



HM Government

# UK National Action Plan on Women, Peace and Security 2018 to 2022:

## Guidance Note – Implementing Strategic Outcome 5: Security and Justice



# Contents

Acronyms and abbreviations .....	2
About this Guidance Note .....	3
Acknowledgements .....	3
Executive Summary – Implementing UK NAP Strategic Outcome 5: Security and Justice .....	4
1. Introduction .....	5
2. Security and justice: the basics .....	6
3. Why gender matters in the UK’s security and justice programming .....	8
4. Gender equality in security and justice programming and policy .....	11
4.1 Principles for addressing security and justice in conflict .....	11
4.2 The Theory of Change for Strategic Outcome 5 .....	12
5. Practical guidance for implementing security and justice interventions .....	17
5.1 Key steps .....	17
5.2 Key elements in tackling gender equality in security and justice .....	19
Glossary of Terms .....	24
Useful Resources .....	25
Endnotes .....	27

## Acronyms and abbreviations

<b>BiH</b>	Bosnia and Herzegovina
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CRSV</b>	Conflict-related sexual violence
<b>CSO</b>	Civil society organisation
<b>CSSF</b>	Conflict, Stability and Security Fund
<b>DCAF</b>	Geneva Centre for Security Sector Governance
<b>DDR</b>	Disarmament, Demobilisation and Reintegration
<b>DRC</b>	Democratic Republic of Congo
<b>DV</b>	Domestic violence
<b>FCDO</b>	Foreign, Commonwealth and Development Office
<b>HMG</b>	Her Majesty's Government
<b>K4D</b>	Knowledge, evidence and learning for development
<b>MEL</b>	Monitoring, evaluation and learning
<b>NAP</b>	National Action Plan
<b>NATO</b>	North Atlantic Treaty Organization
<b>OCSM</b>	Office for Conflict, Stabilisation and Mediation, HMG
<b>P/CVE</b>	Preventing and countering violent extremism
<b>S&amp;J</b>	Security and justice
<b>SEAH</b>	Sexual exploitation, abuse and harassment
<b>SGBV</b>	Sexual and gender-based violence
<b>SGM</b>	Sexual and gender minority
<b>SOC</b>	Serious and organised crime
<b>SSR</b>	Security sector reform
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>UNSCR</b>	UN Security Council Resolution (1325)
<b>VAWG</b>	Violence against women and girls
<b>VfM</b>	Value for money
<b>WHO</b>	World Health Organization
<b>WHRD</b>	Women's human rights defenders
<b>WPS</b>	Women, peace and security
<b>WRO</b>	Women's rights organisation

## About this Guidance Note

This is one of a series of guidance notes being produced on each of the Strategic Outcomes of the UK National Action Plan (NAP) on Women, Peace and Security (2018–2022) to support the implementation of policy and programme interventions in each of the following areas:

1. Decision-making
2. Peacekeeping
3. Gender-based violence
4. Humanitarian response
5. Security and justice
6. Preventing and countering violent extremism
7. UK capabilities.

The note is intended to support Her Majesty's Government (HMG) staff and partners in meeting commitments under Strategic Outcome 5 of the NAP: Security and Justice. The guidance should be read alongside the other NAP Strategic Outcome guidance notes to ensure that best practices on women's political participation, combatting gender-based violence, and other key issues are incorporated into the UK Government's engagements in security and justice (S&J).

Suggested citation: UK National Action Plan on Women, Peace and Security – Implementing Strategic Outcome 5: Security and Justice (2021).

## Acknowledgements

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The note was informed and reviewed by a cross-HMG group of experts, including Dorothy Atieno, Napoleon Enayaba, Emily Esplen, Roy Flemming, Rebecca Ingram, Alana Inserra, Zarina Khan, Kathryn Lockett, Susan Loughhead, Sonya Maldar, Faye Minshall, Carolynne Möller, Levi Mvula, Karuna Onta, Jacqueline Owigo, Emic Sabir, Sandy Scott, Victoria Spencer, Sophie Stevens, Lizzie Walker and Rosie Wesley.

Many thanks to individuals and partner organisations for their time, expert inputs and insights, including Dylan Butcher, Marvra Ghazni, Valerie Khan and Matt Lindley; also to the Geneva Centre for Security Centre Governance (DCAF) for its initial work on developing the guidance note.

# Executive Summary

## Why it matters

The UK benefits from gendered S&J. These systems are inclusive, promote gender equality, are aligned with the UK's values, and protect our interests in tackling long-term conflict and instability.<sup>1</sup> There are risks associated with not promoting gender equality from the outset of security operations, given the high levels of conflict-related sexual violence (CRSV) in the immediate aftermath of conflict, and reluctance to report cases of abuse or even to discuss such occurrences. Supporting open societies is more effective when our actions to build capacities and support reform work within the gendered S&J context. Equal participation, attending to the needs of survivors of sexual and gender-based violence (SGBV), and increasing women's roles in the S&J sector's institutions protects our interests, ensuring that the principles and values on which our domestic system is built remain the global standard.

## Strategic Outcome 5 commits Her Majesty's Government to

- Support S&J institutions to become more responsive and accountable to the needs of women and girls and to better protect their rights.
- Promote the meaningful participation and leadership of women in the S&J sector.

## Entry points for gender equality

Mainstreaming	Targeted	Enabling environment
Gender equality into wider S&J/SGBV programming	Where gender equality is the primary objective	Gender-responsive engagement/ coordination between S&J actors

## Key steps to design and implement S&J interventions

**Step 1 Analyse the gender and political context of the S&J sector** Review existing data on the gendered S&J needs of diverse groups of women and men. It is important to cover how S&J relates to the wider political settlement, including human rights violations.

**Step 2 Map the entry points for S&J interventions**, including the activities of other actors.

**Step 3 Develop a strategy for HMG's response** – select options, tailored to the context and budget constraints that contribute to the strategic outcomes' five commitments.

**Step 4 Embed learning and adaptation** – to build an evidence base and reflect learning back leading to adaptive S&J programming, which is accessible and accountable to women and girls.

## Key elements in tackling gender inequality

To be effective, all interventions should:

- think politically and be realistic about what is feasible, given political and institutional realities
- build local ownership – design, management and implementation by local actors
- be flexible and adaptive in approaches to tackling gender inequality and GBV within S&J institutions and communities, and at different levels
- have multi-sectoral coordination and engagement, including actors outside S&J
- routinely involve diplomatic outreach and political engagement
- work with men and boys – with accountability to women and girls.

	Legal reform in Iraq	Gender audit of BiH military
Examples	The UK has supported the meaningful participation of women's rights organisations (WROs) in drafting content of the anti-domestic violence bill in Iraq. The UK's diplomatic engagements also contributed to passing the Yazidi Survivors Bill.	The gender audit of the armed forces of BiH supported by the UK MOD set the baseline for mainstreaming gender and achieving a gender balance in the military. Strong and long-term engagement, high-level BiH leadership and deployment of local gender experts all played a part.

## Principles for addressing gender inequality in S&J programmes and policy work

**Principle 1** Embed gender-sensitive analysis in all actions

**Principle 2** Apply an intersectional approach

**Principle 3** Ensure the meaningful participation of women and girls

**Principle 4** Coordinate and engage with the whole S&J sector

**Principle 5** Support gender equality within and through S&J institutions

**Principle 6** Do no harm.

# 1. Introduction



## Strategic Outcome 5:

Security and justice actors are increasingly accountable to women and girls, and responsive to their rights and needs.

The UK National Action Plan (NAP) on Women, Peace and Security (WPS) is the five-year strategy for how the UK Government will integrate a gender perspective into its work to build security and stability overseas, protect the human rights of women and girls, and promote their meaningful participation in conflict prevention and resolution. The NAP builds on the UK's international gender-based violence (GBV) commitments and outlines seven strategic outcomes that set the vision for the UK's WPS implementation in conflict settings.

Strategic Outcome 5 commits the UK Government to:

- support S&J institutions
- become more responsive and accountable to the needs of women and girls
- better protect the rights of women and girls, and
- promote the meaningful participation and leadership of women in the S&J sector.

This guidance note offers practical advice to HMG staff working on political engagement, policy and programmes on how to integrate gender equality and gender perspectives into defence and S&J interventions.

- 1) The first part outlines why gender equality matters for effective and accountable S&J. It sets out the underlying principles guiding all UK WPS S&J interventions (**sections 1–3**)
- 2) The second section provides practical advice, a model theory of change, and case studies and evidence to support staff as they translate this knowledge into practical, positive outcomes for women and girls (**sections 4–5**).

See glossary of terms and list of acronyms for a quick guide to terms and definitions used.

## The UK's international security and justice and gender commitments

- **UNSCR 1325, 1820 and 1888** Recognise the critical role that the S&J sector plays in preventing and prosecuting CRSV, highlighting that security sector reform (SSR) as part of peace processes must address sexual violence within reform processes. SSR is recognised as a key entry point for justice systems to strengthen criminal accountability, responsiveness to victims and judicial capacity regarding sexual violence in conflict.
- **UNSCR 2016** Calls for sexual violence to be addressed in SSR through training of security personnel, the inclusion of more women in the security sector, and vetting to exclude from the security sector those responsible for acts of sexual violence.
- **UNSCR 2122** Acknowledges the urgent need for gender-responsive legal, judicial and SSR to address women's access to justice in conflict and post-conflict settings.
- **UNSCR 2467** Highlights SSR as a means to address sexual violence in conflict and post-conflict situations, including enhancing military capacity to address and prevent sexual violence, and vetting to prevent perpetrators of sexual violence from being recruited, retained or promoted within security forces.
- **Sustainable Development Goal 5** Explicitly addresses gender equality and SDG 5.2 commits the UK to eliminating all forms of violence against all women and girls in the public and private spheres.
- **Sustainable Development Goal 16** Commits the UK to provide access to justice for all and build effective, accountable and inclusive institutions at all levels including targets on GBV and essential reforms for gender equality.



