunal—Gujarat 2002: An Inquiry into the Carnage in Gujarat* (Citizens for Justice and Peace, 2002), <http://www.sabrang.com/tribunal/vol2/womenvio.html> (accessed May 28, 2009).

³ Later superseded by Presidential Decree No. 65/2005.

⁴ The original proposal put forward by the President was for the commission to be under the Ministry of Women's Affairs and named the "National Commission for the Protection of Women." Originally, the President was also to be responsible for hand-picking several individuals to be commissioners.

⁵ The Presidential Decree establishing this commission refers, in fact, to two relevant international conventions: the Declaration of the Elimination of Violence Against Women (CEDAW), and the Convention Against Torture (CAT).

⁶ See: Humantrafficking.org web-site at: <http://www.humantrafficking.org/organizations/114> (accessed May 28, 2009).

⁷ See: Presidential Decree No. 65/2005.

⁸ See: UNFPA, *Terms of Reference: Needs Assessment of Komnas Perempuan* (New York: UNFPA), 12, <http://indonesia.unfpa.org/TOR-%20FPA-CONS-KP%20Assessment.pdf> (accessed May 28, 2009).

INDONESIA

Oversight and monitoring of gender issues in justice reform

To fulfill its monitoring mandate, *Komnas Perempuan* compiles yearly data on cases of violence against women handled by government (e.g., police, attorney general, courts, hospitals) and NGOs around the country. It gauges annual trends in violence against women, making estimates on the number of cases per year. Its annual reports are then made public, allowing government agencies, civil society and the public in general to keep track of progress and setbacks, year by year.⁹ Furthermore, it annually compiles data on violence against women cases being handled by women's crisis centers, police, the general prosecutors' office, and courts from around the country. The data is processed to provide a comprehensive national picture, and analyzed to identify broad trends and recommendations for action. The report is launched to the media, distributed to partner organisations in government and civil society, and uploaded to *Komnas Perempuan*'s website.¹⁰ This partnership also includes policy dialogues with decision-makers, the development of curricula aimed at developing a gender-sensitive criminal justice system, as well as moot court competitions on violence against women in law schools. The Commission is also facilitating the growth, networking, and capacity building of women's groups, which provide services in counseling, legal services, and policy advocacy.¹¹

While *Komnas Perempuan* receives complaints from individual victims of violence, it only carries out direct monitoring on cases which are considered systematic or state violence.¹² Fact finding is started only under a specific request from the victim community, so as to prevent unilateral intervention by a national institution. For direct monitoring, *Komnas Perempuan* sends its representatives—Commissioners as well as trained staff members—to the location in which systematic violence against women or state violence has occurred. Cases of systematic violence which *Komnas Perempuan* has addressed include those in armed conflict situations, as part of trafficking practices, and those connected to structural poverty and abusive social-economic policies. The commission also carries out monitoring of new laws and regulations on women's rights. For example, it participated, together with women's organisations, in the active campaigning for a Domestic Violence Law, which was finally ratified in September 2004.¹³

Komnas Perempuan reports its work annually to the general public, through a public accountability forum gathering government officials, NGO activists, media, and other concerned citizens. Moreover, in 2005, the commission developed a new monitoring mechanism, which follows the model set by that of UN Special Rapporteurs within the Human Rights Council. The first of *Komnas Perempuan*'s Special Rapporteurs was identified for Aceh, specifically in response to the complex vulnerabilities deriving from more than ten years of armed conflict.

While its mandate designates it as a national women's human rights institution, *Komnas Perempuan* does not have any formal investigative powers, like the Indonesian National Human Rights Commission, nor an authority comparable to a civil court. Its role is mainly concerned with standard setting and policy change. In doing so, however, it still raises the gendered dimension of critical issues, and functions as a common ground for civil society, government, and law enforcement agencies to formulate together a new vision for the nation's future.

⁹ Harsano, *Indonesia's National Machinery for Gender Justice: Komnas Perempuan and its Monitoring and Oversight Role*, December 2005. <http://www.ubphunu-ncfaw.gov.vn/print.asp?newsid=1450&catid=220&lang=e> (accessed May 28, 2009).

¹⁰ Idem.

¹¹ See: www.asiafoundation.org/pdf/indo_wpp.pdf.

¹² Individual domestic violence cases instead, are referred to community-based centers, which directly provide services to the victims.

¹³ Law No. 23/2004 on the Elimination of Domestic Violence. See: National Commission on Violence Against Women (*Komnas Perempuan*), *Indonesia's Compliance with the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. Issues for Discussion with the Committee Against Torture*, Jakarta, April 2008, http://www2.ohchr.org/english/bodies/cat/docs/ngos/Komnasperempuan_Indonesia40th.doc (accessed May 28, 2009).

PERU

Gender assessment of the justice sector

The World Bank conducted a targeted gender assessment in 2001–02 as part of the preparation of Peru’s *Justice Services Improvement Project*.¹

In 2001, the Peruvian Government was in transition and the country’s justice sector was perceived as weak and in need of reform. Poor access to justice had long been recognised as a problem in Peru, reflecting factors such as inefficient institutions, costly services, and disconnect between service supply and demand. While preparing the *Justice Services Improvement Project*, it became clear to the World Bank team that many of these weaknesses hurt women much more than men. Because Peruvian women are, in general, far less educated than men, they are less informed about the law and their legal rights. Their economic dependence on their male partners also discourages them from resorting to the courts, even in cases of domestic violence. Women’s family responsibilities mean that the family court system—ruling on such issues as child custody, marriage dissolution and alimony—is especially important for them; but the family court system was dysfunctional, with long trials and uninformed judicial decisions.² Given these preliminary findings, the World Bank team decided to conduct a gender assessment as part of the project’s preparation, with a focus on identifying access issues and obstacles.

The World Bank’s gender assessment relied upon analyses of access to justice issues by both governmental and non-governmental organisations. These were supplemented by a World Bank-supported statistical analysis of court users in 1,250 cases filed in the judicial district of Lima.³ The definition of the justice sector and its institutions was crucial to determining the scope of the gender assessment. Although the judiciary played an important role in providing statistics and other research, the study was not limited to a review of one agency’s gender responsiveness but extended to the system as a whole.

The assessment revealed that:

- Men were more likely to use justice services, whether in specialised courts or courts run by community-based “peace judges.”
- Women and men have different justice needs and tend to use justice services on the basis of their societal roles.
 - Men tended to be the active litigants in commercial, contractual, and credit-related cases.
 - When it came to family court litigation, women were generally the plaintiffs in cases involving child support, domestic violence and dissolution of marriage, while men were usually the defendants in juvenile crime and child custody cases. 83 per cent of child support cases and 80 per cent of domestic violence cases were filed by women.
- Given the differentiated use of justice services by men and women, the institutional weaknesses of family courts exacerbated gender inequalities in the sector; that is, the burden of the family courts’ shortcomings fell largely on women.
- In seeking legal redress in domestic violence cases, women confronted a number of obstacles—including mistreatment by the authorities, ignorance of applicable laws,

¹ For more information, see: World Bank, *Engendering Justice: a Gender Assessment’s Impact on Project Design* (PremNotes on the Public Sector and Gender 98, The World Bank, Washington D.C., May 2005), <http://www1.worldbank.org/prem/PREMNotes/premnote98.pdf> (accessed March 16, 2009). For information on the project more broadly, see: World Bank, “Justice Services Improvement: Peru,” World Bank, <http://web.worldbank.org/external/projects/main?enableDHL=TRUE&menuPK=2805043&pagePK=64283627&piPK=64624210&theSitePK=2748750&Projectid=P073438> (accessed March 9, 2009).

² World Bank, “Reducing Violence Against Women: Justice Sector Perspective” (Working Paper prepared for the Gender and Development Group PREM, World Bank, Washington D.C., June 2005).

³ González Mantilla, G.J.C. Serván, L. López, and H. Burgos, *El sistema judicial en el Perú: un enfoque analítico a partir de sus usos y usuarios*, (Lima: Informe de Consultoría para el Banco Mundial, 2002).

PERU

Gender assessment of the justice sector

lack of access to legal counsel, and biased behaviour by police officers, prosecutors and judges who refused to consider domestic violence a serious crime.

The findings of the gender assessment resulted in changes to the design of the *Justice Services Improvement Project*, including the addition of an access to justice component. This component proposed mechanisms to make Peru's justice system more accessible and equitable, with a focus on gender disparities in service delivery at both formal and informal levels. These mechanisms included:

- Training of community-based “peace justices” and community leaders in mediation techniques and the handling of family conflicts, including discussions of gender-related issues; and
- Technical assistance in the design and implementation of an inventory and referral system to strengthen the operational capabilities of the family court system to deal more effectively with domestic violence, dissolution of marriage and child support cases.

More broadly, the World Bank project team committed to the involvement of gender specialists in various activities throughout implementation of the *Justice Services Improvement Project*.

- ▶ Gender assessments are discussed in the *Security Sector Reform and Gender Tool* page 14, and in the *Security Sector Reform Assessment, Monitoring & Evaluation and Gender Tool*, pages 4–9.
- ▶ The integration of gender into justice reform is discussed in the *Justice Reform and Gender Tool*. Gender assessment of the justice sector is discussed on page 6.

SOMALIA

Reforming customary laws to meet human rights standards

Of all the post-Cold War conflicts to arise in Africa, one of the most disastrous has been Somalia's, starting in 1991 with the collapse of the Somali state (both legally and administratively), and continuing to the present day. Somali women are particularly affected by the economic, political and environmental insecurities that emerged during the prolonged civil war. Because of the disastrous humanitarian situation, gains which women had made in education and politics during the 1980s have been rolled back in what has been described as "the lost decade for Somali women."¹

Discrimination against women and their systematic subordination to men are common features of Somali society, primarily due to the country's overwhelmingly patriarchal culture. Polygamy is permitted (while polyandry is not); women can inherit property, but only half the amount to which their male relatives are entitled; and, according to the tradition of blood compensation, those found guilty in the death of a woman must pay to the aggrieved family only half as much as they would if the victim were a man. Moreover, about 98 per cent of Somali women undergo female genital mutilation.²

Laws protecting women from violence and discrimination are inadequate, and those laws that do exist are not respected or enforced. For example:

- Violence against women is believed to be widespread, but denial is rife within society. The lack of an effective justice system in the country and poor law enforcement structures allow impunity to persist.
- There is no legislation that specifically covers domestic violence, and crimes of domestic violence and other types of family conflicts are generally dealt with using customary and Shari'a laws.
- While laws prohibit rape, in most cases of rape traditional approaches are applied. Typically, "arrangements" are made between the clans of the victim and the rapist. These arrangements ignore the victim's situation, and leave them in a precarious position, as rape victims are considered to be "impure" and subjected to social discrimination. Deep stigma attaches to sexual violence because of the dishonour it is believed to bring on the victim's family.
- According to the 1975 Family Code, the minimum age for marriage is 18 years for both men and women, but women can marry at the age of 16 years with parental authorisation. Although reliable statistics are lacking, early marriage appears to be common.³

There is no united national judicial system in Somalia. The judiciary in most regions relies upon a combination of traditional and customary law, *Shari'a* law, the penal code of the pre-1991 Siad Barre government, or some combination of the three.⁴

Somali customary law accommodates mechanisms for handling and managing conflicts between and among clans. The mainstay of *Xeer* (customary law) is conflict prevention codes to avert the confrontations that may arise from resource sharing and land disputes. If two parties are embroiled in conflict, the *Guurti* (traditional elders) of the two conflicting parties convene a *Shir Beeleed* (Clan Assembly) to discuss the issues at stake. The elders examine relevant codes in the *Xeer*. If no relevant codes are found, the issue becomes *Ugub* (Virgin). Then, the elders resort to the *Shari'a* for reference. If reference is obtained from the *Shari'a*, it is then integrated into the codes and becomes part of the *Xeer*.⁵

¹ AFROL Gender Profiles: Somalia. http://www.afrol.com/Categories/Women/profiles/somalia_women.htm.

² AFROL Gender Profiles: Somalia. http://www.afrol.com/Categories/Women/profiles/somalia_women.htm.

³ Social Institutions and Gender Index, "Gender Equality and Social Institutions in Somalia". <http://genderindex.org/country/somalia>.

⁴ AFROL Gender Profiles: Somalia. http://www.afrol.com/Categories/Women/profiles/somalia_women.htm.

⁵ CRD, "Traditional Governance in Somalia : South Central Somalia." Brief Report for the World Bank. March 28, 2005. <http://info.worldbank.org/etools/docs/library/153065/southcentralsomalia.pdf>.

SOMALIA

Reforming customary laws to meet human rights standards

Starting in 2006, in an effort towards a thorough reform of the Somali justice sector, the Danish Refugee Council together with the local non-governmental organisation (NGO) Hornpeace, and with the collaboration of the United Nations Development Programme (UNDP), held a series of dialogues with over 100 elders and community leaders from five different clans living in the region of Puntland. The dialogues focused on aspects of traditional *Xeer* that were perceived as ineffective in conflict management and contradictory to basic concepts of justice and fairness as enshrined in both the *Shari'a* and international human rights standards. This process gave communities a chance to express their interests and needs, and raised awareness about human rights-related issues through seminars and advocacy campaigns targeting, *inter alia*, traditional leaders throughout the region. Topics under discussion during these dialogues included, ensuring the protection of the accused; fair treatment of women, orphans and minority groups; and problems associated with *diya* payment,⁶ collective punishment and property rights.

This process of consultations initiated by Hornpeace and UNDP culminated with the first ever National Conference for traditional leaders, in early February 2009. The conference was attended by 130 traditional leaders, religious leaders, and government representatives drawn from all seven regions of Puntland and included regional *aqils* and *nabadoons* (elders), as well as representatives from the police, courts, and national and international organisations. The conference opened the door for dialogue between high-ranking national government officials and traditional leaders.

By the end of the conference, the elders and ministers who attended had drafted and adopted a National Declaration, which aimed at modifying the local *Xeer*.⁷ This declaration represents an important step towards harmonising customary law with international standards, as well as strengthening the interaction between the formal and informal laws, particularly in the courts. Furthermore, it calls for obtaining an agreement between different legal systems on the proper treatment of internally displaced persons, refugees, migrants, minorities, the disabled, women and children, in accordance with international human rights standards.⁸ The traditional leaders identified principles, mechanisms and responsibilities for enforcement of the individual principles of the national declaration. The participants outlined plans to continue their efforts at harmonising and realigning the traditional system, the formal, secular judicial system, and *Shari'a* law. They then traveled throughout the region to disseminate the new laws.

The Coalition for Grassroots Women's Organisations, an umbrella organisation composed of 30 local women's NGOs drawn from different clans in Somalia, played an important role

⁶ From birth all males are members of a diya group. For men it is at this level that collective action takes place and the political and social implications of clan membership are most clearly defined. A man's security, and that of his property, depends on his diya group membership. Diya group members are linked through kinship. A son will belong to his father's group, and their membership to the group unites them through a contractual alliance to collectively receive or pay blood compensation (*diya*) for homicide or injury committed by or to members of the diya-paying group. Women are not members of the diya-paying groups in the same way as men, since they are not regarded as paying or receiving members when it comes to the group paying out compensation or sharing compensation received. J. Gardner and J. El-Bushra, *Somalia, The Untold Story: The War Through The Eyes of Somali Women* (London: Catholic Institute for International Relations, 2004).

⁷ The National Declaration (English version) can be downloaded from: <http://www.so.undp.org/index.php/Somalia-Stories/Strengthening-access-to-justice-in-Puntland-through-harmonizing-customary-law-with-international-sta.html>.

⁸ UNDP, *Strengthening access to justice in Puntland*. <http://www.so.undp.org/index.php/Somalia-Stories/Strengthening-access-to-justice-in-Puntland-through-harmonizing-customary-law-with-international-sta.html>.

SOMALIA

Reforming customary laws to meet human rights standards

in educating participants to the conference about the situation of women in Somalia.⁹ Due in part to their lobbying, the conference addressed gender-based violence. The national declaration made critical changes to the *Xeer* governing forced marriages of a widow to her dead husband's brother.¹⁰ The declaration stated that the rights of women must fully be protected, identifying violations such as rape, slander, harassment, lack of inheritance rights, forced marriage, and problems associated with divorce and dowry payment. Participants to the national conference called upon the Parliament to pass laws addressing these issues, and they committed to advocate for the implementation of all necessary changes to customary law to promote the protection of women's rights.¹¹ Although these remain only statements, they are nevertheless an important step towards recognising first, and addressing later, the widespread security threats that women suffer in a conflict-ridden and patriarchal society such as Somalia.

⁹ The Coalition for Grassroots Women's Organisations (COGWO) has conducted 80 religious forums in 16 districts of Benadir region over the last five years. These religious forums were each composed of 35 women and 15 men, making a total of 4000 participants. The groups acquired a deep knowledge of gender equality and human rights from the Islamic perspective. Also, a comparison was made between the International Bill of Human Rights and Shari'a law. This knowledge has been distributed countrywide through videotapes and the audio cassettes. Moreover, with the support from UNIFEM, COGWO has raised public awareness on gender-based violence, as a first step towards empowering women. It organized several workshops with participants drawn from the media, members of the transitional government, traditional birth attendants, community health workers, NGOs, religious groups, youth and women activists. COGWO has produced a video documentary on women's rights with this core message: "Respect women's rights as human rights." The video is used as an awareness tool among religious leaders, traditional elders, the political class, the youth and women. UNDP Somalia, *COGWO—Celebrating Ten Years in Action for Women's Advancement and Peace Building*, March 2, 2009.

¹⁰ E. Wojkowska, *Doing Justice: How Informal Justice Systems can Contribute* (UNDP, 2006), 43.

¹¹ See National Declaration cited above.

PENAL REFORM AND GENDER

Integrating gender in penal reform is a means to promote...

Human rights standards. Penal institutions must meet international and national human rights standards that require all those deprived of their liberty to be treated with humanity and with respect for the inherent dignity of the human person. This requires penal facilities, policies and procedures to address the distinct needs of adult and juvenile female and male prisoners, including with regard to accommodation, security, family contact and prevention of and response to gender-based violence in prisons. Non-custodial measures such as bail, probation and community service should also be administered in a way that does not discriminate against women, and respects the human rights of both men and women.

Rehabilitation. Rehabilitation and reintegration initiatives should address and accommodate the particular needs and capacities of male and female sentenced persons (whether in prison or under non-custodial measures). It is particularly important that they consider drug addiction, mental health needs, support for family, and community contacts.

Public health. Public health concerns such as the transmission and treatment of sexually-transmitted diseases among male and female prisoners must be addressed. Moreover, female inmates, including those who may be pregnant, should be provided with proper reproductive health services.

Support for men and women as employees in the penal sector. Penal reform must promote the full participation of both women and men as employees of the penal sector. Policies and procedures must be in place to prevent and respond to sexual harassment and discrimination by and against prison staff.

- ▶ This introduction is drawn from the Penal Reform and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

AFGHANISTAN

Addressing the needs of women in prison

Afghanistan's prison population has exploded since 2001. In 2001 there were only 600 prisoners; by March 2005, there were 5,500 recorded prisoners; by March 2007, 10,400.

Afghan law provides that each provincial centre should have a prison and a detention centre, with prisons under the jurisdiction of the Ministry of Justice and detention centres under the Ministry of Interior. Currently, there are 34 provincial prisons, in addition to Pul-e-Charkhi in Kabul. Many are in deplorable condition and do not respect international standards for the treatment of prisoners. In addition, there are 242 district detention centres.¹

Many people are detained illegally and the lack of an independent bar or state-subsidised legal aid system impedes their access to justice. Individuals, adult and child, are often held in prison for months before having the legality of their detention determined by a judge.

At the same time, informal, traditional justice mechanisms, which are the de facto legal system throughout most of Afghanistan, are frequently discriminatory towards women and children.² In this traditional justice system, disputes and crimes are tried and resolved by a council of elders (*jirgas* or *shuras*). These councils are composed exclusively of men. Women are unable to approach the informal justice mechanisms without the assistance of a male relative, limiting their ability to raise certain issues even if they wish to do so.³ In addition, a number of matters relating to marriage, abduction and adultery may be dealt with by the *jirgas* in a discriminatory way. It can be difficult to differentiate between rape and consensual sex as dealt with in the *jirgas* because all sexual relationships outside of marriage are referred to as *zina*. For example, in Nuristan region when a girl is taken by force the *jirga* puts pressure on the family of the man to bring the woman back and then 'asks' the girl to marry the man.⁴ If she accepts, the dowry is paid and she is married. While in some cases acts of abduction may be consensual, in others, the girl, having been shamed by the abduction and possible rape ("adultery"), has little choice but to marry her abductor. Any other future for her would be bleak, with little or no prospect of marriage to someone else. Thus, the settlements concluded by the *jirgas* in such cases of "abduction" or "adultery" often amount to forcing a girl to marry her rapist.⁵

The female prison population

As with the male prison population, the number of female prisoners has increased over the last five years. Female prisoners rose from 86 in December 2004 to 275 in 2008, imprisoned along with 175 of their children.⁶ The majority of women prisoners are from 18 to 25 years of age.⁷ The number of female prisoners is expected to grow even further as the capacity of the formal justice system is developed and begins to prevail over traditional justice mechanisms.

