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## **Women in the armed forces: promoting equality, putting an end to gender-based violence**

### **Report<sup>1</sup>**

Committee on Equality and Non-Discrimination

Rapporteur: Ms Maryvonne BLONDIN, France, Socialist Group

### *Summary*

Women who join the armed forces are faced with an environment designed by and for men. Women are still very much in the minority and face many forms of discrimination. Mind-sets rooted in a purely male approach to the armed forces, rigid career paths and lack of access to certain posts are all hindrances to military women's professional equality.

At the same time, gender-based harassment and assaults against women are frequent within the armed forces, and the existing internal culture creates a favourable environment for such abuse.

It is vital to step up efforts to prevent and combat harassment and violence against women in the armed forces. They should adopt and strictly apply a policy of zero tolerance vis-à-vis gender-based violence and establish independent mechanisms for dealing with such complaints.

It is also essential to take measures to promote the recruitment of women to the armed forces, open all positions to them, develop flexible career paths and systematically take the gender dimension into account in all operations carried out by the armed forces.

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1. Reference to committee: [Doc. 13697](#), Reference 4118 of 20 April 2015.



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## A. Draft resolution<sup>2</sup>

1. The missions assigned to today's armed forces are increasingly wide-ranging and extend beyond national defence to include participation in peace-keeping operations abroad and in internal operations in the context of combating terrorism. At the same time, the professionalisation of armies and increased competition with other employers mean that it is increasingly in the armed forces' interest to capitalise on a diversity of professional experience and human skills.
2. Recruiting and retaining a larger number of women among their personnel has therefore become an important issue for the armed forces. However, although Europe's armies have gradually become more receptive to the recruitment of women in recent decades, women are still very much in the minority in military roles, especially among the higher ranks.
3. Women who join the armed forces are faced with an environment designed by and for men. They face many forms of discrimination and are confronted with rigid career plans and mentalities that are still rooted in a purely male approach to the armed forces.
4. The Parliamentary Assembly deplores the fact that sexual harassment and assaults against women are still frequent within the armed forces. Conforming to the existing internal culture is often regarded as a factor of cohesion, instead of recognising that diversity strengthens operational capacities. It is vital to change mentalities, step up efforts to prevent such violence and establish mechanisms for dealing effectively with complaints.
5. With reference to its [Recommendation 1742 \(2006\)](#) and to Committee of Ministers Recommendation CM/Rec(2010)4 on the human rights of members of the armed forces, the Assembly underlines that members of the armed forces cannot be expected to respect human rights in their operations unless respect for these rights is guaranteed within the armed forces themselves. The Assembly also points out that the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210) covers all types of violence and applies both in peacetime and during situations of armed conflict.
6. In the light of the above, the Assembly calls on the Council of Europe member States:
  - 6.1. with regard to recruitment and career management for members of the armed forces, to:
    - 6.1.1. adapt recruitment strategies so as to eliminate stereotypes and attract more women into the armed forces, including for military duties;
    - 6.1.2. place an emphasis in recruitment and career management policies on identifying the skills needed to fulfil the missions that are assigned to today's armed forces;
    - 6.1.3. open all positions in all corps of the armed forces to women;
    - 6.1.4. put in place proactive policies for recruiting women and including them in roles from which they have previously been excluded; look at the physical criteria applied in recruitment to these professions and the advisability of running pilot projects to promote the recruitment of women in these professions;
    - 6.1.5. work actively to promote the deployment of women in foreign operations, including in military roles; include gender advisors in each foreign operation by an armed force, at all stages of preparation and deployment;
    - 6.1.6. develop more flexible career opportunities in order to increase the number of pathways providing access to the most senior ranks;
    - 6.1.7. introduce comprehensive and consistent measures to help balance work and private life for all members of the armed forces;
    - 6.1.8. systematically incorporate the gender dimension in all deliberations on the introduction, continuation or abolition of military service;
    - 6.1.9. carry out research into the reasons for the difficulties encountered in recruiting greater numbers of women for military duties, the reasons why the military careers of women are often shorter than those of their male counterparts and the reasons why women and men leave the armed forces before retirement age or the end of their contracts;

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2. Draft resolution unanimously adopted by the committee on 17 May 2016.

6.2. with regard to the creation of a climate more conducive to gender equality within the armed forces, to:

6.2.1. make an active commitment at all levels of the chain of command to change mentalities and the internal culture in the armed forces so that all differences are positively accepted and turned to account;

6.2.2. include teaching on the gender dimension in all stages of military training and make sure that both women and men teach in military academies;

6.2.3. include gender advisors in all bodies so that gender is taken into account systematically and as an integral part of everyday work;

6.2.4. establish and support the functioning of networks of military women;

6.2.5. ensure that equipment and uniforms are suitable for women's bodies and that living quarters are adapted for accommodating both men and women;

6.3. with regard to combating gender-based violence in the armed forces, to:

6.3.1. ensure that the legislation applicable to members of the armed forces, including the criminal law where appropriate, explicitly prohibits all forms of gender-based violence and is both comprehensive and effectively implemented; also ensure that internal codes of conduct include strict provisions in this connection, which are widely known and applied at all levels;

6.3.2. adopt and ensure the systematic application of a zero-tolerance policy vis-à-vis gender-based violence and send the message to all military personnel that such behaviour will not be accepted in the armed forces;

6.3.3. make all levels in the chain of command aware of the need for such a policy;

6.3.4. establish mechanisms, for instance free hotlines, to enable victims to make informal complaints confidentially and anonymously and obtain impartial advice about their situation;

6.3.5. facilitate access by victims to formal complaint mechanisms and set up whistle-blowing mechanisms independent of the chain of command to which victims belong;

6.3.6. provide assistance and support to victims when they report abuse;

6.3.7. define effective penalties and apply them to the perpetrators of violence, as simply transferring the victim of a sexual assault is not an appropriate response;

6.3.8. sign and/or ratify, if they have not yet done so, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

7. Considering the significant role that parliaments can play in the democratic scrutiny of the armed forces, the Assembly calls on the national parliaments of member States to:

7.1. actively seek gender balance in the parliamentary bodies dealing with the armed forces;

7.2. actively follow, through parliamentary debates, questions and reports, the implementation by their country of Resolution 1325 and the other United Nations "Women, Peace and Security" resolutions, in particular concerning the situation of women in the armed forces, and take legislative initiatives to achieve the relevant objectives;

7.3. conduct parliamentary inquiries into the situation of women in their country's armed forces, in particular concerning the treatment by the armed forces of complaints of harassment and other forms of gender-based violence;

7.4. encourage independent bodies such as parliamentary commissioners, ombudspersons and equality committees which have the requisite powers in relation to the armed forces to conduct inquiries into these matters.

## B. Explanatory memorandum by Ms Maryvonne Blondin, rapporteur

### 1. Introduction

1. For some decades now, Europe's armies have gradually become more receptive to the recruitment of women. The processes are highly varied, with the proportion of women employed in the armed forces progressing at a different pace depending both on the country and on the branch of the forces. It has to be said, however, that women are still very much in the minority in the military. Amongst the European States that are members of the North Atlantic Treaty Organization (NATO), only Latvia currently has more than 15% of women amongst its military personnel.<sup>3</sup>

2. Women who join the armed forces are faced with an environment designed by and for men. Although the number of women recruited to the armed forces has increased in many countries, the military environment has not always adjusted to this state of affairs. Women in the military face many forms of discrimination, whether for example in access to the most senior positions or to combat occupations. Sexual harassment and sexual assaults against them are also a major problem.