## 2. Security and justice: the basics

**Security and justice** are partially overlapping concepts, which are often understood differently by various stakeholders, including citizens, representatives of civil society, national governments and donors.<sup>2</sup> HMG has provided the following definition:

**“Security and justice ... refer to values and goals (e.g. freedom, fairness, personal safety) as well as to the various institutions established to deliver them (e.g. defence forces, police, courts). An environment where the rule of law is respected and security bodies are under the control of civilian authorities will help people feel safe and secure and encourage them to claim their rights as citizens. Conversely, where there is no effective and accountable national security structure, violence can permeate society and injustice can prevail.”<sup>3</sup>**

In Outcome 5, the UK seeks reforms that promote the rule of law through increasing **coordination between the S&J actors, SGBV providers and civil society at all levels, including multilaterals, national and local, in accordance with UK gender commitments and international human rights standards.**<sup>4</sup> While much of our WPS S&J programming will be national, the UK also works with counterparts in the international S&J sector, including the North Atlantic Treaty Organization (NATO), UN peacekeeping, ISAF and the EU’s military and S&J missions. NAP Guidance Notes Outcome 2 – Peacekeeping, and 3 – Gender-based Violence, demonstrate HMG’s diplomatic outreach and international engagement around WPS S&J.

**In short, S&J lie at the heart of power relations which uphold the rule of law and protect rights. It is neither neutral nor (especially in conflict areas) likely to be fully independent.** In conflict-affected areas, S&J institutions can be used to sustain elite control, resorting sometimes to violence. Equitable, effective and accessible S&J mechanisms are essential for mediating conflict and enabling peaceful dispute resolution within communities and societies.<sup>5</sup>

**The UK faces multiple threats to national security.** We protect our interests by tackling state threats, terrorism and crime overseas before they reach the UK through persistent engagement with state and non-state actors, to detect, disrupt and deter. S&J actors are one of the main means through which these threats are addressed. We engage with a wide range of S&J actors globally and in the nine countries which are currently the focus of NAP’s strategic concern.<sup>6</sup>

**The state’s S&J institutions in conflict-affected areas act alongside many other legal systems and security providers.** The sector is highly politicised and actors in the sector tend to overlap and interrelate in complex networks, cutting across local, regional and national levels (Figure 1). In all operational areas, the reality is a S&J sector that is multi-levelled, with state (formal) and non-state (informal) institutions interlinked in a hybrid system (see box below); at times this also includes international and multilateral S&J actors such as peacekeeping forces. Intersecting with S&J actors are individuals and institutions from government, politics, media and civil society.

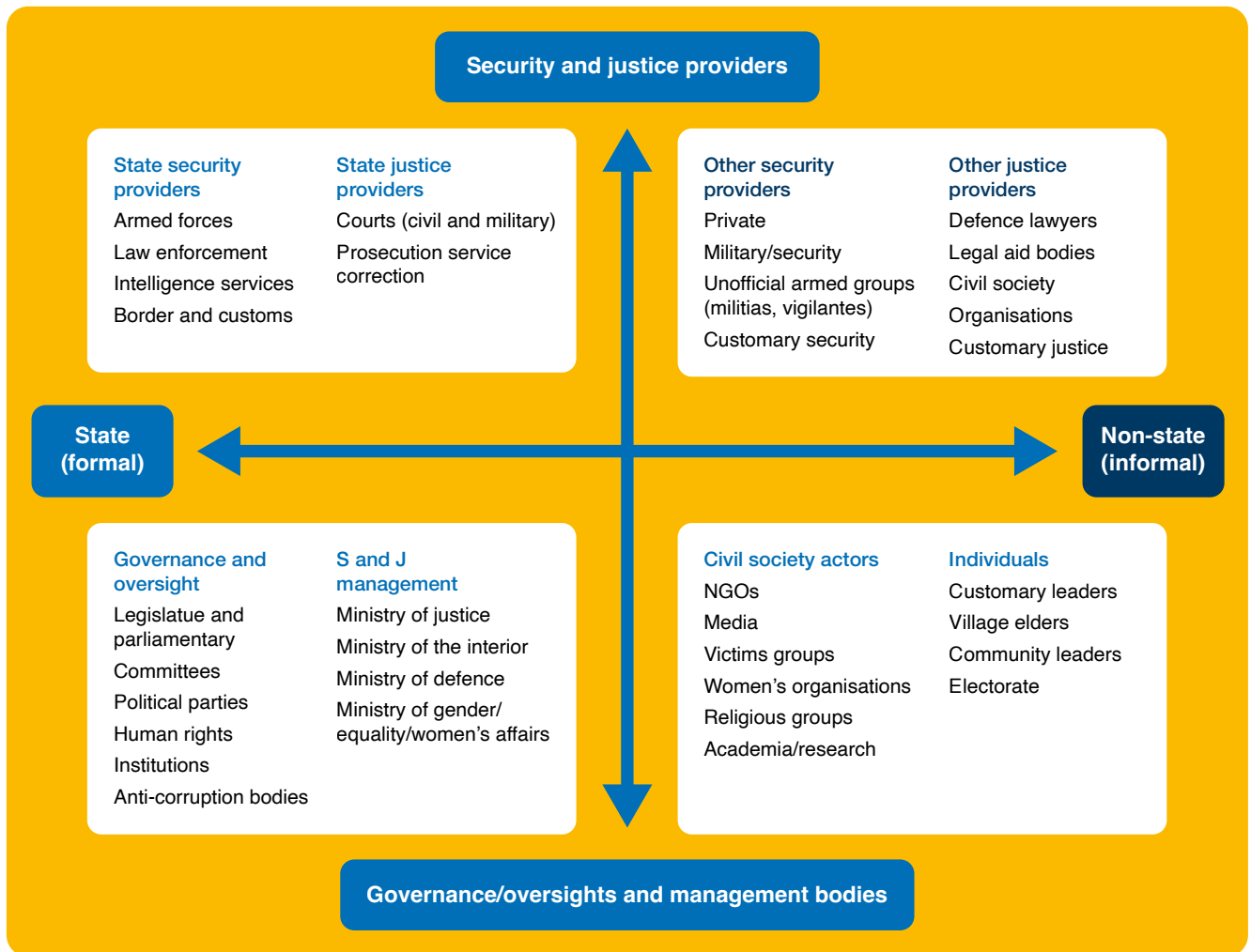
### Formal, informal and hybrid security and justice

**Formal S&J actors** include armed forces, police, gendarmeries, intelligence and security services (military and civilian) coast guards, border guards, customs authorities, reserve or local security units (civil defence forces, national guards), judiciary, defence, interior and justice ministries, and criminal investigation and prosecution services, all of which the UK may engage with through S&J interventions.<sup>7</sup>

**Informal S&J actors** include private, traditional and/or customary groups. Customary law and informal justice systems are highly context-specific, and are often different in the rules and processes used between different communities, as well as between districts and regions within a state.<sup>8</sup> Informal security actors include vigilantes, regional militias and local defence groups (for example, in the Democratic Republic of Congo (DRC) where local defence groups have provided security in the absence of the state). In some cases, organised criminal groups, such as in South Africa and Colombia, control territory as a form of criminal governance.

**Hybrid S&J systems** are a combination of the two. Militias or localised security providers are supported or accepted by the state when state control is weak. Hybrid systems also reflect a regime of legal pluralism where the state has recognised and incorporated customary or traditional law within formal S&J provision. Malawi, for example, has established local courts with jurisdiction to decide on civil matters and on minor criminal offences, which have the power to apply both customary and statutory law.<sup>9</sup>

Figure 1: Actors involved in security and justice provision<sup>10</sup>



**We must make every effort not to ignore the gender dimensions of S&J in all that we do and this means working across the whole S&J system.** The reality for women and girls seeking justice is that the informal system can appear better suited to their situation. Too often, in conflict-affected areas, state security and other services don't reach women and girls. Most will have some contact with formal and informal systems and up to 80%, either by choice or necessity, resort to informal justice systems.<sup>11</sup> Limited knowledge of what is available and a lack of trust in formal service providers also limit real choice. Yet informal S&J systems may be no more accountable to women or responsive to their needs than the formal systems. In some rural areas, for example, prevailing patriarchal customary laws may result in women losing their home, children or place in the community. All too often, informal systems can be grounded in discriminatory social norms with deep-rooted patriarchal values which do not recognise either women's rights or the power imbalances between a male perpetrator and a female victim, and disadvantage a woman when she is seeking justice.<sup>12</sup>



### 3. Why gender matters in the UK's security and justice programming

**It is the smart thing to do. The UK benefits from gendered S&J.** Inclusive S&J systems which promote gender equality enable us to deliver on our NAP objectives.<sup>13</sup> **It's the right thing to do.** Holding those perpetrating human rights abuses to account; upholding women's and girls' rights, including freedom from abuse, SGBV and the freedom to be treated equally in all aspects of their lives, promotes more open societies, and these are UK priorities and a legal requirement.<sup>14</sup>

**The close connection between gender inequality violence and insecurity means violence against women and girls (VAWG) often escalates in conflict, as women become the target of abuse.** Gendered discrimination and women's lack of power and status increase both the threat of violence towards individual women and state conflict. Women's physical security has been identified as the number one predictor of state peacefulness, more than other factors such as level of democracy, wealth or religious identity.<sup>15</sup> States with higher levels of gender inequality are more likely to be involved in internal and international conflicts<sup>16</sup> or use violence as a first response in conflict settings.<sup>17</sup> Countries characterised by high levels of violence against women are also more likely to be involved in violent international conflicts. Analysis of global data shows that violence against women makes it almost 15% more likely that a state will become involved in violent militarised interstate disputes.<sup>18</sup>

**SGBV and broader militarised violence often have common drivers,** such as gender norms that promote violence within the home and community. CRSV is used as a tactic of war with widespread and strategic rape committed by several parties to armed conflict. One study from South Sudan reported that a third of women (33%) had experienced sexual violence from a non-partner, with many incidents directly related to raids, displacement or abduction due to the conflict.<sup>19</sup> CRSV may also exacerbate inter-group political violence and conflict, with the stigma of CRSV impacting on intrastate conflict.<sup>20</sup> This violence in turn invariably fuels yet more conflict as men seek to protect their womenfolk from abuse or wreak revenge on the abuser. Survivors of CRSV can be spurned by their communities and experience rough treatment at the hands of informal justice systems.<sup>21</sup> If the drivers of SGBV are addressed, this could help address drivers of wider forms of violence.<sup>22</sup>

**Violence may be escalated through unaddressed grievances arising from gender discriminatory norms and laws such as divorce, child custody and inheritance rights,** especially when formal and informal security and justice institutions fail to mediate in resolving grievances or preventing violence between groups.<sup>23</sup> There is considerable evidence that the grievances that are caused by insecurity and injustice, and the failure of S&J systems to address these, are obstacles to peace and security.<sup>24</sup> Countries that do not maintain strong S&J systems that respect women's and human rights are more likely to be caught in a spiral of chronic levels of violence and instability.<sup>25</sup>

**Women and girls, and men and boys, will experience violence differently and this will impact how they experience and access S&J.** Men are the principal victims of violence, but women bear the heaviest burden of lethal victimisation because of gender inequalities and stereotypes, and the acceptability of men's use of violence.<sup>26</sup> Men and boys are subject to certain types of violence such as killings and physical violence and are more likely to be recruited into armed groups. Men and boys can also experience CRSV and are less likely to report sexual violence because of the stigma around masculinity.<sup>27</sup> Women and girls are particularly vulnerable to CRSV, sex trafficking and exploitation.<sup>28</sup> The barriers to accessing S&J increase in conflict situations. Both formal and informal S&J mechanisms can be weakened or destroyed, and if gender equality laws are not enforced this can increase the prevalence of SGBV and foster a climate of impunity.<sup>29</sup> Where violence has occurred, male-dominated and gender-biased S&J systems mean that women and girls can remain unprotected from continued violence and be denied justice.