The majority of female prisoners are being held for violating social, behavioural and religious norms, so-called "moral crimes". These crimes of morality are considered crimes against the dignity of the family, and include adultery, running away from a husband after abuse, having a relationship without being married and refusal to marry. There are also

¹ Christine C. Fair and Seth G. Jones, *Securing Afghanistan: Getting on Track* (United States Institute for Peace, January 23, 2009).

² Jill McGiverin, "Rough justice for Afghan women inmates," *BBC News*, November 12, 2008, http://news.bbc.co.uk/2/hi/south_asia/7719686.stm (accessed February 8, 2010); Fair and Jones, *Securing Afghanistan: Getting on Track*.

³ United Nations Office on Drugs and Crime (UNODC), *Afghanistan: Female prisoners and their social reintegration*, March 2007.

⁴ International Legal Foundation, *The Customary Laws of Afghanistan*, 2004, 43.

⁵ UNODC, *Afghanistan: Female prisoners and their social reintegration*.

⁶ Reuters AlertNet, "Afghanistan sets up a prison for women," January 24, 2008, <http://www.alertnet.org/thenews/newsdesk/ISL294947.htm> (accessed February 5, 2010).

⁷ Jill McGiverin, "Rough justice for Afghan women inmates."

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cases of women being imprisoned for having publicly reported rape, and who have been placed in the same detention facility as their rapist.⁸ (However, it should be remembered that women in Afghan prisons represent only a very small percentage of women who are being punished for violating such codes: most of them are tried in the traditional justice system.)

Conditions in women's prisons

In 2008, the first women's prison, with a capacity of 330 prisoners, was established in Kabul.⁹ Although the government plans to build 15 such facilities, as of March 2009 this was the only dedicated women's prison and was holding about 90 prisoners with their children. In the rest of the country men and women are incarcerated in one detention facility. According to the project manager for prisons working for the United Nations Office on Drugs and Crime, the female prison is built up to international standards and is considered the best ever built in Kabul.¹⁰ The women share rooms of three to four bunk beds and undertake different educational classes, such as learning the local Dari language as well as taking classes in geography, English, sewing and computer technology.

However, not all women prisoners in the country are incarcerated under conditions that meet international standards. Between 2007 and 2009, the Corrections Advisor for the United Nations Assistance Mission to Afghanistan (UNAMA) visited a number of prisons in different parts of the country, including the ones in Bamyan, Daikundi, Khost, Gardez, Balkh/Mazar-e-Sharif, Maimana, Jawzjan, Samangan, Takhar and Pul-Khombri. These prison visits revealed the following problems:¹¹

- In some prisons security is poor, and there are insufficient numbers of female prison guards.
- In some prisons the conditions for women are poor, with lack of water and poor sanitary facilities which may cause considerable health risks.
- Supplies of medicine and female hygiene/sanitation products are generally inadequate. In some female prisons, stocks of drugs and medicines are expired.

Furthermore, the Ministry of Women's Affairs and NGOs have reported cases of rape of female detainees by police.¹²

The UNAMA Corrections Advisor also visited a number of juvenile detention centres (Bamyan, Kabul, Jawzjan, Samangan, Takhar, Pul-Khombri and Kunduz) and rehabilitation facilities (Balkh/Mazar-e-Sharif and Maimana). His visits revealed that:¹³

- Structures are often in a derelict state, and prisoners are held in inhumane conditions with no water, electricity or sewage system (e.g. in Pul-Khombri).
- Girls and boys are generally detained together in the same building, often without adequate medical supplies or facilities for fresh air, exercise, sport or education and training (e.g. in Junduz, Takhar and Balkh/Mazar e-Sharif juvenile facilities).
- Overcrowding can be a major issue for both girls and boys. Classes are often held within cells. In summer, overcrowding poses serious health risks (e.g. in Kabul).
- Rape of both female and male detainees has occurred (e.g. in Bamyan).

⁸ Lys Anzia, "Women's Prisons – A Global State of Crisis," Women News Network (WNN), September 9, 2008, <http://womennewsnetwork.net/2008/09/09/prisoncrisiswomen8005/> (accessed November 26, 2009).

⁹ Reuters AlertNet, "Afghanistan sets up a prison for women."

¹⁰ Ibid.

¹¹ Personal communication with Paul Biddle (former UNAMA Corrections Advisor), December 2, 2009.

¹² US Department of State, "2008 Human Rights Report: Afghanistan," February 25, 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119131.htm> (accessed November 26, 2009).

¹³ Personal communication with Paul Biddle, 2009.

AFGHANISTAN

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On release, female prisoners also face significant difficulties. Their full reintegration into the community may be hampered by prejudice and rejection from their family and society, especially in the case of those detained for ‘moral crimes’. In these cases, women find themselves completely isolated once out of prison, lacking any form of economic support and housing and excluded from their families and villages. This has meant that in some cases female prisoners are kept in prison even after ‘release’, as they have nowhere else to go. In 2006, the authorities initiated the development of a policy to guide the establishment and implementation of transitional houses for released female prisoners in need of protection and assistance.¹⁴

NGO support for women prisoners

The interaction between civil society organisations and female prisoners in Afghanistan provides much needed services to prisoners, as well as contact with the outside world. The Afghan Women’s Education Centre (AWEC), for example, has been working with women prisoners in different detention centres in Kabul since 2004. AWEC’s doctors regularly visit prison facilities. AWEC also provides social workers to support women inside the Kabul and Mazaar prisons and facilitate their re-entry into society on their release. These social workers facilitate awareness-raising workshops within the prisons on issues such as prisoners’ rights, human rights, civil rights, women’s rights and Islam, gender, violence against women, peace and conflict resolution, health and HIV/AIDS prevention measures. Classes are held five days a week and include basic health education, literacy, first aid, handicrafts and tailoring. 146 female prisoners and their children took part in AWEC’s education and vocational training in the Kabul prisons between August 2007 and July 2008.¹⁵ Since most of the women in prison cannot afford to hire a lawyer for the follow-up of their cases, AWEC provides a legal assistant to look over their cases and assist them.¹⁶ AWEC’s social workers also visit prisoners’ family members and arrange family visits with the women, helping women to be reaccepted into their families after release.

Other civil society organisations striving towards prison reform in Afghanistan include Medica Mondiale, Voice of Women and the Afghan Women’s Organisation. They provide social, medical and legal assistance to women in prison; organise drama and art workshops, and handicrafts and tailoring classes that teach detainees a profession to continue after release; and conduct training for women on various issues. With support from the United Nations, some of these organisations are working on the reconstruction of some prison facilities, improving the rooms where women live and establishing child care facilities.

Diverting women from prison

In an attempt to address the problem at its roots, given that most women are imprisoned for “moral crimes”, organisations such as Women Living Under Muslim Laws and Rights & Democracy are working to support initiatives for the adoption of a separate family code.¹⁷ The Ministry of Women’s Affairs has also, in partnership with UNIFEM, established referral centres in Jalalabad and Parwan to try to divert cases relating to women and girls “running away from home” from the police and subsequent imprisonment. Although running away from home is not an offence according to Afghan law, a woman who runs away is often detained during the period in which the prosecution determines whether or not she has

¹⁴ UNODC, *Afghanistan: Female prisoners and their social reintegration*.

¹⁵ See Afghan Women’s Education Centre, Annual Report 2007, http://www.awec.info/index.php?option=com_content&view=article&id=56&Itemid=78 (accessed February 4, 2010).

¹⁶ See Afghan Women’s Education Centre’s web-page: http://www.awec.info/index.php?option=com_content&view=category&layout=blog&id=41&Itemid=64.

¹⁷ Women Living Under Muslim Laws, “*Afghanistan: Afghan Women and Children in Prison*,” June 25, 2004, <http://www.wluml.org/node/1521> (accessed November 26, 2009). For a brief historical overview of the changes in the family law in Afghanistan, see For Equality in the Family web-page: http://www.musawah.org/np_afghanistan.asp (accessed February 8, 2010).

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committed *zina*, and in practice women are often detained for long periods and sometimes sentenced to imprisonment for running away from home. Since the establishment of the first referral centre in Jalalabad only one case relating to elopement that was dealt with by the police resulted in detention. The referral centre also has a shelter capacity for victims of violence, which allows for a woman to be accommodated for 72 hours during the investigation of her case. It is envisaged that referral centres will be established in all 34 provinces.¹⁸ These referral centres work in collaboration with the six Family Response Units that have been established in police stations since 2006, dealing with cases of family violence, children in trouble and female victims of crime.

Ongoing justice and penal reform

While a process of restructuring of the prison administration has been underway since 2004, it was only in January 2006, with the endorsement of the Afghanistan Compact (a political agreement between the international community and the Government of Afghanistan), that the formal criminal justice system of Afghanistan was submitted to a process of extensive reform. With the support of the United Nations, other international agencies and donor nations, penal legislation is being reviewed and revised, judges and prosecutors are receiving training, detainees' access to legal counsel is improving, courthouses and prisons are being constructed and the capacity of justice institutions is being developed.¹⁹

- ▶ The importance of integrating gender in penal reform processes is discussed in section 3 of the *Penal Reform and Gender Tool*.
- ▶ The importance of ensuring that prison treatment is appropriate to the particular needs of men and women is discussed in section 4.4 of the *Penal Reform and Gender Tool*.
- ▶ The ways in which the needs of pregnant women and mothers of young children can be met in prisons is discussed in section 4.7 of the *Penal Reform and Gender Tool*.
- ▶ The importance of engaging civil society organisations in penal reform is discussed in section 4.9 of the *Penal Reform and Gender Tool*.
- ▶ The specific challenges of integrating gender into penal reform in post-conflict countries are discussed in section 5.1 of the *Penal Reform and Gender Tool*.

¹⁸ United Nations Office on Drugs and Crime, *Implementing Alternatives to Imprisonment, in line with International Standards and National Legislation*, May 2008, 69-70.

¹⁹ United Nations Assistance Mission in Afghanistan, *Afghanistan's Justice Sector Overview*, November 2006, 1.

RUSSIAN FEDERATION

Improving living conditions for female prisoners

The Russian Federation represents a useful case study in terms of the measures that have been taken for reforming the prison system in such a way as to address the specific needs of female detainees within a broader process of developing a more human-rights based prison system. In particular, efforts have been made towards addressing the needs of pregnant women and mothers of young children in prison facilities, as well as ensuring access to health care for female prisoners.

In the Russian Federation, female prisoners constitute 8 percent of the total prison population. Of 197 countries and territories for which data is available, Russia has, as of January 2010, the 29th highest proportion of female prisoners.¹ As of 2005, 80 percent of convicted women were mothers.² Typically, women's prisons hold between 500 and 2,000 inmates, who are an average age of 36 years old. Theft is the most common offence, with increasing numbers of women sent to prison for drug offences, murder and grievous bodily harm.³ Convicted prisoners are entitled to a minimum of six family visits a year. Only immediate family members may visit – parents, grandparents, siblings, children, grandchildren and spouses. In a number of colonies there are facilities for joint accommodation for mothers with babies.

Special legal provisions for mothers and pregnant women

The criminal laws and regulations of the Russian Federation contain provisions specific to mothers and pregnant women convicted of a criminal offence. A prison sentence for a pregnant woman or a woman with a young child convicted of a minor offence may be suspended until the child reaches the age of 14. If the woman concerned is not re-convicted in the interim period, the sentence is not activated.⁴

The Criminal Code accepts that in other circumstances pregnant women may be imprisoned and that babies born in prison may stay with their mothers. The following allowances are made for such women and for other mothers of young children:

- A woman in pre-trial detention who has children under three years of age may bring them with her. Such women are entitled to better living conditions, specialised medical services, increased rations and clothing, a longer time out of their cells and are not to be put into punishment cells.
- Nurseries may be set up where children of female prisoners can be provided care until they reach the age of three.
- Female prisoners with infants in the prison nursery and female prisoners relieved from work because of their pregnancy or because they have recently given birth may not be placed in punishment cells.
- Pregnant women and women with children have the right to extra food donations via mail or provided during visits and to specialised medical services.
- Pregnant female prisoners or those with children in the nurseries receive at least 50% of their wages, pensions or other incomes in their personal accounts.⁵

¹ As of January 1, 2010: International Centre for Prison Studies, Prison Brief for Russian Federation, http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=118. Also see the full list of female prisoners' percentages out of the total prison population at the International Centre for Prison Studies' web-site: http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_stats.php?area=all&category=wb_female (accessed February 8, 2010).

² Megan Bastick and Lauren Townhead, *Women in Prison: A commentary on the UN Standard Minimum Rules for the Treatment of Prisoners*, Quaker United Nations Office (QUNO), June 2008.

³ International Centre for Prison Studies, "International profile of women's prisons," April 2008, http://www.hmprisonservice.gov.uk/assets/documents/10003BB3womens_prisons_int_review_final_report.pdf (accessed November 12, 2009).

⁴ Moscow Helsinki Group, "Situation of Prisoners in Contemporary Russia," MHG: Moscow, 2003, <http://www.mhg.ru/english/1E7AF09> (accessed November 12, 2009).

⁵ Ibid.

RUSSIAN FEDERATION

Improving living conditions for female prisoners

General conditions for women prisoners

Despite such reforms, major problems in the treatment of women prisoners remain. The 89 regions of the Russian Federation have a total of just 45 female penal colonies and only three colonies for underage girls. This means that women from every second region have to be taken to a different region. Only if they are lucky will this be to an adjacent region. Often, a convicted woman is simply taken to a facility that is less overpopulated, regardless of whether the facility is near to or extremely remote from her home town. After receiving their sentences, many female prisoners hence have to travel thousands of kilometres to the place where they will serve their prison terms. Sometimes travel to prison takes up to two months, with a number of stop-overs in transit prisons on the way. Transit prisons have dirty and overcrowded cells, with neither individual sleeping spaces nor adequate meals and medical services. Prisoners can be located in the same cell as prisoners suffering from contagious diseases. In both transit and in faraway prisons, visits from family are extremely difficult.⁶

According to a study undertaken by the Center for Assistance to Criminal Justice Reform, the conditions under which women serve their sentence reflect neither psychological nor physiological features characteristic of women; that is, women are kept as men or, more precisely, as certain averaged-out human beings without regard to sexual, age-related or other individual characteristics.⁷ This is manifested in a host of ways. For instance, prison regulations do not provide for the issuance to women of the hygienic items that they need during menstruation. In some prisons officials make attempts to redress this oversight, but they are hardly ever capable of coping with the problem.

Between one third and one half of women arrive in prisons infected with sexually transmitted disease, syphilis in particular. Over five per cent of female prisoners are HIV positive, with HIV often accompanied by Hepatitis C. Three to five per cent of women suffer from active forms of tuberculosis. Other widespread health conditions include alcoholism, drug addiction, and cardiovascular and gynaecological problems.⁸ Medical services in the prison system are scarce and often unable to effectively treat these health problems. Prisons get their supplies of pharmaceuticals in a centralised way, but these supplies are insufficient. In addition, many prison doctors either have insufficient qualifications or overlook serious diseases and grave health conditions. In recent years, there have been some improvements in prison medical care, particularly in the treatment of tuberculosis, thanks to the resources and support of international organisations like the World Health Organisation, Médecins Sans Frontières and the International Committee of the Red Cross.⁹

Penal Reform International's programmes with Russian women's prisons

In order to better address these and other issues affecting women prisoners in the Russian Federation, Penal Reform International (PRI), an international non-governmental organisation working on penal and criminal justice reform, has started working with governmental and civil society organisations to raise awareness of the problems facing female prisoners, promote specialist mother and baby units within prisons and improve living conditions for female prisoners. Some of the gender-responsive penal reform initiatives supported by PRI include:

⁶ L. Alpern and A. Antonov et al., *Prisons Are Not for Women: Monitoring Findings, Essays, Interviews on the Situation of Women in Russia's Institutions of Confinement* (Moscow: Center for Assistance to Criminal Justice Reform, 2000).

⁷ Study undertaken in 1999 cited in Alpern and Antonov et al.

⁸ The study states that the figures are estimated, since precise data on diseases of female prisoners in Russia are not available. See United Nations Office on Drugs and Crime (UNODC), *Handbook for prison managers and policymakers on Women and Imprisonment*, Criminal Justice Handbook Series, 2008, 11-12, <https://www.unodc.org/documents/justice-and-prison-reform/women-and-imprisonment.pdf> (accessed February 8, 2010).

⁹ Alpern and Antonov et al., *Prisons Are Not for Women*.

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- Better accommodation for female prisoners (e.g. better health services, meals and hygienic facilities)
- Creation of mother and baby units
- Development of procedures to regulate the conduct of health, social care and legal professionals working with female prisoners who have children either inside or outside prison
- Theatre therapy
- Programmes to prepare female prisoners for release by teaching them social skills and the skills to access social services and employment¹⁰

The attention of both government and civil society organisations has also focused on the development of rehabilitation and educational services for female offenders at the juvenile colonies for girls. With help from PRI:

- Creative study groups have been established in the juvenile colonies for girls, including drama, sport, needlework and flower-growing
- Ongoing research with the girls is helping to identify their support needs on release and the availability of appropriate services in the community
- Meetings and conferences for prison staff and NGO representatives have been held to improve communication between correctional institutions and community-based services working with young offenders

PRI has been monitoring living conditions for women prisoners in Colony No.2 in Mordovia, in particular conditions of detention for women imprisoned with their babies. It has noted that while it is vitally important to allow children to stay with their mothers, both the mothers and babies have specific health and other requirements that need to be addressed. This demands that prisons have adequate facilities and programmes to this end. Working with the prison department and local prison administrations, PRI advocates for non-custodial responses to offending whenever it is appropriate, in particular where the custody clearly does not meet the best interest of the child, and for women's increased access to their babies.

Developments in standards and recommendations

Meeting the needs of imprisoned babies and small children was one of the problems addressed at a regional conference on women in prison that took place in Gomel, Belarus in October 2007. The conference gathered together prison staff, social workers, medical professionals, NGO representatives and government officials from Russia, Belarus and Ukraine. It resulted in the *Gomel Declaration on the Execution of Punishments for Women*, which outlines a series of recommendations for prison systems.¹¹

The challenges discussed above are not a peculiarity of the Russian penal system: the fair and equal treatment of women in prisons is a matter of concern for penal systems all over the world because of the specific needs and vulnerabilities that women have. To address this question, the international community is now in the process of preparing *Rules for the Specific Treatment of Women Prisoners and Women in Custodial and Non-custodial Settings*, to supplement the *Standard Minimum Rules for the Treatment of Prisoners* and the *Standard Minimum Rules for Non-custodial Measures* in connection with the treatment

¹⁰ See Penal Reform International (PRI) web-site: *Women in Prison*, <http://www.penalreform.org/women-in-prison.html> (accessed November 11, 2009); PRI, "Women in Prison", *Penal Reform Briefing* No. 3, 2008, <http://www.penalreform.org/resources/brf-03-2008-women-in-prison-en.pdf> (accessed November 12, 2009).

¹¹ PRI, "Women in Prison", *Penal Reform Briefing* No. 3, 2008.

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of women prisoners and alternatives to imprisonment for women offenders.¹² These rules would become an important standard for gender-sensitive prison reform processes.

Gomel Declaration on the Execution of Punishments for Women (2007)

Key recommendations:

1. Establish a special department at a high level of the penitentiary system responsible for the implementation of criminal punishments for women
2. Improve the status of educational, psychological and social services staff within the penitentiary system, recognising their key role in social integration and the preparation of offenders for release
3. Improve the legal basis relating to the sentencing and carrying out of punishments for women including criminal and criminal-executive legislation
4. Enhance the legal protection of imprisoned women
5. Reduce the application of custodial punishments for women; extending the application of alternative punishments within the community
6. Develop and improve a system of preparation for release, social rehabilitation and follow-up programmes for women released from places of detention
7. Give special attention to young girls in places of detention
8. Adopt a national plan of action with regard to babies and young children accompanying their mothers in places of detention

- ▶ The importance of integrating gender in penal reform processes is discussed in chapter 3 of the *Penal Reform and Gender Tool*.
- ▶ The importance of ensuring that prison treatment is appropriate to the particular needs of men and women is discussed in section 4.4 of the *Penal Reform and Gender Tool*.
- ▶ The importance of ensuring access to health care for male and female prisoners is discussed in section 4.6 of the *Penal Reform and Gender Tool*.
- ▶ Ways in which the needs of pregnant women and mothers of young children can be met in prisons is discussed in section 4.7 of the *Penal Reform and Gender Tool*.
- ▶ The specific challenges of integrating gender into penal reform in transitional countries are discussed in section 5.2 of the *Penal Reform and Gender Tool*.

¹² A draft of the *Rules for the Specific Treatment of Women Prisoners and Women in Custodial and Non-custodial Settings* is available at: http://www.unodc.org/documents/justice-and-prison-reform/Expert-group-meeting-Bangkok/ECN152009_CRP8.pdf (accessed February 5, 2010). Most recently at the time of writing, a paper on the new rules was endorsed by an intergovernmental expert group meeting held from 23 to 26 November 2009 in Bangkok.

