

Integrating a Gender Perspective into Internal Oversight within Armed Forces



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Cover image: Ceremony promoting personnel to the rank of officer, Belgrade, Serbia (Credit: Serbian delegation to the OSCE, 2012).

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1

INTRODUCTION

“Gender” has become an important term in military circles. Many armed forces recognize that to build relationships with local communities in the areas in which they operate, they need to understand the different roles and needs of women and men in those communities. In order to do so, they need to build their own gender capabilities. Many armed forces have come to realize that they can better achieve their mission objectives with mixed teams of female and male personnel. As such, they strive to recruit, retain and promote more women into leadership positions, foster strong morale and take steps to prevent internal abuse within the armed forces. Box 1 lists some key gender issues that the armed forces typically face.

INTERGRATING A GENDER PERSPECTIVE IS A WAY TO:

- Encourage armed forces to draw on the capabilities of both women and men; and
- Increase the security and mission effectiveness of the armed forces.

Nadiya Savchenko has fought for a career as a pilot in the Ukrainian Armed Forces. Until recently, careers for women in the armed forces were limited. Now the Ukrainian Minister of Defense has an adviser on gender issues who is responsible for ensuring equal rights and opportunities for women and men in the Ukrainian military. In 2010, the Minister introduced two orders removing restrictions on women holding managerial positions in the Ukrainian military. Photo: UNDP, 2009.

Processes of internal and external oversight play a key role in developing a skilled, effective force that is capable of meeting the demands of modern military operations. Mechanisms need to be in place to ensure that individual personnel, as well as the armed forces as an institution, are on track in integrating a gender perspective. This means addressing gender issues in training, planning and operations, and understanding the different experiences of women and men as service personnel. This is not only an operational imperative: national laws and international standards, including the UN Security Council resolutions on women, peace and security, call on armed forces to incorporate a gender perspective.¹

BOX 1 – EXAMPLES OF GENDER ISSUES IN THE ARMED FORCES

- The recruitment, retention and promotion of women;
- The work/life balance of service personnel, in particular for fathers and mothers;
- The handling of complaints of gender-related harassment, discrimination, bullying and abuse;
- The protection of civilians, including from sexual violence and exploitation by military personnel; and
- The implementation of institutional or national-level policies related to gender, e.g., a national action plan on the UN Security Council resolutions on women, peace and security.

This guidance note has been developed in partnership with the Organization for Security and Co-operation in Europe (OSCE) and the OSCE Office for Democratic Institutions and Human Rights (ODIHR). It was developed through desk research, interviews and expert input, and was reviewed and discussed extensively at a meeting of experts and practitioners held in November 2013.

This guidance note is designed for those:

- working at the strategic or senior leadership level in armed forces, to guide them in the monitoring and oversight of integrating a gender perspective;
- with day-to-day responsibility for the oversight of gender issues, such as gender offices, gender advisers and gender focal points, as well as equal opportunities officers and those responsible for human resources; and
- assisting in the development of good governance and/or gender mainstreaming within the armed forces, including OSCE staff.

This guidance note is intended to serve as a reference material of good practices and strategies that can be adapted to the different contexts, needs and resources of individual armed forces.

This guidance note includes:

- » An introduction to external and internal oversight of armed forces;
- » Discussion of why gender is important to internal oversight within armed forces;
- » Guidance as to how a gender perspective can be integrated into internal oversight within armed forces;
- » A self-assessment table; and
- » A list of additional resources.

This guidance note forms part of a series that takes an in-depth look at oversight issues that were introduced in the *Gender and Security Sector Reform Toolkit*, a joint publication by DCAF, OSCE/ODIHR and UN-INSTRAW. The other guidance notes in the series are *Integrating Gender into Oversight of the Security Sector by Ombuds Institutions & National Human Rights Institutions*, and *Integrating Gender into Internal Police Oversight*.

This guidance note can also be used alongside DCAF's *Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector* and *Gender and Security Sector Reform Training Resource Package* (see *Additional resources* on page 51).



2

WHAT IS THE EXTERNAL AND INTERNAL OVERSIGHT OF ARMED FORCES?

The subject of this guidance note is armed forces, meaning a country's army, navy and/or air force. However, much of the content also applies to gendarmeries (military or paramilitary forces charged with police duties among civilian populations – the *guardia civil*, the *carabinieri*, etc.), in particular where they deal with misconduct within the military.

Strong and effective oversight (or supervisory) structures and systems are key components in building and sustaining armed forces that are effective and accountable. Oversight encompasses systems that allow armed forces to learn from experience, uphold standards of conduct and ensure that their values are aligned with those of wider society. Oversight needs to operate both externally (from outside armed forces) and internally (within armed forces). Oversight structures should function in such a way as to promote maximum transparency and protection of human rights of armed forces' personnel that is consistent with maintaining military effectiveness and discipline. Oversight structures and systems vary greatly between countries, but the following mechanisms can each play an important role.

External oversight

Armed forces should be subject to oversight by external civilian authorities, including, at a minimum, the ministry of defence and the parliament. Oversight bodies that are independent from the military and government, including national human rights institutions and/or ombuds institutions for the armed forces, can also be effective actors (see the guidance note on *Integrating Gender into Oversight of the Security Sector by Ombuds Institutions & National Human Rights Institutions*). Informal civilian oversight is exercised by advocacy organizations, women's groups, research organizations and the media, all of which are capable of highlighting shortcomings and driving change.

At the international level, oversight is exercised by the United Nations, including through human rights treaty bodies, special mechanisms, the Universal Periodic Review and Security Council reporting. International oversight can also be conducted by regional organizations, including the African Commission and Court on Human and Peoples' Rights, the European Court of Human Rights, the Inter-American Commission and Court on Human Rights and the Parliamentary Assembly of the Council of Europe.

Internal oversight

Although external supervision is of great importance, commanders within the armed forces have the primary responsibility to ensure effective capacity development, achieve mission objectives and ensure that discipline is upheld. Individual members of the armed forces are held accountable through the chain of command. This means that every person with leadership responsibilities, from the team to division level, is part of the armed forces' system of internal oversight. Besides the chain of command, there are individuals responsible for supervising and proactively monitoring such aspects as human resources, training, operational planning, spending and organizational change. Some armed forces (for example in France, the Netherlands and the United States) feature an inspector general who acts as an internal auditor or investigator, and who is formally responsible for internal oversight.

Across the OSCE region there is a great deal of variety in the different structures and systems used to control, assess, supervise and monitor performance within armed forces. At an individual level, these include human resources processes, such as performance review and promotion. At an organizational level, they include mechanisms to monitor and review training and the conduct of operations through data collection and analysis. Internal complaints, investigation and disciplinary processes to deal with allegations of misconduct, including in the military justice system, are important elements of oversight. These mechanisms of internal oversight within the armed forces, and the integration of a gender perspective into these mechanisms, are the subject of this guidance note.

Effective internal oversight relies on the commitment of individual commanders, together with the military police and justice system, to hold service members fully accountable for misconduct. At times, commanders may be reluctant to address gender-related misconduct for fear of disrupting unit performance, or may fail to understand the importance of a gender perspective in training and operations. Indeed, the military as a whole may need external support in building its expertise on gender issues. For these reasons, it is important that internal oversight mechanisms are complemented by external ones. Finally, supervision and monitoring from external oversight bodies can help to reinforce and sustain the efforts of armed forces to integrate a gender perspective.



3

WHY IS IT IMPORTANT TO INTEGRATE A GENDER PERSPECTIVE INTO INTERNAL OVERSIGHT WITHIN ARMED FORCES?

In the course of an armed conflict or security disturbance, a person's gender, age, disability, ethnicity, sexual identity and class are intimately associated with how he or she experiences, is affected by and participates in violence and security. An armed force interacting with a local population needs to understand the particular impact that gender has on the security environment, and on the particular security needs of women, men, girls and boys. Gender is not just "about women"; it is about women and men. Within armed forces, assumptions about what it means to be a man or a woman (gender roles) have an impact on how female and male personnel are treated by one another, and how they interact with local populations. Box 2 contains some of the gender terms used in this guidance note.

Norwegian military gender adviser Ada Fuglset (left) with a colleague on operations in Afghanistan.
Photo: Norwegian military, 2012.



BOX 2 – GENDER TERMINOLOGY

Armed forces will usually draw their definitions from national laws or policies that follow internationally agreed upon terms. The following are some examples.

Gender “refers to the social attributes associated with being male and female learned through socialisation, and determines a person’s position and value in a given context. This means also the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialisation processes. Notably, gender does not equate to woman.” (NATO Bi-Strategic Command Directive, *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure*.)

Gender equality “refers to the equal rights, responsibilities and opportunities for women and men, and girls and boys. Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born female or male.” (NATO Bi-Strategic Command Directive, *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure*.)

Gender mainstreaming is “the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.” (Official Records of the General Assembly, Fifty-Second Session, Supplement No. 3 (A/52/3/Rev.1), chapter IV, paragraph 4.)

Integration of a gender perspective means assessing the gender-based differences of women and men reflected in their social roles and interactions, in the distribution of power and in their access to resources. The aim of integrating a gender perspective is to take into consideration the particular situation and needs of women and men, as well as how military activities have different effects on them. (Adapted from NATO Bi-Strategic Command Directive, *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure*.)

Sexual abuse means “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”. (*United Nations Secretary-General’s Bulletin on Protection from Sexual Exploitation and Abuse* (ST/SGB/2003/13).)

Sexual discrimination is unfair treatment or arbitrary distinction based on a person’s sex, gender, sexual orientation or gender identity. (Adapted from Committee on Economic, Social and Cultural Rights, General Comment No. 20, article 2, paragraph 2, UN Doc. E/C.12/GC/20 (2009).)

Sexual exploitation “means any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another”. (*United Nations Secretary-General’s Bulletin on Protection from Sexual Exploitation and Abuse* (ST/SGB/2003/13). See also NATO Bi-Strategic Command Directive, *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure*, Annex B.)

Sexual harassment is “any unwelcome sexual advance, request for a sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment”. (*United Nations Secretary-General’s Bulletin on Prohibition of Discrimination, Harassment, Including Sexual Harassment, and Abuse of Authority (ST/SGB/2008/5).*)

Each internal oversight process should consider how the structures, systems, directives, processes or practices being monitored have a different impact on women and men, whether as personnel or in communities affected by operations. Integrating a gender perspective in oversight mechanisms within the armed forces can help in the ways outlined below.