3. There is no international legal instrument which deals specifically with the rights of female military staff. The Council of Europe, however, looked at a number of issues relating to their rights in its work on Recommendation CM/Rec(2010)4 on the human rights of members of the armed forces,<sup>4</sup> which followed on from Assembly Recommendation 1742 (2006) on the human rights of members of the armed forces.

4. The purpose of this report is to look into the situation of women in the armed forces, to identify good practices and make recommendations to the Council of Europe member States on equal access by women to the armed forces and equal rights for serving female personnel. I also wish to give greater visibility to the problem of harassment and violence against women in the military in the hope that this may encourage victims or witnesses to report offences and in this way obtain justice. The report could help raise awareness about this type of behaviour and bring about the change in mentalities that is needed.

### 2. Why recruit more women and diversify their roles in the armed forces?

5. Above and beyond the obvious considerations of equality and questions of principle for opening up the armed forces to women, the military today must address a large number of new challenges. The sudden professionalisation of armies in countries that have ended compulsory military service for men, the deployment of military personnel in internal operations in the context of combating terrorism, the fact that armed forces now find themselves increasingly competing with other employers to recruit the best possible candidates, which could raise longer-term questions about the viability of the armed forces, are all reasons why the military have been induced to cease ignoring the competences of women<sup>5</sup> and members of ethnic minorities.

6. Moreover, whether the increasing employment of women by the armed forces is something imposed on them or that they actively seek, the roles assigned to women are becoming increasingly diversified. Greater participation in peacekeeping operations is bringing the armed forces more into contact with civilian populations, a situation in which the presence of women military personnel could significantly improve relations between the civilian population and the army. In the United Nations, it has been observed, for example, that "women peacekeepers broaden the range of skills and capacities among all categories of personnel, enhance the operational effectiveness of all tasks, and improve the mission's image, accessibility and credibility vis-à-vis the local population."<sup>6</sup>

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3. NATO HQ Office of the Gender Advisor, International Military Staff, Summary of the National Reports of NATO Member and Partner Nations 2014, 7 March 2016, p. 8. In the Russian Federation, in 2010 women accounted for roughly 10% of military personnel (see Eva Brems (ed.), *Diversity and European Human Rights: Rewriting Judgments of the ECHR*, Cambridge University Press, 2015, p. 160).

4. Adopted by the Committee of Ministers on 24 February 2010 at the 1077th meeting of the Ministers' Deputies.

5. See Australian Human Rights Commission, Review into the Treatment of Women in the Australian Defence Force, Phase 2 Report: 2012, Overview and Recommendations, p. 20; Philippe Manigart and Delphine Resteigne, "Genre et ethnicité: deux types de diversité militaire passés à la loupe", *Dynamiques internationales*, No. 11, December 2015, pp. 1-15.

6. Preventing Conflict, Transforming Justice, Securing the Peace – A global study on the implementation of United Nations Security Council Resolution 1325, UN Women, 2015, p. 141.

7. It is therefore increasingly in the armed forces' interest to capitalise on a diversity of experiences and ways of thinking. As with other employers, diversity strengthens the ability to innovate, to solve problems and to take informed decisions.<sup>7</sup> For the armed forces, recruiting and retaining a larger number of women among their personnel can be regarded today as vital.

8. For women, this also means being able to play a full role in serving their country.

### 3. Equal access and women's careers in the armed forces

9. Steps are being taken in several countries of Europe to increase the number of women working in the armed forces, for the reasons outlined above and in the context of the implementation of United Nations Resolution 1325 on "Women, Peace and Security".<sup>8</sup> In this chapter, I shall analyse various aspects of women's access to the armed forces and their careers in the military.

#### 3.1. Acceptance of women in the armed forces over the 20th century

10. The situation of women and their access to various roles in the armed forces vary considerably from one country to another. The period between the admission of the first women to the armed forces and the opening of access to all positions may be very short or, conversely, last several decades, if indeed they do today have access to all positions.

11. Those countries which were the first to open the doors of the armed forces to women are not necessarily the first to grant them access to all positions. During the First World War, the Russian armed forces already had battalions of women soldiers and women pilots, but they do not yet have access to all posts.<sup>9</sup> At the same time, among the NATO member States, two of the six countries in which there are still restrictions on women's access to certain military positions began accepting women into their armed forces back in 1944 (the Netherlands) and 1946 (Greece). In contrast, in the 12 countries that joined NATO after 1999, women already in theory have access to all positions. This was already the case prior to their accession to NATO or came about shortly afterwards.<sup>10</sup>

12. In Germany, women have had access to civilian occupations in the military since 1975, and access to other professions, particularly medical, gradually became broader during the 1980s and 1990s. But it was not until a judgment of the Court of Justice of the European Union was delivered in 2000<sup>11</sup> that all existing positions and professions were opened to women. Women now make up 10.5% of the total staff of the German armed forces.

13. The case of Norway is also interesting in this respect. Since 1985, there have been no formal barriers to women's access to all military roles and positions. According to the women in the military whom I met during my visit in October 2015, the wish to recruit women to certain positions was first expressed by the armed forces themselves after the Second World War in order to release more men for operational positions – but the political establishment was unwilling. In the late 1970s, a time of feminist campaigning – when the armed forces were no longer seeking to recruit women – policy decisions were taken in order to impose women's presence. In the 1990s, discussion hinged mainly on questions of principle. It is only recently that the operational need for women's skills within the armed forces has been explicitly acknowledged. Today, gender equality policies in the Norwegian armed services are based on three guiding principles: competence, equality of opportunity, and the legitimacy of the armed forces in the eyes of the public as a whole. In 2007, in White Paper No. 36, the Norwegian Parliament thought it realistic to aim for a proportion of 20% of women in military roles by 2020. At the end of 2014, 17% of the total staff of the Norwegian armed forces were women. However, despite the 200 targeted measures taken since 1985, women still accounted for only 10.2% of

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7. See among other sources, Australian Human Rights Commission, op. cit., p. 26.

8. Resolution 1325 (2000) "Women, Peace and Security" adopted on 31 October 2000 by the United Nations Security Council was followed by six related resolutions: resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013). Implementation of these resolutions is often termed the "women, peace and security agenda". See in particular UNSCR 1325 Reload: An Analysis of Annual National Reports to the NATO Committee on Gender Perspectives from 1999-2013: Policies, Recruitment, Retention and Operations, Findings and Recommendations, 1 June 2015, p. 17 et seq. 26 of the 28 NATO member States covered by that publication are members of the Council of Europe.

9. The lists of posts to which women military personnel have access are determined by the Ministry of Defence.

10. UNSCR 1325 Reload, p. 18.

11. Case C-285/98, *Kreil v. Bundesrepublik Deutschland*, judgment of 11 January 2000.

military staff.<sup>12</sup> Significant funding has been allocated to research into this situation and to identifying measures to improve recruitment of women into the military and above all encourage them to pursue their careers in the armed forces.

14. As this example shows, an overall national figure can disguise quite different circumstances on the ground. The proportion of women can vary significantly according to the force or department concerned. For instance, 10% of the personnel of the French Army are women, whereas women account for 21% of the staff of the army's administrative services and 57.6% of its health service. In Croatia, 10% of military personnel are women, compared to 35.6% for civilian staff. In Denmark, the figures are 6% for military and 39% for civilian personnel, in Latvia 16.7% (military) and 65.4% (civilian) and in Portugal 11.3% and 64% respectively.

