DRAFT REPORT

on women’s situation in war
2011/0000(INI)

Committee on Women’s Rights and Gender Equality

Rapporteur: Norica Nicolai
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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on women’s situation in war
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The European Parliament,

– having regard to the UN Universal Declaration of Human Rights of 10 December 1948 and to the Vienna Declaration and Programme of Action, as adopted by the World Conference on Human Rights of 25 June 1993, in particular paragraphs I 28-29 and II 38 on systematic rape, sexual slavery and forced pregnancy in situations of armed conflict,


– having regard to the appointment in March 2010 of a Special Representative to the UN Secretary-General on Sexual Violence in Armed Conflict,


– having regard to UN General Assembly Resolution 54/134 of 7 February 2000, which established 25 November as the International Day for the Elimination of Violence against Women,

– having regard to the European Pact for Gender Equality (2011-2020), adopted by the European Council in March 2011²,


– having regard to the EU Council Plan of Action on Gender Equality in Development Cooperation (SEC(2010)0265 ), which should ensure that gender equality is mainstreamed throughout the EU’s work with partner countries at all levels,

¹ A/RES/48/104.
² Annex to Council Conclusions of 7 March 2011.
– having regard to the 2011 Report on the EU indicators for the comprehensive approach to the EU implementation of United Nations Security Council Resolutions 1325 and 1820 on Women, Peace and Security¹,

– having regard to the 2010 indicators for the comprehensive approach to the EU implementation of United Nations Security Council Resolutions 1325 and 1820 on women, peace and security,

– having regard to the comprehensive approach to the EU implementation of United Nations Security Council Resolutions 1325 and 1820 on women, peace and security² and the operational document on ‘the Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP’, both adopted in December 2008,

– having regard to the EU guidelines on violence and discrimination against women and girls,

– having regard to the Council Conclusions of 13 November 2006 on promoting gender equality and gender mainstreaming in crisis management,

– having regard to the 2005 Council Generic Standards of Behaviour for ESDP Operations³,

– having regard to the Rome Statute of the International Criminal Court adopted on 17 July 1998, particularly Articles 7 and 8 thereof, which define rape, sexual slavery, enforced prostitution, forced pregnancy and forced sterilisation or any form of sexual violence as crimes against humanity and war crimes,


– having regard to its resolution of 7 May 2009 on gender mainstreaming in EU external relations and peace-building/nation-building⁵,

– having regard to its resolution of 1 June 2006 on the situation of women in armed conflicts and their role in the reconstruction and democratic process in post-conflict countries⁶,

– having regard to Rule 48 of its Rules of Procedure,

– having regard to the report of the Committee on Women’s Rights and Gender Equality (A7-0000/2011),

A. whereas limited progress has been made in the last ten years since the adoption of UNSCR 1325; whereas in some cases the quotas have been set for the participation of women in

² Council document 15671/1/08 of 1 December 2008.
⁵ OJ C212E, 5.8.2010, p. 32.
governments and the number of women in representative institutions has increased; whereas since then an increased awareness of gender differences in conflicts has been established, whereas, despite the efforts made, women’s participation in peace negotiations remains, with few exceptions, below 10% of those formally involved\(^1\),

B. whereas the post of UN Special Representative on Sexual Violence in Conflict, now headed by Margot Wallström, has been created,

C. whereas sexual violence in the form of mass rapes and other forms of sexual abuse is still used as a war tactic in conflict regions around the world, and most recently allegations of sexual violence were reported in Libya,

D. alarmed at the fact that, in most cases, the perpetrators of the sexual violence are allowed to go unpunished,

E. recognising the fact that women soldiers play an important part as role-models and as empowering incentives for local women and stereotype dispellers for local men, and that they also communicate better with local women,

F. whereas emphasis needs to be placed on gender from the very outset of planning civilian and security missions; whereas peace-keeping missions have proved to be crucial in introducing a gender perspective in prevention, demobilisation and post-conflict reconstruction,

G. whereas the importance of women’s involvement and of a gender perspective is underlined by the fact that where more women are engaged in peace negotiations, more areas for reconstruction and peace consolidation are addressed: market infrastructure, rural roads, health clinics, accessible schools, etc.,

H. whereas 17 indicators for the comprehensive approach\(^2\) were adopted in 2010 and successful efforts have been made to present the first monitoring report based on these indicators in 2011\(^3\); whereas there is a need for comprehensive EU monitoring reports based on a clear methodology and adequate indicators,

I. whereas National Action Plans regarding women, peace and security are essential, on condition that they are based on uniform minimum standards as regards their objectives, implementation and monitoring across the EU,

**Women in peace and security leadership**

1. Calls for EU support for peace processes to be made conditional on women’s participation in the international teams leading peace negotiations; asks that progress be made with a view to permanent inclusion of women leaders, local women’s rights organisations and/or civil society groups at the negotiation table throughout the peace process;


\(^2\) Council doc. 11948/10 of 14 July 2010.