## Gendered barriers to security and justice faced by women and girls

### *Externally imposed barriers*

- Legal and policy frameworks biased against women and girls
- Many forms of VAWG often not criminalised

### *Barriers within S&J*

- Formal S&J institutions absent, lack capacity, corrupt, physically inaccessible and fees often required to lodge complaints
- Lack of women in frontline and decision-making roles
- Discriminatory attitudes and norms held by S&J providers
- Weak oversight mechanisms within the sector, with women's participation low or non-existent

### *Personal/social barriers*

- Lack of awareness of rights, laws or services available and how to navigate these
- Lack of confidence that S&J systems will respond to their needs and priorities
- Fear of secondary victimisation from S&J providers
- Fear of stigma, family shame and further abuse
- Lack of social and economic autonomy.

We need to factor in these gendered experiences and recognise that women and men will have different identities and roles depending on where they live, the prevailing social and gender norms, their age, sexual identity, economic status, race and religion. These individual and overlapping characteristics may increase vulnerability to violence<sup>30</sup> and determine access – or lack of – to S&J. Women and girls with disabilities (particularly women with intellectual and psychosocial disabilities), for example, face increased levels of SGBV and double discrimination in reporting violent crime in conflict and post-conflict settings.<sup>31</sup> Stigma, social exclusion and isolation, fear of being disbelieved and exploited by S&J actors, as well as lack of appropriate support, compound vulnerability to SGBV and increase reluctance to report incidences.<sup>32</sup> Sexual and gender minority (SGM) individuals are particularly vulnerable. Their vulnerability is exacerbated during armed conflict and in countries where homosexuality is criminalised, because SGM persons who are victims of a crime can be reluctant to seek justice.<sup>33</sup> In Lebanon, for example, while homosexuality is not explicitly outlawed, elements of the Penal Code criminalise same-sex intercourse. This deters SGM individuals from reporting sex-based crimes such as rape for fear of prosecution and incarceration.

## Gendered perceptions of security institutions in Lebanon

Research carried out in Lebanon on the **perceptions of security sector institutions** analysed how being a man or a woman, together with other factors, shaped individuals and communities experience of insecurity. For example, a young, unmarried, rural and low-income girl in South Lebanon has different perceptions of security threats from those of a middle-aged, married and middle-class man in Beirut. Findings indicated that:

- In areas of Lebanon where political tension is high, men felt more unsafe in public spaces compared to women, as men were perceived as a security threat.
- Women in urban areas felt more threatened by informal security providers than women in rural areas.
- Rural villages tend to be more homogenous in terms of political and religious affiliation; however, there is a wider range of political actors in dense urban areas.
- SGM individuals reported high levels of insecurity and distrust towards S&J actors.

*Source: International Alert (2015) Perceptions and prescriptions: How Lebanese people view their security. Background Paper February 2015.*

**Working with and understanding the diverse roles women and men play in S&J is the smart way to combat the threats the UK faces.** Viewing women solely as victims and men as perpetrators of criminality and violence masks the multiple roles that women and men play in different contexts. In crisis contexts, for example, women can be a more reliable source of information leading to security measures that prevent and protect against harm and lay the ground for stabilisation.<sup>34</sup> Women are in the police, judiciary and armed forces. They are active participants in conflict, along with men, as combatants or as peacekeepers, as witnesses or perpetrators of crime, and as vulnerable groups exploited by others (e.g. sex traffickers and drug mules). While women and girls are frequently victims of both violent extremism and the worst forms of organised crime, they also take part in extremism and criminal activities at varied levels of involvement.<sup>35</sup> In the case of trafficking, the line between victim and perpetrator can often be blurred. Recent country analyses highlight that women were more frequently convicted of trafficking than men in Central America and the Caribbean, and in Eastern Europe and Central Asia.<sup>36</sup> *The Conflict, Stabilisation and Mediation Directorate's Gender and SOC Guidance Note* provides detailed guidance on this issue.

**Women's meaningful participation in S&J produces better and more equitable outcomes.** Persistent levels of gender inequality that predate and are exacerbated by conflict can fuel women's inability to participate meaningfully. Women are underrepresented across the S&J sector despite international commitments to ensure their full and equal participation,<sup>37</sup> and the extensive evidence that women's leadership and participation in conflict and post-conflict S&J can improve gender equality and equity.<sup>38</sup> Women's active involvement in post-conflict settlements has led to gender-responsive legal and policy reform, such as recognition of gender equality in a new constitution, and legal recognition of women's inheritance and property rights.<sup>39</sup> Increasing women's leadership and participation, and actions to address discrimination and organisational gender biases, will positively impact the institutional capability to provide a more inclusive S&J provision that addresses the needs of women and other gendered minorities.

## 4. Gender equality in security and justice programming and policy

### Relevant HMG commitments on security and justice

- The UK National Action Plan on Women, Peace and Security (2018–2022)
- The National Security Strategy and Strategic Defence and Security Review (2015)
- The UK International Defence and Engagement Strategy (2017)
- Human Security in Military operations – JSP1325 (2019)
- The Integrated Review of Security, Defence, Development and Foreign Policy (2021).

### 4.1. Principles for addressing security and justice in conflict

These key principles underpin all conflict-related S&J programming, ensuring that the work is effective and does not contribute to insecurity or put survivors of SGBV, especially women and girls, at further risk. They integrate the UK's international and national commitments on WPS and S&J with the current understanding of best practices in conflict and post-conflict situations.

**Principle 1: Embed gender-sensitive analysis in all actions.** All HMG S&J work needs to think about the gender implications of programmes, diplomatic outreach and international engagement. In programming, a gender-sensitive perspective should be integrated into all stages of work, from the initial gendered conflict analysis through to design, implementation, monitoring, evaluation and learning.

**Principle 2: Apply an intersectional approach.** All S&J interventions need to consider the different and specific experiences of discrimination and exclusion faced by different men and women, and how they affect the perceptions of, and access to, S&J. Every context will be different. Consider what the differences are (for example, for women and girls stigmatised by sexual exploitation, abuse and harassment (SEAH), for people with disabilities, and for gay men) and identify the different priorities and needs for each group. **An intersectional approach is fundamental to protecting rights and supporting S&J institutions if they are to become more responsive and accountable.**

**Principle 3: Ensure the meaningful participation of women and girls.** Women and girls have a right to equal participation in decision-making at all levels of S&J engagement.<sup>40</sup> Exercising the right in a meaningful way requires **addressing their practical access needs, and strategic engagement with women's rights organisations (WROs) and leaders.** Working in strategic alliances and partnerships with WROs, disability rights organisations, women's human rights or justice advocates, and ministries working with women and girls can be helpful in identifying the political entry points or strategies for getting women's interests on the agenda, and ensuring participation is more than a cursory exercise.<sup>41</sup>

**Principle 4: Coordinate and engage with the whole S&J sector.** Working with one part of the S&J sector or on one issue without acknowledging the interlinkages and interactions between them risks, harms and limits operational effectiveness. This does not mean complex programming or working simultaneously with all S&J actors. It does, however, mean understanding the reality of S&J provision and coordinating sufficiently so that specific interventions fit within the wider context and coordinate with other local and external interventions.<sup>42</sup> Ensuring adequate coordination and sharing of information between services and agencies working on SGBV supports synergies and avoids duplication.

**Principle 5: Support gender equality within and by S&J institutions.** Women's chronic under-representation in S&J among actors and systems allows their interests to be ignored.<sup>43</sup> Operationally, it is important to think beyond the number of women personnel and address the wider institutional culture and discriminatory practices that undermine the recruitment, retention and promotion of women into senior leadership. What happens internally will affect whether an institution can provide effective S&J for all.

**Principle 6: Do no harm.** S&J interventions can inadvertently do harm, making things worse, when the actions taken aggravate rather than mitigate the conditions for violent conflict and all forms of SGBV. All S&J initiatives, whether directly or indirectly working with victims of violent crime or survivors of SGBV, should adopt a 'survivor-centred approach' whereby "any intervention is centred on respect for survivors' autonomy, agency and preferences, protecting their confidentiality (including any identifying information about them or their family members), ensuring their safety and security takes primacy in programming and barrier-free access to services without discrimination."<sup>44</sup> The *Guidance Note for Implementing Outcome 3: Gender-based Violence* in this series provides more detailed guidance.

## Gender risks and harms in tackling drug trafficking

The socio-economic crisis in some Central Asian states appears to be stimulating drug trafficking with a growing number of men, women and girls willing to transport drugs either for themselves or for organised criminal gangs.

A scoping report produced for the Foreign, Commonwealth and Development Office (FCDO) in Central Asia flagged the gendered risks of strengthening border controls to tackle drug trafficking. Current anti-narcotics initiatives appear to target those most vulnerable (i.e. women). For example, Tajikistan now has the highest incarceration percentage of women for drug offences across Europe and Central Asia. What is particularly concerning in the light of entrenched gender inequalities in Tajikistan, as well as evidence suggesting that women are increasingly driven to engage in drug trafficking due to poverty arising from the breakdown of both informal and formal marriages, is that they are being detained because they cannot pay fines for petty offences or post bail. The report highlighted the need for these gendered harms and risks to be considered within any plans for HMG to help strengthen border controls in Central Asia, along with the provision of upstream prevention programming to tackle the underlying drivers.

