



**COUNCIL OF
THE EUROPEAN UNION**



Council Conclusions on the review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action

WOMEN AND ARMED CONFLICTS

***2916th EMPLOYMENT, SOCIAL POLICY, HEALTH AND
CONSUMER AFFAIRS Council meeting***

Brussels, 17 December 2008

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

1. AWARE that gender equality is a fundamental principle of the European Union enshrined in the EC Treaty and one of the objectives and tasks of the Community, and that mainstreaming equality between women and men in all its activities represents a specific mission for the Community;
2. CONSIDERING that:
 - (a) following the UN's Fourth World Conference on Women held in Beijing in 1995, the Madrid European Council (15-16 December 1995) requested an annual review of the implementation in the Member States of the Beijing Platform for Action and on 2 December 1998, the Council agreed that this annual assessment would include a proposal on a set of quantitative and qualitative indicators and benchmarks;

P R E S S

- (b) since 1999, sets of quantitative and qualitative indicators have been developed by successive Presidencies in some of the 12 critical areas of concern in the Beijing Platform for Action¹, and each year the Council has adopted Conclusions on these indicators;
- (c) in line with the request from the European Council of 20 and 21 March 2003, the European Commission prepares, in collaboration with the EU Member States, an annual report to the Spring European Council on developments towards gender equality and presents guidelines for the gender mainstreaming of the different policy areas;
- (d) in the context of the 10-year review of the Beijing Platform for Action, the EU ministers responsible for gender equality, meeting in Luxembourg on 4 February 2005, adopted a common declaration which, inter alia, reaffirms their strong support for and commitment to the full and effective implementation of the Beijing Declaration and Platform for Action; on 2 and 3 June 2005, the Council invited the Member States and the European Commission to strengthen institutional mechanisms for promoting gender equality and to create a framework to assess the implementation of the Beijing Platform for Action, and invited the European Commission to include the assessment of relevant indicators, developed for the follow-up to the implementation of the Beijing Platform for Action, in its annual report to the Spring European Council;
- (e) the Beijing Platform for Action reaffirms the fundamental principle set forth in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, whereby "violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law";
- (f) the Outcome Document of the World Summit of September 2005 on the follow-up to the Millennium Declaration reaffirms the commitment of the Member States to eliminate "all forms of discrimination and violence against women and the girl child, including by ending impunity and by ensuring the protection of civilians, in particular women and the girl child, during and after armed conflicts, in accordance with the obligations of States under international humanitarian law and international human rights law";
- (g) according to the Rome Statute of the International Criminal Court, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence are war crimes when committed in the context of armed conflicts and also, under defined circumstances, crimes against humanity;

¹ Women in power and decision-making (1999); Women in the economy (reconciliation of work and family life) (2000); Women in the economy (on equal pay) (2001); Violence against women (2002); Women and men in economic decision-making (2003); Sexual harassment at the workplace (2004); Women and health (2006); Institutional mechanisms (2006); The education and training of women (2007); Women and poverty (2007); and The girl child (2008).

- (h) UN Security Council Resolution 1325 (2000), adopted on 31 October 2000, on women, peace and security, reaffirms the important role of women in the prevention and resolution of conflicts and in peace-building, and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and the need to increase their role in decision-making with regard to conflict-prevention and resolution;
- (i) UN Security Council Resolution 1820 (2008), adopted on 19 June 2008, condemns rape and sexual violence against women in wars as a humanitarian crime and highlights the link between the fight against sexual violence and the maintenance of international peace and security, and demands with immediate effect the complete cessation by all parties to armed conflict of all acts of sexual violence against civilians;
- (j) in the Beijing Platform for Action, the Member States undertook to provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.

The French Presidency of the European Union has prepared a report presenting the following four indicators concerning women and armed conflicts:

Indicator 1: Proportion (number and percentage) of men and women trained specifically in gender equality among:

- diplomatic staff and civilian and military defence staff employed by the Member States and Community institutions, and
- staff participating in UN peacekeeping operations (PKOs) and ESDP² missions, including military and police staff.

This indicator aims to illustrate how the Member States and Community institutions implement gender mainstreaming in the prevention of and response to armed conflicts.

Indicator 2: Proportion (number and percentage) of women and men among:

- heads of diplomatic missions and EC delegations,
- staff participating in UN peacekeeping operations and ESDP missions, including military and police staff.

This indicator assesses the respective participation of women and men in the processes of conflict-prevention and resolution, including decision-making.

Indicator 3: Funding (as a total amount and as a percentage of cooperation programmes) allocated by the Member States and the European Commission, in countries affected by armed conflict or in post-conflict situations, to support gender equality, broken down, where possible, to reflect funding to support:

- female victims of violence, and
- the participation of women in peace-building and post-conflict reconstruction.

² Including missions operated in a multinational framework.

Indicator 3(a): Proportion of funding for these programmes allocated to NGOs working for gender equality and women's empowerment.