\(^3\) Council doc. 9990/11 of 11 May 2011.
2. Underlines the importance of political dialogue for the empowerment of women and calls for EU delegations to include women, peace and security issues in their political and human rights dialogue with the host government; calls on the Commission, the European External Action Service (EEAS) and the Member States actively to promote and support the empowerment of women to participate in their relations with countries and organisations outside the EU;

3. Calls for the EU and the Member States actively to promote an increase in the number of women in the military and in civilian peace-keeping operations, especially in leadership positions, and to that end calls for:

   – national campaigns promoting the military as a viable option for women as well as men, in order to dispel possible stereotypes;

   – the inclusion of women-friendly policies within the military, such as the possibility of maternity leave;

   – the promotion of role models such as ‘war heroines’ – women who have served in high-risk areas and who have been involved in bringing about change at the local community level;

   – the inclusion of more women, especially in civilian operations, in high-ranking positions and in interactions with the local community;

   – in-depth training of men and women involved in civilian interaction on gender-related aspects but also in the culture and traditions of the host countries;

4. Calls for adequate EU funding, including under the Instrument for Stability, for supporting women’s effective participation in representative institutions at national and local level as well as in peace negotiations, peace-building and post-conflict planning;

The impact of armed conflict on women

5. Strongly condemns the continued use of sexual violence against women as a tactic of war;

6. Calls for stronger cooperation with local women’s organisations in order to establish an early-warning system and possibly to enable them to prevent the abuses or reduce their occurrence themselves;

7. Is alarmed at the fact that, in most cases, the perpetrators of the sexual violence are allowed to go unpunished; calls strongly for an end to impunity for perpetrators of sexual violence; calls for the training of judges and prosecutors in the investigation and punishment of cases of sexual violence;

8. Asks that the issue of impunity be a principal factor in peace negotiations, as there should be no peace without justice, and the perpetrators must be brought to justice and face the penal consequences of their actions; emphasises that impunity must not be negotiable;
9. Calls for the EU and the Member States to effectively support the implementation of the EU guidelines on violence against women and girls, through specific measures such as:

- the establishment of an effective system to monitor all legal proceedings and their follow-up relating to cases of such violence;

- programmes providing free health and psychological counselling to victims of violence in their native language and, where possible, by women practitioners;

- programmes providing health courses and easily accessible literature, notably on reproductive health, targeting women and men;

- developing witness protection programmes in order to protect victims and to encourage them, under the guarantee of protection, to come forward and testify against their aggressors;

10. Welcomes the adoption of United Nations Security Council Resolution 1960 requesting detailed information on suspected perpetrators of sexual violence during armed conflict; calls on the Member States to step up their efforts in implementing Resolution 1960;

11. Calls for an analysis of the possibility of adequate compensation for the victims, in accordance with the applicable international and national law;

**Recommendations**

12. Calls for the creation of a Special EU Representative on Women, Peace and Security within the EEAS, in order to liaise more efficiently with its counterparts in the UN; calls for all the relevant EU policies, task forces and units/focal points dealing with gender and security to be under the coordination of, and linked to, this Special EU Representative in order to ensure coherence and efficiency;

13. Calls for the informal ‘Women, Peace and Security Task Force’ to be institutionalised and provided with adequate financial and human resources;

14. Calls on the Member States to adopt, implement and monitor their National Action Plans on women, peace and security; reiterates its call to the EU and Member States to develop in their plans and strategies a set of minimum standards comprising realistic objectives with specific indicators, benchmarks, timelines, allocated budget and an effective monitoring mechanism; underlines the importance of the involvement of NGOs in the development, implementation and monitoring of the action plans;

15. Calls on the EU to ensure balanced recruitment in missions and operations and to promote more women to the leadership level, for example as EU Heads of Delegation to third countries and EU Heads of Mission;

16. Strongly supports the inclusion of Gender Advisors or Gender Focal Points within Common Security and Defence Policy (CSDP) missions and EU delegations and calls on the HR/VP to prevent their double-hatting and to provide them with adequate resources and authority;
17. Calls for a specific allocated budget for assessing and monitoring data gathered on the basis of the indicators developed at EU level; calls for specific budget lines for gender expertise, and projects and activities on women, peace and security in CSDP missions;

18. Calls for specific support from the European Institute for Gender Equality (EIGE) as regards the collection, processing and dissemination of effective gender mainstreaming practices in the implementation of the Beijing indicators in the area of women and armed conflicts;

19. Instructs its President to forward this resolution to the Council and the Commission, and to the governments of the Member States.
EXPLANATORY STATEMENT

Background

At international level, The Beijing Platform for Action adopted by the fourth World Conference on Women held in Beijing in 1995 includes women and armed conflict among its strategic objectives and actions. The United Nations have continued the efforts to strengthen women, peace and security aspects through UN Security Council Resolution 1325 (2000) and 1820 (2008).

