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BI-STRATEGIC COMMAND DIRECTIVE 040-001 (PUBLIC VERSION)

INTEGRATING UNSCR 1325 AND GENDER PERSPECTIVE INTO THE NATO COMMAND STRUCTURE

DATE: 17 October 2017

REFERENCES: See Annex B.

1. **Status.** This directive supersedes Bi-Strategic Command Directive 040-001 dated 08 August 2012 and is to be used with immediate effect.
2. **Purpose.** The purpose of this directive is to provide direction and guidance on the implementation of UNSCR 1325 (2000), and related Resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), and 2242 (2015) as well as UNSCR 2272 (2016) in accordance with NATO policies.
3. **Applicability.** This directive is applicable to Allied Command Operations (ACO), Allied Command Transformation (ACT), their commanders, implementers and practitioners, as well as to forces assigned to NATO-led or supported operations and missions. NATO Force Structure, NATO Nations and Partners are encouraged to associate themselves with this directive.
4. **Publication Updates.** Updates are authorised when approved by the Chief of Staff (COS) SHAPE and COS HQ SACT.
5. **Proponent.** The proponents for this directive are SHAPE Staff Advisory Group Gender Advisor (SAG GEN) and HQ SACT Special Advisory Group Gender Advisor (SAG GEN).

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CHAPTER 1 – INTRODUCTION

1-1. **Aim.** This directive aims to translate political direction and guidance to ensure the effective implementation of United Nations Security Council Resolution (UNSCR) 1325 (Reference A), related Resolutions (Reference C-I), the NATO/EAPC Policy (Reference J) and Action Plan on Women, Peace and Security (Reference K), and the Military Guidelines on the Prevention of, and Response to, Conflict-Related Sexual and Gender-Based Violence (Reference L). This implementation, through the integration of gender perspective, should be done within and throughout all three core tasks of the Alliance: collective defence, cooperative security, and crisis management at all levels (strategic, operational and tactical). Accordingly, the directive provides guidance for the implementation of UNSCR 1325, related Resolutions, as well as integration of gender perspective into the analysis, planning, execution, and assessment of NATO-led operations, missions, training and exercises. It supports the overarching aims of peace and security by establishing the strategic work strands of gender mainstreaming. The directive recognises the integration of gender perspective as the primary tool to mainstream gender into all activities during peace and crisis¹. Commanders, within their power, maintain overall responsibility for this implementation, with the Gender Advisor (GENAD)² providing support and advice, and Gender Focal Points (GFP)³ supporting and facilitating the GENAD in staff functions. While the responsibility rests with the commanders, all staff functions have their responsibilities (as outlined in Annex A).

1-2. **Background.** In 2008, SHAPE and HQ SACT were tasked to draft Bi-SC Guidelines on the implementation of UNSCR 1325 on Women, Peace, and Security, to include standards of behaviour expected by NATO-led forces (Reference R). This led to the issuance of the first Bi-SC Directive 40-1 on 02 September 2009. The directive was revised in 2012 to implement additionally released UNSCRs on Women, Peace and Security.

1-3. **Rationale.** The active participation of men and women is critical to the security and the success of the Alliance and its partners. It is fundamental to lasting peace stability and security. The directive therefore provides further advanced direction and guidance to support the continued and effective institutionalisation of gender perspective in all activities within the Strategic Commands (SCs). It must be recognised that men, women, boys and girls are components of a gendered system and have influence on, and are influenced by, armed conflict. However, women and girls are disproportionately affected and thus, have a unique perspective to share and solutions to offer. Unless gender-based similarities and differences are addressed, conflict prevention, conflict-resolution, post-conflict reconstruction and peace-building are negatively impacted. Consequently, it is necessary to assess notions equated with traditional masculinity and femininity that underpin organisations, societies and communities.

a. In line with the NATO/EAPC Action Plan (Reference K), this directive recognises the need to eliminate barriers for the active participation of women, internally within the Alliance, as well as externally where NATO conducts operations and missions. Requests to Nations during Force Generation and Crisis Establishment (CE)/Peacetime Establishment (PE) manning conferences will call for furthering the awareness of gender perspective in operations, missions and exercises. While the assignment process follows the national regulations of the Troop Contributing Nations (TCNs), and thus the percentage of eligible women within the requisite grades will be dictated both by that process and by the overall available pool of eligible participants for a specific mission,

¹ Gender perspective reflects all UN Security Council Resolutions on Women, Peace and Security and is in the Bi-SC agreed Capability Codes and Capability Statements, providing a common language for capabilities in Defence Planning and Operational Planning, addressed in the different C2 structures. See definition below (Para 1-4c).

² GENADs provide and support the Commander and Command Group in implementing all aspects of UNSCR 1325 and related Resolutions, and NATO MG on CR-SGBV.

³ These supporting functions are detailed in Chapter 5.

TCNs should be encouraged to remain aware of the positive effect that including both men and women in appropriate proportion has within the organisation and be encouraged, where possible, to consider maintaining gender diversity within their assigned troop contributions. This will ensure the inclusion of obligations under UNSCR 1325 and related Resolutions, when identifying human resources and capacities required to complement a mission including to increase its responsiveness. Force Generation should also specify gender-related requirements (i.e. GENADs, composition of engagement teams, medics). Promoting access and opportunities to women in all decision-making processes related to peace, security and stability, including conflict resolution is key for the effectiveness and legitimacy of NATO or NATO-led forces.