SOUTH AFRICA

Addressing HIV/AIDS in prisons

Penal reform occupied an important position in the South African process of reforming its security sector after the end of apartheid. The new government of South Africa signed and ratified numerous regional and international treaties and declarations relating to the treatment of offenders and detainees. Government policy seeks to turn all prisons into correctional centres and all prison officials into rehabilitators. The government adopted an open door policy to international, regional and domestic human rights bodies to visit the country and make concrete proposals.¹

According to the 2008-2009 Annual Report of the Judicial Inspectorate of Prisons, there are 237 prisons in South Africa, which collectively have the capacity to house 114,822 inmates. Eight prisons accommodate only female inmates, 130 only male inmates and 86 accommodate both male and female inmates. In addition there are 13 centres specifically for male juvenile inmates (including children younger than 18 years of age). The official capacity of different prisons varies from 31 to 3,024 inmates. Overcrowding is a problem in most of the prisons to varying degrees depending upon factors such as geographical location and security classification. 49 prisons are occupied at levels below 100%, 107 at levels between 100% and 150%, 62 at levels of 150% to 200% and 19 at levels more than 200%.²

As of December 2009, the total number of prisoners in custody was 161,320. Men constituted 97% of the total prison population and women 2.2%, a percentage similar to other countries in the region, such as Malawi (1,7%), Swaziland and Zambia (2,6%), Namibia (2,7%) and Angola (3,3%).³

Sexual violence and HIV/AIDS in prisons

A litany of scandals emanating from the Department of Correctional Services in the late 1990s and early 2000s drew public attention to the dismal state of South Africa's prisons. In 2001, the Government appointed the Jali Commission of Inquiry to investigate prison conditions and to issue recommendations for improvement. As part of its mandate, the Jali Commission was tasked with examining sexual violence in prisons. Its report presented evidence of rape being rampant in prisons, shedding light on a number of stories of pervasive prison rape – including of some prisoners deliberately raping others to infect them with HIV/AIDS.⁴ The Jali Commission used strong words to highlight the seriousness of the problem and the authorities' responsibility:

*'... if the Department [of Correctional Services] keeps on ignoring the fact that sexual abuse is rife in our Prisons and that there is an extreme likelihood that prisoners who are exposed to violent unprotected sex will in all likelihood contract AIDS, then it is effectively, by omission, imposing a death sentence on vulnerable prisoners.'*⁵

Another key finding of the Jali Commission was that prison warders were homophobic towards gay and transsexual prisoners. The Commission found that prisoners had lost

¹ United Nations, *Report of the Special Rapporteur on Prisons and Conditions of Detention in Africa*, Mission to the Republic of South Africa, June 14-30, 2004, 10, http://www.achpr.org/english/Mission_reports/South%20Africa/Special%20Rap_Prisons_South%20Africa.pdf (accessed November 24, 2009).

² Judicial Inspectorate of Prisons, *2008-2009 Annual Report for the Period 1 April 2008 to 31 March 2009*, Judicial Inspectorate of Prisons, Republic of South Africa, March 31, 2009, <http://judicialinsp.dcs.gov.za/Annualreports/Annual%20Report%202008%20-%202009.pdf> (accessed December 1, 2009).

³ *Ibid*; International Centre for Prisons Studies web-site: http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_stats.php?area=all&category=wb_female (accessed February 8, 2010).

⁴ Commission of Inquiry into Alleged Incidents of Corruption, Maladministration, Violence or Intimidation into the Department of Correctional Services Appointed by Order of the President of the Republic of South Africa in Terms of Proclamation No. 135 of 2001, as Amended: Final Report, December 2005, 166-7, http://www.info.gov.za/otherdocs/2006/jali/jali_comm_full.pdf (accessed February 2, 2010).

⁵ *Ibid.*, 446-447.

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faith in the Judicial Inspectorate and Independent Prison Visitors complaints system, as their complaints were not dealt with effectively and offending warders remained on duty without being punished.⁶

The African Commission's Special Rapporteur on Prisons and Conditions of Detention in Africa, on visiting South Africa's detention facilities in 2004, noted that one of the major concerns was the burden of HIV/AIDS.⁷ According to an Institute of Security Studies study carried out in 2003, HIV prevalence in South Africa's prisons is approximately 41% and 90-95% of deaths are AIDS-related. The risk of transmission of HIV is extremely high in prisons: high-risk sex is commonplace, usually in the form of unprotected anal sex, rape and sexual assault; gang violence is common, with sex innately intertwined with gang life.⁸ The two most powerful gangs are the 26s and 28s, with the latter's power structure being based on 'homosexual partnerships and the prostitution of designated male inmates'. Rape victims tend to be reluctant to report perpetrators. Tattooing is a key activity in gang membership, and unsterilised needles and instruments are shared.⁹

Civil society programme to address HIV in prisons and on release

In 2006, the Sonke Gender Justice Network (SGJ) started a 'prisons transformation' project with men and boys. The project aims to reduce new HIV infections and increase positive living amongst staff and prisoners both while in prison and upon release through increasing knowledge of HIV prevention strategies and advocating for the necessary prevention and treatment services. SGJ particularly strives to address the needs of awaiting-trial prisoners, given that young people are disproportionately represented among this group and that HIV/AIDS infection rates are highest among the young. In 2007, SGJ worked in four prisons in the Western Cape and in 2008 the project was extended to four other prison facilities.¹⁰

During the initial phase, SGJ developed partnerships with the involved prisons by organising meetings with the Department of Correctional Services personnel in each prison, including management staff, general support staff and prison heads, to discuss and agree on work plans and implementation dates. In addition, it conducted a needs assessment to identify potential points of entry and issues to be addressed. For example, as part of the needs assessment conducted in Pollsmoor and Goodwood prisons SGJ held two focus group discussions with prisoners and six in-depth interviews with key staff; conducted an analysis of available health data to better understand the nature, quality and availability of HIV treatment in prisons; and reviewed HIV related policies and reports available from the Department of Correctional Services.

From the needs assessment, it emerged that there was an extremely low level of knowledge about HIV and AIDS amongst most staff and prisoners, and that information was best communicated to the groups via illustrations rather than written material or lectures due to the low levels of literacy amongst group members and their limited familiarity with HIV related terms and concepts. The assessment also revealed that most staff and prisoners were not aware of programmes within and outside prisons on HIV and AIDS, and that the stigma attached to being HIV-positive often constituted an important barrier to accessing services.¹¹

⁶ Ibid., 568-90.

⁷ African Commission on Human and Peoples' Rights, *Report of the Special Rapporteur on Prisons and Conditions of Detention in Africa*. Mission to the Republic of South Africa, June 14-30, 2004.

⁸ See SGJ web-site: <http://www.genderjustice.org.za/projects/prisons-transformation> (accessed February 2, 2010).

⁹ African Commission on Human and Peoples' Rights, *Report of the Special Rapporteur on Prisons and Conditions of Detention in Africa*, 56.

¹⁰ SGJ web-site: <http://www.genderjustice.org.za/about-us/about-us.html> (accessed November 17, 2009); SGJ, *Prisons Transformation Project: Working with men and boys in Western Cape prisons to reduce the spread and impact of HIV and AIDS*, SGJ Proposal to the Elton John AIDS Foundation, January 11, 2008.

¹¹ SGJ, Needs Assessment Report to the Elton John AIDS Foundation: *Ensuring Access to Treatment for Inmates in Pollsmoor and Goodwood Prisons and Upon Their Release*, November 10, 2008.

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SGJ then carried out capacity building workshops with prisoners and staff. Intensive five-day 'Men as Partners' workshops were conducted, focusing on issues of HIV/AIDS and gender-based violence, and participants were trained on the 'One Man Can' themes of ending domestic and sexual violence. The training included interactive sessions in which participants were encouraged to discuss among themselves issues of HIV/AIDS and gender-based violence. SGJ also conducted one-day workshops with senior management and support staff at two of the prisons to improve staff knowledge and awareness of HIV/AIDS and violence, to better enable staff to protect themselves from HIV/AIDS and to better serve the needs of prison prisoners. In addition, partnerships were established with other organisations working with recently released former prisoners so as to ensure continuity with the work conducted within prisons after prisoners are released.¹²

Another activity initiated by SGJ was the development of murals at each training site to help spread awareness of issues relating to violence, drugs and HIV/AIDS. In each prison, a two-day skills development workshop was carried out with prisoners who discussed and agreed upon mural themes relevant to the prison population. Those involved in the painting of the murals became very engaged in the issues, giving themselves a group name and developing original and innovative designs.

The SGJ's prisons project was successful in that both staff and prisoners participating in the workshops were receptive to the issues and the training, and a good proportion of the prisoners within each of the prisons showed a commitment to implementing further HIV prevention activities. However, some challenges were encountered in the implementation phase of the project and have served as lessons learned for future projects of a similar nature:

- Challenges related to access: The Department of Correctional Services had a quite restrictive policy in relation to access to prisons for civil society organisations. In addition, it made it clear to SGJ that its access to prisons would have been curtailed and possibly revoked if the organisation made statements to the media that criticised the Department without the latter's approval. This limited SGJ's scope for using the media as a means to demand improved HIV/AIDS service delivery in prisons, and actually forced SGJ to choose between prison-based trainings and advocacy.
- Ensuring buy-in of Prison Head: In one instance, SGJ experienced difficulties with the point of contact at a prison who at times proved unreliable. This impacted on the project work plan, delaying the implementation of capacity building workshops. To deal with this, SGJ established a working relationship with the Prison Head who proved to be extremely supportive of the project and facilitated the appointment of a new point of contact for SGJ. This highlights the value of achieving the buy-in and commitment of senior management staff.
- Working within prisons' timetables: Fitting in with prison schedules proved to be a challenge as there were frequently other Department of Correctional Services educational programmes taking place. It was crucial to schedule workshops and obtain requests well in advance.
- Challenges related to programme design: There is a need to individually assess each prisoner's specific characteristics and try to address and reflect them in the most comprehensive way possible in training design and delivery. As the literacy level of

¹² In parallel with the 'HIV prevention in prisons' initiative, SGJ run the 'One Man Can' campaign in eight South African provinces, as well as in Burundi, Kenya, Malawi, Mozambique, Namibia and Uganda. The Campaign, started in November 2006, aims to support men and boys to take action to end domestic and sexual violence to promote healthy, equitable relationships that men and women can enjoy. SGJ web-site: <http://www.genderjustice.org.za/projects/one-man-can-campaign> (accessed November 17, 2009); Partner organisations are Civil Society Prison Reform Initiative, the National Institute for Crime Prevention and Rehabilitation of Offenders, the Department of Health and the Treatment Action Campaign; Sonke Gender Justice Project, *Accelerated HIV/AIDS Prevention Response in the Western Cape: Working with Men in Prisons and in Khayelitsha to reduce the spread and impact of HIV and AIDS*, Narrative Report to the Western Cape Department of Health Project Period: January 3rd– March 31st 2007, Proposal to the Elton John AIDS Foundation, January 11, 2008.

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prisoners is generally low, SGJ should develop low-literacy materials and approaches for training sessions. Focus should also be placed upon personal development so as to help address the other needs prisoners will have after they are released, such as education, employment opportunities and emotional support.¹³

- Human resources: The human resources demands of the project were high. Workshop activities needed to be in both Afrikaans and Xhosa, and the nature and content of the training was such that prisoners required immediate and supplementary follow-up and support to enable them to implement their own HIV/AIDS prevention activities.

Today, SGJ has expanded its work (thanks to funding from the Elton John AIDS Foundation) and started a new project focused on men living with HIV/AIDS in prisons. This project aims to build the capacity of correctional staff to create a supportive environment for prisoners infected with and affected by HIV/AIDS and violence, and support prison officials and prisoners in carrying out HIV/AIDS prevention activities. Furthermore, training will be conducted for prisoners to provide them with the skills and commitment necessary to continue their health-seeking behaviour upon release, including the giving them needed information and contacts for accessing community support mechanisms. An assessment process aimed at identifying the concrete impacts of these activities on case officers and prisoners' attitudes and practices towards reducing HIV/AIDS is planned to take place in February 2010. In particular, monitoring will focus on identifying changed attitudes with reference to stigma, use of HIV services, condom availability and involvement in pre-release and post-release programmes.¹⁴

Local and international civil society organisations have played and still play a fundamental role in addressing human rights-related issues in prisons in South Africa. In its latest report, the Judicial Inspectorate has noted the major contribution of such key stakeholders and collaborative partners in correctional services. Organisations such as SGJ, to cite one among many examples, are recognised as actors with which “unconditional cooperation” is necessary as the only concrete solution for the “community’s collective efforts at improving the situation in our correctional centres [to] have any chance of success”.¹⁵

- ▶ The importance of integrating gender into penal reform is discussed in section 3 of the *Penal Reform and Gender Tool*.
- ▶ Measures to prevent and respond to gender-based violence in prison are discussed in section 4.5 of the *Penal Reform and Gender Tool*.
- ▶ Training of prison staff is discussed in section 4.8 of the *Penal Reform and Gender Tool*.

¹³ SGJ, Needs Assessment Report to the Elton John AIDS Foundation: *Ensuring Access to Treatment for Inmates in Pollsmoor and Goodwood Prisons and Upon Their Release and Ensuring Access to Treatment for Inmates in Pollsmoor and Goodwood Prisons and Upon Their Release*, November 10, 2008.

¹⁴ SGJ, *Prisons Transformation Project: Working with men and boys in Western Cape prisons to reduce the spread and impact of HIV and AIDS*, SGJ Proposal to the Elton John AIDS Foundation, January 11, 2008.

¹⁵ Judicial Inspectorate of Prisons, *2008-2009 Annual Report for the Period 1 April 2008 to 31 March 2009*, Judicial Inspectorate of Prisons, Republic of South Africa, March 31, 2009, 41, <http://judicialinsp.dcs.gov.za/Annualreports/Annual%20Report%202008%20-%202009.pdf> (accessed December 1, 2009).

BORDER MANAGEMENT AND GENDER

Integrating gender in border management reform is a means to ...

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

Protect and promote human rights. Border management personnel who protect and promote the human rights of men, women, girls and boys are more likely to enjoy public trust. This in turn increases movement of persons, goods and services and increases the capacity of border services to detect and prevent criminal activities. Human rights violations which can occur at border controls include:

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

Build representative border management institutions. Men are currently highly over-represented among border personnel. Increased representation of women among border personnel may help to:

- Create institutions that better mirror the society that border personnel serve, thus strengthening trust and legitimacy.
- Facilitate the use of appropriate questioning, interview, body search and follow-up procedures with respect to crimes such as human trafficking and smuggling.
- Prevent human rights violations such as sexual harassment, inappropriate body searches and excessive use of force.

Collaborate with civil society. Civil society organisations can assist effective border management. For example, they can provide support services to victims of crime identified at borders, such as trafficked persons, and exercise oversight of human rights violations at borders. Women's organisations can yield critical local intelligence regarding criminal activity, offer policy advice and deliver gender training.

► This introduction is drawn from the Border Management and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

KOSOVO

Gender training for Border and Boundary Police

The Kosovo Border and Boundary Police was established in 1999 and is responsible for the control and security of all border crossings.¹ Following entry into the Kosovo Police Service all new recruits usually take a 20-week basic training course at the college in Vushtrri. The course is designed to equip officers with the knowledge and skills needed to perform general police duties at the Police Officer level. Upon completion of the course officers are deployed to their respective workplaces or, if selected to work for the Border and Boundary Police, are given additional training related to their specific functions and duties as border police officers.

Initially, training for border police officers was provided by UN civilian police assigned to border duties. In 2006, the European Agency for Reconstruction funded a one-year project, implemented by the International Centre for Migration Policy Development (ICMPD), to develop the Border and Boundary Police Training Unit. This included developing standard operating procedures for the unit, the selection of eight trainers and the delivery of a customised train-the-trainer course. A key output of the project was three customised training courses for the basic, team leader and command levels.²

The Border and Boundary Police *basic course* is delivered to entry-level border police who have completed the basic training for the Kosovo Police Service, referred to above. It consists of 2 - 3 days of training and focuses on the tasks, responsibilities and skills needed by basic level officers. Topics include human trafficking:

- Definitions of and distinctions between trafficking and smuggling
- Global, regional and local human trafficking patterns and trends
- Ways to identify victims, including the use of visual and other non-verbal forms of communication; questioning; and other options that are available to border police

The Border and Boundary Police *team leader course* targets officers at a supervisory level. It consists of 1.5 - 2 days of training around topics that include:

- Review of distinctions between trafficking and smuggling
- Implications of human trafficking: understanding the process, terminology, definitions, international and domestic legislation and the impact of organised crime
- Principles and practice of identification, investigation, interviews and referrals

The focus of the training is on the direct relevance of laws and principles of human rights protection to border police, and the application of skills and correct practice.³

In addition, the Border and Boundary Police training courses at the basic, team leader and command levels include an introductory half-day *Gender and Border Management* module. The module tries to help border personnel make the link between gender and their daily practice by asking themselves questions such as: *Why does gender matter? Why be concerned with integrating gender? What are the operational advantages?* For all three levels of training this session starts with a brainstorming exercise and discussion on 'What is gender?', and is followed by further discussions about why gender is important in border management. After this, course content is tailored to each group to explore how gender can be integrated into border management based on the trainees' rank and functional needs. The *basic course* focuses on identifying risks/threats to women and men at borders, how these may be similar or different and the associated responsibilities of border police. The *team leader course* focuses on common situations involving gender issues and suggestions or requests that can be made to the command level to help resolve

¹ See Kosovo Police web-site, at: <http://www.kosovopolice.com/?page=2,22> (accessed October 13, 2009).

² The training course materials are available at: <http://polis.osce.org/library/results.php?ca%5B%5D=TRN&ga%5B%5D=881&d=&ta%5B%5D=1474&p=3> (accessed October 13, 2009).

³ See: EULEX Kosovo, "KPS Border and Boundary Police Training Concept", http://www.eulex-kosovo.eu/training/police/PoliceTraining/BORDER_BOUNDARY/DOCUMENTS/7.pdf?page=agreement (accessed October 13, 2009).

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problems. The *command level course* focuses on policies, procedures and practices that can be introduced to address human trafficking, protect human rights and collaborate with representative institutions.

The training sessions use highly interactive and practical materials that focus on border realities. Examples, scenarios and problem-solving are used extensively. The emphasis throughout is on active engagement and initiative rather than passive observation.⁴

As of January 2010, the Kosovo Border and Boundary Police consisted of 1280 employees, among which only 102, or 8%, were women. This is less than in the Kosovo police, where female members count for 15% of the total police force (civilian staff included). However, the General in charge of the Border and Boundary police was a woman, and figures from previous years show that the proportion of women in the force is increasing.⁵ There are no women working in the Border and Boundary Police Training Unit, despite senior Border and Boundary Police personnel's verbal commitments to include them and ICMPD's efforts to encourage women to join the service. Yet women constitute 26% of the Field Training Officers working at border locations and are expected to provide on-the-job training.

- ▶ The importance of integrating gender into border management is discussed in section 3 of the *Border Management and Gender Tool*.
- ▶ Gender training for border services is discussed in sections 4.1 and 4.2 of the *Border Management and Gender Tool*.
- ▶ Challenges to integrating gender into border management in post-conflict countries are discussed in section 5.1 of the *Border Management and Gender Tool*.

⁴ See also: Human Dynamics, *Integrated Border Management* (05/KOS01/09/01), Final Report, 15 November 2007, http://www.eupt-kosovo.eu/training/police/PoliceTraining/BORDER_BOUNDARY/DOCUMENTS/2.pdf (accessed: December 3, 2009).

⁵ Personal correspondence with Kirsten Joppe, Senior Human Rights Advisor with the OSCE Mission in Kosovo, Police Service Monitoring Section, January 26-27, 2010.

TAJIKISTAN

Dushanbe-Kyrgyz border rehabilitation project

The Dushanbe-Kyrgyz Border Rehabilitation Project, initiated by the Asian Development Bank, aimed to boost regional trade and economic growth in Tajikistan, the poorest of the Central Asian republics. To this end, the project rehabilitated an integral part of a regional road network in Central Asia that directly links Dushanbe, the capital of Tajikistan, to the Kyrgyz Republic.

The need for addressing the gender-related aspects of the border rehabilitation project emerged during the request for technical assistance phase. Consultations were carried out with female and male community members from different socioeconomic groups:¹

- Focus group discussions identified that women had particular expectations as to what the impact of the rehabilitation of the regional road network would be: women expected the project to give them better access to hospitals, maternity homes and other social infrastructure.
- Household interviews revealed significant differences between female-headed and male-headed households on issues related to project information and policies. For example, female-headed households indicated they knew little or nothing about the project, while male-headed households were well aware of the project. Moreover, female-headed households knew generally less than male-headed ones about land acquisition and relocation policies, as well as the grievance redress process. The information gained from these interviews was important for correcting biases in the design of the project, and for adequately taking gender considerations into account during the project's implementation phase.²
- The household survey further indicated that while men had a wide range of employment opportunities, women were predominantly engaged in cropping and tending animals. Women living in the project area, as a result of ever-worsening gender equality and social services in the country, expressed an interest in: a) increasing the level of education for girls; b) income generating opportunities for both men and women; c) capacity-building/acquisition of new skills for women; d) better health care services; e) job opportunities for educated women; f) active participation in public activities; and g) refresher training of teachers and medical workers.

The project was then conceived and shaped to partly, if not fully, address the needs and concerns of both men and women. Follow-up consultations during and after project implementation were conducted.

