



Sexual and Gender-Based Violence

*Concepts, Interoperability and Capability Branch
2019*

INTRODUCTION

Sexual and Gender-Based Violence (SGBV) in conflicts can be defined as “any sexual and/or gender-based violence against an individual or group of individuals, used or commissioned in relation to a crisis or an armed conflict”.¹ The primary targets of SGBV often are women and girls, but this kind of violence is also perpetrated against men and boys, and is designed to destroy individuals, groups, families and communities. It encompasses physical, emotional, psychological, or sexual threats of violence and coercion. Besides rape, SGBV includes sexual slavery, forced abortion, forced pregnancy, forced prostitution, enforced sterilization, forced marriage and any other form of sexual violence of comparable gravity. It can also take the form of denial of resources or access to services. SGBV for NATO can be understood as posing significant threat to global peace and human security for its long-term destructive effects. Responding to the UNSCR 1325 and related Resolutions, NATO acknowledges the necessity to integrate the prevention and response to conflict-related SGBV into the education, training, exercises, operational planning process, conduction of operations, and evaluation of NATO-led operations and missions. In 2005, the Alliance adopted the Military Guidelines on Prevention of, and Response to, conflict-related SGBV as a practical tool for commander in operations.² The Women, Peace and Security topic is directly related to gender and SGBV, giving attention to specific protection needs of women and girls in conflict situations.

IMPLICATIONS

LEGAL IMPLICATIONS

The **Convention on the Elimination of All Forms of Discrimination against Women - CEDAW (1979)** and **General recommendations No. 12 (1989) and 19 (1992)**, require action to protect women against violence, and to incorporate SGBV into a framework of discrimination and human rights violations.

The **Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)** and the **Declaration on the Elimination of Violence against Women (1993)** respectively recognize gender-based crimes committed by or with the consent of state agents and indicate appropriate training for this personnel.

UNSCR 1325 (2000) and related Resolutions - highlighting the **UNSCR 1820 (2009), 1888 (2009), 1960 (2011) and 2106 (2013)**, - provide guidance and enhance efforts to promote and protect the rights of women in conflict and post-conflict situations.

According to the **International Criminal Court (ICC)**, under the **Rome Statute (1998)**, any form of conflict-related sexual violence is recognized both as a crime against humanity and as a war crime.

¹ MCM-0009-2015

² NATO Engages: The Brussels Summit Dialogue 11-12 VII (2018) Fact Sheet – Inclusive Security and Conflict-Related Sexual and Gender Based Violence (CR SGBV)



MISSION IMPLICATIONS

Conflict related Sexual and Gender-Based Violence can have negative impacts on building peace, providing equal security to the civil population and can also undermine the credibility of the forces and risk the success of the missions. SGBV in a conflict situation can be used as a strategy to intimidate and undermine morale and have long-term destructive effects.

In UNSCR 1820, sexual violence in conflict was defined as a security issue that must be addressed as a part of protection of civilians. SGBV is recognized as a tactic of war and increasingly of terrorism by extremist groups, and for that reason it can be interpreted as a personal tragedy, but also as a security threat.

It is necessary in planning and when conducting operations to recognize the responsibility to act within the mission mandate and understand international law and self-defense in order to prevent and respond to conflict-related SGBV appropriately. Measures to prevent and respond to conflict-related SGBV must be taken by military commanders either within their organization, or in close coordination with international or local actors.

ASSESSMENT IMPLICATIONS

Incorporate a gender perspective into the force monitoring and reporting system through gender analysis is extremely important to identify countermeasures to prevent and respond to the presence of SGBV in the area of operations.

Reports on trends comprehending incidents on conflict related SGBV must be included in reporting and monitoring mechanisms regarding UNSCR 1325 and related Resolutions.

The data resulted from the assessments concerning SGBV must be in a format that would be receivable in a judicial process.

Include local women and women's civil society organizations in the information-gathering activities is important to establish a comprehensive approach.

RESPONSIBILITIES

J2 – Assessment of the operating environment with gender-related data to analyze attacks/aggression to civilians and local population based on gender.

J3 – Integration of gender awareness in the execution of operations to prevent and respond to SGBV.

J5 – Integration of gender awareness in the operations planning process to prevent and respond to SGBV.

J7 – Collective training and exercise on gender awareness and SGBV, including in pre-deployment training.

J9 – Ensure the relevance of the SGBV topic in all force activities. Advise the commander on SGBV. Liaison with non-military actors related to the topic. Provide assessments regarding SGBV.

LEGAD and GENAD – Provide assessment and advice on international law and mission implication related to SGBV. The GENAD can support J1 or the LEGAD regarding gender-related policy, procedures, training and inquiry into breaches of standards of behavior or code of conduct.



LEADING ORGANIZATIONS

- **UN Women** - global advocate to increase awareness of the causes and consequences of SGBV and to build capacity with partners to prevent and respond to violence.
- **United Nations Department of Peacekeeping Operations (DPKO) – Conduct and Discipline Unit** - directions for conduct and discipline issues in peacekeeping operations and special political missions, including on combating sexual exploitation and abuse.
- **NATO** - the Special Representative for Women, Peace and Security serves as the high-level focal point for NATO's contributions to the protection of women and girls from SGBV.
- **EU** - the European Institute for Gender Equality (EIGE) provides access to existing data and information to support institutions and experts engaged in preventing and combating SGBV.
- **OSCE** – technical expertise to legislative reform processes; support for victims' access to justice; training for police officers, medical authorities, judges, prosecutors, and lawyers.
- **USAID** - works to prevent and respond to gender-based violence: increase awareness, improve services for survivors of violence and strengthen prevention efforts.
- **U.S. Institute of Peace (USIP)** - provides training, analysis, and other resources to people, organizations, and governments working for gender equality and protection for women and girls.
- **Gender-Based Violence Area of operations** - Support to lifesaving services operating in humanitarian settings, knowledge and capacity building, establishment of norms and standards, advocacy for increased action, research, and accountability.
- **Nordic Centre for Gender in Military Operations (NCGM)** - advice on policy development, holding T&E courses, and participating in seminars and workshops.