In addition, the integration of gender perspective enables operations planning at all levels to better understand the societal and structural processes, context and expected effects which influence how military operations and missions are conducted. By looking at the entire population, recognising their specific needs and contributions and providing the appropriate comprehensive response, the understanding of the operational environment is enhanced. This directive recognises the need to prevent violent conflict, protect the entire society, and include women in decision-making processes, but highlights the differing security concerns, risks and experiences of men, women, boys and girls. This strategy should be utilised in the design, implementation, monitoring and evaluation of all procedures and activities.

b. NATO-led forces and commanders must not accept, condone, facilitate or commit acts of improper conduct or sexual and gender-based violence⁴. In accordance with UNSCR 2272 addressing the need to eliminate sexual exploitation and abuse⁵, the directive recognises that any form of exploitation and harassment by NATO and NATO-led forces undermines efforts outlined by the present directive and undermines the credibility of our forces. All must strive to prevent and respond to such conduct within their sanctioned power and authority. This directive includes NATO Standards of Behaviour and Code of Conduct to be followed by NATO personnel and NATO-led forces. The significance of NATO personnel and NATO led-forces to prevent and respond to Conflict-Related Sexual and Gender-Based Violence (CR-SGBV)⁶ is highlighted by the negative impact CR-SGBV has on building peace and providing equal security. Similarly to CR-SGBV, exploitation by NATO personnel or NATO-led forces can undermine and risk mission success.

c. All personnel in both PE and CE structures must uphold the highest standards of behaviour, and not engage in discrimination. This is fundamental to the execution of operations and missions and is directly connected to sustained and increased professionalization. If there is no respect and protection within a unit or organisation for its members, the ability to secure the respect of and deliver protection for the local population will inevitably be questioned. The linkage between external and internal integration of gender perspective must be emphasised and recognised as a matter of credibility.

⁴ In the context of this directive, consistent with NATO Policy On Combating Trafficking On Human Beings (29 June 2004), exploitation (sexual or gender-based) includes, at a minimum, taking advantage of the prostitution of others, or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, as well as threat of use of force or other forms of coercion, of abduction, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to obtain the consent of a person having control over another person, for the purposes of such exploitation.

⁵ United Nations Secretary General's Bulletin: Special measures for protection from sexual exploitation and sexual abuse, dated 09 October 2003.

⁶ NATO MCM-0009-2015 Military Guidelines on the Prevention of, and Response to, Conflict-Related Sexual and Gender-Based Violence, dated 1 June 2015.

1-4. **Definitions.** In order to ensure a common understanding of this directive some key definitions are provided below⁷. These definitions lay the groundwork for how the SCs implement UNSCR 1325 and related Resolutions, and how they integrate gender perspective in response to NATO's political and military commitments.

a. **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 men, women, boys and girls, as well as the relations between women and those between men. Notably, gender does not equate to an exclusive focus on women.

b. **Gender mainstreaming** is defined as a strategy used to achieve gender equality by assessing the implications for women and men of any planned action, in all areas and at all levels, in order to assure that the concerns and experiences of both sexes are taken into account.

This includes legislation, policies and programmes in all areas and at all levels in order to ensure that the concerns and experiences of women and men are taken into account in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres. This should lead to ensuring equal opportunity to women and men. Gender mainstreaming in this context is the process whereby the role gender plays in relation to NATO's activities including operations, missions and exercises is recognised. Gender mainstreaming does not focus solely on women, but mainstreaming recognises women's disadvantaged position in various communities.

c. **Integration of gender perspective** is a way of assessing gender-based differences between women and men as reflected in their social roles and interactions, in the distribution of power and access to resources.

In the Strategic Commands' activities, gender perspective has been used to enable implementing the requests of UNSCR 1325 and related Resolutions, as well as additional directives and policies from NATO. The aim is to take into consideration the particular situation impacts the needs of men, women, boys and girls, and if and how NATO's activities affect them differently. More fundamentally, integrating gender perspective is done by adapting action following a gender analysis.

d. **Gender analysis** requires the systematic gathering and examination of information on gender differences and on social relations between men and women in order to identify and understand inequities based on gender.

By using gender analysis, the gendered aspects of the experiences of men and women, and their position within the social structure will become apparent. The analysis should be understood as a 'method' used to understand the relationship between men and women in the context of a specific society or organisation⁸. Gender analysis can be applied externally to an operational environment as well as internally into the military organisation. For example, military operations planning activities should consider the different security concerns of men, women, boys and girls and how they are differently

⁷ The first paragraph of each definition outlines the standardized NATO Agreed definitions (please see NATO Terminology Database <http://natoterm.hq.nato.int>). In addition to the NATO Agreed definitions, the directive expands on the concepts for the purpose of this document.

⁸ For detailed information, consult the Gender Analysis Tool (Annex E to the ACO Gender Functional Planning Guide).

affected by operations and missions, but also how gender roles can affect operations and missions. Furthermore, they should take into account power relations in the community to ensure men and women have equal access to assistance where the military is engaged in supporting humanitarian assistance. Other examples would include understanding of how customary conflict-resolution mechanisms affect women and men differently and how their social status may change as a result of war.

e. **Conflict-Related Sexual and Gender-Based Violence** refers to 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.⁹

f. **Gender equality**¹⁰ refers to the equal rights, responsibilities, opportunities and access for men, women, boys and girls. 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. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men. Gender equality is not a women's "issue", it concerns men and men's roles as well as women and women's roles.

g. **Exploitation**¹¹ (sexual or gender-based) includes, at a minimum, taking advantage of the prostitution of others, or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, as well as threat of use of force or other forms of coercion, of abduction, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to obtain the consent of a person having control over another person, for the purposes of such exploitation.

⁹ MCM-0009-2015 Military Guidelines on the Prevention of, and Response to, Conflict-Related Sexual and Gender-Based Violence, dated 01 June 2015.

¹⁰ There is no NATO Agreed definition for gender equality, but the present definition serves the purpose of this directive.

¹¹ This definition is consistent with the NATO Policy on Combating Trafficking on Human Beings (29 June 2004).

