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Policy briefing paper:

Gender Sensitive Police Reform in Post Conflict Societies

The UN's first all-female peacekeeping force arrives in Liberia. *(Credit: UN Photo/Eric Kanalstein)*

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Introduction

In early 2007, the Government of India sent over 100 highly trained women police officers to Liberia, as the UN's first all-female peacekeeping contingent. Early reports suggest that their presence in Liberia is helping to bring Liberian women out, both to register their complaints and encouraging them to join the Liberian police service. The unit is making security services more accessible to ordinary women in a country with high rates of sexual and gender-based violence (SGBV).[1] The contingent is a bold example of the UN's broad aspiration to implement gender-sensitive police reform in post-conflict states.

In the last decade, women's engagement in democratic governance, conflict resolution, and economic activity, which are key components of the sustainability of peace in post-conflict contexts, has grown rapidly. Security Council Resolution 1325 (October 2000) mandated UN member states to recognize this fact and ensure women's participation in peace processes. However, women face formidable constraints to effective engagement in public life after conflict, not least because of the threat or the experience of SGBV. Women's physical security is therefore an essential prerequisite to their effective participation in peace-building. The challenge of making public and private life safe for women falls on many public institutions, amongst which police services are central. With proper support, reformed police services can play a central role in promoting women's peace-building work.

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Police recovery and reform is widely understood to be one of the mainstays of post-conflict recovery, as the effectiveness of all governance processes derives from effective law enforcement.[2] However, a wide range of concerns must be addressed in post-conflict efforts to re-establish the rule of law, and in the past women's entitlement to security has often been an overlooked aspect of the reform process. In addition to violating their human rights, the neglect of women's security needs can compromise the inclusiveness and sustainability of peace-building and efforts to build democratic governance after conflict. As a contribution towards more effective, rights-based and sustainable programming in this area, this briefing note reviews key components of gender-sensitive police reform (GSPR) in post-conflict states.

To further the UN's commitment to empower women and work towards gender equality in times of war and of peace,[3] in 2006, the United Nations Development Fund for Women (UNIFEM), the United Nations Development Programme's (UNDP) Bureau for Crisis Prevention and Recovery (UNDP/BCPR) and the Department of Peacekeeping Operations (DPKO) commissioned a study[4] of the UN's experience in gender-sensitive police reform to capture best practices to contribute towards the development of minimum standards for policing policy and operations.

1 'India's toughest women gear up for UN deployment to violence-torn Liberia,' in the *International Herald Tribune*, Friday 8 September 2006, www.iht.com. See also Muneeza Naqvi, All Female Peacekeeper Squad to Deploy,' in www.washingtonpost.com, Friday, January 19, 2007.

2 Police reform is a component of Security Sector Reform (SSR), which, writ large, is essential to establishing the rule of law, building accountable institutions and promoting effective and democratic governance. The UN is in the process of reviewing its approach to SSR, with a Secretary General's report on SSR expected by late 2007 constituting a first step towards this aim.

3 UNDP's Eight Point Agenda – http://www.undp.org/cpr/how_we_do/gender.shtml and UNIFEM strategic goals.

4 *Report on Gender and Police Reform in Post-Conflicts* for UNDP-BCPR, UNIFEM, DPKO/UN Police/Best Practices, William G. O'Neill, January 2007. Detailed field notes on GSPR in all three sites – Liberia, Sierra Leone and Kosovo – are available as unpublished mimeos upon request from UNIFEM's New York office. The field notes cover 2006-2007.

This study focused specifically on lessons learned from gender-sensitive police reform in Kosovo, Liberia and Sierra Leone. The study's findings show that gender-sensitive police reform constitutes a vital instrument in advancing the implementation of Security Council Resolution 1325, and implementing women's human rights entitlements under the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). It is an excellent means by which to establish accountable, equitable, effective and rights-respecting police services that are capable of delivering for women in crisis and post-conflict situations.[5]

This briefing note outlines key elements of gender-sensitive police reform, based on findings from this inter-agency study and lessons emerging from UNIFEM and UNDP programming in other countries.[6]

Definitions

Gender-sensitive police reform (GSPR) is based on the premise that women and men's socially constructed roles, behaviors, social positions, access to power and resources create gender specific vulnerabilities or gendered insecurities, some of which are particularly salient during and after conflict, because sexual and gender-based violence may have been used as a weapon of war, and may continue at high levels when conflict is formally ended. GSPR therefore applies a gender analysis to police reform processes, ensuring gender equality principles are systematically integrated at all stages of police reform planning, design, implementation and evaluation. It also addresses for instance how the construction of gender identities shape perceptions of security and police mandates.

