Parliamentary Oversight of the Security Sector and Gender

There is strong recognition that security sector reform (SSR) should meet the different security needs of men, women, boys and girls. The integration of gender issues is also key to the effectiveness and accountability of the security sector, and to local ownership and legitimacy of SSR processes.

This Practice Note provides a short introduction to the benefits of integrating gender issues into parliamentary oversight of the security sector, as well as practical information on doing so.

> This Practice Note is based on a longer Tool, and both are part of the **Gender and SSR Toolkit**. Designed to provide an introduction to gender issues for SSR practitioners and policymakers, the Toolkit includes 12 tools with corresponding practice notes – see *More information*.

Why is gender important to parliamentary oversight?

> **Parliamentary oversight of the security sector**: 'The Legislature exercises parliamentary oversight by passing laws that define and regulate the security services and their powers and by adopting the corresponding budgetary appropriations. Such control may also include establishing a parliamentary ombudsman or a commission that may launch investigations into complaints by the public.'[1]

> **Gender** refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to *learned* differences between men and women, while 'sex' refers to the *biological* differences between males and females. Gender roles vary widely within and across cultures, and can change over time. Gender refers not simply to women or men but also to the relationship between them.

Integrating gender into parliamentary oversight of the security sector can help create accountable, effective and equitable security policies and institutions:

Inclusive, needs-based security policies
- Parliamentarians, as elected representatives of specific constituencies, have the responsibility to ensure that the security needs of women, men, girls and boys are incorporated into security policy-making. For instance, gender-based violence (GBV), including human trafficking, intimate partner violence, sexual assault and anti-gay violence, is one of the greatest threats to human security worldwide.
- Participative policy-making processes that involve a broad range of civil society actors, including women's organisations, help ensure public consensus on security priorities, and increase the responsiveness and legitimacy of security policies, security institutions and the parliament itself.

Operationally effective security sector institutions
- Parliaments can take measures to increase the representation of women within security sector institutions and in relevant government positions, which has been shown to have a wide range of operational benefits.
- Parliament plays an essential role in preventing and holding security sector institutions accountable for discrimination, sexual harassment and human rights violations.

Representative parliamentary decision-making
- A more equal number of female and male parliamentarians, including on defence and security committees, can strengthen the legitimacy and equity of parliaments. Globally, in 2007, 82.6% of parliamentarians were men.[2]

Box 1	Creating participatory and gender-responsive security policies in South Africa [3]

The 1996 White Paper on National Defence for the Republic of South Africa was drafted by Laurie Nathan of the University of Cape Town. The first draft of the paper was widely commented on by civil society organisations and members of the defence industry. It included a focus on human security and emphasised the creation of a non-sexist institutional culture, including an obligation of the Ministry of Defence to identify and eliminate discriminatory practices and attitudes in the armed forces. In addition, it called for affirmative action and equal opportunity programmes as well as acknowledgment of the right of women to serve in all ranks and positions, including combat roles.

The White Paper also called for a defence review to outline operational details such as doctrine, force design, logistics, armaments, human resources and equipment. At the insistence of women parliamentarians, the Parliamentary Joint Standing Committee on Defence called for a national consultation as part of the defence review process. A variety of measures were taken to ensure public participation, including using military planes and buses to transport religious and community leaders, NGO activists and representatives of women's organisations to regional meetings and workshops.

Grassroots women's organisations were vital in drawing attention to previously ignored issues such as the environmental impact of the military and the sexual harassment of women by military personnel. To respond to these issues, two new sub-committees were formed within the Defence Secretariat. Ultimately, the participatory nature of the Defence Review was credited with assisting the process of building national consensus around defence issues and generating public legitimacy for new security structures.

Equitable budgeting and resource management

■ Gender analysis of budgets and resource management can strengthen transparency, accountability and the equitable distribution of funds to address the security needs of men, women, girls and boys.

Compliance with obligations under international laws and instruments

Integrating gender into parliamentary oversight of the security sector is necessary to comply with international and regional laws, instruments and norms concerning security and gender. Key instruments include:

■ *The Convention on the Elimination of All Forms of Discrimination Against Women* (1979)

■ *The Beijing Declaration and Platform for Action* (1995)

For more information, please see the Toolkit's Annex on International and Regional Laws and Instruments.

How can gender be integrated into parliamentary oversight?

The particular challenges and opportunities involving parliamentary oversight of the security sector differ between countries, so the following suggestions for the integration of gender issues should be adapted to the specific country context:

To create inclusive, needs-based security policies

■ **Participatory process**

- Implement broad-based public consultations, including women's and men's organisations, on security polices.

- Set up mechanisms for public debate, such as public hearings.

- Individual parliamentarians can make themselves available to hear concerns expressed by urban and rural women's organisations.

■ **Gender-responsive security policies**

- Include gender-related content such as addressing GBV and promoting equal participation of men and women in security institutions.