CHAPTER 2 – IMPLEMENTATION IN PLANNING AND OPERATIONS

2-1. **General.** The three core tasks of the Alliance: collective defence, cooperative security and crisis management, are to be analysed, planned, executed and assessed with an integrated gender perspective based upon NATO gender-related directions and guidance. The primary working tool for implementation of the gender perspective into operations planning is the ACO Gender Functional Planning Guide (FPG).¹² The linkage between external and internal integration of gender perspective must be emphasised and recognised as a matter of credibility. Internal aspects including measures to remove barriers for the active participation of women in relation to the execution of operations and missions must be emphasised.

2-2. **Aim.** The impact of war and conflict is often different for men, women, girls and boys. Prevention and recognition of root causes of violence including gender inequalities are integral to establishing stability and security¹³. Women's participation in conflict resolution has proven essential and thus, the differing gendered experiences need to be considered during operations planning and execution¹⁴. Unless taken into account, the societal dynamics that are underpinned by gender differences will continue during post-conflict reconstruction, and carry with them the potential to undermine the fabric of a society already overwhelmed by the immediate impact of violence. Consequently, in order to achieve mission success and to reach the desired effects, NATO must fully understand its operational environment by integrating gender perspective. Commanders, implementers and practitioners must apply that understanding into all types and phases of planning. Developing a comprehensive understanding of the military operational environment, including the wider civilian setting, is foundational to establishing peace and security.

2-3. **Development of Gender-related Early Warning Indicators and Understanding.**¹⁵ Early identification of crises that are or may become relevant to NATO and building a knowledge base in time to support assessments and decisions are keys to success. Gender perspective must be included in early warning as it supports the identification of potential emerging crises or changes in stability (horizon scanning)¹⁶. By including the possible different ways conflicts affect men and women, early warning indicators contribute to men's and women's potential contribution to a more comprehensive understanding of the environment¹⁷.

a. Areas of concentration contributing to early warning may include, but are not limited to:

(1) In the development of early warning indicators, conduct a comprehensive analysis on the ground through consultation with both men and women and supplemented, as required, by Non-NATO Entities (NNE).

¹² ACO Gender Functional Planning Guide (FPG), dated 24 July 2015.

¹³ The SCs locate CR-SGBV within and part of a wider continuum of violence and also includes consideration of men and boys with attention to, for example, forced recruitment.

¹⁴ There is a commonly accepted misperception that gender perspective is deemed less important during kinetic operations. In fact, kinetic operations often cause significant damage to the social and cultural fabric of a given society and thus, the integration of gender perspectives become ever more important in the stabilisation and reconstruction processes that follow.

¹⁵ Allied Joint Publication 2(A) - Allied Joint Doctrine for Intelligence, Counter-intelligence, and Security 'within a military context, understanding is the perception and interpretation of a particular situation in order to provide the context, insight and foresight required for effective decision-making.

¹⁶ See Comprehensive Crisis Operations Management Handbook, dated 15 July 2015.

¹⁷ For example, weapons accumulation including proliferation and caches, may be one of the principal signs of impending conflict; local women often know about their location and the routes used to transport them. Equally and as tension escalates, the overall level of aggressiveness in society may be reflected in alcohol-related fights, vandalism, ganging up and harassment of men from out-groups, and persecution of men who refuse to take up arms or are not fulfilling the 'masculine' ideal of combatant.

(2) Monitor and support early warning indicators through the methodology outlined in 2-3 (see paragraph b).

(3) The result of the indicators above should lead to a greater understanding of the societal dynamics. This will allow for an identification of trends and issues that might reflect a deteriorating security situation and manifest through different behaviours for men and women, for example, through power dynamics between genders, protection, active participation (or lack thereof) for women, economic access/revenue, human rights and elections.

b. Areas of concentration contributing to understanding may include, but are not limited to:

(1) Analyse the security situation, including the political, economic and societal aspects, as it affects men, women, boys and girls in a disaggregated fashion.

(2) Understand and study risks, similar and/or different, faced by men, women, boys and girls.

(3) Examine differences in vulnerabilities and strengths between men, women, boys and girls.

(4) Understand roles played by women in different parts of social groups in society; with specific focus on masculinities.

(5) When and where required, support the collection of sex-disaggregated data and information on political, military, economic civil society, education, refugees, internally displaced persons, prisoners, human rights violations and CR-SGBV, as data is available.

(6) In close coordination with J9, expand interaction with NNEs who collect data and indicators on issues experienced particularly by men, women, boys and girls.

2-4. Gender Perspective in Operations Planning.¹⁸ A gender analysis, including considerations of CR-SGBV must be conducted throughout all the phases of the operations planning process from Indications and Warning (I&W) to Transition and adjusted specifically to the respective area of operation. The ACO Gender FPG provides guidance on how to integrate gender perspective comprehensively into operations planning activities at strategic, operational and tactical levels, therefore it is to be used actively within all NATO military planning. The integration of gender perspective into the operations planning process is conducted at all levels and in close coordination across the chain of command. The Comprehensive Operations Planning Directive (COPD) (Reference N) lays out each of the stages.

a. In accordance with the COPD's use of the Political, Military, Economic, Social, Infrastructure and Information (PMESII) model, gender analysis should include early warning indicators addressing the goals, strengths, weaknesses and interdependencies of main actors in the PMESII domains.

¹⁸ See ACO Gender Functional Planning Guide, dated 24 July 2015. Note that operational planning is governed by three planning horizons: short-term, mid-term and long-term. The planning outcomes are usually for the long-term planning process of an OPLAN, Branch Plan or Sequel to the current OPLAN. The mid-term planning process includes the Joint Co-ordination Order (JCO) and short-term planning process in a FRAGO at the operational level. Additionally during the execution of an operation, any issue which requires deliberate planning process will be addressed by a Crisis Action Team (CAT).

b. The integration of gender perspective can contribute to setting operational requirements through:¹⁹

(1) Identification of information gaps in the operational environment and submitting information requests to the Commander, missions or headquarters, including (but not limited to) the prevention of, and response to, CR-SGBV.

