

# Human Rights, Gender and Child Protection in EU Military Operations

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# Obligations

## ➤ Article 2 TEU

*“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities”.*

## ➤ Article 3(5)TEU

*“The Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter”*

# Additional Obligations

- **General International Human Rights Law**
- **Multilateral Treaties on Human Rights both at universal and regional level**



# Mainstreaming human rights across CFSP and other EU policies (PSC, 2006)

This document states:

- *“The protection of human rights should be systematically addressed in all phases of CSDP operations, both during the planning and implementation phase, including by measures ensuring that the necessary human rights expertise is available to operations at headquarter level and in theatre; training of staff; and by including human rights reporting in the operational duties of CSDP missions”.*
- Member States, the Commission and the Council Secretariat also have to:
  - provide human rights training to personnel serving in CSDP missions and operations;
  - Integrate human rights aspects as part of flanking measures or technical assistance provided in the context of CSDP missions and operations where appropriate

## Reference Documents

- **General**

- Doc 17138/10: *Lessons and best practices of mainstreaming human rights and gender into CSDP military operations and civilian mission*
- Doc 17209/10: *Package of three concepts containing minimum standard training elements on human rights, gender and child protection in the context of CSDP*

- **Gender**

- Doc 15671/1/08: *Comprehensive approach to the EU implementation of UNSCRs 1325 and 1820 on women, peace and security*
- Doc 16173/1/08: *EU guidelines on violence against women and girls and combating all forms of discrimination against them*
- Doc 7109/12: *Implementation of UNSCRs on women, peace and security in the context of CSDP missions and operations*

## Reference Documents/cont...

- **Children and Armed Conflict**

- Doc 16031/07: *EU Guidelines for the Promotion and Protection of the Rights of the Child*
- Doc 10019/08: *EU Guidelines on Children and Armed Conflict*
- Doc 17488/10: *Revised Implementation Strategy of the EU Guidelines on Children and Armed Conflict*

- **International Humanitarian Law**

- Doc 16841/09: *EU Guidelines on promoting compliance with International Humanitarian Law (IHL)*

- **Protection of Civilians**

- Doc 15091/10: *Guidelines on the Protection of Civilians in CSDP Missions and Operations*

- **Standards of Behaviour**

- Doc 8373/1/05: *Generic Standards of Behaviour for ESDP Operations*

# The Planning Phase

- **All documents related to operations include reference to Human Rights and Gender**
- **Crisis Management Concept**
- **Initiating Military Directive**
- **Concept of Operations**
- **OPLAN**

## In Practice....

- All current EU military operations have a Human Rights/Gender Advisor
- Roles of HR/Gender Advisor:
  - Advise OpCdr on internal issues of HR/Gender nature
  - Advise OpCdr on operational matters regarding HR/Gender
  - Training and awareness

- **HR/Gender Advisory Team at HQ EUFOR level:**

- 1 x Senior Military Officer (Col) – Advice to the Command Group
- 1 x Civilian Advisor – Training and external contacts
- HR/Gender Focal Points in Regional Command Centres

- **Major issues:**

- Advice COMEUFOR on HR/Gender in operational matters
- Provide periodic in-mission training to EUFOR personnel
- Liaise with NGOs and local Women Groups IOT increase awareness
- Conduct HR/Gender Situational Analysis
- Assist Armed Forces of BiH in integrating HR/Gender training in capacity building
- On request, assist contributing MS/Countries in pre-deployment HR/Gender training

- **OHQ LEGAD 1 has the lead**

- **Provides advice to OpCdr**

- **Assists FHQ LEGADs**

- **Major issues:**

- **Ensure HR of Suspected Pirates when apprehended/in transfer for prosecution**