Indirect benefits of the border rehabilitation were mostly related to enhanced connectivity, including increased access to educational and health facilities, increased travel to towns, increased marketability of women's products (fruit and small animals), increased access to employment that had been created or stimulated by the project, increased interaction with development organisations operating gender development projects in the area and increased access to information. In terms of direct benefits, the project provided employment opportunities for women through the implementation of the Social Development Action Plan. This aspect of the project enhanced the impacts of nine international and local NGOs that were targeting women for gender and development activities, including education/capacity-building, health care, micro-credit and self-employment.

A second phase of the border rehabilitation project included an HIV/AIDS and migration component, aimed at developing an integrated, community-based, gender-responsive

¹ Asian Development Bank, Technical Assistance (financed by the Japan Special Fund) to the Republic of Tajikistan for preparing the Dushanbe-Kyrgyz Border Road Rehabilitation Project, August 2004, <http://www.adb.org/Documents/TARs/TAJ/tar-taj-36396.pdf> (accessed October 7, 2009).

² Tajikistan Ministry of Transportation, Resettlement Planning Document: TAJ, Dushanbe-Kyrgyz Border Road Rehabilitation Project (Phase II), July 2005, http://www.adb.org/Documents/Resettlement_Plans/taj/38236/38236-TAJ-RP.pdf (accessed October 7, 2009).

TAJIKISTAN

Dushanbe-Kyrgyz border rehabilitation project

approach to the prevention of HIV/AIDS and sexually-transmitted infections linked to the seasonal migration of men. This also had direct benefits for local women by reducing their risk of contracting HIV and other sexually transmitted infections.³

The project was concluded in 2007. Its legacy has included an explicit commitment from the Ministry of Transport, local government, women's associations and NGOs to continue monitoring the project's impact on women.

- ▶ The importance of integrating gender into border management is discussed in section 3 of the *Border Management and Gender Tool*.
- ▶ The importance of local ownership is discussed in section 3.4 of the *Border Management and Gender Tool*.
- ▶ Challenges to integrating gender into border management in transitional countries are discussed in section 5.2 of the *Border Management and Gender Tool*.

³ Asian Development Bank, Republic of Tajikistan: Dushanbe-Kyrgyz Border Road Rehabilitation Project (Phase III), Final report, July 2007, <http://www.adb.org/Documents/Reports/Consultant/37373-TAJ/37373-TAJ-TACR.pdf> (accessed October 7, 2009).

WEST AFRICA

Monitoring borders with a gender lens

The West African region has been plagued by bloody conflicts and constitutes an exemplary case of how instability in one country affects neighbouring countries. Conciliation Resources (CR), an international organisation working on human rights, conflict and peace in divided societies, has been working on issues concerning sub-regional stability around the Mano River Union (MRU) countries of Sierra Leone, Liberia and Guinea since 2002. The MRU countries are closely linked not only by their common borders and ethnic groups but also by their history and conflicts. As such, efforts to consolidate sustainable peace in the region must take these sub-regional dimensions into consideration. The MRU countries' borders have played a key role in starting conflicts and recruiting fighters: in Sierra Leone, for example, the war advanced from the Liberian border and was supported by Liberian fighters.¹ Experience also suggests that due to a predominant national focus of post-conflict and disarmament, demobilisation and reintegration interventions, the local dynamics of violence and the cross-border dimensions of West African wars are often neglected, despite the fact that border communities remain among the most socially and economically marginalised.²

The volatility of MRU border regions is illustrated by the tensions in Yenga, a village in the Kailahun District of Sierra Leone and a sub-regionally strategic point bordering both Guinea and Liberia.³ Yenga is situated on the bank of the Makona River on a fertile tract of farmland also believed to be rich in diamonds. Guinean troops first entered Yenga in the mid 1990s to help fight the Revolutionary United Front rebels during the civil war and block their exit routes into Guinea. After the war ended in 2002, Guinea retained its military presence in Yenga. The matter was resolved diplomatically when President Lansana Conteh of Guinea publicly acknowledged that Yenga was Sierra Leonean territory. This led to a signing of a Memorandum of Understanding in September 2004 which stated that the village of Yenga belonged to Sierra Leone. The agreement also stipulated that the Makona River belonged to Guinea. However, the issue was far from being resolved and border communities at Yenga are still extremely vulnerable to conflict. In fact, many Guinean military personnel remain in Yenga, and also continue to guard Yenga from a base just across the river.⁴ While the governments understood the problem merely as a border issue, for the communities concerned it was more about access to and control over their resources. Guinean soldiers based in Yenga are farming on people's land without permission and hindering the community from using the land. For a community that relies predominantly on farming for both its income and subsistence, this is a serious concern.

CR started working in Sierra Leone in 1995 to support civil society organisations in reducing the negative impacts of conflict on communities through promoting reconciliation and peacebuilding. CR's work has evolved under the thematic areas of community peacebuilding, sub-regional security and stability and social exclusion and marginalization, with a specific focus on women and youth.⁵ CR's current work in the region builds on its *Strengthening Citizens' Security* project, which was implemented between 2007 and 2008 with the aim of building better linkages between civil society and security forces. That project culminated in a sub-regional conference in April 2008 that brought together security sector and civil society representatives from Sierra Leone, Liberia and Guinea.

¹ FOI, Swedish Defence Research Agency, *The Mano River Basin Area: formal and informal security providers in Liberia, Guinea and Sierra Leone*, 2007, <http://www.foi.se/upload/projects/Africa/FOI-R--2418.pdf> (accessed November 4, 2009).

² Conciliation Resources, *Improving Community Security in Border Areas of the Mano River Union*, March 2009 (unpublished).

³ Mariama Conteh, "Vulnerability of border communities: are we protecting them enough?", *Occasional Papers*, Conciliation Resources, 2005, <http://www.c-r.org/resources/occasional-papers/vulnerability-of-border-communities.php> (accessed October 7, 2009).

⁴ Sulakshana Gupta, 'Save Yenga Save Salone', New Internationalist blog, July 8, 2009: <http://blog.newint.org/majority/2009/07/08/save-yenga/> (accessed December 21, 2009).

⁵ Rosalind Hanson-Alp, "Security System Transformation in Sierra Leone, 1997-2007. Civil Society's Role in Sierra Leone's Security Sector Reform Process Experiences from Conciliation Resources' West Africa Programme", *Working Paper No. 12*, GFN-SSR Network, October 2008. <http://www.ssrnetwork.net/documents/Publications/SierraLeoneWPs/working%20paper%2012.pdf> (accessed October 15, 2009).

WEST AFRICA

Monitoring borders with a gender lens

This conference resulted in the recognition of the need for a joint approach towards improving information dissemination as a tool to help address border security challenges.

In 2009, CR implemented a project on *Improving Community Security in Border Areas of the Mano River Union*, which aimed to build capacities for civilian oversight and monitoring and increase the accountability of security forces. CR's work on cross border security pays particular attention to the gender dimension of the problem; in particular, it takes into account the specific needs and vulnerabilities of women and girl traders. Between January and May 2009, CR carried out a series of needs assessments to gather information about the key security challenges faced by border communities, border security forces and high level security decision/policy-makers. It conducted focus groups and individual interviews with over 300 people at the border crossings between Sierra Leone and Liberia in Pujehun District/Grand Cape Mount County, between Sierra Leone and Guinea in Kambia District/Fourcariah Prefecture and at the tri-border crossing in the Kailahun District in Sierra Leone. In March 2009, CR hosted a high level meeting in Monrovia, Liberia, which for the first time brought together officials and policymakers from the MRU countries and the MRU Secretariat to discuss, identify and prioritise the main security challenges faced by the sub-region with a particular focus on security in border areas.

CR's needs assessments identified the following impediments to good border management in the MRU, which confirmed issues that had been identified in the high-level meeting:⁶

- Illegal trafficking of small arms, drugs and other goods
- Human trafficking, especially of women and children
- Civilians' ignorance of their rights
- Widespread corruption
- Lack of uniform customs tariffs among the three countries
- Lack of adequate knowledge on the part of border security personnel of the relevant national laws, protocols and human rights declarations
- Poor cooperation in the sharing of intelligence and information and allowing free movement of people and goods
- Arbitrary and unprofessional conduct by security officials vis-à-vis border communities, including episodes of sexual harassment of women
- Poor involvement of civilians and civil society organisations in early warning mechanisms established by the security sector reform process which started soon after the civil conflicts had ended in Sierra Leone and Liberia

CR's needs assessments identified and confirmed the priority border security challenges that needed to be addressed and helped to establish legitimate baseline indicators which can be used to monitor the impact of future work. The next phases of the project will include the production of a short film illustrating to the public all the issues that were raised during the assessment process that will be followed by a guided discussion to raise public awareness and encourage behavioural change among stakeholders; the organisation of an advocacy campaign and training workshops; and the setting up of civil society monitoring mechanisms.

- ▶ The importance of integrating gender in border management is discussed in section 3 of the *Border Management and Gender Tool*.
- ▶ Collaboration with civil society organisations is discussed in section 4.1 of the *Border Management and Gender Tool*.
- ▶ The challenges of integrating gender into border management in post-conflict countries are discussed in section 5.1 of the *Border Management and Gender Tool*.

⁶ Conciliation Resources, *Improving Community Security in Border Areas of the Mano River Union*, March 2009 (unpublished).

PARLIAMENTARY OVERSIGHT OF THE SECURITY SECTOR AND GENDER

Integrating gender into parliamentary oversight of the security sector can promote...

Comprehensive, needs-based security policies. Parliamentarians' roles in lawmaking and security sector oversight give them the means to ensure that the security needs and priorities of women, men, girls and boys from all parts of the community are identified and addressed.

Gender-balanced and accountable security sector institutions. Parliaments can take measures to increase the representation of women within security sector institutions and in relevant government positions. In addition, parliament can play a role in holding security sector institutions accountable for discrimination, sexual harassment and human rights violations.

Representative and participative parliamentary decision-making. Globally, in 2010, 80.1% of parliamentarians were men.¹ A more balanced number of female and male parliamentarians, including on defence and security committees, can strengthen the legitimacy and equity of parliaments. Moreover, participative policy-making processes that involve a broad range of civil society actors, including women's organisations, help to ensure the expression of different views on security priorities, and increase the responsiveness and legitimacy of security policies, security institutions and the parliament itself.

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

► This introduction is drawn from the Parliamentary Oversight of the Security Sector and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

¹ IPU, *Women in National Parliaments*, 12 Nov. 2010. <<http://www.ipu.org/wmn-e/world.htm>>

AFGHANISTAN

Increasing women's representation in parliament through quotas

The ousting of the Taliban in 2001 was heralded as offering Afghan women a chance to reclaim their place in public life and participate in the country's development after years of systemic exclusion. Since then, there have been a number of progressive resolutions and policies calling for the inclusion of Afghan women in peace and reconstruction processes, as well as for the protection of women in Afghanistan.¹ The Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW), for example, was signed without reservations in 2003.

Afghanistan's new constitution, adopted in 2003, guaranteed women equal rights and their formal inclusion in political decision-making processes. According to Article 83, at least two female candidates from each province should be elected to parliament. In 2007, and following results from the 2005 elections, sixty-eight women, representing about 27 per cent of the 249 members of the Wolesi Jirga, were elected. In addition to parliamentary quotas, the establishment of a Ministry of Women's Affairs, the commitment of substantial donor assistance to programmes targeting women and, most critically, the return of women to universities, schools, and government offices all herald a new era. Examples also exist of efforts to include women in decision-making at the community level—such as the creation of Community Development Councils as part of the National Solidarity Programme.

Although the new constitution has enhanced Afghan women's rights, both socially and politically, there is still a long way to go before these rights are translated into practice, implemented and enforced. The Afghan Parliament is still in its infancy and there are numerous obstacles to women's political mobilisation, participation and influence. It is difficult for women to place issues on the political agenda and to get access to those forums where actual decision-making takes place.² The leadership role of women within the parliament is insignificant and female Members of Parliament receive little support from their male colleagues. While female Members of Parliament are often invited to meetings to talk about the situation of women in Afghanistan, they are rarely asked about public finance, counter-narcotics, security or terrorism.³

To address such shortcomings, a number of programmes have addressed the need for women's inclusion in legal reform, economic empowerment, and national and local governance. Such programmes include training of women in management and technical skills, providing opportunities for women to take part in income-generating activities, and opportunities for women's voices to be heard through consultations.⁴

¹ International Crisis Group, "Afghanistan: Women and Reconstruction" (ICG Asia Report No.48, Brussels/Kabul, 2003).

² Kaja Borchgrevink, Helga Hernes, and Ingeborg Haavardsson, *Peacebuilding in Afghanistan: How to Reach the Women* (Oslo: International Peace Research Institute, 2008), 7.

³ Borchgrevink, et al., *Peacebuilding in Afghanistan*, 8.

⁴ UNIFEM, "Gender Advocacy in Afghanistan," UNIFEM Newsletter September and November 2005, <http://www.ravalnet.org/ravalmedia/radialnet/veudones/cosillas/Women%20War%20Peace%20-%20Gender%20Profile%20-%20Afghanistan.htm> (accessed March 9, 2009).

RWANDA

Women parliamentarians and post-conflict reconstruction

In the aftermath of the 1994 genocide, the Rwandan population was 70 per cent female. Women assumed roles as heads of household, community leaders and financial providers, meeting the needs of their devastated families and communities. The extraordinary contributions of women to the post-conflict reconstruction of the country have become an important part of public discourse in Rwanda. Women's heroic efforts are recognised and lauded at the highest levels of government, by average Rwandans, on the radio and even in public art.¹

Before its civil war in the early 1990s and the 1994 genocide, Rwandan women never held more than 18 per cent of seats in the country's parliament.² During the nine-year period of post-genocide transitional government, from 1994–2003, women's representation in the parliament reached 25.7 per cent. A new gender-sensitive constitution was adopted, including specific mechanisms to increase women's political participation, among them a constitutional guarantee, a quota system, and innovative electoral structures. The Rwandan Government made women's inclusion in parliament a hallmark of its program for post-genocide recovery and reconstruction.

The quota system provides for 30 per cent of seats in the parliament to be occupied by women. In the lower house (the Chamber of Deputies), there are eighty members in total, each serving five-year terms. Fifty-three of these members are directly elected to represent political parties in a proportional representation system. The additional seats are contested in the following manner: twenty-four members are elected by women from each province and the capital city of Kigali, two are elected by the National Youth Council, and one is elected by the Federation of the Associations of the Disabled. The twenty-four seats that are reserved for women are contested in women-only elections; that is, only women can stand for election and only women can vote. In addition to the twenty-four seats set aside in the Chamber of Deputies, the 2003 elections saw an additional fifteen women elected in openly competed seats for a total of thirty-nine out of eighty, or 48.8 per cent of seats—the world's highest rate of women in parliament.³ The 2008 elections saw Rwanda set a new record, with 55 per cent of parliamentarians being women—the first country in the world to see women outnumbering men in political posts.⁴

The Rwandan experience demonstrates how organising can strengthen women's capabilities in advocacy and lobbying skills. In 1996, women in Rwanda's parliament formed a cross-party caucus, the Forum of Women Parliamentarians (FFRP), which included all female members of Parliament—from both the upper and lower houses, those who represented political parties and those who were elected on the "women's ballot".⁵ They work together across party lines on issues of common importance to women, focusing on advocating on behalf of Rwandan women and on building the capacity of its members. In recent years, the FFRP has become increasingly focused on legislative responsibilities and constituent service: it reviews existing laws and introduces amendments to change discriminatory statutes, examines proposed laws with an eye toward gender sensitivity and conducts meetings and training with women's groups to sensitise and advise the population on legal issues. One of the hallmarks of the FFRP's work has been its use of consultative processes—both internally and externally—with constituents, and other women's organisations. The *Collectifs Pro-Femmes Twese Hamwe* (forty-one different associations), the *Rwandan Women Leaders Caucus*, the *National Council of Women*,

¹ Elizabeth Powley, "Rwanda: The Impact of Women Legislators on Policy Outcomes Affecting Children and Families" (Background Paper prepared for *The State of the World's Children 2007*, December 2006), 4.

² Inter-Parliamentary Union, *Women in Parliaments 1945-1995: A World Statistical Survey*, (Geneva: IPU, 1995).

³ Inter-Parliamentary Union, "Women in National Parliaments," IPU, <http://www.ipu.org/wmn-e/classif.htm>, (accessed March 9, 2009).

⁴ BBC News, "Women to Rule Rwanda Parliament," *BBC News Front Page*, September 17, 2008, <http://news.bbc.co.uk/80/2/hi/africa/7620816.stm> (accessed March 9, 2009)

⁵ Elizabeth Powley, "Rwanda: The Impact of Women Legislators", 6.

RWANDA

Women parliamentarians and post-conflict reconstruction

and the *Ministry of Gender and Women Promotion*, for example, have been active partners of the FFRP.

Some of the achievements of the FFRP and its partners are:

- A bill on gender-based violence, adopted by the Rwandan Parliament on August 3, 2006. The *Law on Prevention, Protection and Punishment of Any Gender-based Violence* defines gender-based violence and addresses crimes committed during the genocide as well as the current situation. It identifies various types of gender-based violence perpetrated against women, children and men and it specifically highlights polygamy as a cause of violence. Moreover, for the first time under Rwandan law, the law provides a legal definition of the rape of an adult woman and proscribes punishment.⁶
- The 1999 *Law on Matrimonial Regimes, Liberalities, and Successions*. This law established, for the first time, women's rights to inherit land. Women parliamentarians worked in close concert with the Women's Ministry and women's civil society organisations.
- The 2001 *Law on Rights and Protection of the Child Against Violence*. This law defines a child as anyone under the age of eighteen, and lays out both the rights and responsibilities of children. It criminalises murder, rape, the use of children for "dehumanising acts", exploitation, neglect and abandonment, and forced or premature (before the age of twenty-one) marriage.

These three landmark pieces of law were made possible by the commitment of women parliamentarians in shaping them, on the basis of extensive research in the country and in consultation with grassroots women about the type of security threats they and their children face. The process of developing the *Law on Prevention, Protection and Punishment of Any Gender-based Violence* demonstrates the FFRP's participatory approach:

- With support from the United Nations Development Programme, in 2005 the FFRP hired two local consultants to engage civil society organisations and experts on issues of gender-based violence. A questionnaire about gender-based violence was distributed. The consultants' report served as the starting point for a national conference on gender-based violence.
- In October 2005, during this two-day conference, participants discussed and debated issues of gender-based violence in Rwanda and developed a set of recommendations that would provide the framework for the new law. Panel discussions with experts and lawmakers were broadcast to all provinces over television and radio.
- After the national conference, members of parliament returned to their home districts to discuss gender-based violence with their constituents, explaining the policy-making process and soliciting opinions. Of 106 parliamentarians, seventy-six participated in this process, approximately half of them men. Parliamentarians also coordinated with the National Women's Council to convene large groups of women for women-only discussions.
- By December 2005, the consultants turned over their strategic policy document to the FFRP. The FFRP then formed a consultative committee composed of both men and women, including female parliamentarians, representatives from the Ministry of Justice, the national police, civil society, and the legal community.
- In August 2006, the FFRP presented the bill for approval to the Parliament.⁷

⁶ Elizabeth Pearson, *Demonstrating Legislative Leadership: the Introduction of Rwanda's Gender-Based Violence Bill* (Washington D.C.: Hunt Alternatives Fund, 2008).

⁷ *Ibid*, 21–22.

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Women parliamentarians and post-conflict reconstruction

Beyond the parliament, the Rwandan Government took steps to address gender in post-conflict reconstruction, creating a ministry dedicated to women's empowerment and developing a national gender policy. This paved the way for gender to be identified as one of three cross-cutting priorities in the poverty reduction strategy review process.

The Rwandan Government also sponsored extensive research into different aspects of gender-based disadvantages. The findings were fed into discussions with every ministry and government department about the barriers to gender equality and how they may be overcome. As a result, the Ministry of Agriculture is committed to increasing the number of women reached by its extension programmes; the Ministry of Education is striving to increase the retention of girls in schools; provincial governmental structures are committed to promoting the representation of women in local decision-making processes; and gender budgeting exercises are used to train civil servants to translate policy decisions into concrete actions through resource allocation.⁸

⁸ UNIFEM, *Report of the Learning-Oriented Assessment of Gender Mainstreaming and Women's Empowerment Strategies in Rwanda*, September 2–12, 2002 (Kigali: UNIFEM, 2002), originally cited by Sanam Naraghi Anderlini and Judith El-Bushra, "Post-conflict Reconstruction," in *Inclusive Security, Sustainable Peace: A Toolkit for Advocacy and Action*, (London: International Alert, 2003), 130.

SOUTH AFRICA

Gender budgeting

South Africa was one of the first countries to introduce a gender perspective in its economic policy-making. Created in mid-1995, approximately one year after the country's first democratic elections, the South African Women's Budget Initiative was the result of a joint effort of parliamentarians and several civil society organisations. Within a few years, the Women's Budget Initiative had analysed all sectoral allocations of the government's budget from a gender perspective and had inspired a parallel government exercise conducted in the Department of Finance.¹

The Women's Budget Initiative did not propose to create a separate budget for women, but rather examined the whole of the government budget to determine its differential impacts on women, men, girls, and boys. The idea behind the budget exercise was to analyse all forms of public expenditure or methods of raising revenue in the context of the benefits that would accrue to women and girls in relation to men and boys. The first phase of the initiative focused on four sectors—welfare, education, housing, and the Reconstruction and Development Program—and on the cross-cutting themes of taxation and public sector employment. The second phase, launched in early 1997, included areas such as health, justice, safety and security, correctional services, transport, home and foreign affairs, agriculture, land affairs and energy.