(2) Contribution to the identification of the Commander's Critical Information Requirements (CCIRs), Sensitive Information Requirements (SIRs), Essential Elements of Information (EEIs) and observables. This will in turn facilitate integration into the requisite identification of Priority Intelligence Requirements (PIRs) and/or Intelligence Requirements (IRs).

c. The ACO Gender FPG outlines that in planning, the integration of gender perspective can be a specified objective at any level or it can be seen as an 'enabler', something that, if sufficiently addressed and considered in the planning process, will support the accomplishment of the political, military-strategic and operational objectives²⁰. Thus, it may be identified as an effect, action and/or included as a military or Complimentary Non-Military Action²¹.

There are multiple strands to gender perspective that should be considered during the planning process. These might include, but are not limited to:

(1) CR-SGBV including recognition of the clear inter-relationship between combating human trafficking, refugee movements, smuggling and the Women, Peace and Security agenda²².

(2) Analysing changing gender relations and roles including the changes caused by the conflict.

(3) Considering how NATO can contribute to gender equality and women's empowerment in the affected nations before, during and after the conflict.

(4) Considering how NATO can support the delivery of equal security for men and women.

(5) Ensuring NATO support to any Disarmament, Demobilisation and Reintegration (DDR) does not discriminate against any gender and is conducted in line with the principles of gender equality.

(6) Ensuring gender perspective is addressed in NATO's support to the peace process including conflict resolution, ceasefire agreements and women's participation, is actively supported and facilitated.

¹⁹ JTF HQ SOP 106 Gender Advisor's Functions in JFC & JTF Headquarters, dated 12 February 2016.

²⁰ For planning, the guidance provided from the North Atlantic Council (NAC) or the appropriate superior NATO headquarters is critical. The NAC may include gender objectives or related objectives such as: 'All necessary means to protect civilians' or 'Implement UNSCR XXXX and associated UNSCR XXXX' which may carry a direct or indirect link to the differing gendered experiences and security needs of women and men that will need to be addressed.

²¹ Complimentary Non-Military Actions are identified where objectives (strategic or operational) cannot be created by military action alone or could be created more effectively by a combination of complementary military, political, economic and civil actions. See ACO Gender Functional Planning Guide dated 24 July 2015.

²² See Annex D to ACO Gender FPG.

- (7) Ensuring gender perspective is addressed in the planning and conduct of Security Force Assistance (SFA).
- (8) Ensuring any NATO support to election activities includes gender perspective.
- (9) Considering gender in internal planning:
 - (a) Force composition.
 - (b) Engagement capacity/capability.
 - (c) Communications.
 - (d) Logistics/equipment.
 - (e) Standards of Behaviour or Codes of Conduct.

2-5. Monitoring, Assessment and Reporting. Monitoring, assessment and reporting are key elements to ensure efficiency and effectiveness. The content of monitoring and reporting is the foundation of a continued gender analysis. To confirm that superiors and superior HQs are aware is essential to effective decision-making. As NATO forces conduct an analysis which includes gender perspectives the implications, effects and potential unintended effects of NATO/others actions, or lack of actions, must be recorded to allow for adjustments to be made and to ensure that lessons are learnt and applied. This can be achieved by making sure that gender perspective is integrated at all levels and all phases of an operation so that we are sure to consider how particular NATO or NATO-led activities will have/had a differential impact on men, women, boys and girls²³. In addition, monitoring activities encompass both horizontal and vertical scanning²⁴ of emerging crisis or conflict areas within the established HQs' regional focus. This is to gather data and information that contributes to the understanding of the nature and impact of the crisis on the whole population. Horizon scanning should also include a focus on culture-specific notions of traditional masculinity and femininity in the society and the gender roles allocated to men and women (e.g. male breadwinner, women's role in the household), as their disruption can lead to the development of new security needs, new vulnerabilities, and new threats as women and men seek to stabilise their positions in society.

a. **Integrated and Standalone Reporting.** Gender-related reporting should normally not be standalone. Rather, where possible, gender perspective should be embedded into the force monitoring and reporting system (thus complementing the gender mainstreaming concept). Often, this can be achieved by looking at the existing system and ensuring that the questions and analysis on which the system is based reflects an integrated gender perspective. An integral factor will be to identify and elaborate in reporting activities differences in security risks women and men are facing, and to report on trends relating to incidents on CR-SGBV where they occur.

b. At the same time, and in consideration of the remit and mandate of the mission, effective reporting and monitoring mechanisms regarding UNSCR 1325 and related Resolutions, including the prevention of, and response to, CR-SGBV must be included²⁵.

²³ See Appendix 3 to Annex D to ACO Gender Functional Planning Guide (Monitoring and Reporting), dated 24 Jul 2015 for additional information.

²⁴ For the purpose of this directive, horizontal scanning is identified as scanning across nations and crisis areas whilst vertical scanning is identified as developing analytical depth within a specific crisis/ nation.

²⁵ MCM-0009-2015 Military Guidelines on the Prevention of, and Response to, Conflict-Related Sexual and Gender-Based Violence Para 13(a)(2) outlines should personnel in a NATO-led operation or mission encounter conflict-related SGBV, the NATO Commander, consistent with international law, UNSCRs and NATO policies,

To this end, liaison with other national and international organisations, including civil society, that are monitoring gender-related matters (directly or indirectly) within the mission's (missions') mandate and when authorized, data must be exchanged²⁶.

c. Mechanisms should be established for the assessment of the effect of gender-related efforts and integration of gender perspective in the overall operations assessment.

d. Other Monitoring and Reporting Considerations:

(1) Analysis of potential operational value derived from having a diverse (from a gender standpoint) military presence in Periodic Mission Reviews (PMRs).