This indicator assesses the resources allocated, in the framework of development cooperation, to the promotion of gender equality including, in particular, the fight against violence, and measures to promote peace, reconciliation and reconstruction implemented by women in countries affected by armed conflicts and emerging from crisis, as well as the support given to NGOs working for gender equality and women's empowerment in such countries.

Indicator 4: Proportion (number and percentage) and country of origin of female and male asylum seekers who have obtained the status of refugee, or benefit from subsidiary protection.

This indicator aims to illustrate how the situation of women in countries affected by armed conflicts is taken into account for the granting of international protection.

3. RECALLING THAT:

- (a) the Member States are determined to eradicate violence against women and girls in armed conflicts and to eliminate all obstacles to allow women to participate fully in conflict-prevention and resolution, in accordance with the Beijing Platform for Action;
- (b) in the Beijing Platform for Action, the Member States recognised that "in addressing armed or other conflicts, an active and visible policy of mainstreaming a gender perspective into all policies and programmes should be promoted so that, before decisions are taken, an analysis is made of the effects on women and men, respectively";
- (c) gender equality appears as one of the common principles of the European Union's development cooperation activities, as defined in the "European consensus for development" adopted on 22 November 2005;
- (d) in 2007, the Council adopted conclusions on "gender equality and development" in which it agreed on an EU strategy aimed at better promoting gender equality, including in peace-building and reconstruction;
- (e) the European Commission's Roadmap³ for equality between women and men (2006-2010) underlines that "women's participation in conflict-prevention and resolution, peace-building and reconstruction needs to be fostered by the EU and its Member States";
- (f) on 13 November 2006, the General Affairs Council expressed its determination to promote gender equality and gender mainstreaming in the context of CFSP/ESDP⁴ at all levels, from the planning stage to the conduct and evaluation of ESDP missions and operations;

³ Doc. 7034/06.

⁴ Common Foreign and Security Policy/European Security and Defence Policy.

- (g) on 20 November 2007, the General Affairs Council called for an intensification of efforts for the effective implementation of UN Security Council Resolution 1325 (2000) and recalled that it had invited the Member States in this context to nominate more female candidates for CSFP/ESDP senior management positions, including those of European Union Special Representatives, as well as for ESDP missions and operations in general;
4. TAKE NOTE of the report on "women and armed conflicts" presented by the French Presidency of the European Union, and of the four indicators for the future follow-up to the Beijing Platform for Action regarding the critical area of "women and armed conflicts";
 5. WELCOME the fact that the Member States have made progress in achieving the strategic objectives of the Beijing Platform for Action concerning the elimination of violence against women in armed conflicts and the promotion of their participation in conflict-prevention and resolution and in peace-building;
 6. WELCOME the European Commission's contribution to the implementation of UN Security Council Resolution 1325 (2000);
 7. STRESS that:
 - (a) despite the high priority given by the Member States and the European Commission to the fight against violations of women's rights in armed conflicts, women remain victims of violence on a large scale;
 - (b) women should not only be seen as victims, but also as actors in conflict-prevention and resolution and in post-conflict reconstruction; thus the equal participation of women and men in all stages of these processes, including in decision-making, is crucial for building a sustainable peace; however, women remain under-represented at the decision-making level.
 8. WELCOME the fact that several Member States have adopted national action plans for the implementation of UN Security Council Resolution 1325 (2000) on women, peace and security.
 9. ENCOURAGE all Member States to draw up action plans or other measures for the implementation of this Resolution and to support the adoption of action plans in third States.
 10. INVITE THE MEMBER STATES AND THE COMMISSION to further develop and improve indicators and comparable European data on "women and armed conflicts", with a view to providing information on political developments and evaluating progress and the impact of the measures implemented.
 11. URGE the Member States and the European Commission, in accordance with their respective competences:

- (a) to give special attention to the specific needs of women and to mainstream women's civil, political, economic, social and cultural rights from a gender equality perspective, in the planning, implementation and evaluation of all policies, programmes⁵ and measures intended to contribute to conflict-prevention and resolution, peace-building and post-conflict reconstruction and to include a gender equality module in the annual training programme of the European Union regarding ESDP, as well as in national training;
 - (b) to take into account the specific needs of women and their civil, political, economic, social and cultural rights, from a gender equality perspective, in policies and actions of the European Union regarding security sector reform and disarmament, demobilisation and reintegration;
 - (c) to appoint a high-level adviser on women's rights and gender equality issues in each peacekeeping operation and ESDP mission.
12. INVITE THE COMMISSION AND THE MEMBER STATES to step up their efforts to implement the commitments of the Beijing Platform for Action on women and armed conflicts and WELCOME the work undertaken at EU level to draw up a "Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820".
13. ENCOURAGE THE MEMBER STATES and relevant EU bodies, in accordance with their respective competences, to reinforce coordination between the various institutions dealing at national and European level with issues concerning women in armed conflicts.
14. EMPHASISE the responsibility of all States, and ENCOURAGE the European Commission and the Member States, working in the framework of their cooperation with countries affected by armed conflicts and emerging from crisis, to support the efforts made by those countries:
- (a) to prevent and combat sexual and gender-based violence;
 - (b) to protect women against violence;
 - (c) to promote the access and rights of women to health information and services, in particular as regards sexual and reproductive health, whilst affirming the EU's strong support for and commitment to the full implementation of the Cairo programme of Action, adopted at the International Conference on Population and Development (ICPD), 1994, as well as of the ICPD programme of Action agreed at ICPD+5, the Copenhagen Declaration and Action Programme, the Beijing Platform for Action and the Millenium Development Goals;
 - (d) to punish sexual and gender-based violence, ending impunity and prosecuting the perpetrators and to ensure that victims have access to medical treatment, redress and rehabilitation, including psychological treatment and legal assistance;