Successful gender-sensitive police services will more effectively prevent and respond to the specific security needs of women and men, boys and girls.

As a result of successful GSPR, police services will more effectively prevent and respond to the specific security needs of women and men, boys and girls. GSPR should also contribute towards building police institutions which are non-discriminatory, reflective of the diversity of citizens and accountable to the population at large. As such, police services will better fulfill the police's essential mandate of upholding the rule of law.

The UN's commitment to supporting GSPR is based on the rationale that a gender-sensitive police service can significantly enhance the security of citizens. This is paramount for human development, human rights and peace – without GSPR the threat of an increased level of SGBV is far greater, particularly in post-conflict situations, seriously undermining the rule of law and post-conflict recovery efforts. Women in countries emerging from conflict are entitled to respect for, protection, and fulfillment of their human right to gender equality. CEDAW and Security Council Resolution 1325 together provide powerful global legal and normative authority for the requirement that police reform incorporates all measures

5 For example, the UNDP-UNIFEM joint programme with the police in Rwanda: 'Enhancing Protection from Gender-Based Violence'

6 Note: The relationship between the police and the prison population is a separate subject requiring in-depth treatment. PR for prisoners, even female prisoners, is not addressed in this brief.

necessary to guarantee women their rights. The UN accordingly recognizes the security sector as a duty bearer with responsibility to guarantee women's physical security – both a right in itself, and an essential pre-condition for women's enjoyment for all other rights.[7]

Key elements of gender-sensitive institutional change in the police reform in any institution usually involves change in four areas:

- The institution's **mandate** – *what is it supposed to do and for whom*?
- **Operating practices**, incentive systems and performance measures, informal cultures – *what it is supposed to do, who does it and how, who reviews performance*?
- The **composition of staff** and the division of labor and power between different social groups – *who does the work, who makes decisions, who is held accountable*?
- **Accountability** systems – *how does the institution learn*, correct mistakes, respond to changing client needs, and how do internal and external actors monitor and, if needed, correct mistakes?

Post-conflict police reform designed to address problems such as corruption, excessive use of force, ethnic bias, gender discrimination and the like, must work with each of these elements of institutional change. Similarly, each of these elements of institutional change comes into play in efforts to build a police force that is more responsive to women's security needs.

Mandate: Criminalizing Abuses of Women's Rights

Abuses of women's bodies and property – particularly when perpetrated by a male relative in the domestic arena – may be seen as a private matter, not for police attention.

In some contexts where systematic abuses of women's rights are not prevented or investigated by the police, there is a profound gender bias in the legal system – in effect, a lack of a strong mandate to defend women's rights. Abuses of women's bodies and property – particularly when perpetrated by a male relative in the domestic arena – may be seen as a private matter, not for police attention. Breaking the silence, including through legal reform to bring national laws up to international human rights standards is therefore an essential first step towards building a law enforcement system that protects women.

In post-conflict contexts, law reform has been a priority for the women's movement and for UNIFEM and UNDP. In Liberia, for instance, one of the first new laws passed following the election of President Johnson Sirleaf was a strong law on rape.[8] In Sierra Leone, the passage of three laws in June 2007 designed to strengthen women's rights in relation to marriage, inheritance, and gender-based violence has been seen as essential to supporting efforts to improve the responsiveness of the police to abuses of women's rights.

Formal mandates, however, may do little to alter entrenched gender biases and discriminatory attitudes. For GSPR measures to be effective, they must also be internalized by society and

7 For more information regarding the application of CEDAW and Security Council Resolution 1325 to post-conflict recovery and reconstruction efforts, see UNIFEM, *'CEDAW and Security Council Resolution 1325: A Quick Guide'*, UNIFEM New York 2006.

8 Rape Law, Dec 2005; the law criminalizes gang rape - making it a non-bailable offence-marital rape and rape against minors.

the police themselves. This can be a particular challenge in contexts where exerting violence against women is viewed as a male social prerogative. Unchanged attitudes and mentalities results in some familiar obstacles to effective policing of abuses of women's rights, notably with regard to SGBV:

- under-reporting by victims and witnesses;
- impunity for perpetrators by tacit social consensus;
- the pressure to treat violence against women as domestic disputes which can and should be settled outside of the criminal-justice system;
- the tendency to regard child abuse as an internal family matter;
- the stigmatization of women who experience sexual violence from known persons;
- blaming the victim;
- isolating the victim after trauma;
- treating abuse as a matter of shame for the victim.