(2) Use of sex and age disaggregated data²⁷ in all reporting requirements.

(3) Ensure, where possible, that the reporting layout and content result in data that would be relevant to and receivable in a judicial process.

(4) Consultation with local women, women's organisations and other civil society actors as part of information-gathering activities to construct a comprehensive overview of the security situation.

(5) Consult with women's organisations and other civil society actors and consider inviting them to contribute to the establishment of verification mechanisms and joint monitoring commissions.

e. To help ensure that monitoring and reporting integrates gender perspective, consider:

(1) Employing joint assessment teams to define patrolling routes, in consultation with local women, to ensure that routes popular with women are effectively monitored, reported on and also accorded adequate priority.

(2) Deploying mixed teams of personnel for monitoring and verification activities as well as interaction with the local population.

(3) Depending on the results of a gender analysis, deploying female uniformed personnel to support collection and dissemination of non-sensitive information on military activities that specifically target local women.

(4) Including female interpreters in groups of local interpreters recruited to balance and strengthen communication and reporting.

(5) Have the ability to geo-reference and/or create mapping for specific gender-related incidents, including, but not limited to CR-SGBV, and sexual exploitation and abuse, or any events that hinder the equal provision of security

should ensure the objective, accurate and reliable information on the types of conflict-related SGBV is collected and reported in a timely manner.

²⁶ As per MCM-0009-2015 Military Guidelines on the Prevention of, and Response to, Conflict-Related Sexual and Gender-Based Violence, dated 01 June 2015.

²⁷ Sex-disaggregated data refers to information and data collected from and analysed for males and females separately. Within this context, sex-disaggregated data collection enables greater situational awareness by acquiring information from and on women as well as men, overcoming the sometimes still prevalent issue of focusing entirely on the male section of the population when collecting information and thus seeing only part of the picture.

for men, women, boys and girls, or events and incidents that have a disproportionately negative effect on men, women, boys, and girls. Mapping should ideally include the location; date and time; number, and age of victim(s); number, and age of perpetrator(s); contextual information that describes the circumstances in which the incident happened; care should be taken to protect the identity of the victim and specific information, such as names and specific identification information, should be stored separately.

CHAPTER 3 – STANDARDS OF BEHAVIOUR

The Standards of Behaviour and Code of Conduct outlined in this Chapter 3 are consistent with the NATO Code of Conduct and are based on the Military Guidelines on the Prevention of, and Response to, conflict-related Sexual and Gender Based Violence. As such, the present chapter represents the minimum Standards to be upheld and followed, while the investigation and prosecution remains the responsibility of Troop Contributing Nations.

3-1. **Compliance.** It is essential that all NATO personnel uphold the highest standards of personal and professional behaviour, and comply with the respective national laws and regulations. NATO personnel must internally and externally uphold and adhere to clear standards. Not complying with the Standards of Behaviour or Code of Conduct may undermine the effectiveness and credibility of the Alliance, the legitimacy of individuals in internally and externally conducting tasks. It adversely impacts morale and may constitute a violation of laws and regulations as applicable, specifically, unwarranted behaviour that requires immediate action by the Commander. It may also serve as grounds for administrative, disciplinary, or criminal investigation and actions pursuant to the relevant regulations and laws.

3-2. **Scope.** The Standards set out in this directive refer to individual conduct at all levels of responsibility. NATO Commanders must, consistent with their delegated power and authority, implement good order and discipline among NATO forces and personnel on and off-duty. The Standards are not intended to replace or restrict national policies or NATO personnel regulations, but are provided to depict the standards of professionalism and the high expectations the Alliance and Partner Nations have for the performance of NATO personnel. This does not prevent Operational Commanders from establishing stricter rules and/or tailoring their guidance to best meet the objectives of the operation or mandate, when so authorised.

3-3. **International Law.** The conduct of military operations is circumscribed by international law, to include the applicable provisions of the law of armed conflict and human rights law. The protected status of civilians, and specifically the status for vulnerable groups such as women and children, is included in the Geneva Conventions and in their Additional Protocols and addressed in the Rome Statute of the International Criminal Court. Violations of these obligations may of themselves constitute war crimes or they may be components of other war crimes (for example torture), and be subject to criminal and disciplinary investigations and proceedings. When some NATO Member States, but not others, have ratified the aforementioned conventions and treaties, every effort will be made to ensure, consistent with the obligations assumed by those who have not ratified, that a common approach is adopted by Member States for the purposes of NATO-led military operations and missions.

3-4. **Policy.** Given the multicultural environment of the Alliance, all interactions must be based upon mutual respect. Accordingly, disrespect and a lack of professionalism are unacceptable, due to their high potential to adversely impact morale and mission. As such, the NATO Command Structure (NCS) i.e. ACO and ACT are directed to implement procedures as per References L and R. Headquarters of the Alliance in the NATO Force Structure (NFS) are equally encouraged to review and implement the procedures and may, subject to their command relations with SHAPE, be required to comply with the said procedures.

3-5. **Reporting and Inquiries.** All NATO personnel who are under suspicion of breaching NATO Standards of Behaviour or Code of Conduct (Reference Q) will be subject to reporting to the relevant national authorities through the appropriate channels and as defined below. For NATO employees or contractors, the reporting will be made to the appropriate Commander or NATO contracting authority.