*Source: FCDO Central Asia 2021.*

## 4.2. The Theory of Change for Strategic Outcome 5

The Theory of Change (ToC) provides a framework for HMG and other stakeholders to consider how pathways can be pursued (for example, through diplomatic outreach and influencing, policymaking, and programming to tackle gender inequality) and contribute to the achievement of Strategic Outcome 5. The suggested outputs, interventions and assumptions are indicative and should be adjusted to the specific challenges, opportunities and dynamics of an intervention's context.

### The challenge (problem statement)

The impact of conflict and instability on women and girls is immense and multi-layered, affecting their experiences of, and roles within, S&J. Some women and girls are active combatants (members of the security forces, the police or armed groups), but many more are the victims of exploitation and violence perpetrated against them, often as weapons of war by combatants, security forces and non-state armed groups. They are also disproportionately affected by displacement from their homes and communities, and by having to live in refugee camps, and are more vulnerable when displaced. In these contexts, S&J actors, both in informal and formal institutions, can play roles both as abusers and as protectors and upholders of rights. If abuse goes unchecked, it can fuel more conflict as male household members seek revenge and exact their own forms of justice.

### The rationale and evidence

Strategic Outcome 5's ToC sets out **why** the UK Government needs to consider women and girls in its S&J response in conflict-affected and post-conflict contexts. It provides examples of **what** to prioritise and illustrates **how** this can be done. The ToC is framed around two interlinked outcomes:

1. Women and girls are empowered to express their priorities and needs to S&J actors, can access fair justice systems to seek redress for grievances, and are entitled to receive a fair hearing for their alleged crimes.
2. Formal and informal S&J institutions have meaningful participation of women, the capacity to respond to women's and girls' priorities; and can hold S&J actors to account for their actions.

### **The two outcomes are inextricably interlinked. Success in one is dependent on success in the other.**

Strengthening women's and girls' capacity to be heard, as survivors of SGBV, witnesses or perpetrators of crimes or participants in decision-making (**Outcome 1**), must be matched by:

- (i) the meaningful participation of women and girls in S&J institutions
- (ii) the willingness and capacity of S&J actors to note and act on the priorities of women and girls, and
- (iii) S&J actors to be accountable for their actions (**Outcome 2**).

Many S&J actors do not understand women's and girls' needs and priorities. In many contexts, they do not believe women have the same rights as men. Increasing incentives and capabilities for S&J actors to listen is therefore just as important as supporting their capacity to respond, whether through informal justice mechanisms, the provision of GBV testing kits, juvenile courts, or special measures to protect witnesses etc. S&J actors need to be held to account for their actions within a network of accountability and oversight mechanisms, such as within ministries and in parliament, formal oversight mechanisms, internal disciplinary procedures, and to civil society groups.

Figure 2 sets out indicative outputs, cross-cutting those issues every S&J intervention should consider, and some examples of interventions that **reflect current knowledge on what works or shows promise of producing sustainable results**. The ToC is based on the following underlying assumptions:

- Political will can be stimulated within national governments and the international community to implement policies and programmes to strengthen the application of gender perspectives in the S&J sector.
- There are opportunities for change, including new legislation, security sector reform (SSR) processes and entry points for norms to change, in challenging conflict and post-conflict settings.
- Comprehensive support services and mechanisms (medical, psychosocial, legal (including referral) pathways) are in place or can be strengthened.
- Discriminatory attitudes and norms held by S&J actors prevent the provision of effective and accountable S&J services that respond to gender differences in needs. These can be challenged through context-specific interventions.
- Informal S&J systems and actors exist and are often the first or only means of security provision or access to justice for certain populations in many contexts.
- Measures to create diverse and equitable environments within S&J institutions are likely to strengthen the effectiveness of these institutions in responding to gender differences in S&J needs.
- Women's rights activists and organisations are meaningfully involved in shaping the design and delivering or providing inputs and advice on interventions.

**Finding a balance between the two outcomes will often require trade-offs that staff should be open and explicit about.** HMG's engagement and specific interventions should always focus on where it can be operationally effective in what it does or plans to do in pursuing NAP commitments in line with the wider regional and country UK strategic objectives. Programmes will need to be politically smart, flexible and adaptive to the social and political dynamics of the operational context. The bottom line should be where and how to deliver positive results that optimise the impact on women and girls.

Our understanding of the gendered experiences of S&J and what works is gradually improving. However, the evidence base is still largely focused on addressing VAWG and less so on tackling gender discrimination, with S&J institutions, holding S&J actors to account or access to S&J for women and girls in relation to a non-SGBV crime or grievance.<sup>45</sup> The tables summarise the available evidence against the two outcomes.

## Gender equality and security and justice: evidence gaps to address

Notable gaps in the evidence, where more research and systematic reviews of current approaches are needed, include:

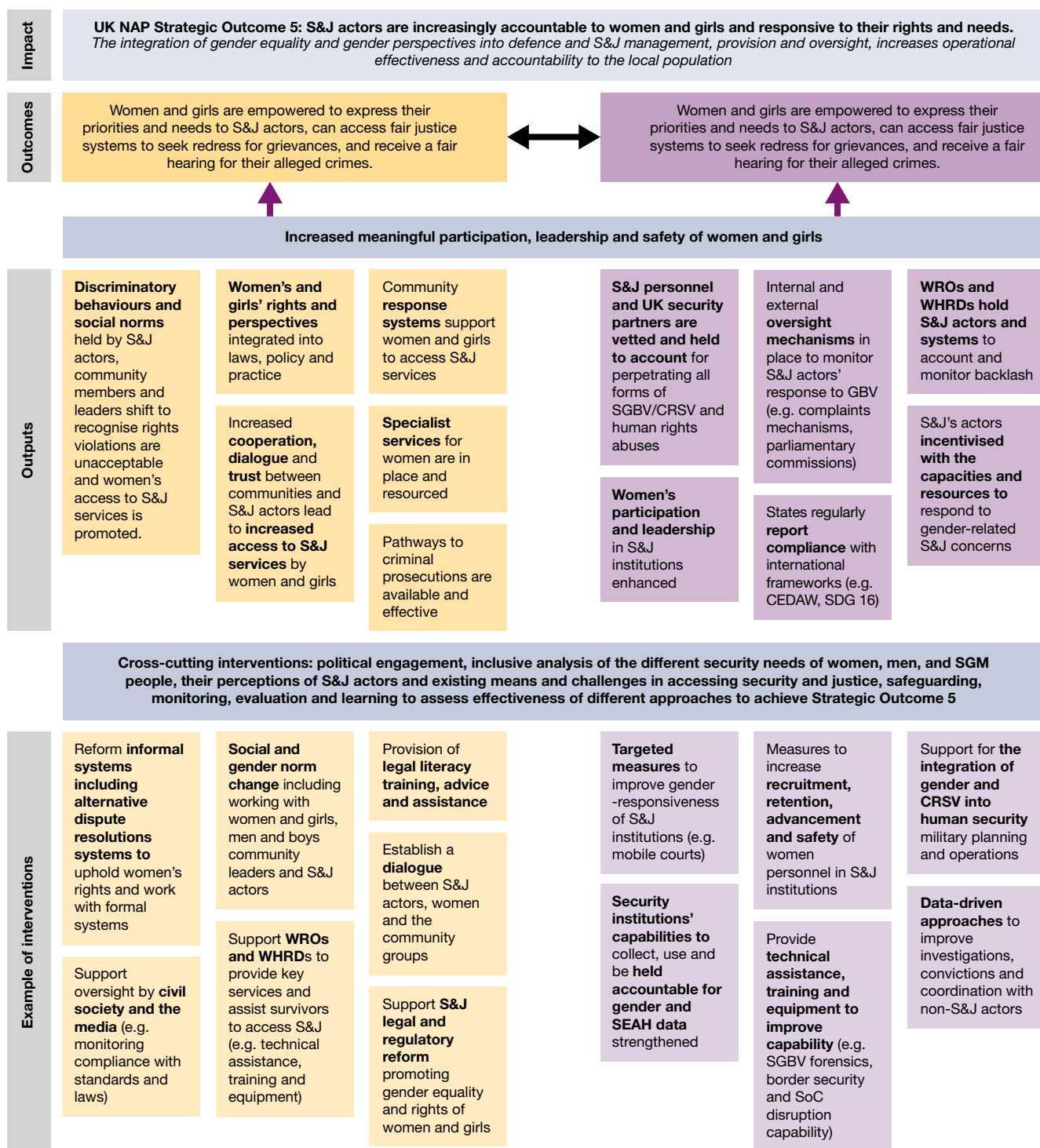
- the relationship between capacity-building activities and reductions in criminal violence, including SGBV
- the impact of S&J programming/interventions on SGBV rates
- the impact of S&J interventions on support to survivors or on safeguarding or preventing further violence
- the effectiveness of interventions that work with informal justice mechanisms to respond to SGBV survivors' needs<sup>46</sup>
- what works in integrating social norm change meaningfully into wider S&J programming.

### Evidence

- the lack of information on the gendered impacts of military sector reform in relation to human security, including CRSV, is partially because of the lack of a shared system of rules for evaluation
- the role that organised criminal gangs play in providing access to S&J in the territories they hold, where those territories are under criminal governance, and
- what works in engaging with gender and addressing gendered violence in transitional justice mechanisms (although this may reflect that very few transitional justice interventions have included gender-specific provisions).<sup>47</sup>



Figure 2: Theory of Change for Strategic Outcome 5



## Meeting Outcome 5: Summary of current evidence

Tables 1 and 2 summarise the current evidence for Outputs 1 and 2.

**Table 1: Output 1** Women and girls are empowered to express their priorities and needs to S&J actors, can access fair justice systems to seek redress for grievances, and receive a fair hearing for their alleged crimes.