To create armed forces that benefit from the capabilities of both women and men

The full integration of both women and men is necessary for armed forces to draw upon all the available skills and talents of service personnel and of the country. Moreover, women can bring particular operational advantages, such as better engagement with local women. Unfortunately, in many armed forces women experience discrimination in terms of the positions open to them and their career progression. Both women and men often find balancing parenting responsibilities with deployments and working conditions very difficult. Therefore, monitoring human resources processes, and paying special attention to the particular experiences and needs of women and men, helps armed forces to increase the recruitment, retention and promotion of talented female personnel, and to retain personnel as they become parents.

To increase force security and mission effectiveness

Experience has shown that having teams composed of both women and men can increase force security. In Afghanistan, for example, the engagement of female personnel with local women allowed armed forces to access information that was otherwise unavailable. Likewise, employing female personnel to search and engage with local women created less hostility towards the mission. Mission objectives, particularly in peacekeeping, will often include the protection of civilians. Understanding the different security needs and roles of women, men, girls and boys in an operating environment is crucial to the protection of civilians, as well as to broader mission objectives. Training, reporting and evaluation mechanisms are a necessary part of achieving this gender perspective in operations.

To prevent and address sexual discrimination, harassment, bullying and abuse within armed forces

Discrimination, harassment, bullying and abuse not only violate the rights of victims but are detrimental to discipline and morale within armed forces, and thus to operational effectiveness. Internal oversight mechanisms play a key role in building a respectful working culture, in which such incidents are rare and are dealt with effectively. Military disciplinary and justice systems need to be sensitive to these issues, and, when required to do so, must develop the necessary special expertise to deal with them appropriately.

Harassment of gay and lesbian personnel is also a problem in many armed forces. While appropriate responses share common features with strategies to address sexual harassment, they are not necessarily the same. Similarly, the issues facing gay, lesbian and transgender personnel often overlap with, but are not the same as, those facing female personnel. As such, while acknowledging their importance, this guidance note does not seek to address the human rights and needs of gay, lesbian and transgender personnel.

To prevent and address sexual exploitation and abuse committed by armed forces against civilians

There is evidence from many peacekeeping and other missions of members of the armed forces engaging in exploitative or abusive relationships with local women, men, girls and boys, including through paying for sex. Such behaviour brings the entire mission into disrepute, undermines local support for the mission and potentially feeds organized crime. Some members of armed forces have been known to commit acts of sexual abuse against members of the community in their home countries, while there is evidence of a higher prevalence of serious domestic abuse in military families.² Armed forces can put in place effective internal oversight measures to guard against such abuses by service personnel during deployment and at home, and to ensure that violations are dealt with in a manner that reinforces public safety and trust.



4

HOW CAN A GENDER PERSPECTIVE BE INTEGRATED INTO INTERNAL OVERSIGHT WITHIN ARMED FORCES?

This section provides practical strategies for integrating a gender perspective into oversight structures, processes and practices. When implementing these strategies two points should be kept in mind. First, it is important that a focus on institutional culture and values is included when implementing processes designed to build capabilities in integrating a gender perspective. In particular, the behaviour of commanders has a strong impact on the institutional culture within a unit of the armed forces. Second, strong leadership is needed to reinforce and demonstrate constantly that the integration of a gender perspective benefits both female and male service personnel, and helps the armed forces to achieve their mission.

As always, the good practices described below need to be adapted to fit the needs and resources of different armed forces. Box 3 demonstrates that these actions need not be expensive.

Spanish sergeant Cristina Blanco, a navigation assistant, works with the electronic chart display.
Photo: EU Naval Force, 2013.

BOX 3 : SEVEN INEXPENSIVE STEPS TOWARDS CREATING GENDER-RESPONSIVE ARMED FORCES

Together with the many good practices included in this guidance note, these inexpensive steps demonstrate that addressing gender issues often requires a shift in mentality rather than an increase in financial resources.

- ✓ Gather statistics on the percentage of female applicants and compare this with the percentage of female recruits. Academics and postgraduate students can be approached to analyse the raw data.
- ✓ Conduct focus groups and online surveys with female and male personnel.
- ✓ Integrate gender objectives into existing planning and reporting processes.
- ✓ Change job descriptions and promotion criteria to include gender knowledge and skills.
- ✓ Change policies that penalize personnel for taking parental leave, including the requirement for continuous service periods as a prerequisite for promotion.
- ✓ Implement training on gender, diversity and sexual harassment.
- ✓ Build alliances with women's organizations and ministries.

4.1. Building the capacity of internal oversight actors to integrate a gender perspective

Gender is a new topic for many members of the armed forces. As such, many senior members, officers and non-commissioned officers may have had little exposure to discussions about gender equality or the benefits of introducing a gender perspective in operations. They may even react defensively and perceive discussions on the subject as criticism of how their armed forces treat women. In order to build both an understanding of and a commitment to integrating a gender perspective in military structures and operations, a range of learning initiatives should be considered.

Education and training

Armed forces in many countries now recognize the importance of addressing gender issues in education, training and operations. International norms dictate that personnel should receive training and education on human rights, gender and diversity issues appropriate to their leadership responsibilities, as well as pre-deployment and in-theatre gender training specific to the area of operations.³ Therefore, armed forces need to develop their capacity to integrate a gender perspective into their oversight mechanisms, both through dedicated gender training and by including gender issues throughout training and education. Key areas to target include leadership programmes for non-commissioned officers, officers and senior commanders.

Gender training is particularly important for inspector generals, military judges and others playing a formal oversight role. Gender training can address the following.

- National, regional and international laws concerning gender equality applicable to the armed forces.
- Gender issues in the workplace, such as family-friendly policies and sexual harassment.
- Institutional policies and directives concerning gender equality and gender issues.
- Collecting and analysing sex-disaggregated and other gender-related data on both personnel and military operations (see Box 4).
- Monitoring how armed conflict affects women, men, girls and boys differently in particular locations of military operations.
- Preventing and responding to particular types of violence faced by women, men, girls and boys in particular locations of military operations.
- Handling complaints of sexual harassment or abuse within the armed forces (these issues are discussed further in section 4.5 *Preventing and addressing sexual discrimination, harassment, bullying and abuse within the armed forces* on page 30 of this guidance note).

BOX 4 : SEX-DISAGGREGATED DATA

What is it? Sex-disaggregated data are data that are collected and presented separately on women and men.

How to collect it?

- ✓ Ensure that all forms and computer records require that the sex of the subject is recorded.
- ✓ Require that data always be collected evenly from among women and men, or in proportion to the representation of women and men in the service concerned.
- ✓ Consider special measures to ensure that women and men participate in the data collection process, e.g., organize separate focus groups for women and men or collaborate with community organizations.
- ✓ Always compare data on women and men and analyse the differences.

As with any other military education and training, required competencies should be defined, and the attainment and maintenance of the required standards should be monitored. A range of gender training resources for the military are listed in the *Additional resources* section on page 51.

Other government departments might be in a position to support gender training, such as those responsible for gender equality, or those involved in post-conflict development assistance. Likewise, armed forces can draw upon the expertise of civil society organizations, national human rights institutions and/or international and regional organizations.

Coaching and mentoring

Senior commanders not only hold key responsibilities in relation to integrating a gender perspective and gender issues, but can also have a powerful influence on institutional and individual approaches to gender through their own example.⁴ It is crucial that military leaders strive to become skilled in applying a gender perspective in all aspects of military command. However, they often struggle to allocate time for in-depth training designed to deepen their understanding of gender equality. Therefore, alternative capacity-building approaches, such as coaching (see Example 1) and mentoring, should be considered.

EXAMPLE 1 – SWEDEN’S “GENDER COACH” PROGRAM

In 2007 Genderforce Sweden initiated the “Gender Coach” program, pairing six high-ranking members of the armed forces with six hand-picked gender coaches. Participants included the Chief of Staff of the Swedish Army and the Director of the Armed Forces Training and Procurement Unit. The coaches – selected for their knowledge and pedagogical skills in the field of gender equality – met with the military leaders once or twice a month to discuss the issues that the participants encountered in their work. Feedback on the program was positive, with participants noting changes in their communication and behaviour. The Swedish Armed Forces are repeating the Gender Coach program from 2013 to 2018, with a stronger focus on institutionalizing the knowledge gained.

*Source: Robert Egnell, Petter Hojem and Hannes Berts, *Implementing a Gender Perspective in Military Organizations and Operations: The Swedish Armed Forces Model* (Uppsala: Uppsala Universitet, 2012), pp. 23–24.*

4.2. Monitoring the integration of a gender perspective into laws, doctrine and directives

In order for armed forces to integrate a gender perspective, the appropriate laws, doctrine and directives need to be in place. Laws should ensure that there is no direct discrimination against women, that women and men are protected from violence and discrimination within the armed forces, and that independent oversight processes are in place. Directives must establish clear performance standards, since it is unreasonable to expect service personnel to integrate a gender perspective without clear direction as to what this requires and how to meet performance standards. Moreover, all doctrine and directives within the defence forces must appropriately address gender issues (a “gender mainstreaming” approach). In addition, specific directives must be formulated for particular gender issues.

Gender self-assessment or gender audit

Conducting a gender self-assessment or a gender audit can be an excellent first step in identifying which laws, doctrine, directives and practices are in place, and which are needed. A gender audit is an assessment process that an organization uses to identify how gender issues are addressed in its internal organizational processes and activities. Having gathered information from a range of sources, a gender audit can examine a specific gender issue, or it can look at all aspects of the organization. The guidance note on *Integrating Gender into Oversight of the Security Sector by Ombuds Institutions & National Human Rights Institutions* contains a case study of a gender audit conducted by the New Zealand Defence Force.

This guidance note contains a self-assessment table on page 45. DCAF has also developed a more detailed *Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector* that can be used to develop and guide the auditing process (see *Additional resources* on page 51). The DCAF, OSCE/ODIHR and UN-INSTRAW tool on *Security Sector Reform Assessment, Monitoring & Evaluation and Gender* also gives advice on gender audits of security sector institutions.

Gender review of laws, doctrine and directives

Armed forces should systematically conduct a review of all their laws, doctrine, protocols, directives, processes and practices to ensure that they are non-discriminatory, address the different needs of female and male personnel and consider gender issues in operations. This will require a structured and systematic approach. It may be helpful to prioritize certain areas, including human resources, training, operational planning and discipline (all of which are discussed in the following sections).