Under the Women's Budget Initiative, public expenditures were analysed in three categories:

- Amounts allocated to women-specific projects, to determine the level of gender-specific expenditures
- Amounts allocated to affirmative action and other policy initiatives in government employment that promote the development of female staff members
- Amounts allocated to all other policies and programs of government, and the effect of these expenditures on women relative to men in the aggregate and on different groups of women.

The Women's Budget Initiative was conducted in a participative way, so as to involve discussions at the national and local levels of government and to seek input from citizens. It was supported by a number of international foundations and development agencies.²

One of the keys to the success of the Women's Budget Initiative was the alliance between some of the parliamentarians that had entered parliament for the first time in 1994 and civil society organisations. Civil society organisations were able to provide the expertise and time necessary to collect information, undertake the research and produce the analysis, while parliamentarians provided access to information and framed the whole initiative in terms of a key political issue. Researchers were drawn from a range of different non-governmental organisations (NGOs) and academic institutions and were supported by a reference group composed of parliamentarians and government officials. All were chosen according to their expertise on gender issues or on a particular sector, rather than on budgeting. Civil society agencies and women's groups at the local level were also invited to participate in project activities through collaborative workshops with organisations such as the Gender Education and Training Network and the United Nations Development Fund for Women. As a follow-up to these workshops, a simplified version of the workshop findings was published for the general public and particularly for women's groups.

¹ Debbie Buddlender, *The Women's Budget* (Cape Town and Pretoria: Institute for Democracy in South Africa, 1996); Debbie Buddlender, *The Second Women's Budget* (Cape Town and Pretoria: Institute for Democracy in South Africa, 1997); Debbie Buddlender, *The Third Women's Budget* (Cape Town and Pretoria: Institute for Democracy in South Africa, 1998).

² Winnie Byanyima, "Politics, Good Governance and Gender," in *Engendering Development* (Washington D.C.: World Bank Policy Research Report, 2001), 270; Joachim Weiner and Winnie Byanyima, *Parliament, the Budget and Gender* (Geneva, New York and Washington D.C.: IPU, UNDP, World Bank Institute and UNIFEM, 2004), 28.

SOUTH AFRICA

Gender budgeting

Key lessons learned from the South African Women's Budget Initiative include:

- The Initiative drew strength from being located both inside and outside government and from the collaboration between parliamentarians and NGOs. The combination of effective research and powerful lobbying within parliament was fundamental and allowed the Initiative to take roots and produce valuable results.
- Gender budget analysis is best learned through practical engagement. In this sense, gender budget training can help specialists to apply their general knowledge about gender in concrete budget-related contexts.
- Interest and pressure from outside the government is vital for ensuring the success of gender budgeting initiatives. The involvement of civil society and the publication of resources explaining gender budgeting issues in simple words to a non-expert audience proved crucial to ensuring the widest possible reach of the Women's Budget Initiative.

NATIONAL SECURITY

POLICY-MAKING AND GENDER

The integration of gender issues into national security policy-making can promote...

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

Comprehensive security policies that address diverse security needs. Taking into account the different security and justice needs of women, men, girls and boys leads to more comprehensive and effective security policies. Moreover, attention to gender issues in national security policies highlights the importance of addressing internal threats to security, such as gender-based violence.

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

- ▶ This introduction is drawn from the National Security Policy-Making and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

AUSTRIA AND CÔTE D'IVOIRE

Implementing SCR 1325 through National Actions Plans

On October 31, 2000, the UN Security Council adopted Resolution 1325 on women, peace and security (SCR 1325). SCR 1325 calls upon Member States to address the specific security needs of women both during and after conflict, as well as to further engage women in decision making-processes and peace operations. In 2002, the President of the Security Council called upon Member States to develop national action plans (1325 NAPS) with goals and timetables to support the implementation of SCR 1325. In 2004, the Secretary-General of the UN invited Member States to develop 1325 NAPs, and has reaffirmed this need in his 2008 and 2009 reports on implementation of SCR 1325.¹

In response, several national governments have created 1325 NAPs to guide and coordinate inter-departmental and inter-institutional initiatives on women, peace and security at the national, regional and international levels. As such, 1325 NAPs are examples of national security policies. As of February 2010, 18 states had adopted NAPs: Austria, Belgium, Chile, Côte d'Ivoire, Democratic Republic of Congo, Denmark, Finland, Iceland, Liberia, the Netherlands, Norway, Portugal, Rwanda, Spain, Sweden, Switzerland, Uganda and the United Kingdom. The NAPs of Austria and Côte d'Ivoire provide examples of good practices regarding their development process and the inclusion of indicators and participatory mechanisms for oversight of their implementation.

Austria's 1325 NAP

The thrust for the adoption of a 1325 NAP originated during the Austrian Presidency of the European Union in 2006, as Austria realised the need to enhance coordination of their training for and participation in international and regional peace missions.² Following almost a year of meetings with a number of ministries, coordinated by the Federal Ministry for European and International Affairs (FMEIA), the 1325 NAP was adopted in 2007.³ In order to monitor the 1325 NAP's implementation and development, the FMEIA established a working group composed of representatives of all concerned ministries and institutions: the Federal Ministry for Health, Family and Youth; the Federal Ministries of the Interior; Justice; Defence; the Federal Chancellery and the Austrian Development Agency. The working group reports to the Council of Ministers and Parliament annually.

Ten civil society organisations and two research institutions (the University of Vienna's Department of International Relations and the Ludwig Boltzmann Institute of Human Rights) were involved in the preparation of Austria's 1325 NAP. The 1325 NAP provides for civil society representatives to be consulted during the preparation of each annual report and asked for advice on specific issues as needed.

Austria's 1325 NAP has three primary objectives:

- To increase the participation of women in the promotion of peace and resolution of conflicts, in particular by supporting local women's peace initiatives
- To prevent gender-based violence and protect the needs and rights of women and girls within the scope of peace missions and humanitarian operations (including in refugee and IDP camps)
- To increase the representation of Austrian women in international peace operations and in decision-making positions in international and European organisations

¹ See for example: United Nations S/PRST/2002/32, <http://www.peacewomen.org/un/UN1325/PresState2002.html> (accessed February 10, 2010); S/2004/814, Report of the Secretary - General on women, peace and security, October, 13 2004, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N04/534/14/PDF/N0453414.pdf?OpenElement> (accessed February 10, 2010).

² Council of the European Union, "Implementation of UN Security Council Resolutions 1325 and 1820 on Women, Peace and Security - elaboration and implementation of UNSCR 1325 National Action Plans", Report of Meeting, Brussels, 2 October 2009.

³ Federal Ministry for European and International Affairs, Austrian Action Plan on Implementing UN Security Council Resolution 1325 (2000), August 2007, http://www.un-instraw.org/images/files/4328_action_plan.pdf (accessed February 1, 2010).

AUSTRIA AND CÔTE D'IVOIRE

Implementing SCR 1325 through National Actions Plans

To achieve these goals, Austria has committed to undertake 29 activities at the national, regional and international levels. In addition, as a donor country, Austria commits to implementing SCR 1325 in all areas of international cooperation, with emphasis on three thematic areas: rule of law with respect to violence against women and girls; disarmament, demobilisation and reintegration; and working with civil society on conflict prevention and peacebuilding.

The implementation of each activity identified in the 1325 NAP is delegated to a particular ministry or number of ministries, and for each the 'status quo', indicators and time period in which the activity is to be completed is specified (although in some cases activities are identified as 'ongoing'). As an example: one activity identified in the 1325 NAP is to support initiatives within the framework of Euro-Atlantic Partnership Council aimed at implementing SCR 1325 in NATO-led operations. This activity is tasked to the FMEIA and the Federal Ministry of Defence, for an 'ongoing' time period. The relevant performance indicator is "rising awareness of the importance of SCR 1325 in the Euro-Atlantic Community".

States have identified the adoption and implementation of performance indicators as one of the most important and challenging aspects of 1325 NAPs. Detailed indicators are an essential tool to monitor and evaluate progress towards objectives. The Austrian experience in implementing its 1325 NAP to date reveals the challenges faced in gauging real progress towards objectives. For example, the FMEIA reports that, although it was easy to define the number of women peacekeepers as an indicator of success in increasing female participation in peacekeeping missions, it was in practice problematic to measure progress only in this way. Austria found that not enough suitable women were applying for peacekeeping missions: most applicants were too junior and the more senior candidates had family constraints that prevented them from deploying. As such, Austria found that they needed to conduct a study to analyse women's motivations for participating in peace missions, and to develop supportive measures for women peacekeepers.⁴ This example shows how important it is to assess all potential factors, actors, needs and risks prior to formulating performance indicators. Such a process will help governments formulate clear, reliable and realistically-achievable indicators towards their objectives.

Côte d'Ivoire's 1325 NAP

Côte d'Ivoire has been experiencing political and military crises since September 2002. Its five-year 1325 NAP, covering the period 2008 – 2012, was designed under the lead of the Ministry of Family, Women and Social Affairs (MFWSA), with the collaboration of the Ministries of Planning and Development, Foreign Affairs, Justice and Human Rights, Economy and Finance, Defence, Interior, Solidarity and War Victims, Health and Public Hygiene and National Education and Reconstruction.⁵ In January 2007, UNDP, UNFPA, the Gender Unit of the UN Operation in Côte d'Ivoire, UNIFEM and Norway launched a project to provide technical and financial support to the Government of Côte d'Ivoire in the drafting and implementation of the 1325 NAP and to support civil society organisations involved in gender issues to participate in the 1325 NAP process. Under this project, training on SCR 1325 was conducted for government officials, locally elected representatives--especially mayors and general counsellors--and civil society organisations.⁶

⁴ Council of the European Union, "Implementation of UN Security Council Resolutions 1325 and 1820 on Women, Peace and Security - elaboration and implementation of UNSCR 1325 National Action Plans", Report of Meeting, Brussels, 2 October 2009.

⁵ Ministry of the Family, Women and Social Affairs, National Action Plan for the Implementation of Resolution 1325 of the Security Council (2008-2012): Background Document, http://www.un.org/womenwatch/feature/wps/nap1325_cote_d_ivoire.pdf (accessed February 19, 2010). See also UNDP, Information Note, http://www.undp.org/cpr/whats_new/women_in_cotedivoire.shtml (accessed February 22, 2010).

⁶ PNUD, CIV 00055669 - Projet d'appui à l'élaboration et la mise en oeuvre d'un Plan National de Promotion de la Résolution 1325 du Conseil de Sécurité, janvier-décembre 2007, <http://www.ci.undp.org/uploadoc/1325.pdf> (accessed February 12, 2010).

AUSTRIA AND CÔTE D'IVOIRE

Implementing SCR 1325 through National Actions Plans

Côte d'Ivoire's 1325 NAP contains a detailed overview of the gender-based insecurities that women and girls in Côte d'Ivoire face, including internal and external displacement, prostitution, sexual violence and assault. It also acknowledges that security sector institutions face problems such as corruption and politicisation of the judicial environment, and that there is a lack of training for the police and the gendarmerie to deal effectively with victims of sexual violence. These problems are impeding efforts to effectively address the gender-based insecurities of women and girls. Against this background and recognising the importance of addressing women's needs and including women in all development sectors, the 1325 NAP states that the implementation of SCR 1325 is a national priority. As such the 1325 NAP constitutes a consensual framework for reconstruction, reconciliation and sustainable peace in the country.

The overall objective of Côte d'Ivoire's 1325 NAP is to "integrate the gender approach in the peace policy in order to reduce significantly inequalities and discriminations". To accomplish this aim, the 1325 NAP identifies four priority areas:

- Protection of women and girls' rights against sexual violence, including female genital mutilation
- Inclusion of gender issues in development policies and programmes
- Participation of women and men in national peace and reconstruction processes
- Strengthening of women's participation in political decision-making and the political process

A prominent feature of Côte d'Ivoire's 1325 NAP is that it sets out a logical framework of indicators for a chain of results linked to each of its four priority areas, offering a platform for monitoring and evaluation of progress. Each priority area includes 6-12 actions and three different types of results - "strategic results", "effect results"; and "output results". For each of the actions, a responsible party and a reporting method are identified. The logical framework also identifies risks and defines output indicators, verification sources and verification means for each of the desired results. Moreover, the 1325 NAP includes a five year budget plan broken down by activity.

The 1325 NAP envisions a National Coordinating Committee, led by the MFWSA and including civil society representatives, which updates the Government on the status of the plan and submits annual progress reports. Specific committees composed of government and civil society representatives with relevant expertise undertake monitoring and evaluation of individual projects, including tracking of indicators and financial expenditures.

In conclusion, as more states develop 1325 NAPs, it remains to be seen whether those plans are able to translate aspirations into concrete progress towards full implementation of SCR 1325 on the national and (where this is the intention) regional and international levels. Monitoring and evaluation processes, including the preparation of annual reports by bodies such as the working group in Austria and the National Monitoring Committee in Côte d'Ivoire will be key in identifying progress, challenges and lessons learnt.

- ▶ The importance of integrating gender into national security policy-making is discussed in section 3 of the *National Security Policy-Making and Gender Tool*.
- ▶ Reasons for and ways of engaging civil society organisations in security policy-making are discussed in section 4.4 of the *National Security Policy-Making and Gender Tool*.
- ▶ Challenges to and opportunities for integrating gender into national security policies in post-conflict, developing, transitional and developed contexts are discussed in section 5 of the *National Security Policy-Making and Gender Tool*.

ISRAEL

A law for the inclusion of women in security decision-making

Women have played key roles in peace negotiations in the Middle East, such as Palestinian peace activist and literature professor Hanan Ashrawi and Israeli Foreign Minister Tzipi Livni. However, women are strongly under-represented in peace talks and security decision-making. In late 2004, two members of the Knesset (Israel's Parliament), in collaboration with *Isha L'Isha*, a grassroots women's organisation sought to change this situation. They did so by initiating amendments to the 1956 *Equal Representation of Women* law to mandate the inclusion of women in teams appointed by the parliament for setting domestic, foreign or security policy, and for conducting peace negotiations.¹

Isha L'Isha organised a large-scale grassroots campaign, reaching out all of its members, as well as to other women's and peace organisations, encouraging them to call, email, and fax members of the Knesset in support of the law. A media campaign was also organised to convey a strong signal to the Knesset about the importance of this law.² After the law passed its first reading in March 2005, *Isha L'Isha* sent representatives to Knesset debates to ensure that the final draft would be as effective as possible and to help ensure that the law would pass in subsequent readings.

The amendments to the law were passed by the Knesset in July 2005. The resulting law on *Equal Representation of Women* provides for the equal rights of women and their protection from violence, sexual harassment, sexual exploitation and trafficking, as well as for the equal representation of women in policy-making and peace negotiations. The success of the campaign has been attributed to two main processes: the creation of a coalition of women's organisations that supported the bill publicly, and the open communication and cooperation with members of the Knesset.³

The ultimate aim is that, whenever a negotiating team or committee is appointed, its makeup will be reported to the Authority for the Advancement of the Status of Women in the Prime Minister's Office. If the Authority believes that women are not properly represented, it can ask that this be corrected. This system, however, still has to be translated into action, which will eventually require the intervention of the judiciary.

The law fostered the participation of Israeli women in the International Women's Commission, a global coalition of 60 female activists and government officials, launched in Istanbul in July 2005. Starting from the observation that Israeli and Palestinian women are largely absent from decision-making processes and official negotiations (and strengthened by the explicit mandate contained in the 2005 law and in United Nations Security Council Resolution 1325) the Commission is working on a system to support women being appointed to negotiating groups in the region. The Israeli-Palestinian peace negotiations are a major focus of these efforts.

Despite Israel's progressive gender equality law, available data on gender equality suggests that women in Israel still have a long way to go before they attain true equality. As of March 2009, 21 out of 120 members (17.5 per cent) of the Knesset were women, compared to an average of 21.2 per cent among European Union countries.⁴ In Israel, paths for women into national politics include through local government and/or via the army. The integration of women into the armed forces has constituted one of the pillars

¹ Isha L'Isha, "Parliament/Knesset Passes New Law Mandating Inclusion of Women for Peace and Security Negotiations & Policy," (Isha L'Isha News Release, July 21, 2005), <http://www.peacewomen.org/news/Israel-OPT/July05/Knesset.html> (accessed June 29, 2009).

² Ibid.

³ Kathambi Kinoti, *Involving Israeli Women in Peace and Security* (interview with Sarai Aharoni of Isha L'Isha, Haifa Feminist Centre Israel, Association for Women's Rights in Development (AWID), Resource Net Friday File Issue 241, August 2005), <http://www.awid.org/eng/Issues-and-Analysis/Library/Involving-Israeli-Women-in-Peace-and-Security> (accessed June 29, 2009).

⁴ See International Parliamentary Union, "Women in National Parliaments: Situation as of 31 May 2009." IPU, <http://www.ipu.org/wmn-e/world.htm> (accessed June 29, 2009).

ISRAEL

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of the government's strategy towards gender equality. However, while women make up 33 per cent of officers in the lower ranks, and 21 per cent of Captains and Majors, they still constitute only 3 per cent of the most senior ranks.

It is too early to assess the impact of the 2005 amendments to the *Equal Representation of Women* law in Israel. Nevertheless, it represents a positive example of action to concretely implement United Nations Security Council Resolution 1325. Creating the new law is only the beginning of a long process that will involve training women in negotiation skills, teaching conflict resolution, creating a directory of qualified female negotiators, and monitoring the implementation of the law.⁵

⁵ Isha L'Isha, "Parliament/Knesset Passes New Law".

JAMAICA

Participatory and gender-responsive national security policy

Jamaica suffers from serious social challenges. In particular, high violent crime rates are concentrated in pockets of poverty and threaten to undermine the country's social fabric. There were 32.41 murders per 100,000 persons in Jamaica in 2009 (compared to a rate of 4.28 per 100,000 persons in the United States, for example).¹ Gender inequalities exist in education, employment and decision-making. Domestic violence constitutes a serious problem for women. There were 9,625 incidents of domestic violence in 2007 (a 29.2 per cent rise over the previous year) and approximately 4.4 per cent of murders were attributed to domestic disputes.²

The Jamaican Government realised that an inclusive approach was needed to tackle problems of organised crime and gang violence and socio-economic concerns. In 2005, a broad-based consultation was initiated, involving all potentially relevant branches of government, state agencies and civil society organisations (CSOs), including women's groups. The consultation resulted in the identification of eight Strategic Security Goals, a National Security Strategy Green Paper and a National Security Strategy White Paper, which were tabled in Parliament in January 2006.³ The eight Strategic Security Goals were:

- 1) To reduce violent crime and dismantle organised criminal networks
- 2) To strengthen the justice system and promote respect for the rule of law
- 3) To protect Jamaica from terrorism
- 4) To protect and control Jamaica's territory
- 5) To strengthen the integrity of institutions of democratic government
- 6) To increase Jamaica's contribution to regional and international security
- 7) To provide the environment for a stable economy and effective delivery of social services
- 8) To protect Jamaica's natural resources and reduce the risk of disasters⁴

On the basis of these documents, in mid-2007, the Government adopted a comprehensive National Security Policy (NSP): *Towards a Secure and Prosperous Nation*.⁵ The NSP integrates Jamaica's major security policies, goals and responsibilities into an overall plan for the fulfillment of a "National Vision." It addresses all the main security and justice institutions, including the armed forces, the police, the Ministry of Justice and non-state stakeholders, as well as the complementarity roles and responsibilities of the public and private sectors and CSOs in creating an integrated, cohesive security network. The NSP contains an Action Plan for enhancing Jamaica's capacity to meet the eight Strategic Security Goals, outlining specific capabilities, objectives and actions required by particular ministries, departments, agencies, and other international and local partners within given timeframes.⁶

One of the basic pillars of the policy is that "for all Jamaicans to enjoy a better quality of life and realise their full potential, everyone must become involved", something which confirms

¹ Nationmaster.com, "Crime Statistics: Murders (per capita) (most recent) by country," http://www.nationmaster.com/graph/cr_i_mur_percap-crime-murders-per-capita (accessed June 29, 2009). See also: Jamaica and the European Community, *Country Strategy Paper and National Indicative Programme for the Period 2008-2013* (Kingston and Brussels: Government of Jamaica and the European Commission), http://ec.europa.eu/development/icenter/repository/scanned_jm_csp10_en.pdf (accessed June 29, 2009).

² Rasbert Turner, "Domestic Violence Statistics Alarming," *Jamaica Gleaner News*, July 21, 2008, <http://www.jamaica-gleaner.com/gleaner/20080721/lead/lead6.html> (accessed June 29, 2009).

³ Ministry of National Security, Government of Jamaica, *National Security Policy for Jamaica: Towards a Secure and Prosperous Nation* (Kingston: Government of Jamaica, Kingston, 2007), <http://www.jis.gov.jm/NSPANNET.pdf> (accessed June 29, 2009).

⁴ Ibid.

⁵ Ministry of National Security, Government of Jamaica, *National Security Policy for Jamaica*, iii.