- **Rights of children if Suspected Pirates are minors**

- **No female pirates to date**

- **Gender issues onboard EUNAVFOR vessels is a matter of national policy**

- **Ensure compliance with Standards of Behaviour**

# UNCLASSIFIED EUTM SOMALIA

- **HR/Gender Advisor assigned to the Mission**
  - Provides advice to MCdr
  - Provides training sessions to Somali recruits
  - Acts as focal point for HR/Gender issue within the Mission

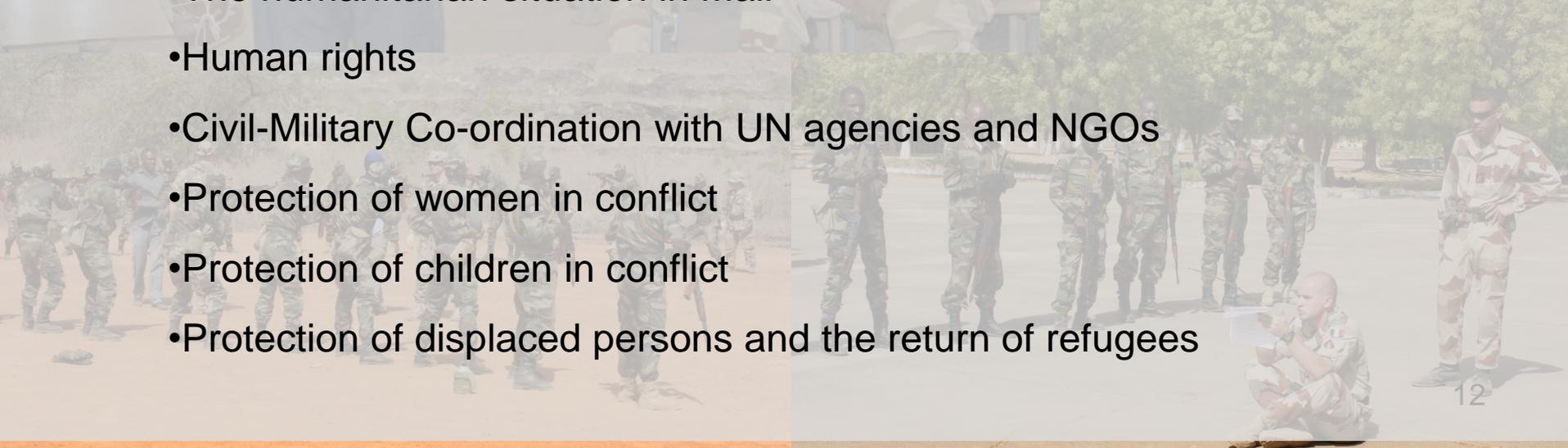
## • **Major issues:**

- Training of Somali recruits on Human Rights, Children's Rights, Women's Rights and the concept of family.
- Test comprehension of these concepts by exercises in the Cohesion Phase
- Update the training curriculum
- Co-ordination with UNICEF in the recruit selection process
- Assist the Somali Armed Forces in integrating HR/Gender policy and training

- Currently LEGAD and CIMIC deal with horizontal issues
- Instruction on Human Rights, Gender, Child Protection and Protection of Civilians delivered in collaboration with UNOCHA, UNHCR, ICRC, UN WOMEN and UNICEF

• Scope:

- Training for all ranks
- Minimum 10hrs of instruction per individual on:
  - The humanitarian situation in Mali
  - Human rights
  - Civil-Military Co-ordination with UN agencies and NGOs
  - Protection of women in conflict
  - Protection of children in conflict
  - Protection of displaced persons and the return of refugees





•HR/Gender Advisory Team at Mission level :

- 2 x Civilian advisor – Advice to the HoM on Gender and HR

•Major issues:

- Advice HoM on HR/Gender matters
- Provide periodic training modules on this issue to FARDC personnel
- Liaise with NGOs and local Women Groups IOT increase awareness
- Conduct HR/Gender Situational Analysis
- Assist Armed Forces of RDC Congo in integrating HR/Gender training in capacity building

# QUESTIONS?