To facilitate a gender perspective in monitoring, a doctrine or directive should set out:

- What data are required (with sex-disaggregated data a basic requirement);
- How the information collected is to be reported; and
- The indicators or milestones of achievement.

For example, a directive on officer training programs might require that data be collected on the sex of candidates at every stage of the training process, as well as on the reasons given by women and men for failing to complete the training. The directive should require that data be reported to a responsible body at designated intervals. One aim of the directive would be to ensure that women and men are equally likely to complete the training successfully. If more women than men are found to be dropping out of the training, then the reasons would be examined and corrective measures introduced.

By systematically collecting and reporting on sex-disaggregated data, commanders and internal oversight bodies have a resource with which to measure in what ways

a particular doctrine or directive has a differential impact on women and men (and, where relevant, on girls and boys), as well as progress towards achieving any specific gender-related targets. Where a negative impact on either of the sexes is apparent, they can undertake an analysis of the reason for this discrepancy, decide to take corrective action, agree upon the modalities for doing so and identify what resources are needed to support the solution.

Gender policies, doctrine and directives

A number of armed forces have benefited from developing and implementing a specific gender policy, a strategy or action plan and/or a doctrine or directive on gender-related issues. A gender policy defines goals and commitments in ensuring that a gender perspective is integrated into every policy and practice, while a gender action plan sets out the activities, timelines and responsibilities to achieve this. Some armed forces' gender policies focus primarily on equal opportunities for female personnel (e.g., Belgium, the Czech Republic, Finland, Norway, the Republic of Ireland, South Africa and Spain). Others also integrate gender issues into operations through training and specific initiatives, such as responding to sexual violence in conflict and engaging with female populations (e.g., the Netherlands and Sierra Leone). NATO has formulated Bi-Strategic Command Directive 40-1 on *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure*, which is focused on training, staffing, and operational planning and reporting.

EXAMPLE 2 – THE NETHERLANDS' MINISTRY OF DEFENCE'S GENDERFORCE PROJECT

In 2004 the Netherlands' Ministry of Defence launched its six-year Gender Action Plan to increase the number of female personnel being recruited into the armed forces. In the following year this plan became part of a more holistic "Genderforce" project, which also addressed:

- Gender in crisis-response operations;
- Gender in training; and
- Gender mainstreaming.

A number of internal and external oversight processes helped to achieve the implementation of the Genderforce project.

Genderforce's internal monitoring framework

The Genderforce project was framed around specific objectives and featured goals and target figures, accompanied by action plans and sub-action plans. For example, the project had a number of objectives to strengthen the recruitment, retention and promotion of women, including by strengthening female participation in training courses and career path training and increasing female representation in the military by 12 per cent by 2010.

A management body made up of the highest representatives of the various directorates involved and of the Ministry of Defence, as well as a representative of the Ministry of Social Affairs and Employment, was tasked with monitoring the project's progress and taking action where necessary. Beyond this, a project leader and project steering group were established, each with specified monitoring activities. To ensure involvement across the Ministry of Defence and armed forces, the deputy commanders of the seven main defence elements were appointed gender ambassadors. Each was made responsible for carrying out sub-action plans, monitoring the integration of a gender perspective in all activities within their control and reporting back to the State Secretary.

Compliance with the sub-action plans was monitored through semi-annual management reports and was critically discussed at regular intervals at the highest levels of the Ministry of Defence. Progress reports were drawn up in conjunction with the various elements from the Ministry of Defence and discussed with the State Secretary for Defence.

External monitoring of Genderforce

An external Gender Expertise Group was formed to meet periodically to “acquire a fresh view on the Genderforce project from a non-defence angle”. It was chaired by the Ministry of Social Affairs and Employment and included a number of independent actors, such as a think-tank, trade unions, the Women's Council and Amnesty International.

Brochures were produced about the aims, mechanisms and results of the Genderforce project. These brochures included the names and contact details of all the personnel involved.

Outcomes

- Strengthened awareness of gender within the armed forces.
- A modest increase in the number of female personnel: the proportion of female military personnel rose to 9 per cent, while more women were appointed to senior ranks.
- A stronger focus on the retention of women, as the project revealed that retention is a key priority in achieving a more balanced proportion of female/male personnel.
- The integration of a gender perspective in ongoing planning, control and reporting processes.
- An extended framework to support the integration of a gender perspective. For example, in 2006, a Chief of Defence Directive concerning gender was drawn up, making gender a permanent part of central operational management. In 2007, a gender checklist was introduced within the Directorate of Operations to support the integration of a gender perspective into the planning, execution and evaluation of operations. The Ministry of Defence's quarterly report now includes a gender component.

Sources: Ella Van den Heuvel and Meijer Marten, “Gender Force in the Netherlands Armed Forces”, 2008 (Paper presented at the RTO Human Factors and Medicine Panel Symposium held in Antalya, Turkey on 13-15 October 2008). See also: NATO Report RTO-MP-HFM-158; “Genderforce - Women and Men Work Better Together”, (The Hague: Netherlands Ministry of Defence, 2006); Emma Jansen, *UNSCR 1325 In-Country Monitoring Report: The Netherlands* (The Hague: WO=MEN, 2006).

If a gender policy, strategy and/or action plan has already been developed, a designated body or bodies should be tasked with monitoring its implementation and evaluating its impact. These bodies might be made up of a dedicated team, an interdepartmental working group or a senior management committee. It is good practice to include external representatives as part of the monitoring body, for example from a government ministry for gender equality, a national human rights institution and/or civil society experts on gender in conflict. Armed forces can also enlist civil society experts to monitor and evaluate their gender-related policies. The Dutch Armed Forces' Genderforce project in Example 2 demonstrates a range of internal and external monitoring and oversight structures that can be used when implementing a gender policy.

Existing national and institutional gender policies may also assign particular responsibilities to the armed forces, in some cases linked to international commitments. These might take the form of a national action plan on UN Security Council Resolution 1325, or national policies on such issues as gender equality or violence against women. Armed forces need to monitor and, in many cases, report to parliament on the performance of their roles under such national policy frameworks. NATO members also report annually to the NATO Committee on Gender Perspectives.

Members of the Military Administration Corps of
the Royal Netherlands Army.
Photo: Gerald Stolk, 2014.



Specialized bodies and roles

One question that many armed forces consider is whether to establish a specialized body and/or specialized roles to implement and monitor gender commitments. Some armed forces have a gender office or gender desk; for example, Spain's Military Observatory for Equality between Men and Women in the Armed Forces (see Example 3). Others have units dedicated to particular gender issues, such as an equality and diversity unit or, in the United States, the Sexual Assault Prevention and Response Office. Many have gender advisers or gender focal points stationed in headquarters. Table 1 addresses the advantages and disadvantages of using specialized bodies to address gender issues.

TABLE 1 – ADVANTAGES AND DISADVANTAGES OF USING SPECIALIZED BODIES TO IMPLEMENT AND MONITOR GENDER COMMITMENTS WITHIN ARMED FORCES

Advantages	Disadvantages
Creates a pool of gender experts.	Could weaken sense of responsibility towards gender mainstreaming of those in other parts of the armed forces.
Increases the strategic focus on gender and maintains momentum.	May lack seniority and credibility.
Promotes co-ordination and engagement across divisions.	Might create a parallel structure not aligned with the rest of the organization.
May attract earmarked funding for integrating a gender perspective.	
Can help reinforce collaboration with external gender/oversight actors.	

A specialized body or unit tasked to oversee gender issues will be most effective when:

- It has support at the political level and from the senior command;
- It has mandated access to and influence over decision-makers at strategic levels and to information in all divisions;
- It is integrated within existing structures and its work is linked to or co-ordinated with existing oversight structures (such as the military justice system);
- Its work is long term and target-driven;
- It has the capacity for research and policy analysis, and enjoys access to all relevant data;
- Its staff receive gender training;
- It has equal, or close to equal, numbers of female and male staff; and
- It is supported by sufficient long-term funding.

EXAMPLE 3 – SPAIN’S MILITARY OBSERVATORY FOR EQUALITY BETWEEN MEN AND WOMEN IN THE ARMED FORCES

The Military Observatory for Equality between Men and Women in the Armed Forces (hereafter “the Observatory”) was founded by the Council of Ministers in 2005 as a permanent structure, highly positioned within Spain’s Ministry of Defence. The Under Secretary of Defence acts as Chair of the Observatory, and meets with staff for one day every six months.

Roles

The Observatory’s roles include the following.

- Analysing the differential impact on women and men of recruitment, training and management processes, as well as the processes of integration and return to civilian life. Each month the Observatory analyses and publishes statistics in relation to gender issues, including time taken for paternity, maternity or *lactancia* (breastfeeding or bottle feeding) leave. Each year the Observatory presents a detailed report on the relative participation of women and men in the different branches of the armed forces, disaggregated by rank, enlisted or reservist status, and so on.
- Receiving complaints or queries from service personnel related to gender issues. The Observatory staffs a “hotline” which is open to all members of the armed forces, as well as civilian employees. On receiving a complaint or query, the Observatory considers it against the relevant regulations and writes an advisory report to the complainant and the relevant commanding officer(s).
- Proposing improvements to the legal and institutional framework for gender equality in the armed forces. The Observatory has supported the development of regulations to address a range of issues, including physical tests for women (anticipating rescheduling tests due to pregnancy or childbirth); types of assignments during pregnancy or breastfeeding; support for single parents; extending paternity leave to four weeks; child care; and support for victims of sexual harassment or sexual violence.
- Supporting the delivery of gender pre-deployment training and the development of gender equality curricula.
- Conducting research towards improving the armed forces’ capacity to meet the needs of service personnel. For example, in 2012 the Observatory conducted a study on the impact on personal and family life of geographical changes as a result of military deployment. The study included proposals to facilitate this mobility in terms of housing, transport, children’s schooling, health services and so on.

Staffing and training

The Observatory has a permanent team of seven full-time staff, all of whom have completed or are provided with gender training. It seeks to achieve gender equality within the team, and to recruit staff from a mix of the services.

Impact

Besides the services it provides for military personnel, the Observatory has played a key role in developing policies and legal frameworks related to gender equality in the military, including the 2007 Military Career Law that defines gender equality as one of five main principles of the military.