⁶ Ibid, v.

JAMAICA

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the participatory approach with which the NSP was conceived and is to be implemented.⁷ For example, the NSP provides that local public safety and security bodies:

should have mandatory meetings open to members of the public for citizens to voice their concerns, give feedback on the performance of the police and other State agencies and more importantly to allow citizens to question the police and other agencies.⁸

To institutionalise the participatory approach, a number of joint committees between the National Security Strategy Implementation Unit and relevant local government authorities and civil society groups have been established. These should facilitate constant communication and collaboration between the National Security Strategy Implementation Unit and its stakeholders on the ground.

Consultations on the drafting of the NSP involved the Bureau of Women's Affairs and various women's organisations. Thanks to their input, the NSP highlights the gender-based nature of some security threats. It calls for close attention to the impact of violence on individuals, communities and society by noting that:

domestic violence is one of the more pervasive and common forms of violence plaguing the society. It contributes to the overall patterns of crime and violence due to its debilitating effects on the social fabric and its role in socializing the youths to violence as a means of dispute resolution. Women and children are disproportionately at risk from domestic violence.⁹

Under the umbrella of the NSP, authorities have been encouraged to take measures in response to domestic violence. For example, the Bureau of Women's Affairs and the Government have trained the police to understand and take the issue of domestic violence seriously and have supported services that respond to incidents of domestic violence.¹⁰

The *Jamaica Violence Prevention, Peace and Sustainable Development Programme 2008–2011* (JVPPSD, launched and funded by the United Nations Development Programme, the UK Department for International Development and the Canadian International Development Agency) serves as a framework within which to implement the NSP as far as violence and crime are concerned.¹¹ The JVPPSD contains a Gender Action Plan that drives gender mainstreaming throughout the NSP as a whole. For example, it provides for collection and distribution of gender-disaggregated violence data to inform law enforcement officers, policy-makers and the public. The Women's Resource and Outreach Centre is involved in monitoring the incorporation of the Gender Action Plan into the work plan of all JVPPSD implementing partners, including the Government of Jamaica.

Under the JVPPD, the United Nations Development Programme has trained nearly 600 community representatives on conflict prevention, gender and peacebuilding issues. Institutional support has been provided to key civil society groups, including the Women's Resource and Outreach Centre. Training has also been offered to more than 200 government officials, including police and magistrates. Three Peace and Justice Centres have been created, which besides providing support to the police and courts in tackling

⁷ Ibid, iii.

⁸ Ibid, 91.

⁹ Ibid, 13.

¹⁰ Ministry of National Security, "Police Going After Men Who Commit Violence Against Women," *Jamaica Information Service*, November 27, 2008, http://www.jis.gov.jm/security/html/20081127T090000-0500_17538_JIS_POLICE_GOING_AFTER_MEN_WHO_COMMIT_VIOLENCE_AGAINST_WOMEN.asp (accessed June 29, 2009).

¹¹ Governance Unit UNDP Jamaica, *Jamaica Violence Prevention, Peace and Sustainable Development Programme (JVPPSD) 2008 Annual Report* (Kingston: UNDP: November 2008), http://www.jm.undp.org/files/JVPPSD_Report.pdf (accessed June 29, 2009).

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crime and violence, are deputed to be responsive to gender issues by working with young men to address aggressive masculinity and providing access to justice for women.

While the Jamaican NSP can be taken as an instructive example of how the drafting of security policies can follow a participatory process, the document itself lacks gender-sensitivity in some respects. It uses language such as “man-made hazards” and “manpower”—terms emanating from the idea that only men (and not women) are active in public life.¹²

On a final note, women’s lobbying for the integration of gender-based violence into the NSP succeeded in leading the Government towards the development of a national plan of action on gender-based violence, which takes into consideration: comprehensive and protective measures including legislation, better services for victims, stronger partnerships, and increased efforts to engage men and boys. The plan of action is currently in its drafting process but if approved by the end of 2009 as intended, will represent a landmark step towards addressing gender-based and domestic violence in Jamaica.¹³

¹² Government of Jamaica, *National Security Policy for Jamaica*.

¹³ Ministry of Information, Culture, Youth & Sports, “Government to Develop Action Plan to Address Gender-based Violence, *Jamaica Information Service*, November 27, 2008, http://www.jis.gov.jm/information/html/20081127T090000-0500_17534_JIS_GOV_T_TO_DEVELOP_ACTION_PLAN_TO_ADDRESS_GENDER_BASED_VIOLENCE_.asp (accessed June 29, 2009).

CIVIL SOCIETY OVERSIGHT OF THE SECURITY SECTOR AND GENDER

Integrating gender issues and including civil society organisations in oversight of the security sector helps develop...

More effective oversight. Women's civil society organisations can strengthen security sector oversight through:

- Providing policy advice on improving transparency, accountability and responsiveness.
- Monitoring the implementation of international and regional agreements, as well as national and institutional policies.
- Providing capacity building for oversight bodies on gender issues.
- Identifying security threats and issues facing individuals and communities.
- Facilitating dialogue between local communities and security sector oversight bodies.
- Raising public awareness of how to hold security sector institutions accountable.

More effective security sector institutions. Holding security sector institutions accountable for increasing the recruitment, retention and advancement of women strengthens equality of opportunities for women and men. Holding security sector institutions accountable for preventing sexual harassment and other forms of gender-based violence increases their productivity. Monitoring how security and justice policies address gender-based violence increases operational effectiveness. Civil society groups can support gender-responsive oversight on these issues through formal and informal oversight mechanisms.

Local ownership of SSR. Ensuring that both men and women are engaged in SSR, including through the participation of women's civil society organisations, strengthens local ownership of the reform process. When reform is responsive to the different needs, views and priorities of men and women, security institutions become more effective, representative and legitimate in the eyes of the population.

- ▶ This introduction is drawn from the Civil Society Oversight of the Security Sector and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

BRAZIL

Civil society organisation countering gun violence

In Rio de Janeiro, Brazil, young men are more likely to die as a result of gun violence than as a result of all other external causes combined, including traffic accidents, illness and other kinds of injuries. Brazil has one of the highest homicide rates in the world, with more than 39,000 firearm deaths every year. Brazilians are about four times more likely to die from firearm-related injuries than the world population more generally.¹

Viva Rio is a non-governmental organisation based in Rio de Janeiro working on issues of gun violence, youth and community development. Created in 1993 in response to escalating urban violence, it aims to promote a culture of peace and social development. Today, Viva Rio has more than 500 ongoing projects. Some of these projects focus on the prevention of gang and gun violence among young men through activities such as:

- Public awareness-raising campaigns to reduce the demand for guns;
- Voluntary small arms collection campaigns;
- Destruction of surplus weapons, in collaboration with the police, military and local governments;
- Improvement of secure storage facilities;
- Advocacy for tighter gun laws;
- Free legal advice centres;
- Other activities such as: music classes, sports facilities, job training courses, micro-credit, urban garden projects, computer centres, primary and secondary education, free legal advice centres;
- The *Fight for Peace Project*, where forty boys in *Maré* favela have received civil rights courses and boxing training, as well as group discussions with a social worker on topics ranging from anger management and sexually transmitted diseases to building self-esteem.

In collaboration with the military police of the Rio de Janeiro State, Viva Rio has developed a training-of-trainers course for police on issues of citizens' rights, ethics and community relations. Close to 200 officers have been trained, who in turn have replicated the training, thus reaching some 10,000 officers in total.²

Women have played a formidable role in community disarmament efforts. In May 2001, Viva Rio's women launched the campaign "Choose Gun Free! It's Your Weapon or Me". Tens of thousands of women, many of them organised in victims' support groups, marched in the streets and successfully advocated for tighter state-level gun laws. In December 2003, they marched to support the national *Disarmament Statute*. Recognising the important contribution of women to violence prevention, Viva Rio has recently re-evaluated all its existing projects and developed new ones with gender-specific content.

- ▶ Gender-based violence is discussed in the *Security Sector Reform and Gender Tool*, pages 3–4.
- ▶ The role of civil society organisations in oversight of the security sector is discussed in the *Civil Society Oversight of the Security Sector Reform and Gender Tool*, pages 2–3.
- ▶ The importance of involving men in combating violence in societies is discussed in the *Civil Society Oversight of the Security Sector Reform and Gender Tool*, page 10.

¹ UNESCO, "Mortes Matadas Por Armas de Fogo no Brasil – 1979/2003," Julio Jacobo Waiselfisz, <http://unesdoc.unesco.org/images/0013/001399/139949POR.pdf> (accessed March 9, 2009).

² IANSA, "NGO Profile: Viva Rio, Brazil," International Action Network on Small Arms, http://www.iansa.org/women/bulletin1/ngo_profile_viva_rio.htm (accessed March 9, 2009).

NEPAL

Women's civil society organisations working with security institutions

Nepal presents valuable examples of women's organisations collaborating with security sector institutions.

Civil society played a significant role in combating the alliance of the army and the monarchy: civil society organisations collaborated to form the Civil Society Movement for Democracy and Peace, organised mass non-violent demonstrations and joined with the Maoists and other political parties to force King Gyanendra to relinquish power and agree on a democratic transition.¹

Nepal's security sector institutions face many challenges in addressing gender-related problems:²

- In the absence of a law relating to domestic violence, the police are not responsive to cases of domestic violence such as sexual assault. Police tend to treat domestic violence as a trivial family matter and are reluctant to press charges against the perpetrators of violence.³
- While Women and Children Service Centres have been established in many districts to help address cases of violence against women and children, officials at these Centres frequently lack the sensitivity, skills and perseverance to deal with the most sensitive cases.
- Women's access to justice is complicated. If a victim of abuse seeks justice independently, the police often do not give her case serious attention. However, if the victim approaches the police through a social organisation, her case is more likely to be considered.

Over the years, many organisations have conducted orientation and training programmes for different stakeholders in an effort to combat violence against women and children. The purpose of these trainings has been to raise awareness of the different dimensions of violence, analyse the role of involved actors, build the capacity of those who directly or indirectly deal with cases of violence and strengthen networking. The participation of police personnel and NGO workers at various training sessions has contributed to a fruitful interchange of ideas and experiences, as well as to bridging the gap between police and NGO activists.⁴

In collaboration with the military in 2003, women's organisations provided training to circa 200 senior officials on international human rights, including the specific rights of women and children.⁵ Through interactive programmes involving senior military personnel and villagers, this training highlighted the negative impact of harassment and violence in the military. In 2004, a Steering Committee including representatives from Save the Children, the armed forces police, the general police and the Prime Minister's office was created in order to support the creation of a training manual for military personnel in the field.

Women were instrumental in facilitating the 2006 peace process and continue to play a crucial role in Nepal's post-conflict phase. Community- and district-level women's groups have been very active in advocating for the enhancement of women's participation in meaningful dialogue with political and security institutions.⁶ PACT, a national NGO mandated to bring successful local initiatives to the attention of national forums through the

¹ Dhungana, Shiva K., "Security Sector Reform and Peacebuilding in Nepal: a critical reflection," *Journal of Peacebuilding and Development*, Vol.3, No.2, 2007, 70-78.

² Ibid.

³ Saferworld, *Policing in Nepal: A Collection of Essays*, September 2007.

⁴ Ibid.

⁵ Naraghi Anderlini, S., and Pampell Conaway, C., "Security Sector Reform," in *Inclusive Security, Sustainable Peace: a toolkit for advocacy and action*, International Alert and Initiative for Inclusive Security, 2004, 36.

⁶ International Alert, "Supporting Civil Society in Building Peace in Nepal," 2007, http://www.international-alert.org/pdf/Supporting_Civil_Society_in_Building_Peace_in_Nepal.pdf

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Women's civil society organisations working with security institutions

development of better linkages between community women's groups and their counterparts who work at the national level, has been extremely active in calling for greater female participation in the interim government.⁷

- ▶ The involvement of women's organisations in oversight of the security sector is discussed in section 4.8 of the *Civil Society Oversight in the Security Sector and Gender Tool*.
- ▶ Civil society networks are discussed in section 4.9 of the *Civil Society Oversight in the Security Sector and Gender Tool*.
- ▶ Gender training of security sector personnel is discussed in section 4.7 of the *Civil Society Oversight in the Security Sector and Gender Tool*.

⁷ Pact World web-site, <http://www.pactworld.org/>

THE PACIFIC

Women's civil society engagement in security dialogue

In the Pacific region, women have been instrumental “brokers” of peace during the crises in Bougainville, the Solomon Islands and Fiji. Today, they still play a vital role in peace-building. Through advocacy and awareness-raising, women's organisations advise and inform security policy makers and the general public on issues related to gender and security.

One of the most prominent challenges for women in the Pacific region is their traditional marginalisation from decision-making structures. Indeed, five of the ten countries in the world that have no female representation in parliament are in the region and women are generally under-represented in all political and civil service leadership positions. This has been the main rationale behind *Women, Peace, and Security: Policy Responses and Solutions for our Pacific Region*, a policy initiative launched in October 2008 by femLINKPACIFIC, the regional women's media network on UN Security Council Resolution 1325.

Women in the Pacific region have a long history of peace-building activism, dating from the early days of the Fiji Young Women's Christian Association. FemLINKPACIFIC was born in September 2000 from the “Blue Ribbon Peace Vigil Initiative” and made the adoption of UN Security Council Resolution 1325 (SCR 1325) the basis of its media and policy initiatives.¹ FemLINKPACIFIC has established a regional women's media network to document and promote the work of the Pacific Peacewomen group in advancing the implementation of SCR 1325 at national, regional and international levels.

Various activities have been organised to this end, such as the launch of a “Resolution 1325” website to assist with the dissemination of information on SCR 1325 and the establishment of a regular 1325 eNews Bulletin. The Pacific Peacewomen group has translated the resolution into Fijian, Hindustani, Rotuman, Tongan, Solomons Pijin and Tok Pidgin, while Bislama (Vanuatu), Samoan, I-Kiribati, and Cook Islands Maori translations are on the agenda. Since 2004, the “Suitcase Radio Initiative” has been operating in Fiji: the initiative consists of a broadcast programme allowing rural women to express their personal views, concerns and challenges. This information is then conveyed by femLINKPACIFIC to policymakers and officials of member governments, through the Pacific Islands Forum Regional Security Committee.

In 2006, with the support of the Australian Government, a Pacific Islands Forum *Regional Workshop on Gender, Conflict, Peace and Security* was held in Nadi, Fiji. This workshop, the first in its kind in the Pacific, was attended by policymakers, representatives of military and law enforcement agencies, and women's NGOs from all 16 Pacific Island Forum countries. It was successful in putting the issue of SCR 1325 on the regional agenda.

In May 2008, femLINKPACIFIC broadened and intensified the agenda that was agreed upon in 2006, introducing issues such as: participation of women NGO representatives in the Fiji Peace Talks Dialogue; participation in the Pacific Forum Regional Security Committee Track II Process; and a presentation at the Forum's Regional Security Committee retreat session on Women, Peace, and Security. All these events represented opportunities for women to speak directly with government officials, and to generate support for approaching security issues in a more holistic way, including through a human security lens.

On October 31, 2008, the 8th anniversary of the adoption of SCR 1325, the Pacific regional women's network launched *Women, Peace, and Security: Policy Responses and Solutions for our Pacific Region*. The policy document covers a number of critical areas of concern to women, such as:

¹ See <http://www.femlinkpacific.org.fj/> for more information.

THE PACIFIC

Women's civil society engagement in security dialogue

- Survival and healing following conflict
- Women's budgets for conflict prevention and economic security
- Democratising security decision-making
- A more holistic approach to disarmament and reintegration
- Communicating a culture of peace.

The policy initiative resulted from three months of interviews conducted across the Pacific region between 2007 and 2008, gathering the voices and experiences of 288 individual women. An additional 200 women were heard by femLINKPACIFIC's rural correspondents. *Policy Responses and Solutions for our Pacific Region* is being widely distributed, with the aim of assisting political and civil society leaders to become aware of the practical steps recommended by women to assist in implementing gender equality commitments.

The women and their networks involved in the development of *Policy Responses and Solutions for our Pacific Region* have recognised that their work must go beyond drawing up a "shopping list" of needs to present to governments and encouraging an adequate response. The October 2008 policy document seeks to help Pacific women start to concretely and systematically influence the regional human security agenda at the national level, and to ensure that women leaders, as well as their government counterparts, are well informed and have adequate institutional, financial and human resources to implement strategies and recommendations.

- ▶ The importance of gender to civil society oversight is discussed on pages 3–5 of the *Civil Society Oversight in the Security Sector and Gender Tool*.
- ▶ The contribution of women's organisations to security sector monitoring bodies is discussed on page 6 of the *Civil Society Oversight in the Security Sector and Gender Tool*.
- ▶ Advocacy, awareness-raising and working with the media are discussed on pages 9–11 of the *Civil Society Oversight in the Security Sector and Gender Tool*.

UNITED KINGDOM

Civil society oversight of places of detention

In the United Kingdom civil society exercises oversight of the security sector by visiting and monitoring places of detention at both prisons and police custody units. Detention visits are conducted in different ways and by different actors. For example, expert teams may be appointed by the government, or 'individual custody visits' and 'independent monitoring boards' may be used. As part of these oversight activities, visiting teams and individuals also attempt to identify and address gender issues at places of detention.

Independent Custody Visits

The *Police Reform Act 2002* led to the establishment of an independent monitoring system which allows volunteers to visit police stations unannounced and inquire into the treatment of detainees, their living conditions and whether their rights are being respected. These volunteers - members of the local community - are called independent custody visitors.

Police authorities control the overall system and are in charge of recruiting, selecting and appointing independent custody visitors. Although no formal qualifications are required to become an independent custody visitor, candidates must be at least 18 years old and have no other direct involvement in the criminal justice system. For example, actively employed police officers are excluded.¹ The *Code of Practice on Independent Custody Visiting*, adopted in 2003, sets further criteria for the recruitment, selection and appointment of independent custody visitors.² For example:

- Recruitment must be based on clear job descriptions and specific qualities that are determined necessary for carrying out the role effectively.
- Recruitment must be open and non-discriminatory and well publicised.
- Selection must be made on the basis of a standard application form.
- Police authorities must take measures to ensure that the overall selection of independent custody visitors reflects a representative mix of the local community and provides a balance in terms of age, gender and ethnicity.
- Appointment of an independent custody visitor must be made after an interview and be based solely on merit.
- Appointed visitors must be independent persons who are able to make informed judgments that can be trusted by the community and accepted as "fair criticism" by the police when justified.
- The selection panel must record its reasons for decisions to appoint or not to appoint eligible candidates.

During a custody visit, the independent custody visitor asks detainees about their well-being and may also ask specific or personal questions related to what detainees have told them. The visitor checks information given by detainees against what is written in their custody records. He or she also examines the area where detainees are being held to determine whether conditions meet international standards. Detainees are entitled to make complaints to the visitor about how they have been treated or their living conditions. If the visitor identifies a problem or receives a complaint, he or she addresses the matter with the duty officer in charge of the police station.

After a custody visit, the visitor prepares a report about the detainees' living conditions and the overall standards and procedures related to detainees in the police station. One copy of the visitor's report is given to the officer in charge of the police station, and additional copies are sent to the police authority and the coordinator of the local independent custody visiting group. Local independent custody visiting groups collect issues and identify trends

¹ See ICVA website: <http://www.icva.org.uk/about/becomeavisitor/> (accessed February 9, 2010).

² Code of Practice on Independent Custody Visiting, http://police.homeoffice.gov.uk/publications/operational_policing/independentcustodyvisit2835.pdf?view=Binary (accessed February 9, 2010).

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Civil society oversight of places of detention

that emerge from visits to places of detention in their area and address problems with relevant police supervisors.

In addition, a nominated police authority staff member is responsible for the centralised administration of the independent custody visiting system and must produce regular reports for the police authority that summarise the conclusions of independent custody visiting and how concerns have or have not been addressed. These reports are discussed at police authority meetings and must be included as an entry into the police authority's annual report. Furthermore, the central administrator must have regular opportunities to raise concerns and issues with a designated senior officer who has force-wide responsibilities.

Local police authorities, often in partnership with the Independent Custody Voluntary Association (ICVA), organise training that is important to the custody visiting system. Formed in March 1999, ICVA promotes and supports independent custody visiting in police stations through monitoring, raising awareness, advocacy and training. ICVA delivers training on behalf of police authorities for volunteers who have applied to become independent custody visitors, and provides training materials to police authorities for their training activities. ICVA organises three types of training:

- *Initial* training covers basic knowledge and skills required to effectively carry out independent custody visits.
- *Continuous* training builds on previously acquired knowledge to address practical issues that emerge during and after the visiting process.
- *Evaluation* training involves a self-assessment conducted by police authorities on the effectiveness of the previous training.

Training for visitors normally takes place in the evenings or on weekends and police authorities reimburse travel and other out of pocket expenses, which may include childcare costs. ICVA has trained thousands of volunteers in the United Kingdom, the European Union and other places. It estimates that at least 50% of its trainees are women.³

ICVA attempts to ensure that gender issues are addressed in independent custody visiting. Examples of this include:

- In the initial and continuous training programmes ICVA explores the needs of female juvenile detainees held in custody. One training scenario portrays a visitor who receives a complaint from a female detainee claiming to have been assaulted by a male officer whilst in custody. ICVA shows volunteers how to respond to such scenarios as well as the response that should be expected from police working in the custody area.
- Through training, volunteers learn how to assess whether custody areas are providing appropriate items for women in detention, such as appropriate supplies of replacement clothing and sanitary-ware.⁴
- Independent custody visiting is always conducted in the presence of one female and one male visitor so that detainees may discuss matters with a visitor of their same sex.