- a. Such alleged breaches, be they internal or external, must be reported immediately to the relevant J1, LEGAD, Provost Marshall, and when required, GENAD. Discipline over assigned personnel is a national responsibility, and the national authorities of such individual(s) must be allowed to investigate without interference. Discipline over NATO employees will follow the relevant regulations such as the NATO Civilian Personnel Regulations.
- b. In addition, if the NATO Commander determines that there is a requirement to conduct a fact-finding/preliminary inquiry, such inquiry shall be initiated within 72 hours of notification. The results of the preliminary inquiry shall be reported through the chain of command to SHAPE.
- c. The national investigation must have primacy, and the LEGAD will advise on the coordination between the national investigation and a NATO inquiry, if initiated. These issues are handled by LEGAD together with HR/J1²⁸ and supported by the Provost Marshall, and when required, the GENAD.
- d. The NATO Commander and national authorities should, to the extent possible, provide mutual support to ensure proper resolution and should address any responses required as well as remedies and reparations available. The final resolution is to be reported in parallel, through the national and the NATO chains of command.

3-6. Code of Conduct. The NATO Code of Conduct²⁹ outlines that service in the organisation entails promoting the highest levels of trust and confidence in NATO's integrity, impartiality, loyalty, accountability, and professionalism. The code sets forth the framework and standards for the personal and professional conduct which are expected of those entrusted with positions in the Alliance (all NATO staff, whether they be civilian or military). It is intended to be read in the context of the NATO Civilian Personnel Regulations, other personnel policies, or applicable national military regulations. The following specific guidance is promulgated in applying NATO Code of Conduct in the context of the present directive:

- a. Be committed to maintaining the highest standards of professional and personal conduct. Sexual relationships when based on inherently unequal power dynamics are strongly discouraged and may not only undermine the credibility and integrity of the work of the Alliance but also be prohibited under national regulations or local law.
- b. Be faithful and true to the enduring role of the Alliance and maintain the principle of unity upon which it was founded.
- c. Think, talk, act and behave in a manner befitting the dignity of professional, disciplined, mature, respected and trusted NATO personnel, displaying the highest integrity and impartiality.
- d. Respect the local laws, customs and practice through awareness and respect for the culture, religion, traditions, and environment. As such, demonstrate respect and courtesy for and towards the local population as well as other NATO personnel regardless of their creed, rank, gender, or origin.

²⁸NATO Civilian Personnel Regulations and ACO Directive 050-011 (Deployment of NATO Civilians), shall apply in a case involving NATO civilian personnel.

²⁹See C-M(2010)00016, NATO Code of Conduct, Appendix 1 to Annex 1. As per the NATO/EAPC Action Plan (Para 16.3) and the Military Guidelines on the Prevention of, and Response to, Conflict-Related Sexual and Gender-Based Violence (Para 17.b) 'NATO will develop and establish appropriate Codes of Conduct and mechanisms'.

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- e. Serve the Alliance's interest above personal interests.
- f. Do not engage in improper conduct or misuse positions or authority held.
- g. Treat anyone within or in the custody of NATO forces with the required professionalism, dignity, and respect.

NATO commanders should strive to foster an environment that prevents sexual exploitation men, women, girls and boys – no matter their perceived age, consent, or maturity.

All NATO staff and contractor personnel should be instructed in the applicable Standards of Behaviour and Code of Conduct.

CHAPTER 4 – EDUCATION AND TRAINING

4-1. **General.** The guidance contained in this directive shall be linked to specific actions during peacetime and to NATO Comprehensive Operations Planning Processes, while also supporting the national responsibility for education and training integrating gender perspective. The greatest effect is gained if gender perspective is included in the earliest forms of training and education and mainstreamed throughout courses at different levels to achieve lifelong and transformative learning.

4-2. **Education and Training Policy.** NATO Education and Training (E&T) on gender will adhere to NATO Education, Training, Exercise and Evaluation (ETEE) policy, as outlined in MC 0458/3, and detailed in the supporting Bi-Strategic Command Directives. NATO's E&T requirements addressing Gender in Military Operations, UNSCR 1325 and related UNSCR and NATO policy are identified within the Strategic Training Plan (STP) for Gender in Military Operations³⁰ To promote interoperability, this education and training is consistent with current standards and action plans organised and directed by the United Nations Department of Peacekeeping Operations (UN DPKO) and the European Union (EU).

4-3. **Education and Training Programme Framework.** Consistent with the NATO Education and Training Plan for Gender in Military Operations (Reference S), NATO personnel must be trained on UNSCR 1325 and related Resolutions. In accordance with Bi-SC Directives 075-002, 075-003 and 075-007, all education and training initiatives shall follow the Global Programming framework. The Requirements Authority (RA) for the dimensions, concepts and scope of training gender as a capacity is SAG GEN. The Department Head (DH) for gender education and training is designated as the Nordic Centre for Gender in Military Operations (NCGM), a branch of the Swedish Armed Forces International Centre (SWEDINT).

On behalf of ACT Joint Force Trainer (JFT), the DH invites all gender stakeholders (RA, Subject Matter Experts, Education Training Facilities (ETFs) and affiliated organisations) to the Annual Discipline Conference (ADC) for the purpose of facilitating discussion on course and content updates, coordinating national support and participation, providing operational feedback, and discussing recommendations regarding gender training programme development, goals and standards. JFT holds the final authority within the E&T framework for all gender training programme initiatives, analyses, changes and approval.

4-4. **Gender Training.** Gender Training is a national responsibility of Troop Contributing Nations (TCNs). Pre-deployment training, in-theatre training and individual subject-matter training, shall include activities to ensure that this topic is addressed for militaries and civilians.

4-5. **General Compliance.** NATO troops, irrespective of position, must understand the framework agenda, implementing UNSCR 1325 and related Resolutions, and prior to deployment be trained on integrating a gender perspective, Standards of Behaviour, and Code of Conduct (See Chapter 3 of the directive and Reference R). Additional gender specific qualifications must be achieved in accordance with the CE training requirements. The following are minimum responsibilities of compliance:

- a. At all levels of the NCS, implement UNSCR 1325 and related Resolutions including CR-SGBV and gender perspective into ETEE programmes.
- b. Coaching and mentoring programmes to support the competence development of all personnel.