Sources: Commander Fernando Izquierdo (Chief, Department of International Gender Issues, Spanish Ministry of Defence) in an interview with the author, 4 June 2013; Fernando Izquierdo, “Spanish Model for Gender Equality”, PowerPoint presentation, on file with author (undated).

Female staff associations

A number of armed forces (e.g., in the United Kingdom, Bulgaria, Canada and Hungary) have established committees or networks to represent female military and civilian personnel. While not formally tasked with policy implementation, these groups often monitor issues of concern to female personnel, communicate with leadership about problems or issues, and advise leadership in addressing problems. As such, they can be a useful internal oversight mechanism.

4.3 Integrating a gender perspective into the oversight of operations

Most armed forces are at an early stage of development when it comes to integrating a gender perspective into military operations. Focus is centred on learning from others, systematizing *ad hoc* approaches and developing standards against which to measure performance. Two important first steps in building operational gender capacity are adapting planning and reporting processes to monitor the impact of gender; and developing and deploying specialist gender expertise.

Operational planning and reporting processes

A gender perspective should be integrated into all operations, planning, execution, reporting and evaluation processes. At a minimum, information about the situation of, and impact of operations on, women, men, girls and boys should be included in the planning and reporting processes together with sex-disaggregated statistics. This will help to:

- Build situational awareness;
- Identify the different protection and assistance needs of all population groups;
- Protect the civilian population from violence, including sexual violence and trafficking;

- Engage with the female population, both for protection purposes and for intelligence gathering;
- Implement disarmament, demobilization and demining; and
- Ensure participation of women in security sector reform processes, including development of national police and armed forces.

Gender checklists, such as the one in Box 5, which was developed by NATO to assist in identifying and monitoring gender issues in operations, can be helpful. The UN Department of Peacekeeping Operations has also developed a series of checklists to focus on gender issues in military aspects of peacekeeping operations.⁵

BOX 5 – QUESTIONS TO CONSIDER IN OPERATIONAL REPORTING

- How does the security situation affect women, men, girls and boys?
- What risks, similar and/or different, do men, women, girls and boys face?
- What are the differences in vulnerabilities between these groups (women, men, girls and boys)?
- Are women's and men's security issues known, and are their concerns being met? Assess security issues also for different women; for example, women as politicians, activists or Human Rights Defenders, including Women's Human Rights Defenders.
- What role do women play in the military, armed groups, police or any other security institutions such as intelligence services, border [police], customs, immigration, or other law enforcement services (per cent of forces/groups, by grade and category)?
- What role do women play in the different parts of and social groups in the society?
- Does the selection and interaction between local power holders and the operation affect women's ability to participate in society – such as legal, political or economic spheres?
- Gender disaggregated data on for example; political participation, education, refugees, prisoners, health-related issues, SGBV (sexual and gender-based violence) etc.
- Assessment of the current situation and planned actions.

Source: NATO Bi-Strategic Command Directive 40-1, Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure, Annex D, 2012.

Gender advisers

Gender advisers and gender focal points in military missions support planning, execution and evaluation processes to implement a gender perspective, including through assessing the different security risks for women and men. Their role is broadly to provide expertise on women, gender perspectives and cultural issues in the specific theatre of operation, and to support the implementation of international norms related to gender

and security. They often plan and conduct gender training and develop relationships with local and international women's organizations. Their tasks can include advising on policy, recruitment, codes of conduct and civil-military co-operation. Gender advisers may be male or female, and there are advantages to having a mix of both sexes.

For example, the armed forces of Austria, Italy, Lithuania, the Netherlands, Norway, Spain and Sweden have developed gender adviser capabilities, and gender advisers have been deployed in a number of multinational missions.

4.4 Integrating a gender perspective into the oversight of human resources

There should be strong oversight of recruitment and promotion practices, as well as proactive monitoring of retention and work/life balance measures, to ensure that women and men in armed forces enjoy equal opportunities.

Monitoring recruitment and selection processes

Armed forces should design and implement recruitment strategies tailored to improve the balance between women and men within the forces, as well as the participation of underrepresented ethnic or religious groups. The DCAF, OSCE/ODIHR and UN-INSTRAW *Defence Reform and Gender Tool* includes guidance on this, as does the Committee on Women in the NATO Forces' publication, *Improving the Gender Balance: A Selected List of Best Practices*. Moreover, selection boards should, wherever possible, include a balance of men and women. As well as facilitating a diversity of views, this creates a positive perception of fairness. Those involved in recruitment decisions should receive training on equality obligations and unconscious biases that might lead them to treat particular groups unfairly.

Oversight systems must then be in place to monitor and evaluate recruitment, and to determine what approaches work and what changes may need to be implemented. Monitoring should include the following.

- Monitor the imagery used in recruitment materials, as well as the locations where recruitment activities take place, to ensure that women are equally represented and targeted.
- Set minimum targets for the recruitment of women, as has been done in Canada and Norway, as well as minimum targets for women from ethnic minorities.
- Collect data on the sex of candidates at every stage of the recruitment process, and then compare the percentages of males and females who make it through each stage. If possible, look back at the records over recent years. If women are being screened out in greater numbers by a particular assessment, consider the following:

- Is the skill or ability being assessed actually needed for the position being applied for?
- Has the adverse impact upon women been minimized as much as possible? A test that sets unnecessarily high standards should be replaced with a test that measures skills and abilities at the level actually needed to be able to perform the job successfully or, alternatively, a test focused on trainability.
- Clarify the criteria for recruitment, and require that written evaluations of candidates according to each criterion be provided. These evaluations can then be reviewed to identify which criteria might be having a disproportionately negative impact on women.
- Check for any indications of sexual discrimination by particular recruitment personnel. If an interviewer is consistently ranking women lower than men, the interviewer should be replaced.
- Regularly (every six months) review the recruitment programme against its targets, and investigate reasons why any targets are not being met. Identify and recommend possible solutions.

Monitoring retention, deployment and work/life balance measures

Armed forces should collect and analyse basic statistics about female and male personnel at all stages of their careers on a routine basis. This analysis should include:

- The percentage of female and male personnel of every rank;
- The units women and men are serving in, with special attention paid to the percentage of women in specialized functions;
- Participation rates of women and men in specialist training;
- Deployment rates of women and men;
- Respective salaries of women and men of the same rank;⁶
- Applications made by and grants afforded to women and men for family-friendly provisions (e.g., maternity and paternity leave, child care, flexible working hours, flexible duties during pregnancy, deployment delay after birth);
- Measures enacted to support work/life balance (e.g., flexible working hours, four-day working week, compressed schedule, leave without pay, compassionate location assignment, work from home and transition to or from active or reserve forces);
- The retention rates of women and men; and
- Reasons given by women and men for dropping out of training or leaving the service.

These data should be supplemented by regular surveys of (or focus groups with) female and male personnel on workplace issues and overall satisfaction. It is important to examine the experiences of those using family-friendly provisions, as well as those that do not. The armed forces of Finland, Norway, the United Kingdom and the United

States, for example, undertake such “workplace climate” surveys (see Example 4 on page 37). These data should be regularly analysed to evaluate any barriers to women’s and men’s career progression, as well as to develop and test interventions and modify practices and policies. One area for particular attention is the availability of appropriate infrastructure, medical services and equipment for female and male personnel. Likewise, mentoring and leadership programmes should be monitored to gauge any differential impacts these may have on women and men.

It can be useful to appoint a committee or working group tasked with strategic oversight of working conditions for women (see *Specialized bodies* on page 23 above).

Performance evaluation and promotion

Fair and unbiased performance evaluation and promotional procedures are of crucial importance in armed forces. In most armed forces, there are relatively few women at senior levels and women are often concentrated in support positions.⁷ This suggests the need to scrutinize promotional procedures to uncover any overt or hidden patterns of discrimination against women. At the same time, it may be necessary to ensure that women are not unfairly held to lower standards of performance than men.⁸ As with selection boards, boards that decide on promotions should include both women and men (this practice is a requirement in the Netherlands and encouraged in Ireland) and should receive training about unconscious bias.

Oversight structures should examine:

- Any formal barriers to women attaining the highest ranks, such as excluding women from combat, particular regiments or types of service;
- Any informal barriers to women attaining the highest ranks, such as a requirement for particular length of overseas service or uninterrupted service, which may be difficult to meet for women with children; and
- Whether promotional criteria recognize and value the particular skills that women might bring to the armed forces.

It is particularly important to monitor closely the performance evaluations of, and any complaints lodged against, women or men who have complained of discrimination or harassment; performance evaluations and disciplinary proceedings may be used as tools for retaliation against individuals who have filed complaints.

Performance evaluations should also assess service members on how well they meet standards for integrating a gender perspective and managing gender issues. All service members should be evaluated on how well they perform gender assessment and reporting tasks.

Those with command and leadership responsibilities should also be evaluated on the following:

- ✓ How they ensure a gender perspective is integrated in education, training and operations;
- ✓ How they manage women and men in their teams;
- ✓ How they develop or support an institutional culture of equality and non-discrimination;
- ✓ How they monitor for sexual harassment, discrimination and abuse (see Box 6); and
- ✓ How they deal with any incidents of misconduct.

4.5 Preventing and addressing sexual discrimination, harassment, bullying and abuse within armed forces

Sexual discrimination, harassment, bullying and abuse within the armed forces are recognized as widespread and extremely serious problems in a number of countries. Both women and men can be victims of such offences. For example, the Finnish military's 2012 climate survey found that 14 per cent of male conscripts and 35 per cent of female conscripts had experienced sexual harassment during their service.⁹ Perpetrators are usually men, but are sometimes women. In some cases, such acts constitute misconduct under codes of military discipline; in others, they are crimes of the utmost severity. Political and media attention on these issues has prompted many armed forces to examine their procedures for the prevention, response and punishment of such offences, including through robust oversight.

Policies and prevention

Clear policy statements, directives or instructions should be developed, which explicitly state the following:

- Every member of the armed forces has the right to be treated with respect and dignity and to carry out their duties free from any form of discrimination, harassment, bullying or abuse;
- Commanders have a duty to actively prevent discrimination, harassment, bullying and abuse in units under their command, and to investigate all complaints expeditiously, impartially and sensitively; and
- Retaliation against any complainant or witness will not be tolerated.