ICVA covers human rights issues, cultural awareness and diversity in all its training. However, because of time constraints, it has acknowledged it is not in a position to provide in-depth coverage of these subjects.⁵ To remedy this gap, ICVA has produced a separate half day training course dealing with cultural awareness and diversity, and is also developing a module on human rights.

³ Correspondence with Ian Smith O.B.E, Chief Executive ICVA, March 3, 2010.

⁴ ICVA, Annual Report 2007-2008, available at http://www.icva.org.uk/_source/downloads/annualreports/AR-0809.pdf (accessed January 27, 2010).

⁵ Correspondence with Ian Smith, March 3, 2010.

UNITED
KINGDOM

Civil society oversight of places of detention

Independent Monitoring Boards

By law every prison and immigration removal centre (IRC) in England and Wales must have an Independent Monitoring Board (IMB). IMB members, currently totalling over 1,850, are volunteers who act in a personal capacity. The Home Secretary appoints volunteers to their local prison or IRC, following an interview by two members of the local board and an independent panel member from another IMB. IMB members have the right of access to every prisoner, their prison records and every part of the prison or IRC.⁶

Each IMB reports annually to the Home Secretary on how well the prison or IRC they monitor is meeting standards and requirements and what impact these standards and requirements are having on the detainees in custody. The Prisons Minister (who is responsible to the Home Secretary) responds to these IMB annual reports with feedback as to the measures taken to respond to any identified irregularities contained in the reports.

In order to reinforce the independent nature of IMBs, an Association of Members of Independent Monitoring Boards (AMIMB) was formed in 1980. The aim of the AMIMB is to maximise the effectiveness of its members by providing training in prisons for IMB members; best practice advice on the treatment of people in custody and on the administration of prisons; and relevant information on developments in penal affairs. A prominent instrument of the AMIMB's work is their *Practical Guide to Monitoring Prisons*.⁷ This Guide contains 900 questions that help IMB members in assessing whether detainees are being treated humanely and are living under appropriate conditions; it also serves as a reference for preparing IMBs' annual reports.⁸

The *Practical Guide to Monitoring Prisons* contains 28 questions concerning women prisoners and eight questions concerning mothers and babies. For example, IMB members are asked to monitor whether two female officers are always present during a strip-searching of a female prisoner; whether there are appropriate ratios of female to male staff; and whether there is evidence of sexual abuse or harassment of women by prisoners or officers and, if so, how the prison is dealing with such problems. If a female prisoner has a baby with her in prison, IMB members are asked to observe who cares for the child during the mother's absence from the unit and what practical support and guidance mothers receive to help them care for their babies.

In March 2009, ICVA, the IMBs for England and Wales and the IMB for Northern Ireland were (with others) designated members of the United Kingdom's National Preventative Mechanism to support the implementation of the United Nations *Optional Protocol to the Convention Against Torture*. The National Preventative Mechanism is mandated to carry out a system of regular visits to places of detention in order to prevent torture and other cruel, inhumane or degrading treatment or punishment. Members of the National Preventative Mechanism make recommendations to the government and relevant authorities for improving the situation of persons deprived of their liberty, taking into consideration relevant international norms. This mandate thus reinforces the obligation of members of the National Preventative Mechanism to address gender issues in their detention visiting activities.

- ▶ The importance of integrating gender into civil society oversight of the security sector is discussed in section 3 of the *Civil Society Oversight in the Security Sector and Gender Tool*.
- ▶ Ways of integrating gender into civil society oversight of the security sector are discussed in section 4 of the *Civil Society Oversight in the Security Sector and Gender Tool*.
- ▶ Ways of ensuring that oversight and complaints mechanisms address gender in prisons are discussed in section 4.2 of the *Civil Society Oversight in the Security Sector and Gender Tool*.

⁶ See IMB website: <http://www.imb.gov.uk/faqs/index.html> (accessed February 10, 2010).

⁷ AMIMB, *Practical Guide to Monitoring Prisons*, February 2005, <http://www.amimb.org.uk/docs/Amimb%20practical%20guide%20final1.pdf> (accessed January 27, 2010).

⁸ IMB, *Annual Report Template & Guidance*, January 2007, http://www.imb.gov.uk/docs/IMB_Annual_Reports_Template1.pdf (accessed January 28, 2010).

SSR ASSESSMENT, MONITORING AND EVALUATION AND GENDER

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

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

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

Integrating gender issues and including women’s organisations in assessment, monitoring and evaluation of the security sector promotes...

Better delivery of security and justice. Men, women, boys and girls have different security and justice needs, priorities and capacities. When SSR assessments and monitoring and evaluation (M&E) processes are gender-responsive, they provide the information to enable reform processes to be designed and implemented to meet the specific needs of men, women, girls and boys. In particular, improving prevention of and response to gender-based violence, such as domestic violence, human trafficking and gang violence, requires gender-responsive assessment and M&E. Integrating questions about sexual harassment, sexual discrimination and other gender-related human rights violations within security sector institutions can highlight necessary reforms.

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

Representative security sector institutions. Gender-responsive assessment and M&E play an important role in creating security sector institutions that reflect the population they serve. Assessments and M&E are needed to identify the number and rank/position of female and male security sector personnel and the barriers to women and other under-represented groups, and to monitor the effectiveness of measures to increase their recruitment, retention and advancement.

- ▶ This introduction is drawn from the SSR Assessment, Monitoring and Evaluation and Gender *Practice Note*, which is based on a longer *Tool*. These can be found online at www.dcaf.ch/gssrtoolkit.

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

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

LIBERIA

Integrating gender into the Post-Conflict Needs Assessment

Increasingly, Post Conflict Needs Assessments (PCNAs) are used as the platform for post-conflict recovery and reconstruction planning by international donors and actors such as the United Nations (UN) and the World Bank.

The PCNA methodology identifies gender as a crosscutting issue that needs to be integrated into all phases of a PCNA process, following these six principles:

- 1) Recovery needs differ by gender and age
- 2) Gendered marginalisation must be consciously reversed
- 3) Gender must be addressed from the start and adequate resources allocated
- 4) Gender expertise cannot be assumed, it must be commissioned
- 5) Cultural sensitivity should not be a cover for discrimination
- 6) Gender balance in team formation helps make PCNA teams more accessible to women in-country¹

Post conflict needs assessment in Liberia

In Liberia, the PCNA started after the Security Council deployed the United Nations Mission in Liberia (UNMIL) on 19 September 2003.² The newly installed National Transitional Government of Liberia and the Special Representative of the Secretary-General agreed that an assessment of Liberia's needs during the official "transition period"—from 14 October 2003 to 31 December 2005—was required to secure both donor engagement and funding.

The PCNA, known as the "Joint Needs Assessment", was instructed by six guiding principles and five crosscutting themes.³ The six guiding principles were:

- a) National ownership and participation
- b) National Transitional Government of Liberia leadership
- c) Broad support from all partners
- d) Legitimacy through immediate re-capacitation of key government agencies and institutions
- e) Security through full UNMIL deployment
- f) Economic stimulus and restoration of productive capabilities and humanitarian support and protection of vulnerable and special groups.

The five crosscutting themes were:

- 1) HIV/AIDS
- 2) Human rights, protection, and gender
- 3) Environment
- 4) Forestry
- 5) Shelter and urban management

¹ United Nations Development Group, PCNA-TRF Toolkit: Note on Integrating Gender Perspectives, January 2009, <http://www.undg.org/docs/9925/FINAL-Toolkit-Note-Gender.doc> (accessed September 9, 2009).

² UNMIL deployment began on 1 October 2003, while the National Transitional Government of Liberia was officially established and inaugurated on 14 October 2003. Also see: United Nations Security Council, Resolution 1509 (2003), S/RES/1509 (2003), 19 September 2003, [http://www.peacewomen.org/un/sc/1325_Monitor/RW/Res/1509%20\(2003\).pdf](http://www.peacewomen.org/un/sc/1325_Monitor/RW/Res/1509%20(2003).pdf) (accessed September 9, 2009).

³ United Nations Development Group, PCNA Review: Phase One. Liberia Needs Assessment Case Study, October 2006, http://www.undg.org/archive_docs/8886-Liberia_PCNA_Case_Study.doc (accessed September 9, 2009).

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The needs assessment effectively engaged the Transitional Government, which participated in consultations and technical meetings. National NGOs and members of civil society were invited, based on their expertise, to participate in meetings with sector working groups during the assessments. Some sector working groups also organised validation workshops exclusively for national actors. A number of regional bodies were also active in the Joint Needs Assessment and its implementation.

The *Joint Needs Assessment Synthesis Report* and accompanying *Results-Focused Transition Framework matrix* were completed in January 2004 and presented to and endorsed at multi-stakeholder meetings in Monrovia. These convened members of the Liberian legislative assembly, the business community and the media, and culminated with a high-level summit of the Transitional Government, the Economic Community of West African States, donors, civil society and international non-governmental organisations.⁴ As a final step in the needs assessment process, a Liberia Reconstruction Conference was held in February 2004 at UN Headquarters in New York.

Integrating gender in the PCNA

As stated above, gender was identified as a crosscutting theme for the Joint Needs Assessment. To assist integration of gender into each priority area, in December 2003, the UN Office of the Special Adviser on Gender Issues and the Advancement of Women prepared a “Gender Checklist for Liberia.”⁵ The underlying idea was that determining the differences in how women, men, boys and girls experience conflict would help the assessment team to identify their respective needs and priorities. In particular, understanding the role women play in all sectors of activity (economic, social, cultural, political, etc.) would help ensure that reconstruction activities are planned in a way that does not reinforce past discrimination, and helps women to gain equal access and control over resources and decision-making processes.

The Gender Checklist posed general/cross-cutting questions related to men and women’s experiences of the conflict, gender roles and resources, etc., as well as specific questions concerning gender dimensions of: the deployment of UNMIL; armed forces restructuring; disarmament, demobilization and reintegration; refugees and internally displaced people; building of democratic institutions and the Governance Reform Commission; judicial sector and reform; police service sector and reform; human rights, protection and the Truth and Reconciliation Commission; elections; basic services, such as health and education; livelihoods, employment, agriculture and development; infrastructure; and economic policy and development strategy.

The following parts of the Gender Checklist demonstrate how issues related to gender and security sector reform can begin to be addressed in an assessment:

Building of democratic institutions and Governance Reform Commission:

- What women’s groups and networks existed before the conflict? What role did/do they play? Were they actively involved in policy-making?
- Will the emerging political system recognise and protect women’s rights and interests? And will women be enabled to influence and participate in the political process? (OECD gender tipsheets)
- Are women included in transitional government and planning processes? Are they in decision-making positions? Do constitutional committees ensure gender perspectives?
- If data on participation in various committees or groups is supported, provide sex-disaggregated information.
- What are the government mechanisms dealing with women’s issues (such as a Ministry or national machinery for women)? Is the government a signatory to CEDAW?

⁴ National Transitional Government of Liberia, *Results-Focused Transition Framework*, Progress Review Report (Monrovia: National Transitional Government of Liberia, September 2004), <http://www.lr.undp.org/UNV%20protected%20data/RFTF%20Progress%20Review%20Report%20FINAL%2011%20Sept%202004.doc> (accessed September 9, 2009).

⁵ The full Gender Checklist for Liberia is available at: <http://www.peacewomen.org/resources/Peacekeeping/Liberiagenderchecklist.pdf> (accessed September 9, 2009).

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Integrating gender into the Post-Conflict Needs Assessment

Police Service Sector and Reform:

- What types of law enforcement services are available in the country? What are the numbers/percentage of women by grade and category? Are women police officers involved in all operational aspects of the police work or limited to administrative functions only? Are measures in place to actively increase the number of women in the security forces?
- Do law enforcement service personnel receive training on gender awareness, sexual crimes, domestic violence, and human rights?
- Are there facilities to meet the specific needs of women police officers (e.g. separate accommodation, hygiene facilities)? Is the working environment set up in a manner that is conducive to the needs of women police officers?
- Are there specific provisions to facilitate women police officers to be assigned close to their home areas, or if married to police to remain together in the same location?
- Are breaches of discipline by women and men police officers dealt with in the same manner?
- What is the general/prevalent attitude of the current police leadership and of the male police officers towards women police officers?
- What are the main crimes committed against women and girls within the home and outside of the home? What are the cultural and other barriers that discourage the reporting of crimes by women/girls?
- Do police have established protocols, specialized personnel and units (e.g. crimes against women cell or family support units) for dealing with sexual crimes and domestic violence? Are such police cells staffed by policewomen?
- Are there separate police holding cells for women? Are women detainees supervised and searched by female officers and staff? Have feminine hygiene needs been addressed where women are kept in holding cells?
- What specific facilities and services are pregnant and nursing mothers provided with in detention?
- Are there traditional and non-traditional services (e.g. women help lines) available to women to facilitate their reporting of crimes, especially of a sexual nature?

Judicial Sector and Reform:

- Are there efforts to build the capacity of women and men in order to enable them to fully participate in legal/justice issues and governance?
- Are there plans to review the relevant legal (e.g., inheritance law, family code, credit regulations), policy (e.g., water, waste disposal, or housing fee subsidy policy), and institutional framework (e.g., current administrative system for concerned urban infrastructure services), and its gender implications?

Armed Forces Restructuring:

- What role do women play in the military, armed groups, police or any other security institution such as intelligence services, border police, customs, immigrations, and other law enforcement services (per cent of forces/groups, by grade and category)?
- Are actions supported to ensure women can be part of military, police or any other security institutions such as intelligence services, border police, customs, immigrations, and other law enforcement services?
- What plans are in place on giving women ex-combatants the option of joining the peacetime army and other security institutions such as intelligence services, border police, customs, immigrations, and other law enforcement services?
- What are the training needs of women in the military and armed groups?
- Is gender training included in the training package for the new army and other security institutions?

LIBERIA

Integrating gender into the Post-Conflict Needs Assessment

The focus on gender in the Joint Needs Assessment helped to highlight how Liberian women have unequal access to areas such as education, public administration, the justice and political systems, and development and post-conflict peace building efforts more broadly.⁶

The Joint Needs Assessment Synthesis Report called for:

- Under the heading of *protection and monitoring*: a) establishing policies and related medical, psycho-social and economic interventions and legal redress for victims of sexual and gender-based violence; and b) establishing community monitoring mechanisms and advocacy campaigns against all gender-based violence.
- Under the heading of *transitional justice and peace building*: a) starting a nationwide inclusive reconciliation process through a Truth and Reconciliation Commission with broad-based national consultations, involving women and vulnerable groups; and b) establishing a fully functioning administration of justice, including an independent judiciary and a police service in conformity with international human rights standards in particular relating to juvenile justice and the protection of women's rights.
- Under the heading of *national capacity building in the fields of human rights, protection and gender*: a) building an adequate government capacity to promote and protect human rights, including women's rights, through the strengthening of the Ministry of Justice and the Ministry of Gender and Development; and b) ensuring the organisational, human rights and protection capacity of Liberian human rights, child welfare, and women's civil society organisations in order to create a culture of accountability.⁷

The methodology for Liberia's PCNA was reviewed by a multi-stakeholder group in 2006, which looked at how crosscutting issues were dealt with in the PCNA process. The examination highlighted that, during the PCNA, mainstreaming crosscutting issues into sector assessments represented a major challenge. In the case of gender, for example, the extensive checklists that were produced for each cluster, and of which the UNMIL Gender Checklist is an example, revealed themselves far too ambitious, and were not necessarily reflected by concrete implementation in the post-conflict reconstruction phase.⁸ Analysis by Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) of needs assessment in Liberia confirms these findings, further recommending that "future guidelines should clearly define the mechanisms for integration of cross-cutting sectors in the cluster analysis and reports."⁹

Outcomes of integrating gender into the PCNA

That gender was integrated into the PCNA in Liberia from its inception allowed gender-related issues and concerns to be raised during the Liberia Reconstruction Conference, with calls for donors' acknowledgement of and attention to the gendered dimensions of the Liberian conflict and post-conflict reconstruction efforts.

The findings of the PCNA process in Liberia influenced, at least in part, the integration of gender into the security sector reform process. The PCNA helped highlight that women

⁶ African Development Bank, *Liberia: Country Dialogue Paper 2006* (Abidjan: African Development Bank, September 2006), <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/ADB-BD-WP-2006-99-EN-LIBERIA-2006-COUNTRY-DIALOGUE-PAPER.PDF> (accessed September 9, 2009).

⁷ National Transitional Government of Liberia, United Nations and World Bank, *Joint Needs Assessment, Synthesis Report*, February 2004. http://www.lr.undp.org/needs_assessment.pdf (accessed September 9, 2009).

⁸ United Nations Development Group, *PCNA-TRF Toolkit: Note on Integrating Gender Perspectives*, January 2009, <http://www.undg.org/docs/9925/FINAL-Toolkit-Note-Gender.doc> (accessed September 9, 2009).

⁹ Thomas Schaefer, "Needs Assessment in Post-Conflict Situations, Case Study: Liberia" (Working Paper No.9, GTZ, January 2004), http://www.undg.org/archive_docs/4941-PCNA_-_Country_Studies_-_Liberia.pdf (accessed September 9, 2009).

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Integrating gender into the Post-Conflict Needs Assessment

must be included in the disarmament, demobilization and rehabilitation programme. By February 2005, 22,370 women and 2,440 girls had been disarmed and demobilized (out of a total of 101,495 persons). By the end of 2006, 13,223 of these women had been “reinserted” mainly into agriculture, formal education or vocational training.¹⁰ UNMIL developed a Gender Policy for the reform and restructuring of the Liberian National Police, under which a female recruitment program was established.¹¹ More than 100 female police recruits had completed their basic training by the end of 2007.¹² A Women and Child Protection Unit was institutionalised within the Liberian National Police in April 2005, tasked with, inter alia, the training of selected police officers to address crimes against women and children.¹³ A Women and Children’s unit was created in Liberian prisons.

In the 2006 *Common Country Assessment for Liberia: Consolidating Peace and National Recovery for Sustainable Development*, a follow-up from the PCNA, an even more explicit gender-sensitive lens was adopted. For example, the assessment notes the need for finalising a national plan on sexual and gender-based violence, involving strategic interventions such as reform of the legal system (e.g., the establishment of fast-track courts and of psycho-social support mechanisms and ‘safe homes’ for survivors of gender-based violence), and ensuring that planning, programming, monitoring and evaluation processes are supported by gender responsive data and analysis.¹⁴

To date, gender constitutes one of the main pillars of Liberia’s development strategy. For example, the UN Development Assistance Framework for Liberia 2008–2012 considers gender equality and women’s empowerment as a cross-cutting issue, to be mainstreamed into all its programmed activities. Under the heading of peace and security, the UN Development Assistance Framework identifies the need to ensure that “national security policy and architecture is functioning in conformity with Liberia’s human rights obligations, with particular attention to violence against women”.¹⁵

Although it would be hazardous to say that the above results derive solely from the attention that was paid to gender during the PCNA process, they illustrate the importance and benefits of identifying gender-related concerns and issues from the initial assessment phases of any peace building and development processes.

¹⁰ UNMIL, Disarmament, Demobilization, Reintegration and Rehabilitation web-page: <http://www.unmil.org/1content.asp?ccat=ddrr&zdoc=1> (accessed September 9, 2009).

¹¹ William G. O’Neill, “Liberia – Background”, *Paper prepared for UNDP*, January 2007. See also, UNMIL, *Launching of Special Education Programme for Potential Female Recruits of Liberia National Police* (UNMIL Press release, 22 January 2007).

¹² From : http://gender.developmentgateway.org/Print-Item.10966.0.html?&no_cache=1&tx_dgcontent_pi1%5Btt_news%5D=272592&MP=10966-8509 (accessed September 9, 2009).

¹³ UNICEF, *New women and children protection section for Liberia’s police*, (UNICEF Press Release, September 2005), http://www.unicef.org/media/media_28159.html (accessed September 9, 2009).

¹⁴ United Nations, *Common Country Assessment for Liberia: Consolidating Peace and National Recovery for Sustainable Development*, (Monrovia: UN, June 2006), <http://www.lr.undp.org/CCA%2028%20July%20FINAL%20FULL%20SMALL.pdf> (accessed September 9, 2009).

¹⁵ United Nations, “Consolidating Peace and National Recovery for Sustainable Development”, *UN Development Assistance Framework for Liberia 2008-2012* (Monrovia, May 2007), http://planipolis.iiep.unesco.org/upload/Liberia/Liberia_UNDAF_2008_2012.pdf.

UK DFID IN AFRICA

DFID evaluation of mainstreaming of gender and HIV/AIDS issues in security and justice programming

The United Kingdom's (UK) Department for International Development (DFID), in collaboration with the Foreign and Commonwealth Office and the Ministry of Defence, commissioned four SSR experts to conduct an independent evaluation of security and justice reform programming in Africa and, in particular, in Sierra Leone, the Democratic Republic of the Congo and Nigeria.¹ The evaluation had two main objectives:

1. To assess the coherence, effectiveness and impact of UK SSR programmes in Africa over the past four years;
2. To identify lessons and recommendations for the strategic direction and management of future SSR programmes in Africa and elsewhere.