RELATED TOPICS

When dealing with Sexual and Gender-Based Violence it is important to know its connection to other topics.

One of the topics that SGBV connects the most too, is **Women, Peace and Security**. The protection pillar of the USCR 1325 calls for the protection of women and girls from SGBV, including in humanitarian situations. The prevention pillar calls for the prevention of violence against women, strengthening women's rights under international and national law.

SGBV is also directly related to the **Protection of Civilians**, understanding that all possible actions must be taken to avoid, minimize and mitigate harm to civilians, including to prevent and respond to SGBV.

Children and Armed Conflict connects to SGBV because children are at great risk of becoming victims of sexual violence according to the UNSCR 1612 and related Resolutions.

The prevention of, and response to SGBV can be indicators of **Good Governance**. The protection and respect for the rights of women and girls will strengthen the legitimacy of police and judiciary systems.

The **Rule of Law** is necessary for the prevention of SGBV by supporting the prosecution of those responsible for this violations and assuring the respect for international human rights standards.



THE “DOs” AND “DON’Ts”:

DOs

- Collect gender, age, and disability data.
- Integrate SGBV in education and individual training solutions, including scenarios based on NATO lessons learned.
- Comply with national and international laws and regulations in preventing and reporting on SGBV.
- Incorporate local women’s organizations and other civil society actors in information-gathering activities.
- Report incidents related to SGBV to the chain of command.
- Identify and list SGBV focal points at national and international level.
- Consider protection risks to communities when reporting.

DON’Ts

- Don’t make assumptions about which groups are affected by SGBV. Gender violence occurs not only with women and girls. Men and boys are also victims of SGBV.
- Don’t collect data unless professionally trained on SGBV.
- Don’t share case files without the consent of the victim.
- Don’t assume that SGBV only occur in commonly known situations. Cases involving defilement, wife inheritance, wife battery, marital rape are also SGBV.
- Don’t interact only with male leaders while engaging with key actors within local communities on SGBV, – women’s perspectives are necessary.

CIMIC TASKS

- Identification of relevant non-military actors that provide legal, psychological and physical support to SGBV victims.
- Support the mission objectives by establishing and maintaining liaison with local authorities, local population, NGOs and IOs dealing with gender and support to SGBV victims.
- Develop education and training on SGBV during mission preparation.
- Gather, assess and report information regarding SGBV.
- Identify and assess indicators and sensitive factors related to SGBV that have critical impact in the area of operations..
- Recommend ways to mitigate negative consequences associated to SGBV and related topics.
- Use of a gender perspective to promote force acceptance on SGBV.
- Facilitate access to non-military resources on prevention and response to SGBV.
- Provide and enable support by means of capacity building and information-sharing on SGBV.
- Enable and provide support to the implementation of WPS by means of capacity building and capacity sharing on gender.



POINTS OF CONTACT DURING THE MISSION

The responsibility to ensure the implementation of the UNSCR 1325 on WPS lies within the local authorities that are supported by GOs, NGOs and IOs.

Local government, local authorities, community-based organisations.

- National Red Cross and Red Crescent Societies: <https://ifrc.org>
- UN Women: <http://www.unwomen.org>
- UNHCR: <https://www.unhcr.org>
- Women's Initiatives for Gender Justice: <https://4genderjustice.org>
- NATO Advisor to the NATO SRSG for WPS
- DPKO – Conduct and Discipline Unit: <https://conduct.unmissions.org>

ADDITIONAL INFORMATION

On gender perspectives in NATO armed forces https://www.nato.int/cps/en/natohq/topics_101372.htm

On prevention and response to SGBV, <https://emergency.unhcr.org/entry/60283/sexual-and-gender-based-violence-sgbv-prevention-and-response>

On violence against women, <http://www.unwomen.org/en/what-we-do/ending-violence-against-women>

On Gender-based violence in disasters, https://www.ifrc.org/Global/Documents/Secretariat/201511/1297700_GBV_in_Disasters_EN_LR2.pdf

On SGBV as a weapon of war, <http://www.coalitionfortheicc.org/global-challenges-ICC-gender-inequality-sexual-violence>

REFERENCES

UN Security Council, Security Council resolution 1325 (2000) [on women and peace and security], 31 October 2000, S/RES/1325 (UNSC, 2000)

Civil-Military Cooperation Centre of Excellence, Women, Peace and Security – A CCOE Fact Sheet (CCOE, 2018)

NATO, MCM-0009-2015 Military Guidelines On The Prevention Of, And Response To, Conflict-Related Sexual And Gender-Based Violence, (NATO, 2015)

NATO, BI-SC Directive 40-1 (NATO, 2012).

NATO/EAPC, Women, Peace and Security: Policy and Action Plan (NATO, 2018).

NATO Engages: The Brussels Summit Dialogue, Factsheet – Inclusive Security Conflict-Related Sexual and Gender-Based Violence (CR SGBV) (NATO, 2018).

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