Like many other public institutions, the police reproduce the stereotypes and prejudices of their society with respect to women and men.

Worse still, the police themselves may perpetrate crimes against women, ranging from sexual harassment on the streets to sexual assault in police cells.[9] At times, police women themselves are subject to gender-based discrimination and violence from male colleagues.

In traditional contexts, both society at large and the police may favor negotiation and compromise as the appropriate ways to deal with SGBV. This leads to situations in which men forgive men for violence committed against women. Such culturally determined behaviors are very hard to dislodge or alter through institutional reforms that do not engage with society as a whole. Like many other public institutions, the police reproduce the stereotypes and prejudices of their society with respect to women and men. This directly shapes the institutional culture, affecting mandates, operations and allocation of resources. For these reasons an essential feature of legal and social change is building women's and men's awareness of women's rights and encouraging a shift in generalized gender biases through the use of media and popular culture.

Both male and female police officers require awareness building about the nature, extent, and seriousness of crimes perpetrated against women. GSPR therefore needs to invest in specific training to build understanding of new mandates in law enforcement that specifically include gender-based violence. Police have to be trained to take these forms of violence against women and children seriously. They need to change their methods of dealing with victims and survivors who are often too afraid or too vulnerable to cope with aggressive, invasive or insensitive behavior from officers and staff in the police station. A number of UN Agencies invest in gender training for the police, notably UNFPA, UNICEF, UNDP and UNIFEM.

While the criminalization of sexual and gender-based violence are priorities for police reform in post-conflict situations – they need to be accompanied by wider efforts to bring institutional mandates, doctrines, and strategic missions in line with gender equality principles. For instance the Nicaraguan police has enshrined a 'gender perspective' as one of their nine institutional principles and values. Moreover, gender issues should be systematically integrated into all components of police training to ensure that reform efforts go beyond the issue of gender-based violence.

9 A report based on participatory research conducted in 1999-2000 in 23 countries prepared for the World Bank's World Development Report 2001 found that for many poor people in developing countries, the police force was the public institution perceived as most corrupt and most predatory, particularly on poor women. Deepa Narayan, Robert Chambers, Meera Kaul Shah, and Patti Petesch, '*Voices of the Poor: Crying Out for Change*', Oxford University Press, New York, 2000.

Operating Practices, Incentives, Performance Measures

Training must be reinforced by changes in operating protocols and procedures, concrete incentives to motivate and reward changed practices, and sanction systems to prevent or punish failure to comply with a gender equality mandate. Finally, performance measures should record staff commitment to gender equality principles, as reflected by new types of policing that respond to women's and men's needs so that these innovations do not go unrecognized.

Gender-based violence officers in Rwanda

Operational protocols and procedures translate new mandates into new practices. In relation to effective responses to gender-based violence (GBV), new operating procedures have been developed in police services around the world that mandate arrests of perpetrators upon reasonable suspicion (instead of persuading women to return to a violent partner), mandatory reporting to a higher officer, and assistance in providing medical attention to victims.[10]

Another visible change in operating practices involves setting up dedicated police units to address crimes against women. Women's Police Stations, Family Support Units and Women's Desks are intended to provide an environment in which female victims of violence feel safer registering their complaints and taking steps towards seeking prosecution. They are often staffed exclusively by women police personnel or women and men specially trained to deal with victims of sexual crimes and to build effective investigations. Women's Police Stations and dedicated gender units help to counter the under-reporting of crimes against women that is ubiquitous in patriarchal societies as well as in their police services. By allocating specific resources to deal with gender-based violence, a strong message is sent to the population about the end of the impunity for these crimes. At the same time, these measures contribute to rebuilding trust among the civilian population in security sector institutions.[11]

In April 2005 the Liberian National Police (LNP) established the Women and Child Protection Unit (WACPU) with help from the United Nations Mission in Liberia (UNMIL) as well as UNICEF. WACPU works together with various governmental and non-governmental entities, supported by the Gender-Based Violence Inter-Agency Task Force that coordinates efforts of UN and other donors. Similarly, in Rwanda, the Gender Desk of the Gender-Based Violence Office (GBV Office) at the Headquarters of the Rwandan National Police (RNP) was launched in May 2005 with UNIFEM and UNDP support.[12] The GBV Office was created to strengthen the former Child and Family Protection Unit, and to respond to the legacy of SGBV and especially rape as a form of genocidal violence.