The evaluation examined the mainstreaming of gender and HIV/AIDS issues within security and justice reform programming—as these are key “mainstream” themes of DFID bilateral programmes.²

The evaluation found that gender and HIV/AIDS issues are strongly represented in *Safety, Security and Access to Justice* programming, but have largely been absent from programmes dealing with defence and police or those with a wider remit, such as the Sierra Leone SSR programme. Despite their priority on paper, gender and HIV/AIDS are generally not well reflected in the strategic considerations underlying the UK's security and justice reform programming.

Notwithstanding, effective implementation of security and justice reform policy and programmes can produce potentially positive outcomes in relation to gender and HIV/AIDS. In the Jigawa State in Northern Nigeria, community policing initiatives have reportedly resulted in greater access for women to the justice sector. Similarly, there is evidence to suggest that an alternative dispute resolution system implemented as part of the *Security, Justice and Growth* programme has generated increased access and awareness for women. In the same vein, professionalisation of the armed forces, for example through peacekeeping training, has allowed military personnel to undergo HIV/AIDS awareness programmes as well as gender and child protection training. Such benefits would be better harnessed if gender and HIV/AIDS formed an integral part of the security and justice reform strategy. The recommendations emerging from the review included the suggestion that “*mainstream themes on HIV/AIDS and gender be incorporated into all [security and justice reform] interventions, not only those specifically dealing with Safety, Security and Access to Justice...*”³

The evaluation further highlighted that, as in the case of HIV/AIDS, one of the main challenges to an effective gender approach to SSR programmes and policies is the reluctance of local partners to recognise such problems and discuss them. The UK should draw on their success in mainstreaming gender issues in *Safety, Security and Access to Justice* programming, and increase cooperation and joint working arrangements between country teams for better inclusion of gender issues in all future security and justice reform programmes.

- ▶ Gender-responsive monitoring and evaluation of gender issues is discussed in the *Security Sector Reform and Gender Tool* page 16, and in the *Security Sector Reform Assessment, Monitoring & Evaluation and Gender Tool*, pages 9–13.

¹ Nicole Ball, et al., “Security and Justice Sector Reform Programming in Africa” (Evaluation Working Paper 23, DFID: London, April 2007), <http://www.oecd.org/dataoecd/42/1/38635081.pdf> (accessed February 17, 2009). The review was commissioned by DFID's Africa Conflict and Humanitarian Unit on behalf of the Africa Conflict Prevention Pool, backed by a steering group representing DFID's Evaluation Department, MoD/Directorate of Policy & Defence Relations South, and FCO/Pan-Africa Policy Unit.

² Ibid., 59.

³ Ibid., xiv.

UNITED STATES

Police self-assessment of recruitment and retention of women

The United States National Center for Women & Policing (NCWP), a division of the Feminist Majority Foundation, was established in 1995 with the objective of educating criminal justice policy makers, the media and the public about the impacts of increasing the representation of women in policing. Its goals include ensuring that gender is always considered during analysis of policing issues and that law enforcement agencies strive for gender balance. The NCWP provides training and assistance programs to communities around the United States on strategies to increase the numbers of women in policing and improve response to domestic violence, including police family violence.¹

The NCWP self assessment guide

In 2005, with a grant from the Department of Justice, the NCWP developed a “self-assessment guide” to assist police agencies to examine their policies and procedures, and to identify and remove obstacles to hiring and retaining female employees. The self-assessment guide is organised as follows: each chapter contains a section stating the problem, and listing those aspects of the various issues that may require legal input and review. The following section provides solutions that may assist agencies in removing obstacles to hiring and retaining women. Whenever possible, model policies in use by other law enforcement agencies are included. References, resources and points of contact are then provided for persons or agencies with pertinent expertise and innovative programs. A comprehensive checklist gives an overview of the steps involved at each stage of the self-assessment process.²

The guide recommends that before a police department develops a strategic recruitment plan to increase the number of women recruits it should:

1. Conduct a *self-assessment* to compare what it is doing to recruit women to the universe of known strategies.
2. Perform a *statistical analysis* of its selection process by gender to determine whether women are being disproportionately screened out at any stage.
3. Determine which *women-specific recruitment strategies* would require the least amount of effort while likely yielding a high return and, as a second choice, which strategies would require high effort in exchange for a high return. Options may vary from one department to another.

The guide contains recommendations for continuous monitoring and evaluation of recruitment programmes, once these are implemented. For example, it suggests that the application for law enforcement officers contain questions about how the applicant learned about the position. At least once every six months, the recruitment committee should meet and review the recruitment program. Careful data needs be kept in order to determine which pieces of the recruitment plan are successful.

Effective use by the Albuquerque Police Department

The Albuquerque Police Department, in the state of New Mexico, used the self-assessment guide in their *New Workplace for Women* project, initiated after the Department realised it had a dwindling number of female applicants. The first phase of the *New Workplace*

¹ NCWP, “NCWP Training Programs,” NCWP, <http://www.womenandpolicing.org/training.asp> (accessed September 9, 2009).

² NCWP, *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement*, (Los Angeles: NCWP, 2005), <http://www.ncjrs.org/pdffiles1/bja/185235.pdf> (accessed September 9, 2009).

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for *Women* project was needs assessment, and building of support for the project. This consisted of:

- a. Assessment of the Department's readiness to integrate women into traditionally male jobs, by means of: anonymous surveys of female and male officers, focus groups, interviews with key stakeholders, reviews of policies and procedures, examinations of statistical information, as well as of equipment, uniforms, bathrooms, and changing facilities. This workplace environmental assessment was conducted for the Department by the Institute for Women in Trades, Technology & Science (IWITTS), using the NCWP self-assessment guide.³
- b. Involving key stakeholders and development of a leadership team supporting the recruitment of women into the police force.
- c. Building support for the *New Workplace for Women* initiative in the Department by means of: presentations about the new initiative in staff meetings, use of newsletters and other internal communications mechanisms, one-to-one discussions and focus groups.

At the end of this exploratory phase, the IWITTS recommended the Albuquerque Police Department conduct a self-evaluation to address, *inter alia*, the following questions (taken and summarised from the self-assessment guide):

- *How are you recruiting? Even more importantly, are you doing active recruitment?*
- *What messages are you sending? Look at your recruitment brochure: are you reflecting that women are welcome?*
- *Look at your retention rates—do they differ in terms of gender and race?*
- *Look at your sexual harassment policy, and at behaviours that are tolerated or not in your organisation.*
- *What are your childcare, family leave, and pregnancy policies?*
- *Does your department provide or have access to appropriate equipment and uniforms for women?*

Findings and steps taken

As a part of the IWITTS assessment, the *New Workplace for Women* project team examined hiring practices by means of an adverse impact study, which assessed at what stage of the selection process applicants were being lost on the basis of race and gender. The study revealed that a disproportionate number of female and racial minority applicants were being screened out in the physical agility testing. To address this problem, the Albuquerque Police Department offered a “pre-test” for physical agility, during which applicants were given advice on how to improve their physical agility so to increase their chance of passing the test.

The next step of the *New Workplace for Women* project consisted in examining the recruitment program. This was found to be passive - many departments just waited for applicants to walk in the door. The Albuquerque Police Department then initiated an active recruitment programme, which consisted of advertising in newspapers, on billboards and on city buses, as well as placing flyers in places where women could see them, such as gyms, community centres and grocery stores, involving the media, and organising career fairs for women.⁴

³ The IWITTS is a US non-governmental organisation that aims to provide the tools to successfully integrate women into male-dominated careers by means of training, publications, products, e-strategies and research projects. See: National Institute for Women in Trades, Technology and Sciences, “New Workplace for Women,” NIWTTTS, http://www.iwitss.com/html/new_workplace_for_women_projec.html (accessed September 9, 2009).

⁴ National Association of Women Law Enforcement Executives, *NAWLEE News*, volume 1, no.24, January 2006, http://www.nawlee.com/newsletter/2006_january.pdf (accessed September 9, 2009).

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The *New Workplace for Women* project also included:

- *A plan of action*: IWITTS created a report and plan of action based on the assessment.
- *An implementation team*: The Albuquerque Police Department formed a team of female and male officers in leadership positions to be responsible for implementation of the plan of action.
- *Initiatives to ensure political will*: Recruitment and retention of female officers was given top priority by all leaders in the Department.
- *Changes to the selection process*: Board interviews were replaced with a critical incident interactive video that rated, inter alia, how participant responses eliminated gender bias. Female officers were involved in the selection process.
- *Initiatives to prevent sexual harassment*: An anonymous climate survey was conducted; a zero-tolerance sexual harassment policy instituted; 8-hour police-specific training on preventing sexual harassment for supervisors.
- *Improving retention strategies*: Uniforms and equipment in smaller women's sizes were made available; physical education instructors adjusted training regimes to prevent women recruits from suffering disproportionate leg injuries; a study on child-care issues was initiated.

Outcomes

In less than two years the *New Workplace for Women* project showed significant success in recruiting female officers and creating a supportive work environment for them. The proportion of female recruits in the academy increased from 10 per cent to 25 per cent and the women were retained at rates comparable to those for men.⁵

⁵ Joseph Polisar and Donna Milgram, "Recruiting, Integrating and Retaining Women Police Officers: Strategies that Work," *The Police Chief*, (October 1998): 42–53.

USAID IN TANZANIA

Gender audit as a tool for enhancing gender in programming

The United States Agency for International Development (USAID)'s office in Tanzania carried out a gender audit between February and July 2006, in order to assess gender in programming issues as well as in practices and policies of the mission, including human resource issues, budgeting, and management.¹ The experience of USAID/Tanzania in conducting a gender audit - in the methodology used and in the follow up of outcomes - can be usefully applied to gender audit processes in other sectors, including in the security sector.

USAID's mission in Tanzania aims to improve public accountability at both the national and local levels; strengthen the educational and health systems; and increase agricultural productivity, market access, investment and trade so as to foster economic growth in the country.² Mainstreaming gender into all of these areas of activity is critical to their effective implementation, which implies the need for gender to be integrated into all practices and policies within the USAID mission.

Over the preceding five years, USAID/Tanzania had focused on gender as a crosscutting theme in mission programming. A gender assessment was conducted in 2003,³ after which USAID/Tanzania created a post of gender advisor within the mission, established a gender advisory group, institutionalised reporting on gender as part of the periodic portfolio reviews, and improved attention to gender issues in the procurement process. However, the mission had not implemented all recommendations included in the 2003 gender assessment, such as: the development and implementation of a gender strategy and gender monitoring system, and/or the establishment of a systematic process for measuring program impact on gender relations. Together with these identified gaps, two simultaneous conditions prompted the request for a gender audit from USAID headquarters. First, the mission was asked to develop a new country strategy statement for 2006–2010. Second, the mission recognised the importance of expanding action beyond programming, committing itself to addressing gender inequalities at all levels of programme and front office structures through the gender audit process.

The main purpose of USAID/Tanzania's gender audit was to be a tool for the mission's organisational planning, through a participatory process of self-assessment. The process was based upon a gender audit methodology developed by InterAction, an umbrella group of US-based non-governmental organisations.⁴ The audit followed the following sequence:

- a) Review of the current gender integration strategy and results
- b) Staff survey of attitudes and actions concerning a range of gender issues in the organisation and analysis of the survey responses
- c) Focus group discussions of the survey responses
- d) Drafting of an action plan to address issues raised during the audit process⁵

The audit was carried out in two phases: the gender audit survey was conducted in late February/early March 2006, and follow-up discussions were held in May 2006, with the final report completed in August 2006.

¹ See: Deborah Rubin, and Elizabeth Missokia, *Gender Audit for USAID/Tanzania* (USAID, August 2006), http://pdf.usaid.gov/pdf_docs/Pnadh239.pdf (accessed September 11, 2009).

² USAID, "USAID: Sub-Saharan Africa, Tanzania," USAID, http://www.usaid.gov/locations/sub-saharan_africa/countries/tanzania/index.html (accessed September 17, 2009).

³ USAID, *Gender Audit for USAID/Tanzania* (The Women in Development IQC, Office of Women in Development, USAID, September 2003), http://www.usaid.gov/our_work/cross-cutting_programs/wid/pubs/ga_tanzania.pdf (accessed September 11, 2009).

⁴ See: InterAction, "Commission on the Advancement of Women." InterAction, http://www.impactalliance.org/ev02.php?ID=7716_201&ID2=DO_TOPIC&collapse=7716 (accessed September 11, 2009).

⁵ Rubin and Missokia, *Gender Audit for USAID/Tanzania*.

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The gender audit at USAID/Tanzania was assisted by structural elements already in place within the mission to assist and support gender mainstreaming, including:

- Guidelines for gender mainstreaming in the procurement process
- A gender advisor and a Gender Working Group
- Statements supporting the targeting of gender inequalities in existing Country Strategic Plans and Country Strategy Statements
- Inclusion of gender issues as a topic on portfolio reviews forms
- A high level of awareness of the importance of addressing gender inequalities and their effects on development work among staff
- Completion of a previous gender assessment in 2003.⁶

USAID/Tanzania chose to bring in assistance to facilitate the audit: a consultant was appointed to organise and facilitate the audit process, including the design and analysis of the questionnaire, preparation of presentations, and writing of the reports. The USAID/Tanzania gender advisor, with support from the Gender Working Group, monitored the overall process, led the focus group discussions, and provided feedback at key points. The analysis of the survey data and the development of the action plan were commissioned to the consultant and the Gender Working Group, with feedback from other mission staff.

The gender audit survey

The gender audit survey was conducted between February 23 and March 3, 2006.⁷ The questionnaire model developed by InterAction was shortened and revised to be more relevant for an office within the US Federal Government. The number of questions was reduced from ninety to just over fifty. Questions relating to areas on which the federal government had established regulations, such as maternity and paternity policies, were not included, and questions about programming were revised to reflect the programming process at USAID.

The survey was distributed to 66 staff members at the USAID/Tanzania office in Dar es Salaam, including employees in all departments. A total of 57 surveys (86 per cent) were returned and included in the analysis, although not all of the returned surveys were complete.⁸ Of the 57 respondents, 49.1 per cent were female staff members, representing 90 per cent of all the women in the mission. Men comprised 47.4 per cent of the respondents, representing 77 per cent of the men in the mission. There was a consistent drop off in the response rate towards the end of the questionnaire, suggesting that an even shorter questionnaire would have been better.

Each question of the gender audit survey was analysed in three ways:

- a) for the mission as a whole
- b) disaggregated by sex
- c) disaggregated by staff position

⁶ USAID, *Gender Audit for USAID/Tanzania*.

⁷ USAID, *USAID/Tanzania Gender Audit Newsletter*, Issue No.1, May 2006, <http://www.devtechsys.com/publications/documents/GenderAuditNewsletter1-Final.pdf> (accessed September 11, 2009).

⁸ Deborah Rubin, and Elizabeth Missokia, *Gender Audit for USAID/Tanzania*, USAID, August 2006, http://pdf.usaid.gov/pdf_docs/Pnadh239.pdf (accessed September 11, 2009).

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The response provided a useful review of the general level of awareness of gender equity issues at the mission. For example:

- Although over 50 per cent of staff stated that gender criteria are either frequently or always part of USAID/Tanzania's acquisition and assistance procedures, there was little knowledge of the existing guidelines for gender mainstreaming in the procurement process, suggesting that a workshop on this would be helpful.
- Staff were aware of the existence of the gender advisor, and of the responsibilities associated with that position. However, only 30 per cent of respondents said that they were assigned responsibilities for gender integration "to a significant extent." Since it is not possible for the gender advisor to handle all the work of gender integration for the entire mission, this set of responses suggested the need to strengthen the Gender Working Group's skills in gender integration and to clarify their responsibilities, so that the responsibilities for ensuring that gender is mainstreamed in all offices was shared more widely.
- On the program side, there was a widespread perception that the views of men and women are incorporated into project design through a participatory process, and that project design was influenced by women's groups or networks. However, while over 70 per cent of staff thought that sex-disaggregated data provides useful information for project design, only 15 per cent said sex-disaggregated data was collected, and only 43 per cent said sex-disaggregated data was analysed at the activity level to a significant extent or to the fullest extent. These responses pointed to the need to more systematically utilize the sex-disaggregated data that is collected.⁹

The gender audit focus group discussions

In the focus group discussions, many staff members took the time to discuss the results of the survey and to brainstorm possible action steps for the mission to better integrate gender issues into programming and to achieve a higher degree of gender equality in the mission's human resources, procurement, and other operations.

A total of 68 people from the mission participated in one of the six focus group sessions, being 80 per cent of those who were invited to participate.¹⁰ The focus groups were organised primarily in groupings of the same sex and the same staff position, based on the outcomes of the survey. Firstly, the sex-disaggregated survey results did not show many important differences between men's and women's responses, and the gender audit team thought that single-sex focus groups might provide greater clarity as to whether opinions on some topics differed to any extent. Secondly, it was evident from the survey results that the administrative and technical staff returned the greatest number of "don't know" answers. As a consequence, administrative and technical staff were grouped together, so as to have the opportunity to provide them with additional explanations about gender, and to explore their views on the survey questions more easily.

Each focus group started with introductions of the team members facilitating the discussions. The facilitators were primarily members of the mission's Gender Working Group. After the introductions, a short exercise looking at men's and women's expected roles or characteristics helped to warm up the group for discussing their own opinions and experiences. Each group viewed a short presentation to remind them about the gender audit process and the highlights of the survey results. After that, the floor was opened to the views of the group. The focus groups' discussions were organised into three parts: first, to hear the participants' reactions to the survey results; second, to explore the meaning of their survey answers; and third, to brainstorm about ideas for moving forward.

⁹ *Ibid.*, 9.

¹⁰ USAID, *USAID/Tanzania Gender Audit Newsletter*, Issue No.3, May 2006, <http://www.devtechsys.com/publications/documents/GenderAuditNewsletter3-Final.pdf> (accessed September 11, 2009).

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The Questions Posed*

Reaction to the survey results

- What surprised you most about the survey findings?
- Do you think that the survey results give an accurate reflection of the situation in the mission?
- Which are the key areas of difference that you see between men and women in working together?
- Who in the mission is responsible for ensuring that gender equality goals are met?

Exploring the meaning of the results

- How many of the group members have had any training on gender, gender analysis, or other aspects related to gender?
- What are the strengths of the mission's current approach to gender in programming and/or management?
- What are the main challenges facing the mission in gender integration?

Brainstorming ideas for moving forward

- What actions do we need to take to deepen our commitment to achieving gender equality in programming and mission management?

Findings

The focus groups both confirmed many of the results of the survey and provided clarification on ambiguous results. In particular, they confirmed two important and very positive findings from the survey:

- a) There was a wide general awareness and acceptance of USAID's mandate for gender integration across the Agency's programs and operations;
- b) Employees at USAID/Tanzania, both US and Tanzanian, felt comfortable with the working environment and felt that they were respected and valued members of a common team, regardless of their sex.

In particular, the gender audit revealed the following strengths in the USAID/Tanzania mission, with regards to gender equality:

- Having a mission director who is at the forefront in raising awareness about gender issues all the time
- Having accomplished women as role models and having men able to work with accomplished women
- Many women employees in positions of responsibility
- Having a gender advisor
- No job discrimination or segregation
- Strong support for integrating gender in procurement
- Willingness to commit time and resources to a gender audit

And the following challenges:

- Finding an appropriate allocation of time and resources for gender integration
- Addressing gender issues early in programme design and identifying meaningful indicators for tracking progress in reducing gender inequalities
- Help technical staff access relevant information on gender issues

* USAID, *USAID/Tanzania Gender Audit Newsletter*, Issue No.3, May 2006, <http://www.devtechsys.com/publications/documents/GenderAuditNewsletter3-Final.pdf> (accessed September 11, 2009).

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- Identifying best practices in gender integration
- Improving reporting on activities that are achieving successes in gender integration

The gender audit suggested that gender mainstreaming could be enhanced through a series of measures. For example:

- Targeted training of the Gender Working Group could empower them as leaders in gender integration for their respective teams and administrative offices
- A coordinated and sequenced action plan to build an integrated programme to enhance gender equality in the workplace and reduce gender constraints in mission programming could be put in place
- Successful efforts in gender integration should be shared, and greater attention be paid to identifying substantive gender issues in the procurement process and in the design of program activities.

One of the results expected from a gender audit was the articulation of USAID/Tanzania's vision about its goals in relation to gender equality. The focus group discussions provided several clear statements relevant to the articulation of a gender vision, which served as a basis for drafting the following gender vision statement:

USAID/Tanzania supports the achievement of gender equality in all mission offices and programs. Each member of the mission, from technical staff to the front office, from procurement to the motor pool, shares the responsibility for working toward the goal of gender equality and has a distinct role to play in its achievement. Each staff member will treat others with respect, regardless of sex, whether in their offices or in the community. Mission management will establish appropriate gender policies in consultation with mission staff and will be responsible for disseminating and implementing those policies. In their relations with each other, the staff of USAID/Tanzania will be a model for gender equitable relations in carrying out of both their development programs and their relationships with implementing partners, government officials, and members of the wider Tanzanian community.