15. Faced with these disparities, it would be a shame merely to note, on the pretext that the situation is hardly any different in civil society, that the greater representation of women in civilian departments and in administrative functions is not a specific feature of women in the armed forces.<sup>13</sup> In point of fact, the question as to why women are confined to certain types of profession can be raised in relation both to civilian jobs and to the armed forces.

### **3.2. Compulsory military service and professionalisation of the armed forces**

16. Another factor with a not inconsiderable influence on the proportion of women employed in the armed forces is the existence of compulsory military service and whether it applies to women.

17. In Europe, compulsory military service is universal (covering both men and women) in only one country, Norway.<sup>14</sup> Every year since 2014, all Norwegians aged 17 have undergone mandatory selection procedures for the armed forces. Of the 63 000 young people called up, some 8 000 young men and women will be selected for military service, which lasts roughly a year.<sup>15</sup> There are no quotas for men and women in this process: the individuals selected are those who best meet the requirements of the armed forces. It should be noted that the obligation to go through the selection process for the armed forces has applied to everyone, including women, since 2010. Nevertheless, from 2010 to 2014, women had the right to withdraw from military service if they were selected. According to the researchers whom I met in Norway, an increase in the number of women interested in carrying out military service had been recorded, with the proportion of women interested rising from 17% in 2010 to 23% five years later. Over this period, many of the women selected for military service nevertheless exercised their right to withdraw. It remains to be seen whether this trend will continue after the 2014 amendment to the law and what the long-term impact of this amendment will be on the proportion of women employed in operational military roles.

18. As regards other countries, compulsory military service applies only to men in 10 countries for which we have information: Austria, Denmark, Estonia, Finland, Georgia, Lithuania, the Netherlands, the Russian Federation, Switzerland and Turkey. In most of these countries women are also able to enlist voluntarily for military service. The proportion of women working in the armed forces varies significantly between these countries. In Switzerland, the figure is 0.75%, whereas in Estonia women make up 11.4% of military personnel and 26% of the armed forces overall.

19. Where military service previously existed only for men but was then abolished or suspended (in the process of "professionalisation" of the armed forces), armies have been forced to find new sources of recruits. As in France, where compulsory military service for men was abolished in 1996, some armies with a long-standing male tradition have recognised that they can no longer do without 50% of the population and have set out actively to recruit more women. However, targets for the recruitment of women are not always met. As Ms Françoise Gaudin pointed out at the hearing of the Committee on Equality and Non-Discrimination on 1 June 2015, while the target in France is 20%, the current rate of recruitment of women is 12%, although their share in the officer corps is growing. In other countries, particularly those whose armed forces were set up after the fall of the Berlin Wall, recruitment of women has been crucial from the outset. Although women were never subject to military service in those countries, the proportion of women in their armies is often

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12. A figure now below the average for military staff in NATO member countries.

13. French Senate, Rapport d'information No. 373, Des femmes engagées au service de la défense de notre pays, 26 March 2015, p. 12.

14. Military service is compulsory for women in only one other country in the world, Israel. In this country, which also has one of the highest proportions of women soldiers (33%), military service is 24 months for women and 32 months for men.

15. All individuals called up must complete an online self-evaluation questionnaire on their health, physical fitness and level of motivation for serving in the armed forces. On the basis of the replies, some 20 000 young people are selected for medical and fitness tests and interviews. The 8 000 people having performed best in these tests are selected for actual military service, which lasts about a year.

comparable to or even higher than in armies where military service is still compulsory for men. In Croatia, for example, where compulsory military service was suspended in 2008, women account for 10% of military personnel (and 12.51% of personnel overall); in the Czech Republic, where compulsory military service was not introduced when the country's army was established, 13.76% of military personnel are women.

20. Obviously it is hard to draw any clear conclusions as to the impact of military service on the proportion of women employed in the armed forces. On the one hand, the recent history of various countries, together with the presence or absence of armed conflict on their soil or in neighbouring countries, can have a significant influence on enlistment of men and women in the military. On the other, the very conception of the role of the armed forces may vary from one country to another. Every country is free to decide whether or not to impose compulsory military service, but whatever policy is adopted on this point, the gender dimension will need to be systematically taken into account when considering how to implement it.

### **3.3. Recruitment**

21. To increase the number of women in the military, it is obviously necessary to recruit more women. One interesting aspect raised by a number of people with whom I spoke in Norway is the general public's image of the armed forces, and especially the image projected by the armed forces themselves in their recruitment drives. Until recently, the messages and images used for these drives were bound up with physical fitness and masculinity (racing through mud, guns, bullets). In other words, by their very nature, recruitment drives based on outdated stereotypes far removed from the current needs of the armed forces have until recently tended to encourage male applicants more than female ones.<sup>16</sup> Accordingly, one very promising initiative, in my opinion, is the development of a new recruitment campaign that more closely reflects the current reality of the armed services, focusing more on technical skills and the values that the armed forces represent.

22. In order to be able to attract the best men or women, the armed forces now have to have a reputation as a first-class employer.<sup>17</sup> The way they deal with diversity and, in particular, gender equality, will be a key assessment factor for a number of women in this context. If the military world is viewed by the public at large as sexist or even misogynist, many women will be deterred from pursuing a career there.

23. During my visit to NATO on 23 February 2016, the various people with whom I spoke all stressed the fact that with regard to recruitment and career progression, even though it was important to set quantified targets and to assess the results, the emphasis should be placed on seeking the skills that the armed forces need. Commanding officers must also express this extremely clearly. On the one hand, they must highlight the skills that are required to ensure that the armed forces can recruit the personnel that best meet their needs, and, on the other, such an approach should ensure that women recruited or promoted are accepted more readily, since their skills are not open to doubt.<sup>18</sup>

### **3.4. Women's access to different professions in the armed forces**

24. In some countries, women do not have access to all the professions in the military. In the United Kingdom, for example, while 94% of roles in the Royal Air Force are open to women, only 79% are open in the Royal Navy and 70% in the army. Units designed to engage in ground close combat totally rule out the employment of women. This decision is said to be based on a concern about "team cohesion" and hence about "combat effectiveness". A recent study by the United Kingdom Ministry of Defence on the exclusion of women from these roles concludes that there is a need to conduct further physiological research to assess the risks for women and identify means of minimising the impact of these risks before deciding whether or not to lift the ban.<sup>19</sup>

25. In France, the only corps still to refuse women was the submariners, owing to the living conditions aboard submarines, which were not suitable for mixed-sex crews. However, the nuclear submarines now being built are fitted for mixed crews. The first vessels are due to be delivered in 2017, and several women are already candidates. A similar debate and process are also taking place in the Netherlands. The French authorities have stated that they have been guided in this field by existing admission policies for women

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16. Fear of failing fitness tests was also mentioned as a factor influencing the withdrawal rate for women between the first and second stages of selection for military service in Norway.