A number of armed forces embed such policies in a code of conduct.¹⁰ The Irish Defence Forces, for example, have a "Dignity Charter" that highlights bullying and sexual harassment. Any such code of conduct or charter needs to be supported by more detailed policies and guidelines that clearly explain the following:

- What is considered unacceptable behaviour with regard to discrimination, harassment, bullying or abuse, and the distinctions between these types of misconduct;
- What constitutes criminal behaviour with regard to discrimination, harassment, bullying or abuse;
- How individuals within the armed forces can make a complaint when they believe they are a victim of such behaviour; and
- What services and support are available to victims.¹¹

These policies must be accompanied by ongoing training and monitoring measures. Commanders should receive training on the following:

- Their roles and responsibilities in maintaining a positive command climate, including a workplace free from discrimination, harassment, bullying and abuse (see Box 6);
- The dynamics of sexual harassment and abuse, and why women and men are often reluctant to report this behaviour;
- How to respond if an incident occurs; and
- How to prevent retaliation against a complainant.

BOX 6: COMMANDER'S CHECKLIST FOR PREVENTING SEXUAL ASSAULT

- Establish a command climate of prevention that is predicated on mutual respect and trust, that recognizes and embraces diversity, and that values the contributions of all its members.
- Emphasize that sexual assault violates the core values of what being a professional in the Armed Forces is all about and is something that ultimately destroys unit cohesion and the trust that is essential for mission success.
- Emphasize Department of Defense and Military Service policies on sexual assault and the potential legal consequences for those who commit such crimes.
- Keep a "finger on the pulse" of the organization's climate and respond with appropriate action toward any negative trends that may emerge.

Source: US Department of Defense, Commander's Checklist for Unrestricted Reports of Sexual Assault.

Complaints

The complaints system for a member of the armed forces wishing to complain of sexual discrimination, harassment, bullying or abuse by a colleague should provide for multiple ways to submit a complaint. Options for lodging a formal complaint should include the following.

- Bypassing the chain of command.
- Reporting to a neutral person within the armed forces.
- Reporting directly to the civilian police if a crime has occurred.
- Reporting to an independent oversight body. Commonly, unless a crime has occurred (and in some countries, even then), a member of the armed forces is required first to make a complaint using the armed forces' internal complaints system. However, there should be a provision which allows the victim to bypass this if it could expose them to retaliation.
- The possibility of making a confidential complaint in order to access support services.

The relevant policy should clearly set out the following:

- How a complaint can be made (for example, whether it has to be in writing) and what details to include in the complaint;
- How the complaint will be acknowledged;
- The rights of the accused person(s);
- The investigation process, including timeframes; and
- How and at what stages of the complaints process the complainant and accused will receive information about the investigation.

Investigating non-criminal offences concerning sexual discrimination, harassment or bullying

A commander's first response on receiving a complaint should usually be to conduct a preliminary review to decide whether the complaint is to be dealt with in an administrative procedure, or whether it may amount to a criminal offence. Different processes are followed depending upon this initial determination. Commanders and investigators can have difficulty understanding the difference between sexual harassment (usually, although not always, a non-criminal matter¹²) and sexual abuse, which is a criminal offence. All those involved in investigating complaints of discrimination, harassment or bullying thus require special training on the relevant military and civilian laws. Investigation of criminal harassment or abuse is discussed below.

Safeguards in investigating discrimination, harassment and bullying should include the following:

- Clear standards to guarantee that the investigation is fair, transparent, thorough and conducted as quickly as possible;
- Clear standards addressing the confidentiality of the complaint, investigation timelines, measures to prevent retaliation against the victim and mechanisms for regular communication with the victim;
- A policy of allowing the complainant and the alleged perpetrator to be accompanied by an independent third party when being interviewed – this could be a trustworthy third party, an advocate or a chosen colleague;
- A policy of allowing the complainant to bypass the commander where the commander is the subject of a complaint.

Accountability mechanisms should not only ensure that perpetrators are punished, but must also hold supervisors responsible for ensuring that discrimination, harassment and bullying are not tolerated. This can include disciplining any commander who fails to take reasonable steps to identify and stop harassment.

Investigating criminal offences, including sexual abuse

There is significant variation in how armed forces deal with criminal offences. In some countries, criminal offences by members of the armed forces are dealt with by military courts (e.g., in Azerbaijan, Belarus, Luxembourg, Poland, Switzerland, Turkey and Ukraine). In others, civilian courts have jurisdiction over criminal offences committed by members of the armed forces, at least when committed in their home countries (e.g., in the Czech Republic, Denmark, Finland, Germany, Italy, the Netherlands, Norway, Spain and Sweden). In a third model there is overlapping jurisdiction, where military courts might hear some crimes and civilian courts others, depending upon the nature of the offence, where it took place and who the victim(s) and alleged perpetrator(s) were (e.g., in Belgium, Canada, the United Kingdom and the United States). In Canada and the United Kingdom, although the military retains jurisdiction to hear criminal cases, authority lies with independent military prosecutors rather than with commanders.¹³

In the past, the discussion around these different models has focused primarily on how the rights of the accused are protected. However, where a military justice system is dealing with sexual abuse, it is particularly important to ensure that the victim's rights and interests are also respected. Recognizing this need, the US Air Force has introduced a Special Victims' Counsel programme, composed of lawyers who provide legal support to the victims of sexual abuse and advocate for their interests.¹⁴

Those responsible for sexual abuse investigations require special training. As well as the matters listed above in the subsection on *Investigating non-criminal offences concerning sexual discrimination, harassment or bullying*, investigators should be educated and trained to understand the likely victim responses to sexual abuse (including those that might

appear to undermine their credibility as a witness), as well as the specific evidentiary requirements of the charges. There should be guidelines and training detailing how interviews and investigations are to be conducted, and how forensic evidence should be collected.¹⁵ Both female and male investigators should be available. To build this expertise, in some countries military police and prosecution services receive the same training on sexual violence as that provided to civilian investigators and prosecutors. The US military has recently developed sexual assault investigators' courses, and some services have designated personnel specialized in investigating and prosecuting sexual abuse crimes.

The victim should be able to appeal to a civilian court to review any decision by a military prosecution service not to press charges, and should also continue to receive support services in this instance.

Sexual abuse trials

Judges, whether civilian or military, play a crucial role in managing a sexual abuse trial in ways that can either support or undermine the prosecution of a case. All judges should receive training addressing the nature and effects of sexual violence, including how the related trauma might impact on a victim's testimony, as well as "rape myths" – the misconceptions surrounding rape.¹⁶ Box 7 lists safeguards that need to be in place in a sexual abuse trial, whether in a civilian or a military court.

BOX 7 – SAFEGUARDS FOR SEXUAL ABUSE TRIALS

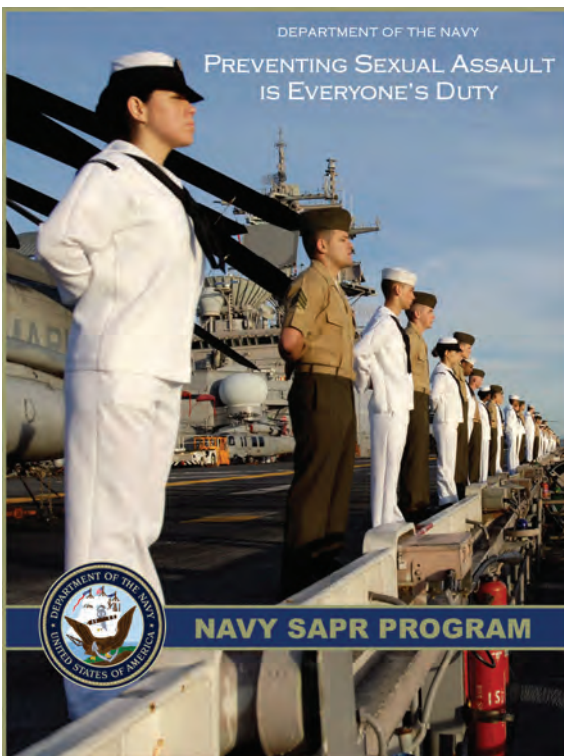
- ✓ Confidentiality measures to protect the victim's identity from the press and public, such as withholding the victim's name from public records.
- ✓ Rules of evidence and procedure that counter sexist assumptions about women's consent. For example, rules should specify that consent cannot be inferred where there is coercion or by a victim's silence or lack of resistance. There should not be any requirement for corroborating evidence or evidence of resistance.
- ✓ Rules of evidence and procedure that prevent "revictimization" of the victim through, for example, questions as to his or her prior sexual conduct or dress, or evidence of the victim's "reputation".
- ✓ Trial rules that grant the judge power to stop any sort of badgering or harassment of the victim by the defence counsel.
- ✓ Victim support measures to ease the victim's experience during his or her testimony, such as allowing a support person to be present with the victim in court.
- ✓ Communications between a victim and any advocate/adviser remain confidential ("privileged") unless the victim waives that privilege.

Source: Kim Thuy Seelinger, Helene Silverberg and Robin Mejia, "The investigation and prosecution of sexual violence", Sexual Violence & Accountability Project Working Paper Series (Berkeley, CA: University of California, 2011), pp. 45–47, 51.

Victim support and referral mechanisms

Victims of discrimination, harassment, bullying or abuse have a range of support needs. Good practice includes the following:

- ✓ A checklist for commanders and/or first responders setting out what they should do to ensure immediate protection and support for a victim while safeguarding the investigation;¹⁷
- ✓ Access to urgent medical, counselling and advocacy services without the requirement of making a formal complaint, including to specialist civilian sexual abuse services;
- ✓ Extending services to military spouses, adult dependants of military personnel and civilian contractors;
- ✓ An expedited transfer programme, allowing those who bring a complaint of abuse to be quickly transferred, with any spouse and dependants, to another base or command while the matter is being investigated;
- ✓ Protecting the confidentiality of communications between victims and their advocates/advisers; and
- ✓ Drawing upon the expertise of the civilian sector, for example in operating helplines and delivering services.



Poster used by the United States navy during National Sexual Assault Awareness Month in 2010. The 2010 campaign focused on the effects of sexual assault on the military's mission readiness. Photo: US Navy, 2010.

A number of armed forces have personnel outside the chain of command who are trained to advise and support those who have been the victim of (and, in some cases, those accused of) discrimination, harassment, bullying or abuse. In Ireland there are designated contact persons; in Denmark, advisers; in Germany, equal opportunity officers; and in the United States, besides equal opportunity personnel, there are specialist sexual assault response co-ordinators.¹⁸

Monitoring the handling of sexual discrimination, harassment, bullying and abuse

Complaints by armed forces personnel, and how they are resolved, must be actively monitored and evaluated. The following steps should be taken by armed forces.

