

Women, Peace and Security

Belgian National Action Plan on the implementation of UN Security Council Resolution 1325

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The data in this publication are purely informative. They do not commit the different FPS, the ministry, the Institute nor the Commission in a judicial manner.

The works of art in this report are made by Belgian female artists. They were inspired by Security Council Resolution 1325.

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Preamble

On 31 October 2000, the Security Council of the United Nations unanimously adopted the resolution «1325 Women, Peace and Security», which calls for the recognition of the role of women in conflict prevention, conflict management and peace building. The member states were invited to take necessary steps to strengthen the participation of women in these processes and, moreover, to protect women before, during and after conflicts.

The implementation of resolution 1325 is an ambitious task. In order to foster the concrete implementation, the Security Council urged all member states in 2004 to elaborate a proper National Action Plan (NAP), as National Action Plans are considered to be the most efficient tools to achieve the goals of the resolution.

In order to meet its national and international obligations, Belgium wants to contribute to the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the implementation of the Security Council Resolution 1325, as well as the Beijing Platform for Action¹ and the implementation of other international conventions and engagements. Its membership of the Commission of the Status of Women² since 1984 as well as its current presidency of the Bureau (2008-2009), show how much Belgium is committed to gender issues in all aspects. Moreover, as a non-permanent member of the Security Council, Belgium actively supported the additional resolution 1820 (June 2008), which focuses specifically on sexual violence. The Belgian membership of the Security Council has also been used, at the initiative of both the United Kingdom and Belgium, to set up within the Security Council an informal

- 1 In 1995, the 4th World Conference for Women was held in Beijing. All 189 participating countries set up a platform for action in order to achieve more equality and more opportunities for women.
- 2 Is a functional Committee of ECOSOC, the Economic and Social Council of the UN



Berlinde De Bruyckere
«Marthe»
epoxy, wax and iron
2008



group made up of countries sharing likeminded views on 1325³, the UN Secretariat (a.o. the Department of Peace Keeping Operations, UNIFEM) as well as a number of relevant ngos (Amnesty International, Human Rights Watch). Furthermore, during the European Presidency in the second semester of 2010, Belgium will pay specific attention to gender-related issues and women's rights.

By means of this National Action Plan, Belgium endeavours to achieve a better gender equality in its policy and in the implementation of its policy, both nationally and internationally. The National Action Plan does not confirm the status quo of the current Belgian policy but is rather a first impetus to formulate guidelines and actions enhancing the security and empowerment of women. This action plan summarizes the current Belgian policy, followed by guidelines and targeted actions. The fight against all forms of violence against women and children, with a specific emphasis on the fight against sexual violence, is a priority for the Belgian foreign policy as well as for the Belgian development cooperation. This issue therefore is dealt with in a separate chapter. Eventually, the guidelines are converted to the level of the competent ministers in an enclosed matrix.

This Belgian Action Plan was edited in 2008 and will be evaluated by civil society in the run-up for the Belgian presidency of the European Union in 2010. The next evaluation will take place in 2012 when, if necessary, amendments can be made.

³ Belgium, the United Kingdom, the United States of America, Italy, France, Costa Rica, Panama, Burkina Faso, Croatia in 2008 and Canada as president of the «Group of Friends of 1325».

1. Normative framework

National

Belgium has various laws which provide protection of women during and after conflict. A number of those Belgian laws are described below.

The Law concerning serious violations of international humanitarian law (5/8/2003)¹ has incorporated crimes of genocide, crimes against humanity and crimes of war into the Belgian criminal law. Before the promulgation of the aforementioned law, a number of criminal offences had already been incorporated into the Belgian law.

All forms of violence against women or girls which, according to international law, are considered to be crimes of genocide, crimes against humanity or crimes of war thus have all been incorporated into the national criminal law. Moreover, Belgium has the possibility to meet requests for judicial cooperation issued by international criminal courts, ad hoc criminal courts or mixed criminal courts for the prosecution of these criminal offences².

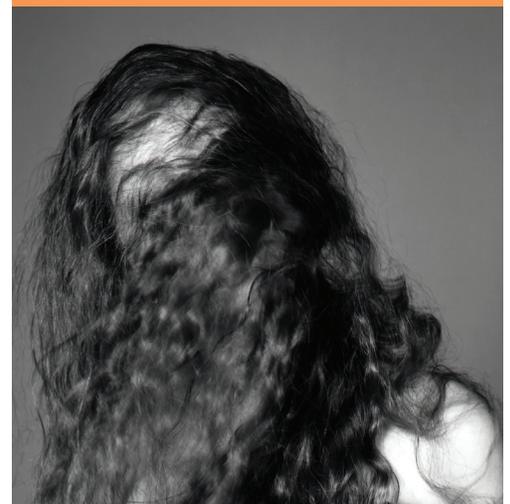
Belgium also has a law against torture and other cruel, inhuman or degrading treatment or punishment (14/6/2002)³, according to which e.g. genital mutilation is prohibited.