17. See, among other sources, Australian Human Rights Commission, *op. cit.*, p. 20.

18. UNSCR 1325 Reload, p. 7.

19. Ministry of Defence, *Women in Ground Close Combat (GCC) Review Paper – 1 December 2014*, published on 19 December 2014; see also the previous Report on the Review of the Exclusion of Women from Ground Close-Combat Roles, November 2010.

submariners in other countries, particularly the United Kingdom.<sup>20</sup> This example clearly highlights the fact that in terms of gender equality, armies are advancing at different rates on different fronts, since some changes viewed as problematic in one country may make rapid headway in another, and vice versa.

26. These examples should not hide the fact that in the majority of European countries, women are no longer formally barred from any specific roles in the military.<sup>21</sup>

27. It should, however, be pointed out that the removal of statutory prohibitions does not in practice automatically result in access for women to professions from which they were previously excluded. In Portugal, all professions have been open to women since 2008, but there are still no women in a number of military corps (special operations, the Marines, submariners, etc.). In Montenegro and Serbia, despite the absence of any statutory restrictions, the relevant medical authorities advise against the appointment of women to some positions for health reasons, and a degree of self-censorship has also been detected among women themselves, who refrain from applying for these positions.

28. As regards the physical standards for the recruitment of men and women with different roles in the armed forces, it is often said that these standards should be the same for everyone: the opposite would be seen as the introduction of a quota system or positive discrimination for women, an idea rejected by women in particular, who do not wish to be perceived by their colleagues as weaker, less credible or less capable. Yet, according to the researchers I met in Norway, if the same question is asked in an anonymous questionnaire, 89% of women and a majority of men think that different physical standards should be used for men and women (demanding an equivalent amount of effort from each sex).

29. Against this background, another initiative taken by the Norwegian armed forces is of particular interest. Despite the lack of formal barriers, some units have never been able to recruit women. As women were nevertheless needed in these units, the Norwegian army recently introduced a pilot project in the shape of a paratrooper unit consisting solely of women. The women concerned were recruited to the unit for their military service after an extremely rigorous selection process, but one which was based on adjusted physical criteria. This initiative, which meets an obvious need in the armed forces and was regarded positively by all those with whom I spoke, has made it possible to train 14 women as paratroopers for the first time. Almost all the women decided to stay on once their training finished. It remains to be seen how they will subsequently be integrated into units that will then become mixed.

30. As the above shows, even in countries where there are no statutory restrictions on women taking on roles in the armed forces, there would appear to be a need for proactive policies for recruiting women to and including them in roles from which they have previously been excluded.

### **3.5. Women's participation in foreign operations**

31. Participation by women in foreign operations is of real benefit, as they can facilitate contacts with local civilian populations or act as a calming influence within military teams.<sup>22</sup> The key issue therefore is not whether women should be able to participate in foreign operations but how to manage their participation so that it goes as smoothly as possible.

32. Implementation of Resolution 1325 and the related resolutions of the United Nations Security Council led NATO to take an in-depth look at the role of female military personnel in foreign operations (for example in Afghanistan). The Bi-Strategic Command Directive (BI-SCD) 40-1 sets out the framework and arrangements for implementation of these instruments, especially in the context of foreign operations. NATO thereby explicitly acknowledges that increasing the participation of women in foreign operations will increase operational effectiveness, notes that taking account of the gender perspective has a positive influence on the operational environment and urges the players concerned to extend the participation of women in foreign operations. It highlights the importance of integrating the gender perspective at all stages of the preparation and implementation of a foreign operation and describes in detail the compulsory pre-deployment training on

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20. See Written Question 00951 from Ms Maryvonne Blondin (Finistère, SOC) on feminisation of French submarine crews, published in *JO Sénat*, 19 July 2012, p. 1619, and the reply from the French Ministry of Defence published in *JO Sénat*, 23 August 2012, p. 1877.

21. Information from various national parliaments. According to this information, there are no military professions from which women are excluded in the following countries: Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Latvia, Lithuania, Montenegro, Norway, Poland, Portugal, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland and Turkey. See also UNSCR 1325 Reload, p. 18.

22. French Senate, Rapport d'information No. 373, 26 March 2015, p. 24-26. See also Danish Women in Combat, a documentary by Emma Nelson, 25 February 2014, <http://forces.tv/35360017>.

the gender dimension to be given to members of the armed forces. It also sets out the role of gender advisors. In addition, it specifies the code of conduct applicable to deployed troops and defines the concepts of sexual exploitation and sexual abuse.

33. In practice, women continue to be in the minority among personnel deployed in foreign operations. As Ms Françoise Gaudin pointed out at the committee hearing, the proportion of women participating in foreign ground operations of the French army, such as in Mali or the Central African Republic, remains low, at about 5%. Women who have taken part in such operations describe problems linked to the rudimentary nature of the living conditions (lack of privacy, mixed tents or sanitary facilities) even before referring to the danger involved or the separation from their families. Moreover, the feeling both of being in a minority and of having to do everything to ensure that their femininity goes unnoticed may be amplified, adding to the stress that women in the military have to deal with in situations which are already particularly arduous for everyone. Some of the people with whom I spoke during my visit to NATO also made the point that when there are few women deployed in foreign operations, their male colleagues have a tendency to overprotect them, limiting them to roles perceived as less dangerous. They are accordingly obliged to assert their right to participate in the operation on an equal footing.

34. Such considerations must be taken into account by all armed forces wishing to deploy a larger number of women in foreign operations. I also note with interest that in the view of the people with whom I spoke at NATO, awareness is growing, since most commanding officers who have led foreign operations in which women have taken part are quite emphatic: they no longer wish to head male-only companies.

### **3.6. Women's career progression and access to senior ranks**

35. In terms of career development, women in the military report that they feel the need to demonstrate their tenacity and constantly prove themselves, doing more than men so as to earn their trust, whereas such trust is granted almost automatically to their male colleagues.<sup>23</sup>

36. Even though examples of women who have reached the highest ranks can now be found in many European countries, the overall proportion of women in the most senior positions in the armed forces is still low, and when they do hold such positions these are often administrative. There is a widely-held perception of a "glass ceiling". Across all the armed forces of the NATO member countries, roughly 11% of personnel in ranks ranging from private/aircraftman or aircraftwoman/able seaman rating to captain/flight lieutenant/lieutenant (navy) (OF2) are female. However, above those ranks, the proportion falls significantly. It stands at 5.1% for ranks ranging from major/squadron leader/lieutenant commander to colonel/group captain/captain (OF3-OF5) and only 0.6% among the general officer ranks (OF6 and above).<sup>24</sup> Often, the first women appointed to the higher ranks work in the medical corps or in public relations or logistics positions. This is *inter alia* due to the fact that in many armies, women were first of all recruited to non-combat roles, and continue to be more numerous in such positions. In addition, it should be noted that in six NATO member countries, women are still not granted full access to all positions.<sup>25</sup>

37. Career plans are frequently excessively rigid, restricting access to the higher ranks exclusively to military personnel who have followed very specific career paths. Women are, however, often encouraged to aim for senior administrative or support positions, thought easier to obtain, and only realise too late that this lessens their opportunities for promotion. This rigidity prevents armies from managing their personnel in a flexible way and prompts highly qualified and highly trained personnel who can progress no further as they have not followed the recommended career path (in particular, participation in foreign operations) to leave the armed forces, resulting for the latter in heavy losses of skills.<sup>26</sup>

38. Research into the Norwegian armed forces shows that women in the military believe that they have the same access as their male counterparts to official information on career options. However, significant guidance is also provided through informal and closed networks, to which men (still very much in the majority in the armed services) have better access than women.<sup>27</sup> Not only researchers but also women in the armed forces emphasise that women sometimes need to be persuaded to apply for operational roles or promotion, since without such active encouragement they will not venture to put themselves forward.