- Standardize the definitions of various types of misconduct (e.g., sexual harassment, sexual abuse) and of available resolutions in cases (e.g., substantiated or unsubstantiated) to ensure comparability of data.
- Keep records of all complaints of sexual discrimination, harassment, bullying and abuse, as well as of investigations, findings and their resolution (while keeping names of complainants and alleged perpetrators confidential to the extent possible).
- Regularly review records of complaints of sexual discrimination, harassment, bullying and abuse to identify trends and check the consistency, transparency and equity of procedures and sanctions. If there is a disproportionate abandonment of complaints, failure to investigate, failure to find complaints substantiated or failure to discipline perpetrators appropriately, investigate the reasons behind this. Look for underlying causes of these types of misconduct, including a lack of proper supervision, a lack of training and/or ambiguous policies or instructions.
- Scrutinize whether individuals who have made complaints may have been subjected to unjust disciplinary measures in retaliation (for example, when a person who complains of sexual abuse is disciplined for adultery).
- Have an explicit strategy of learning from complaints of sexual discrimination, harassment, bullying and abuse, and follow up the review of complaints by modifying training, policy and action.
- Publish statistics about the number of sexual discrimination, harassment, bullying and abuse complaints received, as well as the nature of the complaints and their consequences. Do not disclose any details that could identify victims at any point in the process.
- Periodically report to external oversight bodies, such as the parliament, an ombuds institution or national human rights commission, on actions taken to reduce and eliminate sexual harassment, discrimination and sexual abuse.

Beyond scrutinizing complaints, proactive efforts can be made to monitor sexual harassment, bullying and abuse through workplace surveys, focus groups and exit interviews/surveys (see Example 4, and *Monitoring retention, deployment and work/life balance measures* on page 28 above).

EXAMPLE 4 – MONITORING OF SEXUAL HARASSMENT AND SEXUAL VIOLENCE IN THE UNITED STATES MILITARY

In the United States, sexual assault within the armed forces is monitored through the Workplace and Gender Relations Survey of Active Duty Members. Administered by the Defense Manpower Data Center in 1995, 2002, 2006, 2010 and 2012, the online survey provides information on the prevalence of sexual assault, sexual harassment, sexist behaviour and sexual discrimination in the preceding 12 months. The survey also documents satisfaction with support services, as well as perceptions of policies, practices and training related to sexual assault. In 2012, 22,792 active duty members from all branches of the United States military responded to the survey.

Disaggregated data

Each survey report presents data disaggregated by sex and service, and compared where possible to data compiled in previous surveys. For example, in 2012 the data indicated that 6.1 per cent of women and 1.2 per cent of men had been sexually assaulted in the preceding 12 months; for women, this was a significant increase from 4.4 per cent in 2010. Sixty-seven per cent of female victims and 81 per cent of male victims of sexual assault did not report the incident to a military authority.

Organizational climate

The organizational climate section of the survey poses questions to assess the propensity for members to intervene in situations where they think someone is about to commit a sexual assault. This is designed to allow individual commanders to assess how well their unit members understand prevention concepts, whether or not unit members feel empowered to act in a given situation and whether additional training is needed.

The data collected in these surveys are used in the Department of Defense's annual report to Congress and serve as the foundation and catalyst for establishing future sexual assault prevention, training, victim care and accountability goals.

Sources: US Defense Manpower Data Center, "2012 Workplace and Gender Relations Survey of Active Duty Members: Survey note and briefing", Defense Technical Information Center, 2013; "Department of Defense annual report on sexual assault in the military: Fiscal year 2012", US Department of Defense, 2012, Volume 1, pp. 7–8.

4.6 Preventing and addressing sexual exploitation, sexual abuse and domestic abuse by members of the armed forces against members of the public

Throughout history, armed forces have used sexual abuse as a weapon against civilian populations. While modern armed forces abhor such behaviour, soliciting local women, children and/or men for sex is too often condoned, and individual cases of sexual abuse against local women, girls and boys remain common. The United Nations has outlawed this behaviour in its missions as “sexual exploitation and abuse”, recognizing that exploitative relationships with members of the local community, including paying for sex, undermine the community’s trust in the force and damage the mission. Where such behaviour creates a demand for human trafficking, this has the further damaging impact of funding criminal organizations, as recognized by the NATO Policy Against Human Trafficking. Members of the armed forces who behave in this way at home likewise bring the armed forces into disrepute. Oversight structures need to prevent and deal with such misconduct proactively. Armed forces also need to be sensitive to domestic abuse involving their personnel, and must have measures in place to prevent and respond to it.

Policies and prevention

Armed forces should have clear, enforceable standards, codes of conduct, policies, guidelines and programmes to prevent sexual exploitation and abuse against the civilian population, whether when a service person is on mission or is living in barracks or a civilian environment. The UN standards on preventing sexual exploitation and abuse should be made binding on personnel by being incorporated into criminal or military law or issued as a command. Beyond this, armed forces need clear and practical guidelines that address the following:

- Types of prohibited behaviour – such as paying for sex, directly or indirectly; sexually abusing adults; or having sex with persons under the age of 18;
- Types of places that are out of bounds (e.g., brothels and strip clubs), as well as specific places that are out of bounds in particular areas of operation;
- The complaint, investigation, disciplinary and reporting procedures;
- The obligation of any person who knows that instances of sexual exploitation or abuse have occurred to report it to a superior or investigate it (as appropriate to their position); and
- That any person in a position of command who fails in their responsibility to prevent or punish sexual exploitation or abuse will be held accountable.¹⁹

Training is required to create an organizational culture in which all personnel understand and implement these policies, and where commanders monitor compliance by their personnel, putting a stop to and punishing misconduct as necessary (see Example 5).

EXAMPLE 5 – SWEDISH ARMED FORCES’ CODE OF CONDUCT FOR PERSONNEL ON INTERNATIONAL MISSIONS

The Swedish Armed Forces’ Code of Conduct, adopted in 2004, was based on the Ethical Rules and Codes of Conduct developed by a number of stakeholders, including the armed forces working group on implementation of UN Security Council Resolution 1325, the Ministry of Foreign Affairs, the National Criminal Investigation Department, the Swedish International Development and Co-operation Agency and the National Courts Administration, as well as a number of Swedish non-governmental organizations. The Code of Conduct states clearly that buying sexual services is forbidden when working abroad, including paying bills, rent, etc., in exchange for sexual services. It forbids visiting places such as strip clubs “when it can provide support to criminal acts such as the sex-trade and other criminal activities”. All soldiers and officers are obliged to sign the Code of Conduct to demonstrate that they have understood and commit to adhere to it.

Training

To generate awareness on this topic and prepare people in positions of command to enforce the Code of Conduct, the Swedish armed forces, in co-operation with the women’s civil society organization Kvinna till Kvinna, delivers training on gender, prostitution and human trafficking to all personnel to be deployed aboard.

Enforcement

Serious violations of the Code of Conduct are dealt with according to penal law, while less serious misdemeanours are subject to disciplinary measures handled within the chain of command. Soldiers who have sexual relations with local women are sent home. Former Brigadier of the Army Tactical Command in Kosovo, Bjorn Erkiesson, has described how prior to his deployment he had heard rumours about human trafficking and prostitution. He contacted his legal adviser and the military police commissioner, and ordered them to investigate. The rumours proved to be true; three soldiers were discharged, sent home and convicted for visiting prostitutes.

Sources: “OSCE Code of Conduct on Politico-Military Aspects of Security – Annual information exchange on the implementation of the Code of Conduct – Participating state: Sweden”, Permanent Delegation of Sweden to the OSCE, 2011; “Inventory of Swedish measures for implementing Security Council Resolution (UNSCR) 1325”, Permanent Mission of Sweden to the United Nations, 2004; Charlotte Isaksson, “GenderForce: Why didn’t we do this before?”, openDemocracy.net, 29 November 2012; Genderforce, *Good and Bad Examples: Lessons Learned from Working with United Nations Resolution 1325 in International Missions* (Uppsala: Genderforce, 2007).

In some countries, civilian police do not have the power to respond to a domestic abuse incident on a military base. Individuals who experience domestic abuse from a military partner, and the abusers themselves, may be reluctant to use military support and counselling services. Policies need to be carefully developed in light of the respective jurisdiction and reach of civilian and military police, justice and support services, to ensure that effective victim protection and support services are in place

and perpetrators are held accountable within a framework of prevention. In the United States, for example, there is clear policy that “commanders at every level have a duty to take appropriate steps to prevent domestic violence, protect victims and hold those who commit it accountable”.²⁰ Commanders have an obligation to report suspected domestic abuse, and are able to issue protection orders.

Complaints mechanisms

When the complaint concerns troops in their home country, a member of the public should be able to bring it to the local commander, the police or an independent body, such as an ombuds institution or the prosecutor. There should be multiple ways to lodge complaints, including at military barracks and facilities, at police stations, using a toll-free number or a free postal address and by e-mail. In Rwanda, for example, the gender desk in the army introduced a free hotline to report complaints of violence involving the military.²¹

It is more challenging to make complaints processes accessible in areas of operation. Information explaining the complaints procedure should be clearly displayed around military facilities and in other community areas, and should also be provided to women’s legal aid and welfare organizations. The information should be made available in languages appropriate to the local community, and illustrated in a form that people who cannot read can understand. Complainants should be given the options of making a complaint in their own language and submitting a verbal complaint.

Investigations of sexual exploitation, sexual abuse and domestic abuse

Investigations of complaints by members of the public of sexual exploitation or sexual abuse on the part of the military, as well as complaints of domestic abuse within military families, should be undertaken with the safeguards and victim support measures discussed in section 4.5 *Preventing and addressing sexual discrimination, harassment, bullying and abuse within armed forces* on page 30 of this guidance note. In particular, there should be measures to facilitate physical protection and/or social support for victims and witnesses. Complainants and witnesses may be afraid to come forward for fear of retaliation. A victim of sexual violence may also be vulnerable to stigmatization, ostracism and even violence at the hands of her or his own family or community. Women and men who suffer domestic abuse within military families may not report it for fear of damaging the abuser’s career.