⁵ Including Disarmament, Demobilisation and Reintegration (DDR) and Security Sector Reform (SSR) programmes.

- (e) to promote women's empowerment, as well as the equal participation of women and men in conflict-prevention and resolution, peace-building and post-conflict reconstruction, including women's participation in civic and electoral processes.
15. URGE THE MEMBER STATES AND THE COMMISSION:
- (a) to include in all peacekeeping operation and ESDP mission mandates clauses on combating sexual violence;
 - (b) to continue to implement fully the Generic Standards of Behaviour⁶, in particular to combat sexual exploitation and prostitution, in all ESDP missions and operations, and in UN peacekeeping operations;
 - (c) to give training on preventing, combating and protecting against sexual and gender-based violence to all diplomatic and defence staff, as well as to all civilian, police and military staff participating in peacekeeping and security operations;
16. ENCOURAGE the Member States and the Commission to combat gender stereotypes regarding women's participation and tasks, particularly in the decision-making process, by implementing actions including, for example, campaigns to raise public awareness of the contribution of women and men, especially to the security sector, including the military and the police, in order to achieve equal participation of women and men in conflict-prevention and resolution, peace-building and reconstruction.
17. INVITE the Member States and the European Commission, in accordance with their respective competences:
- (a) to recruit more women to their diplomatic services and to the EC's external delegations, in particular at the highest level, *inter alia* by introducing policies to remove all obstacles to the participation of women, and to train women diplomats in negotiation and mediation techniques in order to draw up lists of women qualified to exercise their functions in the sector of peace and security;
 - (b) to increase the presence of women among their civilian and military defence staff, including in senior management positions;
 - (c) to recruit more women to participate in peacekeeping and security operations, including among military and police staff;
 - (d) to nominate more female candidates for upcoming CFSP/ESDP assignments, including the posts of EU Special Representatives and Heads of Mission, in order to improve the gender balance in ESDP operations, also at senior management level.
18. ENCOURAGE the Member States and the Commission:

⁶ See doc. 8373/3/05 REV 3.

- (a) to take account, in their policies on the protection and reintegration of refugees, beneficiaries of subsidiary protection and internally displaced persons, of the violence suffered by women and their specific needs;
 - (b) to adopt, on the basis of the relevant provisions of the Community acquis relating to asylum, national guidelines to take into account sexual and gender-based violence when granting refugee status or subsidiary protection;
 - (c) to draw up and implement programmes in order to inform more effectively, and raise awareness among, the media and general public on violence suffered by women in armed conflicts;
 - (d) to draw up and implement peace and human rights education programmes, including women's rights and gender equality issues, and to support the preparation of such programmes in third countries;
19. ENCOURAGE the Member States and EU institutions and missions to continue and strengthen their active cooperation with civil society actors, in particular with associations and NGOs promoting women's rights at national, regional and local level, and to promote their participation in the efforts to combat violence against women and promote the equal participation of women and men in conflict-prevention and resolution, peace-building and post-conflict reconstruction, including decision-making;
20. INVITE the Member States and the Commission to further improve, in cooperation with EUROSTAT, the collection, compilation, analysis and dissemination of timely, reliable and comparable data, broken down by sex, in the area of armed conflict, in particular on violence against women, their participation in conflict-prevention and resolution, peace-building and post-conflict reconstruction, as well as on asylum seekers, refugees, those benefiting from subsidiary protection and internally displaced persons, so that statistics and data concerning the four indicators proposed by the French Presidency can be improved and regularly produced and reviewed;
21. ENCOURAGE the Member States and the Commission, with the participation of the European Institute for Gender Equality, to conduct research and studies on violence against women in armed conflicts, in order more effectively to organise prevention, protection and access to health care and to better combat impunity;
22. ENCOURAGE the monitoring and assessment of the implementation of the Beijing Platform for Action as regards the other critical areas of concern;
23. URGE the Member States and the Commission to take into account the issues discussed in the context of the follow-up to the Beijing Platform for Action, for which indicators have already been adopted in connection with other relevant Community processes, and especially in the Commission's annual report to the Spring European Council;
24. INVITE the Member States and the Commission to carry out a regular review of progress on the critical areas of concern in the Platform of Action, in particular with a view to preparing a general review of all these areas."