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23. French Senate, Rapport d'information No. 373, op. cit., pp. 19-20.

24. UNSCR 1325 Reload, p. 28. For rank equivalents, see STANAG 2116, NATO codes for grades of military personnel.

25. UNSCR 1325 Reload, p. 18. The countries concerned are: France, Greece, Italy, the Netherlands, the United Kingdom and the United States. A seventh country, Iceland, has no armed forces.

26. UNSCR 1325 Reload, p. 35.

27. Kari Røren Strand, "Onwards and Upwards?" in Frank Brundtland Steder (ed.), *Military Women: The Achilles Heel in Defence Politics?*, Oslo, Abstrakt forlag AS, 2015, pp. 191-210.

39. Among the constraints and obstacles, we should cite women's problems in obtaining admission to military academies. We should also stress the persistence of stereotypes with regard to women, which can be particularly overwhelming in military training academies and which it is still necessary to combat firmly, in particular by improving equality and non-discrimination training in these academies, including for instructors themselves.

### **3.7. Balancing work and private life**

40. The issues surrounding the balancing of a military career and family life are particularly critical when it comes to matters of motherhood and to the impact on family life of geographical mobility requirements. These are problems which all professional women face, but they can have an increased impact in the armed forces, where the decisive stages in the development of a military career often occur in parallel with those of family life.

41. It should also be pointed out that the armed forces have rarely been designed to ensure a work/private life balance. Quite the opposite, there is often a prevailing attitude that "good" military personnel are those who devote their whole life to the armed forces, to the exclusion of all other priorities. While some of the difficulties referred to above are very familiar to women working in the civilian sector, the closed military environment increases the pressure on women and adds to their feeling of isolation in an often hostile milieu.<sup>28</sup>

42. The obligation to move between different military bases, not counting deployments for foreign operations, may prompt a large number of personnel to leave. According to those with whom I spoke in NATO, in Canada, interviews on leaving show that not only women, but men, too, cite family reasons for their decision to leave the armed forces. Nonetheless, women have a greater tendency to leave the armed forces when their children are very young, whereas the men who leave for family reasons do so generally at a later stage, when their children are adolescents and their families are no longer willing to move about.

43. In Australia, the fact that women often leave the armed forces when they become pregnant or when their children are very young, led to much reflection on the costs that this entails. This highlighted the clear need to offer greater flexibility in military careers, in order to retain personnel and consequently capitalise on the armed forces' investment in high-performing staff.<sup>29</sup> Attention is drawn in this context to the approach based on skill recognition and on more flexible career paths in order to increase the attractiveness of this professional environment and reduce the number of people who leave.

44. However, mentalities are very slow to change in the armed forces. Mothers of young children who are posted on foreign operations or simply to military bases a long way from home have to deal with their colleagues' questions and attitudes, which constantly cast them as (bad) mothers before reflecting on them as (possibly good) members of the military ("You have a baby? So, what are you doing here?"). Without necessarily being malicious, such questions can be very destabilising, provoking or reinforcing feelings of guilt and causing some women to question whether they should be in the armed forces at all. Young military fathers are not asked the same questions.

45. Social attitudes in this field are also still based on stereotypes. In Norway, I had the privilege of meeting three women officers of the armed forces with the ranks of colonel, lieutenant-colonel and naval commander. They all had children, and they had all taken part in foreign operations. For men in the armed forces, leaving for foreign operations is considered normal. In contrast, women who agree to take part in foreign operations are criticised by family and friends, and even accused of abandoning their children. Upon the military woman's return, it is sometimes the case that nobody asks about her assignment, whereas everybody asks her husband how he managed to cope. Return, which tends to be idealised while on assignment, is sometimes very difficult.

46. I was informed of one good practice in several countries: when a whole battalion is required to go on a foreign operation, a family support system is set up. However, this practice is rarely placed on an institutional footing but rather depends on the goodwill of the commanding officer. In addition, when a member of the armed forces is the only member of their battalion to go on a foreign operation (for example as a specialist accompanying another battalion), they are rarely included in such arrangements.

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28. French Senate, Rapport d'information No. 373, op. cit., pp. 17-22.

29. UNSCR 1325 Reload, p. 36.

47. A number of useful measures have been introduced in the Norwegian armed forces to enable military personnel with families to participate in foreign operations, ranging for example from paying the grandparents' travel expenses to look after the children (if this is possible) to covering childcare costs if both parents are absent, and house cleaning or maintenance costs if one parent is absent. In families where both parents are in the armed forces, it is considered imperative never to send both parents on assignment at the same time.

48. The introduction of non-transferable paternity leave in Norway (currently for a duration of 10 weeks) has also helped to produce a radical change in mentalities. Dealing with the birth of a child is no longer considered to be only the mother's problem: now, the onus is on the army, just like all employers, to organise itself so as to allow all parents to take their parental leave. In the Russian Federation, the question of access to parental leave by male service personnel is also under consideration in connection with the execution of a judgment of the European Court of Human Rights. The Court held that "the traditional distribution of gender roles in society cannot justify the exclusion of men, including servicemen, from the entitlement to parental leave. ... [G]ender stereotypes, such as the perception of women as primary child-carers and men as primary breadwinners, cannot, by themselves, be considered to amount to sufficient justification for a difference in treatment".<sup>30</sup>

49. In accordance with the principles set out in the appendix to Recommendation CM/Rec(2010)4, members of the armed forces have the right to respect for their private and family life. The rights to maternity and paternity leave, family benefits and day-care services are guaranteed by Articles 8, 16 and 27 of the European Social Charter (revised) (ETS No. 163) and this should apply to members of the armed forces to the same extent as to civilians when they serve in their own country and, as far as possible, when they are posted abroad. Good examples cited in this connection include the following: in France, the Ministry of Defence has increased the number of its day nurseries to over a thousand. In the Netherlands, mothers of young children are able to work part-time and there are day-care centres. Fathers can also take parental leave. The right of members of the armed forces to maternity or parental leave is also recognised in Romania.<sup>31</sup>

### **3.8. Women's length of service in the armed forces, departures**

50. While the age of retirement is the same for women and men in most armies (varying according to the type of position held rather than gender), there seems to be little information on the actual average length of service for women in the military. Yet such information is essential when it comes to introducing policies to increase the number of women in the armed forces. In point of fact, it is not enough simply to recruit more women; they have to be able to pursue their careers in the armed forces for at least as long as men.

51. In France, the average length of service upon departure is 12.6 years for women officers as against 24.7 years for men.<sup>32</sup> In Norway, a higher departure rate for women has also been recorded, particularly for women under 30 and women employed in military roles – the very area in which the percentage of women is lowest.<sup>33</sup> According to a study carried out in 2008, women tend more to a pragmatic approach to military careers, using them as a springboard for civilian careers. This is especially the case for women having opted to do military service during the period when it was not mandatory for women, or basic training at a military training academy. Other reasons include family or private considerations, an adverse environment for women, and even bullying or sexual harassment. The latter is the reason given by approximately one fifth of women leaving the armed forces.<sup>34</sup> By contrast, in the Czech Republic, the average length of service for women in the military is the same as for men.<sup>35</sup>

52. There can be significant differences between countries where most military personnel spend all their career in the armed forces and those countries offering, as a priority, limited-duration military careers, that is to say enlisting for only a specified number of years, followed by either being taken on as a career soldier or "assisted reintegration" in the civilian labour market. This model, practised for example in Germany,<sup>36</sup> may

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30. *Markin v. Russia*, Application No. 30078/06, judgment of 22 March 2012, paragraph 143. See also the Assembly report on "Equality and shared parental responsibility" (rapporteur: Ms Françoise Hetto-Gaasch, Luxembourg, EPP/CD), [Doc. 13870](#), paragraphs 63-65.