These resolutions were followed by UNSCR 1888 (2009) on sexual violence against women and children in situations of armed conflict, UNSCR 1889 (2009) seeking to strengthen UN commitment to 1325 and UNSCR 1960 (2010) which created a mechanism for compiling data on and listing perpetrators of sexual violence in armed conflict. The appointment of the new Special Representative of the UN Secretary-General on Sexual Violence in Conflict, now headed by Margot Wallström and the establishment of UN Women strengthen the institutional arrangements of the UN system in support of gender equality and the empowerment of women.

The EU has in place a specific policy on women, peace and security. In 2008 the Council adopted the ‘Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on Women, Peace and Security’ as well as a revised operational document on the implementation of these resolutions specifically within the Common Security and Defence Policy (CSDP). Furthermore, it adopted ‘EU Guidelines on Violence and Discrimination Against Women and Girls’, which strengthened the position of women’s rights within the EU’s overall human rights policy.

Also the EU framework was completed with the EU Plan of Action on Gender Equality in Development Cooperation which will ensure that gender equality is mainstreamed throughout the EU’s work with partner countries at all levels. Following the Comprehensive Approach, the setting up of an interinstitutional ‘Women, Peace and Security Task Force’ to oversee implementation and the adoption in July 2010 of indicators to follow up its implementation are other measures taken in the framework of the EU policy on women, peace and security.

Since the adoption of resolution 1325 the European Parliament has been very active with several reports and recommendations on aspect related to women, peace and security.

Recommendations

The rapporteur firmly believes in the inclusion of more women in the prevention, mediation and resolution of conflicts. To this end, the rapporteur calls on the EU and Member States to include more women in the military, both in leadership positions and at ground-level. It is crucial to have high-ranking women officials from a gender equality perspective but it is also very important to have women in civilian operations because they liaise better with the local women.

In the prevention phase, women need to be more engaged at a leadership level, such as in national governments and political structures. To this end, the empowerment of local women
is crucial. This can be achieved first of all through education: primary and secondary education is key in developing the minds of young girls and boys alike and providing them with skills in achieving a higher standard of life. A thorough education at the primary level also goes a long way in reducing gender stereotypes. Health education, especially reproductive and family health are also extremely important in establishing a sense of self-control over one’s body by eliminating the mystique related to physiology. Reproductive education can also be used preventively in dealing with sexually-transmitted diseases or unwanted pregnancies. Another crucial empowerment factor is financial independence, which can be encouraged through the allocation of funds towards the promotion of small, women-owned businesses. Women who are better educated and more financially independent may feel more apt to attempt participating at the leadership level in local communities or even nationally.

In the mediation phase, EU should condition peace processes on the participation of women, both in the international negotiation teams and at the local level. The participation of women at the negotiation table, is not only logical from a proportional-representation level, but also from the level of added value. Women represent 50% of the population, so as a consequence, efforts should be deployed for a proportional representation of women during negotiations. Women also bring an enhanced perspective on additional crucial issues especially regarding the end of impunity. Since most of the victims of sexual abuse in conflicts are women, it is imperative for them to be given a strong voice in order to ensure their protection and adequate reparation. Likewise, psychological, medical and legal counselling should be made available to the victims along with the development of safer witness protection programs in order to allow the victims to come forth and testify without fear of being harmed by their assailants.

Regarding impunity, the report underlines that it must not be allowed to proceed unpunished and to that end demands that there be no peace without justice and that the perpetrators must be tried for their actions.

In the peace-building phase, women participation is crucial because as pillars of the community, women are much more attuned to societal and practical needs than men; it is the women who spend most of their time in the villages or towns and therefore have more knowledge of the practical necessities which should be included in the peace-building projects, such as market infrastructure, health clinics, accessible schooling systems etc.

One of the key demands of this report is the call for the creation of a Special EU Representative on Women, Peace and Security. The EU does indeed has a policies related to women, security and peace, has taskforces and gender focal points dealing with women and security, but what it lacks is a central unit which would coordinate all these disparate actions. The creation of a Special Representative on Women, Peace and Security would provide coherence and efficiency to all the policies and actions and would also provide the UN with a liaison point in order to cooperate more seamlessly.

Also in building the gender architecture of EU, a crucial element is the prevention of double-hatting of the Gender Advisors within the CFSP missions which leads to confusion and de-prioritisation of the gender aspect within policy.

Another key point of the report is the adoption, implementation and monitoring by the Member States of their National Action Plans taking into account that according to the
latest statistics 10 EU Member States have a national Action Plan on women, peace and security and 5 other Member States were in the process of finalising their actions plans. The need to integrate the EU indicators in national plans in order to ensure a set of uniform standards across the EU related to gender and security is emphasised through this report.

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1 Report on EU indicators for the Comprehensive Approach, Council doc. 9990/11.