³⁰ NATO Education and Training Plan for Gender in Military Operations, approved in MCM-0024-2014, dated 14 July 2014.

c. Recommend the incorporation of gender perspective training into courses at NATO NETFs, NATO Centres of Excellence (CoEs), Partnership Training and Education Centres (PTECs), National Training Institutions, and NATO in-theatre training centres related to capacity building, induction, mission and national training programmes.

d. Analyse education and training programmes during periodic curriculum reviews to incorporate the most current related information and trends.

e. Implement UNSCR 1325 and the integration of gender perspective and how they relate to operational effectiveness in training for use in garrison and at deployed locations during operations, missions and exercises. Personnel should learn to explain how the different gendered experiences of men and women interrelate to cultural and social contexts. Training should also emphasise the need to comply with national regulations.

f. Acknowledging TCNs' responsibility to conduct pre-deployment training, HQ SACT, through the Gender Education and Training Package for Nations, offers support to national training programmes to ensure coherence and compliance with NATO/EAPC on Women, Peace and Security, as well as NATO Military Guidelines on prevention of, and response to CR-SGBV. HQ SACT, with the support of the DH, has developed a gender education and training package for Nations³¹ to assist in standardization. This package consists of three training modules to support the implementation under national responsibility:

(1) Strengthening national gender perspective for NATO Allies and Partners' national headquarters staff in national military headquarters (strategic-operational levels). The strategic-operational level refers to a training audience who might conduct their daily work at a Ministry of Defence or Defence Staff-level.

(2) Strengthening national gender perspective for NATO Allies and Partners' personnel (tactical level). The tactical level refers to a training audience who might conduct their daily work at the regiment/brigade level and below.

(3) National armed forces personnel deploying to NATO operations and missions (pre-deployment). The pre-deployment module builds upon knowledge from one lesson to the next and is to be treated as a single module with 3 dependent lessons.

g. Ensure that specifications, scenarios and objectives for NATO exercises and collective training include gender perspective based on UNSCR 1325 and related Resolutions.

h. Ensure that the evaluations of NATO HQs (NCS and NFS), exercises and collective training events assess the integration and effects related to gender perspective and UNSCR 1325 and conducting training on UNSCR 1325 and gender perspective at all levels.

4-6. Training of Local Security Forces. When invited and duly authorised to train local security forces, NATO should, as appropriate, and in accordance with its mandate and the SFA concept, include awareness on UNSCR 1325 and related Resolutions for Local Security Forces (i.e. by providing expertise or conducting respective trainings).

³¹ The training materials on gender perspective for NATO Allies and Partners is available at www.act.nato.int/gender-advisor and was recognised in Paragraph 131 of the Warsaw Summit Communiqué.

4-7. **Quality Management of Education and Training.** NATO ETEE policy prescribes that NATO delivered ETEE processes and activities must comply with a common set of standards identified within the ACO Forces Standards, STANAGs and NATO Quality Standards.

4-8. **GENAD and Gender Focal Point (GFP) Training.** All GENADs and GFPs are required to have received training on the NATO Framework pertinent to the implementation of the UNSCR 1325 and related Resolutions in accordance with the prioritized requirements identified by RA.

a. All GENADs and GFPs have to receive training on the NATO Framework related to the implementation of the UNSCR 1325 and related Resolutions. In this context, special emphasis should be given to the training on standards of behaviour and codes of conduct.

b. In order to achieve the knowledge and skills needed to perform the appropriate level of gender-related planning and operational application, training for GENADs must be composed of various courses offering a depth of knowledge (DoK) levels (or levels of instruction) tailored to students' needs.

c. Given the GENADs integrated function within the Headquarters, operational planning courses are recommended as a part of the training.

d. GFPs are recommended as a minimum to complete the 100-level ADL 169 on Improving Operational Effectiveness by Integrating Gender Perspective and 200-level ADL 171 specifically for GFP (HQ SACT JADL courses).

CHAPTER 5 – GENDER ADVISOR AND GENDER FOCAL POINT FUNCTIONS

5-1. **Role of the GENAD.** The overall responsibility for integration of gender perspective rests with the respective commanders. As the Office of Primary Responsibility (OPR) regarding UNSCR 1325 and related Resolutions on Women, Peace and Security, the GENAD provides advice on its implementation, and the integration of gender perspective including, but not limited to, operations/missions, crisis/conflict analysis, concepts, doctrine, procedures and education and training³². The GENAD reports to the Commander and the GENAD office is organisationally placed within the Staff Advisory Group (SAG).

5-2. **Tasks of the GENAD.** The GENAD:³³

- a. Provides technical/functional guidance on UNSCR 1325, related Resolutions and gender perspective including CR-SGBV.
- b. Ensures unity of effort and synchronicity on behalf of the Commander by providing direct advice to the Command Group and staffs and strategic direction and guidance to affiliate headquarters (as applicable).
- c. Advises when requested or as is appropriate.
- d. Conducts and maintains a functional relationship with other GENADs and GFPs in higher and subordinate headquarters in order to ensure vertical GENAD synchronisation.
- e. Establishes and maintains cross-functional coordination within the HQ Staff and SAG. Is a member of cross-functional working groups, particularly in planning (Strategic Planning Group (SOPG), or the Joint Operations Planning Group (JOPG)).
- f. Provides reach-back expertise on Gender perspectives in support of deployed operational HQs (as applicable).
- g. Conducts and disseminates a gender analysis ensuring that gendered experiences of women and men are considered as part of the on-going work to gain situational awareness and support the operations planning process with relevant conclusions.
- h. Conducts data collection of crisis areas and conflicts (as applicable). NATO information is subject to handling and sharing only when so permitted under NATO policies on sharing information and interactions with Non-NATO Entities. As such, endeavours to support the sharing of information collected CR-SGBV with the relevant UN authorities, without prejudice to force protection and to the primary requirement of operational security.
- i. Provides HQ internal and external functional reporting, including but not limited to, gender-related inputs to existing/standard reporting i.e., quarterly report, Periodic Mission Review.
- j. Provides support for in-house education and training (including Key Leader Training, mentoring, induction brief and training for Gender Focal Points) as applicable.