31. Recommendation CM/Rec(2010)4. See the Explanatory Report, document H/Inf(2010)5, p. 48, and the sources quoted therein.

32. "The position of women in the French Ministry of Defence in 2015", document submitted to the committee on 1 June 2015 by Ms Françoise Gaudin, Senior Civil Servant for Equality of Rights, French Ministry of Defence, p. 3.

33. Frank Brundtland Steder, "Is It Possible to Increase the Share of Military Women in the Norwegian Armed Forces?", *International Relations and Diplomacy*, May 2014, Vol. 2, No. 5, pp. 293-309, at p. 296.

34. Information provided by the Norwegian Parliament.

35. For women, the average length of service is 4 861 days (13½ years) and for men it is 4 888 days (13.58 years, or 27 days longer than their female colleagues).

36. Members of the military employed on this basis are termed "Soldat(inn)en auf Zeit" or "Zeitsoldat(inn)en".

attract women, particularly at the beginning of their careers and having no children, since, as in Norway, it could serve as a springboard for a more rewarding civilian career. Nevertheless, given that this contractual policy involves a considerable rotation of staff, in order to maintain or increase the employment of women by the armed forces, it is essential to be constantly seeking to recruit a high proportion of women. This involves a substantial financial investment for the country, both in terms of recruitment and as regards training replacements.

53. Comparisons between countries as to the length of military women's careers are difficult owing to the fact that a range of positions have only recently and gradually been opened up to women in the military in most countries. However, every army wishing to increase the number of women employed in its structures should have to hand information and analyses regarding women's length of service in the military compared with men's.

### **3.9. Adapting structures to the presence of larger numbers of women**

54. A reconfiguration of space and the provision of appropriate uniforms are changes which have to be made alongside the increased employment of women in the armed forces. During my visit to Norway, the representatives of conscripts (TMO) underlined how important it was for women to have equipment and uniforms adapted to women's bodies. Some of the people with whom I spoke during my visit to NATO also made it clear that for pregnant women, the lack of military uniforms adapted for pregnancy caused a two-fold problem: being obliged to wear civilian clothing, a pregnant woman in the military loses her legitimacy and her authority vis-à-vis lower rank colleagues who do not know her, as her rank becomes invisible, and so does she. In the very hierarchical structures of the armed forces, this cannot be seen as innocuous by the women concerned.

55. Again on a very practical level, one initiative that should be mentioned is the introduction of mixed dormitories. Such dormitories have existed in Sweden since the 1990s, but no research seems to have been done in that country on their impact. In Norway, such arrangements have been introduced only on certain military bases, particularly where existing barracks were very cramped and could not otherwise accommodate the mixed units stationed there. Contrary to what was feared by some, mixed dormitories do not seem to have fuelled tensions between women and men. Instead, Norwegian researchers have found that they have had the effect of desexualising relations, which are marked mainly by friendship and team spirit. Women have also stressed that, as a result of this arrangement, they are no longer excluded from information-sharing networks and there is less rivalry and scheming between them. As regards the conditions that must be met in order for mixed dormitories to work effectively, researchers underline that leadership is vital: commanding officers must have a genuine open-door policy and clearly lay down and enforce a policy of prohibiting sexual relations between conscripts (any couples that form must be separated) and banning alcohol.

### **3.10. Changing mentalities**

56. It should again be stressed that the military environment was conceived by and for men. While the composition of the armed forces has become increasingly diversified, there is still a macho culture. Fitting in with the existing internal culture is often highly valued and indeed seen as a key factor in cohesion, and there may be considerable pressure to conform to the prevailing culture. Loyalty, a fundamental value in the armed forces, is often seen through this prism, and being part of the team rewarded more than performance. None of the measures described above will bring about real integration of women in the armed forces unless the internal culture changes. It is not enough to just pour in women and stir; it is about changing structures and practices to ensure that all members of the armed forces, both women and men, can thrive.<sup>37</sup>

57. Today, an increasing number of military structures are taking on board the fact that diversity, far from compromising their effectiveness, can actually strengthen operational capacities. However, even more than in other professional areas, commanding officers must take active steps to pass on this message to ensure that all differences are accepted positively and turned to account. Given the way the armed forces function and the particular "corporate culture" or "esprit de corps" that prevail in the military, the involvement of commanding officers is paramount, not only at the very highest level, but also at middle command level, if a change of mentality is to be brought about. At the same time, at the recruitment and promotion stages, clear emphasis must be placed on selecting the most competent candidates (see above).

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37. Interview with Elizabeth Broderick, Australian Sex Discrimination Commissioner, "The Gender Mission", Foreign Correspondent, ABC TV, broadcast of 5 August 2014, [www.abc.net.au/foreign/content/2014/s4061340.htm](http://www.abc.net.au/foreign/content/2014/s4061340.htm).

58. The commanding officers' commitment is just as essential with regard to training in the gender dimension. It is not enough for leadership to be constantly repeating the above messages, presenting them as an afterthought or a constraint imposed from on high or outside. The gender dimension and perspective must be genuinely integrated into training at all levels.

#### 4. Harassment and violence against women in the armed forces

##### 4.1. Overview

59. In 2010, the Committee of Ministers observed that, unfortunately, sexual harassment and violence against military personnel were still widespread. It pointed out that this damaged the emotional and psychological well-being of the victims, harmed work performance and, more generally, discredited the public image of the armed forces.<sup>38</sup> Beyond the geographical bounds of the Council of Europe, the American, Canadian and Australian armies have already acknowledged that they, too, have such problems.

60. The pre-existing internal culture, lasting stereotypes and the fact that for some, the increasing presence of women in the army is something imposed on them rather than something they have chosen, create an environment that is conducive to harassment. Many women in the military report that they are constantly bullied. In some cases, and in particular in situations where there is a substantial lack of privacy, showing the slightest sign of femininity is treated by men as a provocation. According to a survey conducted in Norway, although 90% of female conscripts claimed to be satisfied with their military service, 17% said that they had suffered sexual harassment, mainly in the form of inappropriate looks, comments and gestures, and 5% reported serious incidents of harassment. These figures again raise the issue of the prevailing mindset in the armed forces: might it be a matter for some women of "internalising" the existing culture, resigning themselves to the idea that "this is how things are here"?