- Use gender-inclusive ('police officers') and gender-specific language ('male and female military personnel') as appropriate.

- Seek the advice of gender experts in drafting and reviewing security policies.

- Establish a gender caucus, including female and male parliamentarians, in order to raise awareness of gender issues.

- Conduct a gender impact assessment of proposed and existing security policies.

■ **Gender training and mandates for security policymakers**

- Provide parliamentarians and their staff, especially those on defence and security committees, with training and other capacity building on gender and security issues.

- Ensure that gender issues are included within the mandate of defence and security committees.

To strengthen the effectiveness of security sector institutions

■ **Initiatives to increase the recruitment, retention and advancement of women within security sector institutions**

- Call for specific targets for women's recruitment and retention.

- Change human resource policies and practice for a better work-life balance.

- Commission and/or request sex-disaggregated data concerning gender mainstreaming and composition of security sector institutions.

- Request analyses of the drop-out of female cadets in police and military academies, as well as in later stages of their career, and monitor initiatives to enhance female retention.

■ **Gender training for security sector personnel**

- Ensure that all security sector personnel are given appropriate gender training.

■ **Comprehensive legislation on GBV**

- Monitor the implementation of international, regional and national commitments on the elimination of GBV, including within security sector institutions.

- Develop legislation, policies and national action plans on the elimination of GBV that highlight the specific responsibilities of the law enforcement, justice and penal systems.

■ **Hold security institutions and personnel accountable for prevention of and response to GBV**
- Ensure clear legislation and codes of conduct on the responsibility of security sector personnel concerning the internal prevention and response to human rights violations, including disciplinary procedures.
- Monitor complaints, investigation and punishment of human rights violations by security sector personnel.
- Establish inquiries/studies into the nature and extent of sexual harassment and other forms of GBV with security sector institutions.

■ **Ombudsperson**
- Consider creating a position, such as an Ombudsperson, with special powers to oversee the integration of gender issues within defence and other security sector institutions.
- Ensure that the ombudsperson's office has an appropriate mandate and expertise to address GBV, including a gender team or gender experts.

To increase women's representation and participation within parliaments

■ **Increase women's representation in parliament**
- Implement constitutional, legislative or voluntary party quotas, reform electoral systems and provide support and capacity-building to female candidates.
- Raise the awareness of political party representatives, and the general public, on the importance of women's representation in politics.

■ **Make security and defence committees more gender-balanced**
- Pass legislation calling for an increased participation of female parliamentarians on security-related committees (see Box 2).
- Consider creating strategic targets or quotas for women's participation in all committee structures.

To promote equitable budgeting and resource management

■ **Gender budgeting**
- Conduct a gender audit of proposed and existing budgets to ensure funding to address the security needs of women, men, boys and girls.
- Integrate gender issues into proposed budgets.

Box 2	Israel: equal representation in security policy decision-making [4]

In 2005 the Knesset, Israel's parliament, passed an amendment to the 1956 Equal Representation of Women law which mandates the inclusion of women in teams appointed for peace negotiations and setting domestic, foreign or security policy. Two members of parliament initiated the law in collaboration with Isha L'Isha, a grassroots women's organisation. In order to get the law passed, an ad hoc collation of women's and peace organisations was formed and an extensive lobbying and media campaign was initiated.

■ **Gender and defence procurement**
- Ensure that funds are earmarked for purchasing uniforms and equipment that fit women, for separate facilities for women and for women's reproductive health needs.
- Ensure that national arms trade regulations prohibit trade with regimes or individuals that perpetrate GBV.

Also available in Tool 7…
- Examples of different forms of quotas for women
- Practical strategies for addressing GBV
- Methods for gender budgeting

Post-conflict challenges and opportunities

In post-conflict environments, the oversight role of parliament is often quite weak. However, parliaments have the opportunity to play constructive roles in ensuring that gender issues are integrated into the process of creating security and reconstructing security sector institutions.

Challenges for the integration of gender issues
■ The role and authority of parliaments may be severely compromised, especially in relation to oversight of security institutions such as the military.
■ As the security sector is a highly complex field, not all parliamentarians have sufficient knowledge or expertise for effective oversight, especially in post-conflict contexts.
■ Parliamentarians and security institutions may see civil society organisations as political opponents, and therefore be reluctant to work with women's organisations.
■ Participation in politics and in the security forces may have negative associations due to past violence and human rights abuses. This might make it harder to increase the participation of women.
■ There may be resistance to prioritising gender issues, such as GBV, when other security threats are seen as more pressing.