10 See the sample protocol for addressing GBV available in: Economic Community for Latin America and the Caribbean (ECLAC), 'Report of the ECLAC-CDCC/CIDA Gender Equality Programme Regional Conference on Gender-Based Violence and the Administration of Justice' Port of Spain, Trinidad and Tobago 3-5 February 2003. Available online: http://www.eclac.cl/publicationes/xml/3/12533/lcarg744.pdf

11 More monitoring and evaluation will be required to produce evidence of the impact of Women's Police Stations, and to continue learning how to improve them. UNDP is supporting national partners in such efforts, for instance the national police in Nicaragua

12 http://www.unifem.org/gender_issues/voices_from_the_field/story.php?StoryID=588

GSPR has, in many places, led to the creation not only of special Women's Police Stations mentioned above, but also to dedicated units within the police that are specifically designed to fight SGBV, domestic violence, human trafficking and prostitution, as for instance, in the form of Domestic Violence Units.

In recognizing the need for specialized approaches to gender-based violence in law enforcement, the UN General Assembly passed resolution 52/86 on 'Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women.'[13] This provides guiding principles for the design of new operating practices and procedures to be applied in specialized units.

Another vital operational measure for mainstreaming gender equality concerns into police practices is the physical and communications infrastructure in a police station that allows staff to attend to and record the complaints, depositions, and narratives of SGBV victims. Toll-free telephone hotlines for rape crisis; dedicated vehicles servicing the gender units; ambulances; separate medical examination rooms; private spaces for interviews; and tie-ups with shelters that provide longer stays for women who cannot return home are some basic elements of how a gender-sensitive infrastructure can best serve survivors of sexual violence. Occasionally, higher-order facilities like medical treatment and social, legal and psychological and counseling, provided by NGOs, are also integrated into the reformed police station.

Dedicated gender units in the police can support attitudinal change amongst the general public and encourage better reporting. They can have a similar effect on the attitudes of male and female police officers. The creation of a gender unit in the Kosovo Police Service helped bring human trafficking and forced prostitution – major problems in post-conflict Kosovo – out into the open and made them priority areas for the police.

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For this positive effect to occur it is essential that dedicated gender units do not become undesirable areas of police work, under-recognized and under-rewarded. Powerful incentives must be provided to encourage police personnel to work in this demanding area, including promotions, visibility, public approval and psychosocial support. Personal commitment to gender equality should be rewarded and considered an indispensable complement to wider institutional commitment.

In Liberia, WACPU has acquired something of the prestige of an elite task force within the larger body of the police, in part because donor support has ensured that these police units are better equipped than some other areas of police work. Thus police officers want to be associated with gender-related work – it does not carry the common stigma of being a neglected or low-priority backwater.

13 12 December 1997, www.unfpa.org/gender/docs/52-86.pdf. See also Resource Manual '*Model strategies and practical measures on the elimination of Violence against Women in the field of crime prevention and criminal justice*', www.icclr.law.ubc.ca/Publications/Reports/VAWMANUA.PDF

Sanction systems to prevent and punish non-compliance with new mandates, policies and operating procedures are a central element in ensuring the impact and sustainability of all other elements of GSPR. Internal correction systems as well as external oversight mechanisms (see below) need to integrate new benchmarks, codes of conduct and standards of operations.

Finally, gender-sensitivity in operating practices should also be reflected in recruitment: commitment to gender equality principles as an institutional value should form an integral part of job requirements.

Staff Composition: Divisions of Labor and Power[14]

Police work in all societies is seen as a 'man's job' – this is evident from the fact that in most countries of the world women are poorly represented amongst police personnel.[15] Australia, with 29.9 percent of women in its police service, and South Africa, with 29 percent, are among the world leaders in this respect, but the exceedingly low numbers of women elsewhere testify to substantial barriers to women's access to police work, and to problems with retention of female staff once employed.

Increasing women's representation in police services is seen as an important element of gender-sensitive police reform for a number of reasons: it is expected to support more effective community relations, since a police service whose composition more adequately reflects the population it serves may result in greater legitimacy. It can potentially moderate extremes in the use of force, and above all, can result in a police service that responds with greater alacrity and commitment to preventing abuses of women's rights. More women in the police does not automatically guarantee a more gender-sensitive police force, however,