Where sexual exploitation or abuse occurs in the course of a deployment overseas, often the forces' own military justice system, rather than the local justice system, needs to handle the matter. The United Nations has recommended on-site court martial to be held in the country where the alleged offence occurred. Careful arrangements need to be made to ensure that the mission has the capacity to make complete and adequate investigations into sexual exploitation, sexual abuse and domestic abuse.²²

Monitoring and external oversight

Monitoring of systems to prevent and address sexual exploitation and abuse against members of the public or domestic abuse within military families should follow the good practice set out in *Monitoring the handling of sexual discrimination, harassment, bullying and abuse* on page 36. It is particularly important to use independent data, such as reports by local and international human rights organizations and women's services, to gauge whether abuses are occurring.

Armed forces deployed overseas should be answerable to the local authorities for any acts of misconduct committed by military members against local people, as well as to civilian authorities in the armed forces' own country, including parliaments, ombuds institutions and national human rights institutions.



5

CONCLUSION

For armed forces to meet the challenges of modern operations, realize their potential in terms of staffing and capabilities and maintain exemplary levels of professionalism, it is of critical importance that a gender perspective is integrated into oversight mechanisms. Women need to be fully integrated into the mission, and all personnel and structures need to be attuned to the gender issues facing operations. Recent operations have already demonstrated the benefits of this approach.

Internal oversight mechanisms are a critical element in achieving these goals. By integrating a gender perspective into monitoring activities, oversight mechanisms allow progress being made to be recognized, while highlighting areas for further work. Moreover, by affording particular attention to sexual discrimination and other gender issues in human resources structures, these mechanisms also help to ensure that the work of both female and male service personnel is supported within the armed forces. In addition, by applying a gender perspective to cases of misconduct and abuse, oversight mechanisms help to uphold the core values of dignity and professionalism within armed forces. As such, the challenge for internal oversight structures is to translate commitments to gender equality into reality by establishing measurable objectives and actions towards integrating a gender perspective, and to hold commanders throughout the armed forces accountable for achieving these objectives.

Moldovan Army Lieutenant Colonel Olga Scripovscaia attending the yearly OSCE Human Dimension Implementation Meeting in Warsaw, Poland. Photo: OSCE/ODIHR, Piotr Markowski, 2011.



6

SELF-ASSESSMENT TABLE

This guidance note was prepared to assist the integration of a gender perspective into your country's armed forces, or in armed forces with which you work, by strengthening internal oversight. It was developed with the contributed expertise – including that of the OSCE/ODIHR – of people who have hands-on experience in using a gender perspective to increase operational effectiveness.

Please find below a basic self-assessment tool that will help you to assess what systems are in place and how they are operating in your armed services, in order to pinpoint key areas that require attention and to identify steps that need to be taken.

This tool complements DCAF's *Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector*, available in Albanian, Arabic, English and French. The *DCAF Self-Assessment Guide* poses guiding questions to armed forces to help them examine their own gender responsiveness, including as regards internal oversight mechanisms and complaints structures and processes. It also sets out how to conduct an assessment, create an action plan and monitor and evaluate the plan's implementation.

General Khatol Mohammadzai of the Afghan National Army alongside other female members of Afghan and Jordanian Military services at Regional Command (Southwest) Camp Leatherneck.
Photo: Royal Air Force Photo by Corporal Paul Oldfield, 2011.



Questions	Sex-disaggregated data to be collected and analysed	What to do to improve on weaknesses	How to do it?
<p>Do internal oversight actors, including military judges, inspector generals, officers and NCOs, have the capacity to integrate a gender perspective?</p>	<ul style="list-style-type: none"> • % of women and men who achieved the required competency in gender training (or otherwise demonstrated gender expertise) • % of military judges, inspector generals, officers and NCOs who have achieved the required competency in gender training (or otherwise demonstrated gender expertise) • % of women and men occupying key internal oversight positions 	<ul style="list-style-type: none"> • Review all training and education to ensure that human rights, gender and diversity issues are appropriately covered • Develop training and education on gender • Provide coaching and mentoring • Update terms of reference for monitoring bodies 	<ul style="list-style-type: none"> • Reinforce senior leadership's commitment to gender issues • Involve legal, equal opportunities and human resources personnel • Seek support from the government ministry for gender equality and/or development assistance, civil society experts, national human rights institutions and/or international and regional organizations
<p>Has a gender perspective been integrated into laws, doctrine and directives?</p>	<ul style="list-style-type: none"> • % of laws, doctrine, protocols and directives that integrate a gender perspective • % of units with access to an identified gender adviser or gender focal point 	<ul style="list-style-type: none"> • Develop a specialized gender unit and/or gender advisers and gender focal points • Undertake a gender review of laws, doctrine, protocols, directives, processes and practices • Develop an institutional gender policy • Develop policies on gender-related issues • Review roles according to national gender policies • Establish and support female staff associations 	<ul style="list-style-type: none"> • Appoint an interdepartmental working group • Involve legal, equal opportunities and human resources personnel, as well as staff associations or unions • Seek support from the government ministry for gender equality, civil society experts and/or national human rights institution
<p>Has a gender perspective been integrated into operations?</p>	<ul style="list-style-type: none"> • % of operational planning documents identifying a gender perspective • % of operational reports identifying a gender perspective • Security experiences of local women and men • Perceptions among local women and men of the operation or mission 	<ul style="list-style-type: none"> • Revise operational planning and reporting templates • Build the capacity and capability of gender advisers 	<ul style="list-style-type: none"> • Appoint an interdepartmental working group, including individuals with gender expertise • Refer to templates and models developed by UN DPKO, NATO and other

Questions	Sex-disaggregated data to be collected and analysed	What to do to improve on weaknesses	How to do it?
<p>Are there equal opportunities in the armed forces for women and men?</p>	<ul style="list-style-type: none"> • % of recruitment campaigns targeting women or other underrepresented groups • % of female and male applicants received, interviewed and selected • % of women and men who apply for and are successful in achieving promotion • % of women and men on recruitment panels and promotion boards • % of women and men selected or promoted by individual recruiters or promoters • % of women and men within each rank, unit and specialization • % of women and men in specialist training • % of women and men deployed • Salary and benefits of women and men in the same or comparable roles • Uptake by women and men of provisions for family-friendly work, such as parental leave • Satisfaction of female and male personnel • Years of service of women and men • Reasons given for dropping out of training or leaving the forces by women and men 	<ul style="list-style-type: none"> • Analyse the causes of disparities between women's and men's careers, as well as differences in pay and benefits • Set targets for the recruitment and promotion of women (as well as other underrepresented groups) • Train recruiters and promotion boards • Update job descriptions, recruitment procedures, performance evaluation systems and promotion criteria • Review human resources policies and formal and informal practices • Review services and equipment for female and male personnel • Develop internal communications about equal opportunities 	<ul style="list-style-type: none"> • Appoint a committee or working group • Update forms and computer systems to ensure needed data are collected • Conduct regular surveys and focus groups • Consult staff associations

Questions	Sex-disaggregated data to be collected and analysed	What to do to improve on weaknesses	How to do it?
<p>Regarding sexual discrimination, harassment, bullying and abuse within the armed forces, are prevention mechanisms and complaints and disciplinary processes in place, and are they monitored on a regular basis?</p>	<ul style="list-style-type: none"> • % of personnel trained on sexual discrimination, harassment, bullying and abuse • % of commanders or leaders competent in preventing sexual discrimination, harassment, bullying and abuse • Number and % of each type of complaint from men and women received, investigated, upheld or dismissed 	<ul style="list-style-type: none"> • Develop a code of conduct • Develop specific policies, including on complaints, investigations and other processes during deployment • Provide education, training and internal communication processes • Develop specialist investigators and support personnel • Refine oversight processes 	<ul style="list-style-type: none"> • Establish a working group and/or specialized unit to develop, monitor, evaluate and adjust policies and practices • Conduct ongoing surveys and focus groups • Consult staff associations



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ADDITIONAL RESOURCES

Associated guidance notes

Bastick, Megan, *Integrating Gender into Internal Police Oversight* (Geneva: DCAF, OSCE, OSCE/ODIHR, 2014).

Bastick, Megan, *Integrating Gender into Oversight of the Security Sector by Ombuds Institutions & National Human Rights Institutions* (Geneva: DCAF, OSCE, OSCE/ODIHR, 2014).

Gender and defence reform

Bastick, Megan, *Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector* (Geneva: DCAF, 2011).

Bastick, Megan and Valasek, Kristin (eds.), *Gender and Security Sector Reform Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN-INSTRAW, 2008).

Bastick, Megan and Valasek, Kristin (eds.), *Gender and Security Sector Reform Training Resource Package* (Geneva: DCAF, 2009), www.gssrtraining.ch/index.php/en/.

Senior Chief Builder Jason Holden, Sexual Assault Prevention and Response Coordinator for United States Navy Expeditionary Combat Command, speaks to sailors during sexual assault awareness training. Photo: US Navy, 2012.

Committee on Women in the NATO Forces, *Improving the Gender Balance: A Selected List of Best Practices* (Brussels: NATO, 2008).

Groothedde, Stephanie, *Gender Makes Sense: A Way to Improve your Mission* (Enschede: Civil-Military Co-operation Centre of Excellence, 2013).

Lackenbauer, Helene and Langlais, Richard (eds.), *Review of the Practical Implications of UNSCR 1325 for the Conduct of NATO-led Operations and Missions* (Stockholm: Swedish Defence Research Agency, 2013).

NATO, *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure*, Bi-Strategic Command Directive 40-1 (Brussels: NATO, 2012).

UN DPKO/DFS, "Integrating a gender perspective in the work of the UN military in peacekeeping operations", UN DPKO/DFS Guidelines (New York: UN DPKO/DFS, 2010).

Whitman, Tobie and O'Neill, Jacqueline, *Attention to Gender Increases Security in Operations: Examples from the North Atlantic Treaty Organization* (Washington, DC: Institute for Inclusive Security, 2012).

Gender training for the military

NATO, *Template for Pre-deployment Gender Training: Topics and Learning Objectives*, (Brussels: NATO, 2010).

NATO Partnership for Peace Consortium Security Sector Reform Working Group, *Sample Gender Lessons for Teaching Gender to the Military* (Geneva: DCAF, 2012), www.gssrtraining.ch/images/stories/PDF/AResources/PfPC_SSRWG_Sample_Lesson_Plans.pdf.

NATO Partnership for Peace Consortium Security Sector Reform Working Group, *Best Practices in Teaching Gender to the Military* (Geneva: DCAF, 2012), www.gssrtraining.ch/images/stories/PDF/AResources/PfPC_SSRWG_Best_practices_teaching_military_gender.pdf.