61. The problems of harassment and violence against women in the armed forces can pose a very serious, and even fatal, risk to women. One particularly alarming case occurred during the deployment of coalition troops in Iraq, when several women suffered from dehydration and two of them died as a result. The inquiry into their deaths revealed that, despite the harsh climatic conditions, the women in question had stopped drinking liquids in the course of the afternoon in order to avoid having to go to the toilet at night. A number of them had been harassed by their male colleagues and some of them had even been raped.<sup>39</sup>

62. A book published in 2014 on the situation in the French armed forces describes cases of violence, assault and harassment against women; most of the women having experienced such cases had left the armed forces because of them and were still suffering the consequences of the trauma.<sup>40</sup> Fresh cases continue to be revealed and reported in the media; the victims are often young women awaiting confirmation in post and are therefore in a particularly vulnerable position. Yet sexual harassment is not inevitable: in a recent case in France, a female gendarme who was the victim of sexual harassment in the town of Joigny (for which the perpetrators were convicted at first instance) had never had any gender-related problems during her previous three-year assignment in a unit where she was the only woman among 28 gendarmes. This case again highlights the key part played by superiors in creating a climate that is either favourable or hostile towards women.<sup>41</sup>

63. In Norway, in 2011, the highly publicised case of a young woman in the military who had been compelled by her commanding officer to bathe naked with some thirty of her male colleagues led to increased awareness of the importance of combating bullying and sexual harassment in the armed forces. Beyond the facts of this specific case, a number of important lessons were able to be learnt. First, there is (still) a sexist culture in the Norwegian armed forces and sometimes also a culture of rivalry between different groups; when some men in the military are bullied by their colleagues they copy this behaviour when dealing with other groups – particularly women. In the armed forces, the idea of power is usually understood as the act of exercising power *over* something rather than promoting empowerment of others. Moreover, just as anywhere else, access to alcohol is a factor that significantly heightens the risk of harassment and even sexual abuse,

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38. Recommendation CM/Rec(2010)4, Principle Q.

39. Civil-Military Cooperation Centre of Excellence (CCOE), *Gender Makes Sense: A Way to Improve Your Mission*, Enschede, 2008, p. 9.

40. Leila Miñano and Julia Pascual, *La guerre invisible: révélations sur les violences sexuelles dans l'armée française*, Les Arènes, 2014.

41. Information provided by Mr Jacques Bessy, President of Adefdromil, at a hearing with the Parliamentary Network Women Free From Violence in Strasbourg on 20 April 2016. For the circumstances of the case mentioned, see "Prison avec sursis pour les deux gendarmes de Joigny", *lyonne.fr*, 12 April 2016.

especially among young people doing their military service. Celebrations and outings are particularly high-risk occasions. Lastly, through their smartphones, the Internet and social media, young conscripts doing their military service have the means to expose one or more victims to humiliation and harassment on a very large scale, as is regrettably also the case in civilian life. Commanding officers, who are often less familiar with these tools, must nevertheless act promptly if cases of online harassment occur among their troops.

#### **4.2. Learning from the past**

64. Exposing the facts is an essential step towards solving the problem, and all of Europe's armed forces should go through this process. In France, the Ministry of Defence's reaction to the revelations of harassment and violence was prompt and unequivocal and resulted in the adoption in April 2014 of an action plan to combat harassment, violence and discrimination. This action plan is based on a zero-tolerance approach and focuses on four main areas: prevention, support, transparency and punishment.

65. All relevant stakeholders are in agreement about a number of key elements for combating harassment more effectively. Obviously, sexual harassment and abuse must be prohibited by law, both in the armed forces and elsewhere. This is already the case in most countries, either under the Criminal Code and/or anti-discrimination legislation, or by virtue of a specific law applying to military personnel. Many of the people with whom I spoke, emphasising the misogynist climate which can prevail in the armed forces, also highlighted the importance of having strict provisions in this connection in their internal codes of conduct, which must be widely known and applied at all levels. Furthermore, a zero-tolerance policy with respect to harassment and sexual abuse must not only be introduced, but also clearly explained and systematically enforced. During my meeting with representatives of conscripts in Norway, they stressed the importance of having a clear national policy in this field, applying to all units and not contingent on the decisions of individual commanding officers.

66. In the context of foreign operations involving several armies, perceptions of sexual harassment may vary according to the different countries or cultures making up the deployed forces. It is therefore all the more important for commanding officers to adopt a consistent position on this matter. NATO now draws up a code of conduct tailored to the specific conditions of each mission, clearly setting out the zero-tolerance policy with regard to sexual harassment. The people with whom I spoke told me that military guidelines would shortly be published, specifying the standards to be complied with and the arrangements for reporting complaints, and the commanding officer's responsibilities in this connection.

67. Outside Europe, in order to raise awareness of these issues among the most senior grades, the Australian armed forces have established an innovative policy: each general officer is called upon to meet a victim of sexual harassment and/or abuse in the armed forces who will talk to the officer about the impact of those acts on the victim's life. This policy was introduced when it was realised that these were not merely individual isolated acts but that there was a real problem of the internal culture in the armed forces. The chief of army made a personal commitment to address this issue, taking a series of strong measures to bring about a change of culture. He sent a video with an unequivocal message to members of the armed forces, also posted on YouTube: "The Army needs women soldiers; if that does not suit you, if you are not able to respect your colleagues, then get out."<sup>42</sup> He subsequently explained that he had constantly chosen to speak in clear and unambiguous terms on this matter in order to reach those who benefited the most from the existing culture and who had the least desire to change.<sup>43</sup>

#### **4.3. The importance of complaint mechanisms**

68. Where cases of sexual harassment or abuse occur, leadership is crucial. Commanding officers must be approachable; women and other victims of harassment or sexual abuse, when reporting a problem, must be able to trust their officers to listen to them, take them seriously and take swift and effective steps to end the harassment. There must also be effective monitoring of such cases, including centrally, since if they are resolved "locally" without the information going any further, the perpetrators can carry on with no particular consequences.

69. The introduction of accessible and objective complaint mechanisms (close to victims but independent of their commanding officers) is vital: whether or not a complaint results in punishment, the victim must be heard and the complaint taken seriously. Unfortunately, although many States have set up internal procedures to report and punish such violence, it is clear that women often have little trust in such procedures and prefer to remain silent or even leave the army. For these reasons, an action plan against sexual harassment and

42. <https://www.youtube.com/watch?v=QaqpoeVgr8U>, published on 12 June 2013 by AustralianArmyHQ.

43. <https://www.youtube.com/watch?v=6iJo2qimkKw>, speech given to NATO on 1 June 2015.

violence was launched in France in April 2014, including training measures at every stage and every level of command, support for victims and awareness-raising materials. The creation of the new *Thémis* unit means that every person employed by the Ministry of Defence, whether in a civilian or military role, man or woman, who is the victim of or a witness to sexual harassment or violence or gender-based discrimination within the armed forces can report it. Eight months after its creation, *Thémis* had already begun working with around 60 victims, including many cases that had occurred prior to its creation. According to the information published by the ministry, this unit advises and supports victims, including for extended periods in order to ensure that their career is progressing normally, or directs them to the right interlocutor if their requests do not fall within the terms of reference of the unit.<sup>44</sup>

70. In Norway, one weakness in the complaint mechanisms raised by a number of those concerned was that the victim herself had to decide whether the offence came under criminal law (case handled by the police) or did not (case handled by the military) – a particularly difficult choice to make when the person having committed the offence was, as often happened, the victim's commanding officer. It was not easy to refer the matter to the police, but going through military channels meant testifying before four military superiors who could well limit any penalty to just a fine without entering the offence in the perpetrator's record so as not to put his military career on hold for five years. Zero tolerance shows its limitations here.