³² GENADs are full-time positions and are members of the Staff Advisor Group with direct access to the Commander. GENADs require education and training as listed in the job description for the PE and CE positions.

³³ For a more detailed list of GENAD roles and responsibilities, consult JTF HQ SOP 106 Gender Advisor's Functions in JFC & JTF Headquarters, dated 17 February 2016.

5-3. **Appointment of GFPs.** Each HQ division is required to nominate a GFP on a permanent basis and provide the nomination to the COS for designation. This minimum requirement is to be maintained when deployed, including to exercises. Additional nomination could be considered in branches and sections under specific circumstances if appropriate and with prior DCOS/COS approval.

5-4. **Role of the GFPs.** GFPs are nominated personnel and dual-hatted within HQs, divisions/directorates and branches having received specific training on gender perspective and the implementation of UNSCR 1325 and related Resolutions. GFPs are to facilitate gender mainstreaming into the daily work. As such, GFPs support and enable a professional and functional network throughout the HQ or, when duly authorised, the command, to maintain dialogue, liaison and coordination on the integration of gender perspectives.

5-5. **Tasks of the GFPs.** The GFPs:

- a. Supports the implementation of UNSCR 1325 and related Resolutions and integration of gender perspective including CR-SGBV into the daily business, staff work and processes in benefit of HQ activities, operations or missions.
- b. Maintains functional dialogue with the GENAD including providing support to the gender analysis, monitoring and reporting functions; reports within the chain of command.

The roles and responsibilities of the GFP are further described in the ACO Gender Functional Planning Guide and may, subject to endorsement by the appropriate Supreme Headquarters, be subject to elaboration in HQ Standing Operating Procedures (SOPs).

STAFF IMPLEMENTATION RESPONSIBILITIES

1. Within the following branches, a GFP should be appointed to ensure the integration of gender perspective. The following staff responsibilities (not all inclusive) are listed and may require GENAD/GFP support or coordination:

- a. **J1/Human Resource Management (HRM).** Advise on the gender aspects in policy, Standards of Behaviour and Code of Conduct, recruitment and retention to ensure an improved gender balance (i.e., local employees in mission areas), and identify and assess potential force composition and possible related shortfalls. Develop PE and CE structures, including job descriptions, as required. HRM should share gender-related statistics generated through the use of the Automated Personnel Management System. If and when required, the GENAD supports Human Resources (HR/J1) or the LEGAD, regarding gender-related policy, procedures, training and inquiry into breaches of standards of behaviour or code of conduct.
- b. **J2.** Contribute to the understanding of the operational environment with an integrated approach incorporating gender-related data, analysis of transnational issues and threat analysis of attacks/aggression to civilians and local population. Address gender perspective impacting intelligence collection (i.e., Human Intelligence, risk assessments), analysis and production. GENAD to ensure that a gender analysis is integrated into all assessments and supported by intelligence collection supports the Knowledge Development process for operational planning. Provide subject-matter expertise and assessments on crisis areas as required.
- c. **J3.** Support assessments regarding women's security situations and gender analysis, supporting the planning and execution of operations. For example, Info Ops, PSYOPS, patrols, and search operations. Ensure a gender-balanced approach to efforts during Key Leader Engagement. GENAD to be informed on gender-related activities, plans and assessments.
- d. **J4.** Support medical, logistical and infrastructure matters. GENAD supports the planning and assessment of logistical activities that have an impact on gender relations, for example, building facilities, communications, etc.
- e. **J5.** Support the campaign plan, operational design and long-term planning with the integration of gender perspective. Take part in the operations planning process, and provide subject-matter expertise. GENAD supports gender-related assessments and planning considerations.
- f. **J6.** CIS integrate gender perspective and support GENAD as required i.e., gender-specific equipment, IT and in-theatre communication.
- g. **J7.** Contribute to the implementation of UNSCR 1325 and related Resolutions integrating gender perspective into HQ education, training and collective exercises. Training might include support of: individual training as functional area training, functional specific training (i.e., OLRT, FCE, GFP); and Collective Training (Academics, Battle Staff Training), as required. Develop subject-matter expertise exercise planning documents that includes Exercise Specifications, Training Objectives, Gender Annex to the Exercise

Plan, Main Event List-Main Injection List Incident Development (MELMIL ID) and MELMIL Scripting.

h. **J8/Budget and Finance.** Implementation of this directive must be sufficiently resourced.

i. **J9/Civil Military Interaction (CMI).** As part of the Comprehensive Approach and systematic understanding of the operational environment, support CMI and engagement efforts including establishment of a comprehensive picture of organisations and groups, including international organisations, non-governmental organisations and civil society organisations that contribute to the implementation of UNSCR 1325 and related Resolutions. Contribute to information exchange with external organisations through establishment mechanisms (i.e., Information Clearing House). Consistent with the mission, include and engage with local women in conflict resolution and peace building processes by supporting efforts for peace and stability.

j. **Legal Advisor (LEGAD).** Support NATO Commanders, in coordination with the GENAD, on gender-related tasks and NATO's legal obligations.

k. **Strategic Communications (StratCom).** StratCom will, in line with policy and guidance, ensure that gender aspects are given appropriate attention within communication planning and outputs, and support the overall strategic and operational intent.

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