	Assessment	Case study examples
<b>Legal and policy reform</b>	<b>Strong evidence</b> Effective if pushed through national and international channels, signing and ratifying international conventions (e.g. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)) and working in conjunction with WROs, WHRD and other social movements. <sup>48</sup>	<b>Iraq</b> Lack of a robust legal framework is a key barrier to reporting GBV. The UK supported the meaningful participation of WROs in drafting the content of the anti-domestic violence bill through ongoing consultations with Iraqi WROs and receiving advice on appropriate public advocacy and diplomatic dialogue. The UK's diplomatic engagements, together with the international community and WROs, have contributed to building support for the anti-domestic violence law and in passing the Yazidi Survivors Bill. <sup>49</sup>
<b>Social norms and challenging discriminatory behaviours</b>	<b>Promising evidence</b> Working with WROs and communities to dismantle informal systems that perpetuate harmful norms disadvantaging women. <sup>50</sup> Most evidence of effectiveness comes from non-conflict contexts with emerging evidence in conflict contexts. <sup>51</sup>	<b>DRC</b> Transforming masculinities intervention <sup>52</sup> with WROs and faith groups showed social norm and behaviour change was possible within 24 months. Intimate partner violence (IPV) reported by women participants more than halved from 69% at baseline to 29% at end-line and the prevalence of non-partner sexual violence reported by women reduced from 24% to 4%. Survivors were more likely to seek help and less likely to feel guilty about the violence they experienced.
<b>Reform of informal justice systems</b>	<b>Mixed evidence</b> Women are more likely to seek justice against SGBV and other grievances when informal justice mechanisms are linked with legal aid services, the formal court system and cooperation with support and livelihood services; especially to address difficult disputes and serious criminal offences.  There are reported cases of indigenous dispute resolution mechanisms failing to protect women reporting SGBV from intimidation and retaliation.  Mixed evidence Legal empowerment programmes improve accountability of informal justice systems. But results are unlikely to be sustained if delivered as a stand-alone programme. <sup>53</sup>	<b>Malawi</b> The VAWG prevention and response programme increased access to justice for women through working at institutional, community and family levels, influencing system change and policy and regulatory frameworks in informal and formal systems. Women were supported with a package of response and intervention services, including economic, health, education and psycho-social support. The approach adapted to the diverse gendered contexts in Malawi, using evidence from a pre-baseline of gender, inclusion, power and political analyses. <sup>54</sup>  <b>Afghanistan</b> Twenty-two women who were given basic legal training acted as gender focal points, advising women on their rights, formal and customary law, available support, and referral pathways. <sup>55</sup> This increased access to justice for some women in the targeted areas but was not sustainable.
<b>Community response systems</b>	<b>Some evidence</b> Training community-based paralegals increases pathways to prosecution for women and girls. The impact is limited if women are not connected to a functioning and effective justice system that protects and respects their needs. <sup>56</sup>	<b>Nepal</b> GBV watch groups involving 19,242 women collectively dealt with 47,254 cases of SGBV. Lessons learnt led to the establishment of the GBV control network involving a spectrum of actors beyond the community and the S&J system to improve coordination and referrals. There were also diffuse changes in social norms across different levels of support.
<b>Working through WROs and WHRDs</b>	<b>Strong evidence</b> Active engagement with WHRDs and WROs has been shown to be effective in increasing women's meaningful participation in S&J reform, conflict prevention and peace, DDR and transitional justice processes. <sup>57</sup>	<b>DDR programmes</b> Are more effective in supporting integration when working with, and through, WROs who play essential roles in determining the success or failure of reintegration programmes with female ex-combatants – reporting women were more likely to give support than men or traditional leaders. <sup>58</sup>

**Table 2: Output 2** Formal and informal security and justice institutions have meaningful participation of women, the capacity to respond to women’s and girls’ priorities, and can hold S&J actors to account for their actions.

	Assessment	Case study examples
<b>Technical assistance and capacity building</b>	<p><b>Weak evidence</b> Capacity building shown to be largely unsustainable with a heavy reliance on international personnel and finance.<sup>59</sup> Gains made are likely to be reversed, once personnel and funding departs, if training is focused on building organisational capacities yet neglects the wider political incentives for gender-sensitive reform. All existing evidence shows a weak relationship between capacity-building and improved security outcomes.<sup>60</sup></p> <p><b>Promising evidence</b> Strengthening professional capacities whilst also supporting wider change externally, legal and policy reform internally, and changes in leadership and culture, appear more likely to nudge change in the quality and sustainability of gendered-responsiveness by S&amp;J institutions.<sup>61</sup></p>	<p><b>UK Defence: Human security training with UK troops and foreign military</b> Integrating SEAH into military training, adapting to ground realities and close coordination with wider SSR reforms has shown some promising results in strengthening willingness and capacities to tackle SEAH. The approach addresses concerns that a more operationally capacitated military could come at the expense of an accountable one that respects human rights.<sup>62</sup></p> <p><b>Somalia</b> Close coordination between the SSR programme team, the Somalia stabilisation team, the UK military trainers and the defence team provided a context-specific approach to improving the Somali National Army’s engagement with civilian populations.<sup>63</sup></p>
<b>Targeted measures to improve gender responsiveness</b>	<p><b>Mixed evidence</b> On the use of targeted measures to improve institutional responses to women and girls reporting crimes. Evidence indicates mobile courts can be an “efficient stop-gap mechanism but mixed evidence that either fast track or mobile courts have prevented violence or speeded up the rate of convictions.”<sup>64</sup></p> <p><b>Insufficient evidence</b> Of the effectiveness of women’s police stations in preventing violence.<sup>65</sup> Implementation challenges include inadequate funding, authoritarian attitudes, discriminatory gender norms, and lack of training for women police officers.</p> <p><b>Some evidence</b> That police desks staffed by women increases the reporting of GBV (as well as to support services)</p> <p><b>Strong evidence</b> That their effectiveness lies in women and girls feeling that they have a right to report GBV and can trust the service.<sup>66</sup></p>	<p><b>Eastern DRC</b> Internationally supported mobile courts reached remote areas, hearing over 1,000 cases, of which up to 75% were rape charges. Conviction rates averaged between 60 and 78%. While seen to bring a degree of justice to survivors, the courts were criticised for potentially undermining the development of a Congolese justice sector.</p> <p><b>Provision of video links in courts as a measure to protect GBV survivors</b> From being re-traumatised by meeting their perpetrators face to face when giving testimony. In Pakistan, CCTV cameras were introduced into juvenile justice and GBV courts,<sup>67</sup> as was the case in Zambia to protect witnesses.<sup>68</sup></p>
<b>Increasing women’s participation in S&amp;J institutions</b>	<p><b>Strong evidence</b> Most effective when women’s increased participation is framed within wider attempts to build diversity and inclusion.<sup>69</sup></p> <p><b>Evidence indicates that the most effective measures</b> are political and high-level engagement to get senior leadership buy-in.<sup>70</sup> An initial assessment or audit can provide the basis for transparent, accountable planning and action, followed by phased implementation with regular review, is effective. Further, on-going and repeat training from trainers with the status and legitimacy to be accepted by an organisation, is important<sup>71</sup> (e.g. from military, police or judicial academies).</p>	<p><b>BIH</b> The gender audit of the armed forces of BIH supported by UK Defence set the baseline for mainstreaming gender and achieving a gender balance in the military. Strong and long-term engagement, high-level BIH leadership, and deployment of local gender experts all played a part.<sup>72</sup> A working group was set up following the audit, led by the minister of defence who enacted a plan of action which is now being operationalised.</p>
<b>Using data-driven approaches</b>	<p><b>Promising</b> Emerging evidence that a data-driven, problem-focused approach can leverage more gender-responsive and effective cross-agency coordination. Using data can enable better monitoring and oversight, and leverage cross-institutional collaboration to solve an acknowledged problem within the whole system.</p> <p><b>More evaluation and an evidence-based review are needed.</b></p>	<p><b>Pakistan</b> The UK rule of law programme used the data to improve cross-institutional working through the Punjab Forensic Science Agency (PFSA). Data on distribution and usage of sexual assault evidence kits (SAEKs) from the PFSA was used to agree on a target of a 10% increase of SAEK usage. Monitoring by the police was shared monthly across agencies, enabling adjustments to the design and usage. Agencies used existing resources and built on capacities already within their organisations. From a negligible 0.4% correct utilisation of SAEKs in investigation and prosecution in 2019, this rose to 40.6% in reported rape and sexual assault cases (using admissible forensic evidence in prosecution) by 2021.<sup>73</sup></p>

## 5. Practical guidance for implementing security and justice interventions

Working on gender equality in S&J in conflict settings will always be challenging. The institutional, political and contextual dynamics are unlikely to favour ambitious interventions or short time frames. Setting clear objectives, strategic deployment of resources to show value for money, gender expertise and consistent political engagement at all levels are essential. Staff are encouraged to reach out to gender and GBV specialists and ensure they work with specialist SGBV and gender suppliers to support the effectiveness of their interventions.

### Support on gender equality and GBV in S&J available to HMG staff

**VAWG and K4D help desks** provide a rapid desk and short-term expert consultancy. The VAWG help desk supports the integration of GBV in S&J interventions. The knowledge, evidence and learning for development (K4D) help desk provides quick access to evidence and analysis on development policy and programme questions through rapid response or more substantive emerging issues reports.

**The Office for Conflict, Stabilisation and Mediation (OCSM)** provides gender advice, resources, scoping, design and evaluation of gender and S&J across HMG.

### 5.1 Key steps



**Step 1: Analyse the gender and political context of the S&J sector.** Review and analyse existing gender data. The initial gender and political analyses need to cover the different security needs of women and girls, men and boys, and SGM individuals, their perceptions of S&J actors, the existing avenues and the barriers to accessing justice. It should also cover how S&J relate to the broader political settlement, including human rights violations, and distribution of power and resources. Draw

on available political analyses, such as country-level joint analysis of conflict and stability (JACS), gender and political analyses from partners, as well as existing research studies.

If you commission a gender analysis, ensure that the terms of reference require participatory approaches to talk to different groups of men and women, boys and girls, following the appropriate ethical guidelines. **Test out initial gender and political analyses through meetings or consultative forums with key S&J actors and other groups.** Doing so will help identify potential entry points, enable a better understanding of the context and help build trust with local actors. Ensure that consultations include a wide representation of different groups of women as well as their representatives from, for example, WROs, child and disability rights groups, local gender experts and service providers.