Opportunities for the integration of gender issues
■ Parliaments can advocate for the inclusion of women (such as female parliamentarians) in peace negotiations and the integration of gender issues into peace agreements. Peace agreements often serve as a framework for SSR.
■ Oversight over disarmament, demobilisation and reintegration processes can provide an entry point to ensure that the needs of male and female ex-combatants are adequately addressed.
■ Parliament's legislative, oversight and budgetary authority enables it to influence the gender-responsive reform of the justice and penal systems.
■ SSR processes provide the opportunity for parliamentarians to ensure that gender issues such as GBV are addressed and that specific initiatives are taken to recruit women.
■ Post-conflict transformation of electoral policies and parliament itself provides an opportunity to implement measures to increase the percentage of female parliamentarians (including on defence and security committees) and establish mechanisms for consultation with civil society organisations.

Box 3	Implementing constitutional quotas: reforms in Afghanistan and Iraq [5]

Afghanistan changed from a country where women's rights were severely restricted to one that guarantees gender equality by law. In the area of political representation, the new constitution guarantees the formal inclusion of women in political decision-making processes. Article 83 states that at least two female candidates from each province should be elected to parliament. This constitutional provision was successfully implemented. In the September 2005 elections, 69 women, representing about 27% of the 249 members of the Wolesi Jirga, were elected.

Similarly, the new constitution of Iraq, ratified in October 2005, guarantees women one quarter of parliament's 275 seats. In Iraq too, the constitutional quota was enforced. Following the December 2005 election, women represent one quarter of the National Council of Representatives. These two electoral outcomes are of particular significance in a region where women continue to be under-represented in political decision-making and, in some instances, lack full citizenship rights.

- Donors may be willing to support gender-responsive reforms including the gender capacity-building of male and female parliamentarians.

Questions for parliamentary oversight

Key questions to ask when assessing whether or not gender issues are being integrated into parliamentary oversight of the security sector include:

- Have the parliamentarians on defence and security committees received capacity building on gender, such as gender training or briefings?
- Are formal and/or informal structures in place for consultation with civil society organisations on security issues, including women's organisations?
- What is the representation of male and female parliamentarians on defence and security-related committees?

- Has an ombudsperson's office been established and does it have the mandate and capacity to address gender issues?
- Are initiatives in place to increase the representation of women within parliament, such as quota systems or support for female candidates?
- Has legislation been passed to guarantee the full and equal participation of women and men within security sector institutions? Is there adequate legislation in place on GBV?
- Has a gender/women's caucus been established? Are security issues being discussed within the caucus?
- Has a gender budget analysis been applied to security-related budgets?

More information

Resources

Byanyima, W. and Wehner, J. - *Parliament, the Budget and Gender - IPU Handbook for Parliamentarians N° 6*, 2004.

Born, H., Fluri, P. and Johnson, A. eds. - *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices*, DCAF and IPU, 2003 (available in 40 languages).

Freeman, M. - *Making Reconciliation Work: the Role of Parliaments - IPU Handbook for Parliamentarians N° 10*, 2005.

Organisations

Association of European Parliamentarians for Africa (AWEPA) – www.awepa.org

iKNOW Politics: International Knowledge Network of Women in Politics – www.iknowpolitics.org

Initiative for Inclusive Security – www.huntalternatives.org/pages/7_the_initiative_for_inclusive_security.cfm

International Institute for Democracy and Electoral Assistance – www.idea.int

Inter-Parliamentary Union – www.ipu.org

Gender and SSR Toolkit

1. Security Sector Reform and Gender
2. Police Reform and Gender
3. Defence Reform and Gender
4. Justice Reform and Gender
5. Penal Reform and Gender
6. Border Management and Gender
7. Parliamentary Oversight of the Security Sector and Gender
8. National Security Policy-Making and Gender
9. Civil Society Oversight of the Security Sector and Gender
10. Private Military and Security Companies and Gender
11. SSR Assessment, Monitoring and Evaluation and Gender
12. Gender Training for Security Sector Personnel
Annex on International and Regional Laws and Instruments

Each of these Tools and Practice Notes are available from: www.dcaf.ch, www.un-instraw.org and www.osce.org/odihr.

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[1] DCAF and IPU, *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices*, DCAF and IPU, 2003, p. 22. http://www.dcaf.ch/oversight/_publications.cfm?navsub1=12&navsub2=3&nav1=3

[2] IPU, *Women in National Parliaments,* 31 Oct. 2007. http://www.ipu.org/wmn-e/world.htm

[3] Anderlini, S.N. and Conaway, C.P., *Negotiating the Transition to Democracy and Reforming the Security Sector: The Vital Contributions of South African Women,* (Initiative for Inclusive Security: Washington DC), 2004, pp.17-18; 23-25.

[4] Isha L'Isha News Release (21 July 2005), *Parliament/Knesset Passes New Law Mandating Inclusion of Women for Peace and Security Negotiations & Policy.* http://www.peacewomen.org/news/Israel-OPT/July05/Knesset.html

[5] IPU, *Women in Politics.* http://www.ipu.org/wmn-e/suffrage.htm; Mosadiq, *The New Afghan Constitution.*