## 5. Structures

### 5.1. Role of parliaments

71. National parliaments can play a key role in all the areas covered by this report. Since 2007, the NATO Parliamentary Assembly has been focusing on women, peace and security. Initially dealt with on the fringes of the plenary sessions, today this question is regularly included on the agenda of the Committee on the Civil Dimension of Security. At this committee's initiative, for instance, in 2010, the NATO Parliamentary Assembly adopted a resolution calling on the governments and parliaments of the member countries of the organisation to step up their efforts to implement Resolution 1325.<sup>45</sup>

72. Since 2010, the Committee on the Civil Dimension of Security has also carried out a two-yearly survey of the contribution of parliaments to the implementation of Resolution 1325. Not surprisingly, it is the parliaments of countries which have already adopted a national action plan on women, peace and security that are today the most active in these fields. However, these good practices can be used in any country. Four major areas are covered: achieving gender balance in the relevant executive positions in the parliamentary bodies;<sup>46</sup> legislative initiatives to achieve the "women, peace and security" objectives; parliamentary debates, questions and reports on this issue; and the involvement of civil society.<sup>47</sup>

73. Moreover, my contacts observed that it was thanks to the efforts of a single member of parliament, Ms Barbara Haering (a member of the Swiss delegation from 2003 to 2007), that the NATO Parliamentary Assembly had begun to take an interest in these questions, which today can no longer be ignored. In other words, it is up to us to actively promote, within our parliaments, the achievement of the "women, peace and security" objectives, including those relating to gender equality and prevention of violence against women in the armed forces.

### 5.2. Inclusion of gender perspectives and the introduction of gender advisors

74. In order to make real progress in the integration of women in the armed forces, issues relating to the gender dimension must be addressed by means of a holistic approach. This is why it is essential to put in place an action plan covering not only legislation and training but also recruitment and careers, balancing work and private life, and the prevention of and the fight against sexual harassment and abuse.<sup>48</sup> NATO's

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44. [www.defense.gouv.fr/actualites/articles/la-cellule-themis-dresse-un-premier-bilan](http://www.defense.gouv.fr/actualites/articles/la-cellule-themis-dresse-un-premier-bilan).

45. Resolution 381 on incorporating United Nations Security Council Resolution 1325 on women and peace and security into NATO's new strategic concept and into alliance policies and practices, adopted on 16 November 2010 by the Plenary Assembly in Warsaw, Poland.

46. While at present only 16% of members of the NATO Parliamentary Assembly are female, 61% of these women occupy positions of responsibility with that Assembly.

47. Audrey Reeves, *The role of parliaments in advancing the "Women, peace and security" agenda in NATO member countries: NATO Parliamentary Assembly study (DCAF, 2015)*.

48. UNSCR 1325 Reload, p. 7. The term "gender perspective" is used here to mean the consideration of gender-based differences between women and men as reflected in their social roles and interactions, in the distribution of power and access to resources.

introduction of gender advisors in all its bodies, and the deployment of gender advisors in each foreign operation by an armed force are all measures today regarded as essential.<sup>49</sup> Taking the gender dimension into account should not be considered as ancillary but should be systematic and an integral part of everyday work within existing structures, without creating parallel ones.

### **5.3. Structures to protect the rights of military personnel**

75. I would like also to highlight the importance of mechanisms enabling the concerns of women in the military to be passed on further up the chain. One example in this connection is the Parliamentary Commissioner for the Armed Forces (*Stortingets Ombudsmann for Forsvaret*), established in Norway in 1952. As a body independent of the armed forces, its job is to safeguard the rights of all members of those forces. It does this through inspections, handling individual complaints and the submission of an annual report to parliament.<sup>50</sup> According to the office of the Parliamentary Commissioner, his recommendations, although not binding, are always acted upon by the armed forces.

76. The Norwegian armed forces have also established a system of representation for conscripts (*Tillitsmannsordningen i Forsvaret*, TMO). Representatives of the conscripts are elected at local level, where they act as their spokespersons vis-à-vis the chain of command in order to help resolve local problems. Several TMOs are also elected at national level to raise questions of wider relevance. The merits of this system lie in both its closeness to conscripts and its direct access to contact points at all levels, making it possible to identify and deal rapidly with the practical concerns and problems of service conscripts.

77. In Ireland, an Independent Monitoring Group (IMG) was set up in 2002 to oversee the implementation of a series of recommendations made in connection with investigations relating to bullying, sexual harassment and discrimination within the armed forces. The IMG has already published three reports (in 2004, 2008 and 2014), detailing the action taken on previous recommendations and identifying best practices, as well as any new sources of concern. The reports are followed closely by the public and parliament. They increase the transparency of the armed forces and also enable them to assess the effectiveness of steps taken and identify any new challenges to be addressed.<sup>51</sup>

### **5.4. Networks and associations of women in the armed forces**

78. Finally, emphasis should be placed on the value of creating networks of women in the armed forces. Such a network was set up in Norway in 1989, as a space for exchanges between military women, who are often few in number in the units where they work. The network aims to facilitate the dissemination and sharing of information and to motivate women to pursue their careers in the armed forces. The network receives funding from the armed forces, which have also agreed to allow special leave for women wishing to attend its meetings. In Bulgaria, in its some ten years of existence, the Bulgarian Armed Forces Women's Association (BUAFWA) has already ensured the removal of all restrictions on access by women to the various professions in the armed forces, paving the way for their gaining access to the highest command posts. Its status as a non-governmental organisation (NGO) provided for in the Defence Code enables it to lobby the Ministry of Defence to make efforts to promote gender equality. It therefore has major influence as an agent of change in the armed forces.<sup>52</sup> Setting up such networks is not particularly costly, yet they can make a very real contribution to creating a more favourable environment for women in the armed forces.

## **6. Conclusions**

79. In a changing world of multiple challenges, armed forces have everything to gain from including women on an equal footing with men. This strengthens their operational capacities and effectiveness and meets the expectations of societies which want the armed forces also to reflect the composition of the population. For armed forces, however, integrating women is not always self-evident. Adapting recruitment, structures and career paths are all challenges which must be addressed, while adopting a holistic approach to the gender dimension.

49. See, for example, the Action Plan for the implementation of the NATO/EAPC Policy on Women, Peace and Security (next scheduled revision date: June 2016), actions 6.2, 6.3 and 14.3.

50. See, for instance, *Report from the Parliamentary Ombudsman's Committee for the Norwegian Armed Forces regarding its activities in the period 1 January 2014-31 December 2014*, Oslo, March 2015.

51. Megan Bastick, Gender and Complaints Mechanisms, DCAF, October 2015, example 11, p. 82 (quoting [www.defence.ie/website.nsf/IMG3\\_2014](http://www.defence.ie/website.nsf/IMG3_2014)).

52. Presentation by Lt. Col. Nevena Miteva, Chair of the Association, at the hearing organised by the Parliamentary Network Women Free from Violence, Strasbourg, 20 April 2016.

80. Many women who join the armed forces leave because of harassment or other sexual violence. These scourges blight their victims' lives. They are human rights violations which States must tackle. For armed forces, losing trained, capable and high-performing women because their colleagues refuse to accept their presence is also a terrible waste.

81. Harassment and violence against women in the armed forces are not inevitable. Best practices exist for promoting an approach conducive to diversity within armed forces and enabling women to play their role to the full there.

82. I urge member States to draw on the many studies which have been carried out in this connection, and which are referred to extensively in this report, so that their armed forces are effective and also uphold gender equality.