#### Key questions for scoping the gender and political context

*Tailor and select questions appropriate to the proposed interventions, e.g. questions relating to illicit drug trafficking will be different from those relating to CRSV or strengthening police capabilities to respond to survivors of SGBV.*

#### Security needs and priorities

- How do women, girls, men, boys and SGM individuals understand their different security risks and needs? What are the different priorities for each group? How do these security risks affect their daily lives, livelihoods, mobility and access to services?
- Where do different people go for help and how does this differ by gender, ethnicity, (dis)ability, socio-economic status, age and location? In what ways, if any, are women and girls involved in providing security for themselves, their families or communities?

#### Access to justice

- How do different women, girls, men, boys and SGM individuals understand and seek justice? How does this differ for different types of crimes, rights violations and different groups (e.g. rape or sexual abuse versus inheritance and land rights)?
- What are the main barriers in accessing justice for each of these different groups?
- How are women, girls and SGM individuals treated as perpetrators, defendants or prisoners? How does this differ for different groups and different groups of men and boys?
- What happens to GBV survivors? Where do they report violence, and to whom? What are the consequences? How does this differ for different groups of female and male survivors, and SGM individuals?

### Security and justice actors

- Who are the different formal and informal actors playing a role in providing, or undermining, S&J? How do these actors relate to the wider political settlement, power and conflict dynamics?
- What roles do different groups of women play within formal and informal S&J systems and processes?
- What are the perceptions of women, girls, men, boys and SGM individuals of different S&J actors? How does this differ by ethnicity, (dis)ability, socio-economic status, age and location?

### Gender analysis of the context

- What are the gender relations in the context? What inequalities and discriminatory practices do women and girls face in terms of their social, economic and legal status and autonomy – including laws, policies and constitutional rights?
- What are the primary forms of GBV in the context and how do they inter-relate? (e.g. CRSV, IPV, sexual abuse and exploitation).



**Step 2: Map the politics and entry points for S&J interventions**, including activities of other actors. It's important to identify the evidence gaps as well as what is already known.

Both will help determine where to intervene.

### Key questions for mapping politics and entry points

- Who are the actors currently working in the security sector at national and local levels (e.g. local government, service providers, CSOs, traditional and faith leaders)?
- What is known about the current capacity of key stakeholders to work on the issues in-country? What is the current capacity related specifically to GBV response across different institutions and actors (e.g. WROs, government departments)?
- Are there current or forthcoming initiatives or changes in the S&J context which provide opportunities for UK engagement (e.g. new laws or policies, existing or planned SSR processes, initiatives to address CRSV)?
- Who needs to be engaged as potential allies, likely blockers or resisters to change among identified actors?
- What are the UK's previous experiences of working in the S&J sector in the country or similar countries (e.g. UK Defence training to national defence forces, support to SSR, SOC, police reform or community security partnerships)? Is there any support from elsewhere in HMG to draw on?
- To what extent, and how, has a gender perspective been applied across existing work? Are there opportunities for strengthening work on gender?
- What are the human rights risks or potential unintended consequences of working to make S&J more accessible and accountable to women and girls?
- Are there opportunities for women and girls to drive, develop and lead discussions nationally or locally?



**Step 3: Develop a strategy for HMG response.** Different options exist for meeting UK Strategic Outcome 5 commitments in line with wider UK strategies in a country. The choice of option will depend on its appropriateness to the country context and resource implications.

Examples complementing the summary evidence detailed in Tables 1 and 2 are shown in Table 3.



**Table 3:** Examples of mainstreaming, targeted and enabling environment approaches

<b>Mainstreaming</b>	<b>Targeted</b>	<b>Enabling environment</b>
Examples of integration into wider S&J programmes	Examples of gender equality as the principal objective	Examples of gender-responsive diplomatic outreach, political engagement and coordination between S&J actors
<ul style="list-style-type: none"> <li>• <b>Defence</b> National armed force training by UK Defence on human security to improve response to CRSV</li> <li>• <b>Justice</b> Embedding technical advisors within S&amp;J institutions (judiciary, prosecutions, police) to drive system change</li> <li>• <b>Police reform</b> Data-driven approaches to reduce violent crime including rape and SEAH through specialised monitoring units.</li> </ul>	<ul style="list-style-type: none"> <li>• Special and fast-tracked courts and mobile courts for GBV cases and juvenile justice</li> <li>• Working with S&amp;J training academies to develop and roll out mandatory courses on e.g. GBV investigations and judgments</li> <li>• Improving forensic collection and use in rape and SEAH cases</li> <li>• Training and mentoring of women in security forces to promote gender parity</li> <li>• Gender norm change with women and communities linked with work on improving access to response mechanisms.</li> </ul>	<ul style="list-style-type: none"> <li>• Strategic dialogue with bilateral partners on e.g. CRSV or trafficking</li> <li>• In-country lobbying with host governments on legal and policy reform; e.g. rape and SEAH legislation</li> <li>• Engaging with WROs and providing platforms for women's voices on security concerns</li> <li>• Political engagement with local and international justice mechanisms.</li> </ul>



**Step 4: Embed learning and adaptive programming.** Given the complexities of S&J engagement, ongoing learning and monitoring of results and risks are essential to track the intended and unintended consequences of UK engagement, and adjust interventions where needed. It will help to build an evidence base on what works to make S&J more accessible and accountable to women and girls, and to learn how change happens in conflict and post-conflict contexts.

#### Steps to avoid

S&J programming which responds effectively to women's and girls' needs and priorities avoids:

- short programme cycles for targeted gender interventions (less than 18 months' implementation phase)
- exacerbating local conflict and stigma (e.g. by victim-blaming)
- stand-alone training and/or awareness-raising
- focusing on only state S&J institutions
- implementation without specialist organisational gender/SGBV expertise.

## 5.2 Key elements in tackling gender equality in security and justice

In all S&J interventions in working across the two outcomes of the ToC, there are several elements that need to be factored in for effective programming and influencing. These elements are key to translating the principles underpinning the UK's S&J interventions into doable actions that benefit all women and girls.

### Think politically: be realistic about what is feasible given political and institutional realities

What may be possible in different conflict and post-conflict situations will vary according to context. The use of monitoring, evaluation and learning (MEL) data, ongoing gender analysis and political intelligence will enable a realistic assessment of what to target, plan for and where to flex to progress the intended outcomes.

- In conflict and the immediate aftermath priorities may include improving security and protection for women and girls; targeted support of women combatants through DDR and the provision of essential support services for SGBV survivors – medical services, psychosocial support and safe spaces.
- In stabilisation contexts direct and immediate support to security actors within the formal state sector may not be the appropriate starting point given that state institutions are often parties to the conflict and form part of a discriminatory and exclusive political settlement.
- In more stable contexts short-term priorities may include: improvements in coordination between police and support services or in gendering data management within national crime agencies; increasing provision of legal support or greater awareness of rights and support service availability.
- In the longer term interventions may focus on legal reforms, improvement in the capacities of S&J institutions to investigate, prosecute and trial SGBV cases, social and gender norm change or strengthening internal and external accountability mechanisms.



### Respond to women's and girls' changing needs and priorities

What women and girls identify as priorities will change over time. Reports from frontline service providers suggest that for many SGBV survivors, in the short term, seeking justice for abuses is less of a priority than concerns about their health and how their status in the community might be affected because of the violence.<sup>74</sup> Over the longer term, some women and girls may be concerned with seeking justice within formal and informal justice processes for abuses suffered and for other discriminatory practices such as unfair land and inheritance settlements.

**The best way to address these changing priorities is to ensure women and girls are always involved** in all stages of S&J interventions. Gender-responsive approaches involving critical reflection on gender roles and power are more likely to support staff and partners to push for the involvement and meaningful participation of women and girls.

### Work with men and boys – with accountability to women and girls

Men and boys can play an important role in progressing gender equality and combatting GBV. They should be included in work to encourage their advocacy in institutional, social and gender norm change and to mitigate backlash. The primary focus should always be on women and girls and addressing the systemic discrimination they face in line with the NAP's overarching goal.<sup>75</sup>

### Promote women's leadership and participation in security and justice

Operational effectiveness arguments can be useful in building support for increasing participation of women. For example, there is evidence from some contexts that female police officers are associated with more restrained use of force and fewer citizen complaints than male officers.<sup>76</sup> In many contexts, female police officers and security personnel have been able to build trust with women and men in communities that tend to be reluctant to engage with public institutions. But we should avoid essentialist arguments that suggest women all have the same skills and capabilities and will automatically be better communicators or more effective in dealing with women and girls who are perpetrators, victims or witnesses.

### **Women's role in countering violent extremism in Nigeria**

The civilian joint task force (CJT) in Nigeria was set up to help tackle armed opposition groups (Boko Haram). Over time Boko Haram had adapted its strategies to deploy more women in operations. Over half of the suicide attacks carried out in the Lake Chad region between 2011 and 2017, for example, were by women (Bell et al., 2019).<sup>77</sup> In response to the increased numbers of women involved in violent extremism, the CJT carried out a gender analysis of the roles women and men play in armed opposition groups. This analysis led to a fundamental change in its deployment of women. Women were recruited and trained to focus on conducting bodily searches of other young women and girls, and gather information, because they now had greater access to areas where men were not allowed in Muslim society. They also operated at checkpoints, alongside men, to engage with women and girls.

*Source: Okenyodo (2016) cited in Birchell, J. Gender-sensitive security and justice interventions in Sub-Saharan Africa, MENA and Asia (2020).*

### Secure national ownership and buy-in for reform

S&J interventions will always be politically sensitive, complex and risky. Vested interests of political elites and capacity constraints may mean progress is slow and results modest. Actions on gender equality may appear to be a diversion from core security and justice priorities. Yet **securing commitments to, and action on, gender equality and GBV can themselves be a strategic approach to S&J reforms.** Working on these issues may be a less threatening entry point for broader reform, where political elites and S&J actors are willing to make a change.

While mapping the politics and entry points for S&J interventions look for opportunities for securing political buy-in. These might include:

- capitalising in changes in leadership in government, ministries, parliament and engaging with community/traditional leaders
- working with reform initiatives instigated by government or S&J actors such as in traditional justice, forensics, revision of military recruitment and training procedures
- engaging with new policy and legal commitments around gender equality, SGBV and S&J
- using public outcry at a crime or human rights violation against women and girls to initiate dialogue and buy-in for reforms
- supporting the upscaling of existing initiatives by WROs/WHRDs and CSOs to support women's and girls' accessing S&J, and
- picking up on planned international reviews such as on CEDAW, SDG 5 and 16, to influence state and non-state responses to recommendations made.