Pepper, Analee, *Gender Training for the Security Sector: Lessons Identified and Practical Resources* (Geneva: DCAF, 2013).

UN DPKO, *Gender Resource Package for Peacekeeping Operations* (New York: UN DPKO, 2004).

UN DPKO, *UN Peacekeeping Core Pre-deployment Training Standards* (New York: UN DPKO, 2011).

UN DPKO, *Protection of Civilians Pre-deployment Training Standards* (New York: UN DPKO, 2011).

Oversight of armed forces

Born, Hans and Leigh, Ian (eds.), *Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel* (Warsaw:OSCE/ODIHR, 2008).

Buckland, Benjamin and McDermott, William, *Ombuds Institutions for the Armed Forces: A Handbook* (Geneva: DCAF, 2012).

Endnotes

1. See DCAF, *Annex on International and Regional Laws and Instruments related to SSR and Gender* (Geneva: DCAF, 2011); Megan Bastick and Daniel de Torres, "Implementing the women, peace and security resolutions in security sector reform", in Megan Bastick and Kristin Valasek (eds.), *Gender and Security Sector Reform Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN-INSTRAW, 2010). The UN Security Council resolutions on women, peace and security are a series of resolutions, beginning with Resolution 1325 of 2000, which address, *inter alia*, the particular experiences of women in armed conflict. They address such matters as training of military peacekeepers, accountability for sexual exploitation and abuse, the prevention of and accountability for sexual violence in conflict and the deployment of women.
2. Emma Williamson, "Domestic abuse and military families: The problem of reintegration and control", *British Journal of Social Work*, Vol. 42, 2012, pp. 1371–1387.
3. See UN Security Council Resolution 1325, Art. 6; UN Security Council Resolution 1820, Arts 7 and 8; UN Security Council Resolution 1888, Arts 19 and 21; NATO Bi-Strategic Command Directive on *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure*. The need for gender training in the military is also discussed at length in, for example, Cheryl Hendricks and Lauren Hutton, "Defence reform and gender", in Megan Bastick and Kristin Valasek (eds.), *Gender and Security Sector Reform Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN-INSTRAW, 2008).
4. For a demonstration of strong public leadership on sexual harassment issues, see the message of Chief of the Australian Army Lt General David Morrison AO to the Australian Army following the 13 June 2013 announcement of civilian police and defence investigations into allegations of unacceptable behaviour by army personnel: www.youtube.com/watch?v=QaqpoeVgr8U&feature=em-share_video_user.
5. DPKO/DFS, *Guidelines on Integrating a Gender Perspective in the work of the UN Military in Peacekeeping Operations* (New York: UN DPKO/DFS, 2010), p. 15. The NATO Bi-Strategic Command Directive on *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure* highlights that mission reports "should include information about the situation of women, boys and girls; the impact of NATO interventions on women, men, girls and boys; and statistics disaggregated by sex" (p. 13).
6. Research in the Finnish Defence Forces indicates that men's salaries are more than 15 per cent higher those of women of the same rank. While the research reported did not uncover any systematic discrimination concerning salaries or promotion, men were more likely to be in positions with opportunities to earn additional income, for example by participating in field training exercises or working during the weekends or at night. Moreover, men were more likely to be in positions with special requirements, which are better paid, such as extreme mental and physical stamina or special training (e.g., pilots and other aviation professionals). Based on private correspondence with Esa Janatuinen, Defence Command Finland, Personnel Division, 31 October 2013.
7. For example, Anita Schjølset, "Data on women's participation in NATO forces and operations", *International Interactions: Empirical and Theoretical Research in International Relations*, Vol. 39, No. 4, 2013, p. 577.
8. Research with combat arms soldiers in Canada who had been deployed to Afghanistan suggests that, in some cases, male commanding officers permitted female service personnel not to perform a task to the required standard as they were "afraid of being labeled sexist or non-inclusive". According to the researcher, "Male soldiers and capable female soldiers view this behaviour as 'babying' the women, and it generates a high degree of resentment." Based on private correspondence with Victoria Tait, Carleton University, 30 August 2013.
9. Based on private correspondence with Esa Janatuinen, Defence Command Finland, Personnel Division, 6 September 2013.
10. *The Defence Reform and Gender Tool*, pp. 15–17, discusses codes of conduct within the armed forces in more detail.
11. See, for example, the UN Directive on Sexual Harassment in United Nations Peacekeeping and Other Field Missions for Military Members of National Contingents, Military Observers and Civilian Police Officers (DPKO/MD/03/00995, DPKO/CPD/DSHCPO/2003/002), which includes *Guidelines for Investigating Sexual Harassment Complaints*; Irish Defence Force policies: www.military.ie/fileadmin/user_upload/images/Info_Centre/documents/DF_Info_Handbook_layout_low_res.pdf.
12. In some countries, some acts of sexual harassment have been criminalized (e.g., section 264 of Canada's Criminal Code on "Criminal Harassment"). For the purposes of this guidance note, sexual harassment refers to non-criminal acts. Criminal acts of sexual harassment should be considered in a similar manner to sexual abuse.
13. Different approaches to discipline and military justice, as well as the human rights protections involved, are explained in "Discipline and military justice", in Hans Born and Ian Leigh, *Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel* (Warsaw: OSCE/ODIHR, 2008).

14. Larry Abramson, "Air Force trains special lawyers for sexual assault victims", npr.org, 3 June 2013, www.npr.org/2013/06/03/188002344/air-force-trains-special-lawyers-for-sexual-assault-victims.
15. US Department of Defense, *Instruction on Investigation of Adult Sexual Assault* (Washington, DC: US DoD, 2013) pp. 5–7, provides further details of the training appropriate for investigators. Guidance on collecting evidence of sexual assault is presented in UNODC, *Handbook on Effective Police Responses to Violence Against Women* (New York: UNODC, 2010), pp. 55–58; Liz Kelly, "Promising practices addressing sexual violence", report for expert group meeting, *Violence Against Women: Good Practices in Combating and Eliminating Violence Against Women* (Vienna: UN Division for Advancement of Women, 2005), p. 5. Recommendations for investigating sexual violence are formulated in Kim Thuy Seelinger, Helene Silverberg and Robin Mejia, "The investigation and prosecution of sexual violence", *Sexual Violence & Accountability Project Working Paper Series* (Berkeley, CA: University of California, 2011), pp. 21–25.
16. Rape myths include things like "only certain types of women are raped" and "rape leaves obvious signs of injury". An illustrative list of common rape myths can be found in World Health Organization, *Guidelines for the Medico-Legal Care of Victims of Sexual Violence* (Geneva: WHO, 2003), p. 11. See also National Judicial Education Program, *Judges Tell: What I Wish I Had Known Before I Presided in an Adult Victim Sexual Assault Case* (Washington, DC: NJEP, 2011).
17. See, for example, US Department of Defense, *Commander's Checklist for Unrestricted Reports of Sexual Assault*, www.sapr.mil/public/docs/miscellaneous/toolkit/COMMANDER_CHECKLIST.pdf.
18. The US military's sexual assault response coordinators (SARCs) receive special training, which includes training on how to be a victim's advocate. Some are active duty personnel, while many are civilians, reservists or members of the National Guard. SARCs provide services and training to military personnel, civilian Department of Defense staff, families and military contractors. Their role is to be the "go to" person for issues related to sexual abuse, including for victims, commanders, supervisors and other military members. SARCs also forge collaborative relationships with other military first responders to sexual abuse, as well as with civilian agencies.
19. Examples of codes of conduct on sexual exploitation and abuse include the NATO Standards of Behaviour in NATO Bi-Strategic Command Directive on *Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure*, Annex B; the MONUC Code of Conduct on Sexual Exploitation and Sexual Abuse; the Norwegian Armed Forces' Code of Conduct, which prohibits the purchase of sexual services and other relations that might weaken confidence in the impartiality of the force; and the Swedish armed forces' Code of Conduct for personnel on international missions.
20. "Memorandum on Domestic Violence of the Deputy Secretary of Defense, 2001", in Defense Task Force on Domestic Violence, *Third Year Report 2003* (Washington, DC: US Department of Defense, 2003), pp. 62–63.
21. UNIFEM, *Case Studies of Gender Sensitive Police Reform in Rwanda and Timor Leste* (New York: UNIFEM, 2009), p. 11.
22. A detailed discussion of jurisdictional issues concerning crimes and acts of sexual abuse and exploitation committed by military personnel on mission is beyond the scope of this guidance note. However, see the Zeid Report, "A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations", United Nations General Assembly, A/59/710, 2005; Melanie O'Brien, "National and international criminal jurisdiction over United Nations peacekeeping personnel for gender-based crimes against women", doctoral thesis, University of Nottingham, 2010. The UN *Guidelines for Preliminary Investigations – Investigating Allegations of Serious Misconduct Involving Military Members of National Contingents, Military Observers and Civilian Police Officers Serving in United Nations Field Missions* (DPKO/MD/03/00993) are a resource for developing in-mission investigative procedures regarding sexual exploitation and abuse, but do not provide detailed guidance regarding dealing sensitively with victims, or information on victim protection and assistance. General discussion of the jurisdiction of a military justice system, within an OSCE framework, is provided in "Discipline and military justice", in Hans Born and Ian Leigh, *Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel* (Warsaw: OSCE/ODIHR, 2008).

Evaluation

DCAF, OSCE/ODIHR and the OSCE would value your feedback on this publication – how you used it, whether you found it useful and what you would suggest changing.

We would be interested in your responses to some or all of the following questions.

1. With what type of audience or in what type of institution did you use this publication?
 - Armed forces
 - Police
 - Justice
 - Prisons
 - Civil society groups /NGOs
 - Parliamentarians
 - a. Other (please specify)
2. How did you use it? For example, in:
 - a. Needs assessment
 - b. Research
 - c. Developing new policies
 - d. Organising a workshop or seminar
 - e. Training
 - f. Monitoring and evaluation
3. Did you find any parts of the publications unclear?
4. Were there any issues not included in this publication that you found to be important?
5. Were there any issues included in this publication that in your opinion should not be included?
6. What has the impact of using this publication been for your work/organization?
7. What revisions would you suggest we make to this publication?
8. What additional resources would you suggest we develop in connection with this topic, if any?

Please send comments by e-mail to gender@dcaf.ch or mail them to:

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