## Consulting with local actors

**Mali** As part of pre-deployment of personnel deploying to Mali on operations, the Ministry of Defence (MOD) conducted a civil society roundtable with military planners and defence leadership to develop a mutual understanding of the mission and the population. The briefing and discussions on the context, vulnerabilities of women, girls and other groups, support services available, barriers to access etc, enabled defence staff to both build a better picture of the human security context in Mali and establish relationships with key civilian groups prior to deployment.

## Promote multi-sectorial coordination between S&J actors and other stakeholders

Interventions which work on improving security actors' response to survivors of SGBV are more effective when they focus on improving coordination across all sectors and service providers.<sup>78</sup> It is often limited and at times there is no cooperation between security actors and other service providers (e.g. health, shelter, helplines, legal services) or CSOs supporting women and girls. Cooperation may also be strained due to a lack of formal coordination mechanisms, differing provider response protocols, and the absence of referral policies.<sup>79</sup> Linking coordination and accountability mechanisms through robust monitoring and oversight within security institutions is more likely to achieve results.

## Pakistan – improving coordination between police and SGBV support services

The conflict, stability and security fund (CSSF)'s **Pakistan-funded Justice System Support Programme (JSSP) (2018–2021)** worked with the police to identify major barriers to better service provision to survivors of domestic violence (DV). Incidences of DV had escalated in Lahore during the Covid-19 pandemic, with an increase of 25% in cases in the first month of lockdown from the previous month. Substantial data analysis with the Lahore Police's Regional Monitoring Unit (RMU) found that the frontline police were only registering 12% of cases correctly as DV, downgrading most incidences to fights or threatening behaviour. Women reporting DV were unlikely to raise a complaint without the reassurance of shelter or other support. While support services are widely available across Lahore, police station staff were largely unaware of their availability and failed to connect survivors to the appropriate body.

The police, supported by JSSP, developed standard operating procedures (SOPs) setting procedures for referral and standards of behaviour when dealing with women reporting cases of GBV. Police station front desk officers were trained to apply the SOPs for referrals for all cases of violence against women and maintain the appropriate categorisation of incidences of DV and GBV. The SOPs allowed the Punjab Police to strengthen monitoring of sexual violence reporting and response across the city and improve coordination with support services. Data was collated from all police stations and assessed by the RMU monthly, with results being fed back centrally. From a baseline of zero in August 2020, the March 2021 monitoring data showed a 97% referral rate of DV survivors on to the appropriate support services. Correct categorisation of DV incidences had risen to 65%. A monthly Lahore district-level coordination meeting was also set up between the police, Lahore social welfare and women's development departments, referral agencies and the Punjab Safety Cities Authority to coordinate roles and responsibilities, case progress and follow-up actions.

*Source: Interviews with JSSP staff and data from JSSP Success Stories February 2021.*

## Include diplomatic outreach and political engagement

The UK can use its soft influence to repeatedly raise concerns around S&J, gender equality and SGBV with host governments. It is low-cost, effective and can strengthen national laws, policies and actions to make S&J more responsive to the priorities of women and girls. For example, in Nigeria, the High Commission's influence at the governmental level helped the passing of a police bill removing discriminatory practices against serving women police officers. The bill had previously failed to be passed, despite extensive lobbying by CSOs supported by the UK through its Security and Justice Reform Programme. As part of political engagement, **identify early on laws and policies that support change or that are major barriers to reform.**

## Juvenile justice as an entry point for improving access to justice

In Pakistan, the 2018 Juvenile Justice System Act (JJSA) is an important step towards state provision of child justice – providing for the establishment of child courts, release on bail except on grounds of avoiding risk to the child, and disposal of cases through diversion. During an initial scoping, the CSSF Rule of Law Programme identified the JJSA, still in its infancy, as an entry point for working on GBV issues. The space for working on GBV against women is highly contested and challenging, whereas addressing SEAH of children has high levels of public and political support. Working with a local NGO, **Group Development Pakistan**, the Rule of Law Programme (RoLP) designed the **Promoting Child Rights and Participation in Pakistan (PCRPP)** project to pilot child courts across Pakistan working with government ministries, judiciary, police and prosecutors. By 2021, nine child courts compliant with international human rights standards were operational and PCRPP had successfully influenced child rights policy and regulatory reform at both federal and provincial levels. PCRPP, an effective low-cost (£1.8m over two years) initiative, has been a good strategic fit with the wider RoLP. By tackling access to justice for children, it has allowed the RoLP to leverage the results to open up a dialogue with the ministries of human rights and law and justice on broader GBV and access to justice issues.

*Source: Itad, (2021) Evaluating capacity building and policy engagement approaches implemented by PCRPP for child justice reforms in Pakistan.*

Political engagement strategies will need to be reflected in budgets and MEL; for example, the production and review of specialist gender briefings or high-level meetings to progress gender objectives.

### Invest in monitoring, evaluation and learning evaluation to support learning and adaptation

Gender-responsive MEL drives the operational effectiveness of S&J interventions. **Consider first what success looks like given the operational context and challenges. Then consider the operation setting and what is feasible, ethical or appropriate at different stages of conflict.** Recognise that gendered data requirements change over time as the operational setting alters. Key factors to consider include:

- **Develop the evidence framework structured around outcomes and outputs that improve S&J outcomes for women and girls.** Use Outcome 5's ToC as a guide.
- **Ensure data is disaggregated by sex, age, disability and other characteristics** relevant to the context.
- **Track both short-term and longer-term progress.** Focus on results that positively benefit women and girls and increase the need to maintain a focus on long-term change and generate gendered data for learning and adaptation throughout an intervention. Building regular learning review points into an MEL strategy ensures that evidence gaps are closed before operational effectiveness is undermined.
- **Invest in MEL.** Around 10% of the overall programming budget is the recommended minimum requirement for establishing a robust MEL system. Where risks for women and girls are high or the evidence base weak, higher priority should be given to MEL financial and human resources.
- **Consider joint MEL activities with donors and government partners** as a way of improving coordination, decreasing the resource burden on individual programmes and sharing lessons on gender equality and SGBV more effectively.
- **Build in evaluation from the start.** Include impact evaluations, to ensure we learn effectively from our own and other existing and previous engagements.
- **Link MEL to longer-term research.** Where the evidence base is weak, there may be a need to invest in evidence generation and knowledge management on gendered approaches to S&J, including academic and policy research.
- **Address risks.** Consider the safety of, and risks to, women and girls and personnel undertaking data collection and how these risks will be managed. Programme and project implementers may need specialist training and support to guarantee safety during data collection in conflict settings or for SGBV data collection. This should be factored into budgets and risk assessments. (The *Guidance Note for implementing Outcome 3: Gender-based violence* provides useful information on the ethics and risks of GBV data collection.)

### Safeguarding

**All S&J interventions must safeguard women and girls, and mitigate against potential risk.** Improvements in SGBV investigations, for example, can result in re-traumatisation, intimidation and retaliation if not accompanied by protective measures, agreed with survivors, to address the gendered differences in risks of harm. These include witness protection measures such as safe houses and court video links; procedural or evidentiary rules to ensure the confidentiality and privacy of survivors, and psycho-social support to ensure their safety and security before, during, and after judicial processes.<sup>80</sup> **There are also safety and security risks to legal personnel from** defendants in SOC and GBV cases. For example, research on GBV legal aid providers in Somalia observed that

both employees and clients regularly receive threats when working on GBV cases.<sup>81</sup> The risks to community-based paralegals are high in contexts where they are seen to be challenging the social norms. These risks will need to be mitigated against. The human rights Overseas Justice and Security Assistance (OSJA) protocol is an important tool in this regard.

Risks will need to be managed proactively and discussed upfront with S&J actors and partners. At a minimum, conduct a systematic assessment of the human rights and gender risks and unintended consequences that intervention activities may have for women and girls. Develop a strategy to reduce or mitigate these risks including providing protection. For example, returned women combatants may need to be protected from stigmatisation and backlash or trafficked women from crimes they may have been forced to perform. **Remember a woman's decision not to be involved in a case in situations of mandatory arrest and prosecution or to pursue justice against a perpetrator(s) is her right and must be respected.**

**Protecting women personnel from SEAH and discrimination within S&J institutions and in the line of duty also needs to be factored in.** A review of SEAH by military personnel found that rather than being the actions of a few, it is a result of insufficient senior buy-in and inconsistent leadership messaging on gender equality and SEAH.<sup>82</sup> Increasing the numbers of women personnel will make little difference without tackling discriminatory attitudes. Negative attitudes may be reinforced and strengthened by organisational cultures which encourage the expression of prevalent norms and toxic stereotypes around masculinity in personnel. In extreme cases this leads to sexual violence perpetrated by soldiers, occupying forces, the police, peacekeeping forces or demobilised troops.<sup>83</sup> There are limited examples of effective interventions targeting both attitude and social norm change within S&J institutions. Promising measures include: working with both men and women<sup>84</sup>; working with elites and senior personnel; and ensuring training is integrated with institutionalised changes to policies, procedures and operating manuals.<sup>85</sup> Leadership supporting robust policies, strong reporting and disciplinary mechanisms make the most difference.

## Glossary of Terms

<b>Conflict-related sexual violence (CRSV)</b>	CRSV “refers to rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict. The term also encompasses trafficking in persons when committed in situations of conflict for the purpose of sexual violence/exploitation.” <sup>86</sup>
<b>Gender</b>	<p>Gender refers to the socially constructed roles and relationships between men and women. Gender is not determined by biology but is instead learned; women and men are taught that certain roles and behaviours are appropriate according to their sex.<sup>87</sup> <b>Gender norms</b> are the informal rules and shared social expectations that distinguish expected behaviour on the basis of gender. Although context-specific, globally gender norms often dictate that the roles expected of women are in the private sphere, such as in caring roles, and men’s are in the public sphere, in paid employment, leadership and decision-making.</p> <p>There are variations in how people experience gender, and gender is increasingly understood as not being binary, but on a spectrum; an individual may not identify with the sex they were assigned at birth.<sup>88</sup></p>
<b>Gender-based violence (GBV)</b>	GBV is violence that is directed against an individual or group of individuals based on their gender identity. GBV encompasses VAWG, as well as violence against men, boys and SGM individuals. <sup>89</sup>
<b>Gender analysis</b>	A framework and methodology to guide the gathering of information and data and its analysis to better understand the relationships between women, girls, men, boys and SGM individuals, their access to resources and decision-making, their rights, and the constraints and opportunities they experience relative to each other. <sup>90</sup>
<b>Gender balance or parity</b>	Promoting gender balance or parity refers to actions taken to ensure full and equal representation of women and men in institutions and security decision-making, e.g. in enforcement agencies, the military or parliamentary oversight committees. <sup>91</sup>
<b>Gender equality</b>	The state of being equal in status, rights and opportunities, and of being valued equally, regardless of sex or gender identity and/or expression. <sup>92</sup>
<b>Gender mainstreaming</b>	Gender mainstreaming involves assessing and addressing the implications for women and girls, men and boys of any planned action, including legislation, policies or programmes, in all stages of the intervention from design through to monitoring and evaluation, and at all levels even when gender equality is not the principal focus of an intervention <sup>93</sup> , e.g. building organisational capacities to address serious and organised crime (SOC).
<b>Gender-responsive approach</b>	A gender-responsive approach is informed by gender analysis and/or agreement. Gender responsiveness as a concept and a practice seeks to enable operational and practical capacity to address gender inequalities, exclusions and differences through action or implementation efforts that are feasible, monitored and evaluated. <sup>94</sup>
<b>Gender-sensitive interventions</b>	Gender-sensitive interventions recognise the specific needs and realities of men and women based on their gender roles in a given context. At a minimum, they should avoid entrenching or exacerbating existing gender inequalities. Where possible, they should aim to challenge existing inequalities between and among women, men and SGM individuals, taking steps to promote gender justice and equality. <sup>95</sup>
<b>Sex and gender-based violence (SGBV)</b>	SGBV includes GBV and sexual violence. WHO defines sexual violence as: “any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic women’s sexuality, using coercion, threats of harm or physical force, by any person regardless of relationship to the survivor, in any setting, including but not limited to home and work.” The term covers forced sex, sexual coercion and rape of adult and adolescent men and women, and child sexual abuse. <sup>96</sup>
<b>Sexual and gender minority (SGM)</b>	SGM is an umbrella term which refers to people whose sexual orientation, gender identity or sexual practices fall outside traditional norms. It denotes the power imbalance that makes SGM individuals invisible or considered less worthy of inclusion. As a result, SGM persons are often absent from discussions concerning gender, conflict and S&J, which means that the vulnerabilities they face, and their contributions, are ignored. <sup>97</sup>
<b>Social norms</b>	Shared expectations of specific individuals or groups regarding how people should behave. Norms act as powerful motivations either for or against individual attitudes or behaviours, largely because individuals who deviate from group expectations are subject to shaming, sanctions or disapproval by others who are important to them. <sup>98</sup>



## Useful Resources

In addition to the key sources of support given in section 4, the following resources provide useful guidance and tools for addressing gender equality and GBV in S&J programmes.

### General

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The DCAF, OSCE/ODIHR, UN Women ***Gender and Security Toolkit*** (2008) comprising 15 tools and policy guides presents the evidence of what works as well as practical tools to promote gender equality and integrate a gender perspective in the S&J sector. Individual topics include guidance on how to integrate gender in work with the armed forces, police and national governments.

The UN's Department of Peace Operations ***Gender Equality and Women, Peace and Security: Resource Package*** (2020) is a 'how to' resource providing practical guidance on implementing WPS mandates and commitments. The guide includes good practice examples and case studies drawn from the field. Section 3 focuses on specific components of S&J including the police, military operations, SGBV, DDR, SSR, CRSV and SEAH.

Saferworld, ***Gender Analysis of Conflict Toolkit*** (2016) presents evidence, analysis and tools for both building understandings of how gender norms influence conflict dynamics and vice versa, and integrating gender perspectives into conflict analysis processes.

### Disarmament, Demobilisation and Reintegration

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***Gender Responsive DDR: Promoting the Women and Security Agenda*** (2020) presents current thinking and best practice in politically smart DDR that addresses sexual violence and responds to the different needs and rights of women.

***Engaging Women in Disarmament, Demobilisation, and Reintegration: Insights from Colombia*** (2015) presents lessons learnt and recommendations for the effective inclusion of women in DDR programmes.

### Defence

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***Human Security in Military Operations*** (MOD, 2019). A policy guiding the UK Armed Force's obligation to implement UNSCR 1325 and the follow-on Security Council Resolutions relating to women, peace and security along with the wider protection of civilians' concerns such as children in armed conflict and human trafficking. It provides guiding principles and best practice in security and military operations as well as giving case study examples of support given to promote the UK's WPS NAP objectives. A ***one-page summary*** is also available.

***The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict*** (2017). Produced in collaboration with over 200 gender and sexual violence experts outlines steps to strengthen the evidence base for bringing perpetrators to justice – one of the key barriers to tackling impunity for sexual violence in conflict. Training materials on how to use and implement the protocol can be found ***here***.

### Inclusive engagement and programming

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The ***Beyond Consultations Toolkit***, (GAPS UK, Women for Women International, Amnesty International, Womankind and Saferworld (2018) is a useful tool in promoting meaningful engagement of women in fragile and conflict-affected countries. The tool includes a range of best practices and methods for personnel to self-assess the extent to which their current consultation practices, large or small, meaningfully engage women.

A people-centred approach to S&J: recommendations for policy and programmes outlines effective measures to account for the differing needs of women, men, young people and other identity groups, while prioritising the legitimacy, inclusion and accountability of security and justice institutions (SaferWorld 2021). Available ***here***.

International Alert's ***When Merely Existing is a Risk: sexual and gender minorities in conflict, displacement and peacebuilding*** (2017) presents secondary evidence and research findings from Bosnia and Herzegovina, Colombia, Lebanon and Nepal of the compounded risks facing already vulnerable SGM populations in conflict and displacement situations. Specifically highlights, and examines the causes for, the targeting of SGM people for physical and sexual violence by armed groups as a form of moral cleansing.

***Women and Girls with Disabilities in Conflict and Crises***, A K4D Helpdesk Report (Rohwerder, 2017) reviews the existing evidence on the risks and vulnerabilities faced by women and girls with disabilities in conflict and crises, including GBV. Useful summary of the specific barriers to accessing essential services including S&J and some existing interventions to support women and girls with disabilities in conflict settings.



## Justice

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International Commission of Jurists' *Women's Access to Justice for Gender-Based Violence: A Practitioner's Guide* (2016) provides practical guidance on legal advocacy, international human rights law and improving criminal justice systems to combat GBV.

Women and Girls' Human Rights and Informal Justice Systems, chapter 8 in UNDP, UNICEF and UN Women's *Informal Justice Systems: Charting a Course for Human Rights-based Engagement* (2012) outlines the evidence, good practice and challenges involved in upholding and protecting human rights in formal justice systems.

UNODC's *Handbook on Effective Prosecution Responses to Violence Against Women and Girls* (2014) is a general resource for prosecutors working in different legal systems to build gender responsive, human rights compliant prosecution services for survivors of VAWG.

*A Practitioner's Toolkit on Women's Access to Justice Programming* (UN Women, UNDP, UNODC and OHCHR 2018) presents a menu of options for designing and implementing rights-based and gender responsive justice interventions in justice programming.

The Institute for International Criminal Investigations' *Guidelines for Investigating Conflict-related Sexual and Gender-based Violence against Men and Boys* (2016) presents a conceptual framework and tools to support investigation agencies and individual investigators monitor, document and investigate SGBV against men and boys.

## Monitoring, evaluation and learning

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Serrano L.A. (2020) Tool 15: Integrating Gender in Project Design and Monitoring for the Security and Justice Sector. February 2020 DCAF, OSCE/ODIHR, UN Women *Gender and Security Toolkit* Geneva. Available [here](#).

HMG's *Monitoring, Evaluation and Learning (MEL) in Conflict and Stabilisation Settings* guidance note (2020) has useful advice and tips for ensuring gender sensitivity in all aspects of MEL.

## Policing and the security sector

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Integrating gender awareness and equality, Section 9 of *The OECD DAC Handbook on Security System Reform: Supporting Security and Justice* (2011) outlines practical methods and actions to support gender equality in S&J institutions.

DCAF, OSCE, OSCE/ODIHR's *Guidance Notes on Integrating Gender into Security Sector Oversight* (2014) focuses on internal accountability within police services and armed forces, and supporting external oversight bodies (e.g. parliament and ombudspople) to prioritise gender.

The *United Nations Police Gender Toolkit* (2015) is a training package of best practices for mainstreaming gender into police activities in peacekeeping operations.

*Gender, Preventing Violent Extremism and Countering Terrorism* (DCAF, 2020), outlines a range of strategies to integrate a gender perspective in approaches to preventing violent extremism and counter terrorism, with particular emphasis on the S&J.

## Serious and organised crime

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*The gender and SOC guidance note for HMG* (2019) provides technical guidance on integrating gender into SOC analysis, programmes and policy interventions. Available from OCSM.

*Mainstreaming Gender in Organised Crime and Illicit Trafficking projects* (UNDOC, 2020) is a useful summary of methods, tools and processes to support the design, implementation and monitoring of gender-responsive SOC interventions.

The K4D report: *The Role of Gender in Serious Organised/Transnational Crime* (2021), presents the current evidence base and key findings relating to gender norms and women's participation in organised crime. Highlights the strong evidence that gendered perceptions of men as perpetrators and women as victims in SOC undermine effective responses.

## Sexual and gender-based violence

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*UK NAP on WPS 2018 to 2022 guidance note: preventing gender-based violence* provides more detailed guidance on addressing GBV in conflict and humanitarian situations including responding to the S&J needs of survivors of SGBV.

UN Women, WHO, UNDP and UNODC's *Essential Services Package for Women and Girls Subject to Violence Core Elements and Quality Guidelines* (2015) looks at what is needed to provide effective and coordinated multi-sector services, including a section on justice and policing essential services.

*What Works to Prevent Partner Violence: An evidence overview* (Heise, 2011) has a useful section on the evidence of what works in law and justice system reform to prevent violence against women by their husbands and other male partners.

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