The law on «Gender mainstreaming» (12/1/2007)⁴ is aimed at the integration of the gender dimension into federal guidelines. The federal government is committed to integrate the gender dimension in all its guidelines, measures, budget preparations or actions. At the beginning of a parliamentary term, the public authority defines specific gender goals, which will be evaluated at the end of the parliamentary term.

The Federal Public Services (FPS) must keep gender-sensitive statistics and indicators up to date, as well as integrate gender into the budget. The obligation concerning gender budgeting is mentioned in the budget circular of 2009 and the first output is expected in 2009.

- 1 5 AUGUST 2003 – Law concerning the punishment of serious violations of humanitarian law
- 2 29 MARCH 2004 – Law concerning the cooperation with the international criminal court and the international criminal tribunals
- 3 14 JUNE 2002 – Law on the conformity of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- 4 12 JANUARY 2007 – Law monitoring the implementation of the resolutions of the Women's World Conference which took place in Beijing in September 1995 and integrating the gender dimension into the overall federal guidelines

Marie-Jo Lafontaine
«Dreams are free»
photography
2008



A «gender test» will be systematically implemented. This test will be a checklist so we can analyse the impact of legislative and statutory projects on both women and men.

Belgium also has a specific obligation to report to Parliament on the compliance with the law concerning the Beijing Platform for Action⁵. A high level coordination team will be set up in order to monitor the integration of the gender dimension into policies.

The Regions and Communities in Belgium also have a number of competences within the framework of the National Action Plan. Flanders has a Flemish decree «Equal Opportunities and Equal Treatment» (10/7/2008). This Flemish equal opportunities policy is supported by a formal open coordination method: members of the Flemish government agree each year on a number of objectives. Each minister is responsible for the achievements within his/her own competences.

According to the Law concerning Belgian international cooperation (25/5/1999)⁶, the Belgian public authorities must integrate the gender dimension into all the aspects of development cooperation.

The Belgian development cooperation is also committed to fund programmes and projects which advocate for women's rights.

In Belgium, an increasing number of women are elected in the various parliaments. Currently, 36.7% of the federal deputies are women. In the European parliament, 30% of the Belgian deputies are women. The law on balanced participation of men and women on lists of candidates for the elections (25/5/1994, amendment 13/12/2002)⁷ obliges political parties to submit lists of candidates on which maximum 50% of the candidates have the same gender.

Belgium also wishes to continue supporting women's participation in election processes of other countries.

5 6 MARCH 1996 - Law monitoring the implementation of the resolutions of the Women's World Conference which took place in Beijing from 4 till 14 September 1995

6 25 MAY 1999 - Law concerning the Belgian international cooperation

7 24 MAY 1994 - Law on balanced participation of men and women on lists of candidates for elections

The Belgian Aliens Act⁸ (15/12/1980) provides a special residence statute for victims of trafficking as well as a possible permanent residence permit for victims of trafficking who cooperate with the Belgian justice authorities. On 11/07/2008, a national action plan for the fight against trafficking in human beings was adopted with short-term (2008-2011) and medium-term (2012-2016) measures. A Circular letter followed and asks to set up a multi-disciplinary cooperation for the victims of trafficking and smuggling in human beings⁹. Since a couple of years, Belgium also has a data base on victims of trafficking in human beings.

The legal protection measures in favour of victims of trafficking and forced prostitution apply to men and women. In practice, mainly women call for this type of protection.

The Ministry of Defence already has a guideline against trafficking and smuggling in human beings as part of the NATO policy. Explaining this guideline is part of the predeployment training.

Asylum seekers in Belgium are given international protection on the basis of the refugee definition as defined by the Geneva Convention on the Status of Refugees (Geneva, 1951). Pursuant to the EU Directive on the qualification for refugee status¹⁰, the 15 September 2006 law¹¹ provides a more precise definition of the notions «social group» and «prosecution» by specifying that these may also include «acts of gender-specific nature». The aforementioned law consolidated an existing practice in Belgium.

The Belgian Office of the Commissioner General for Refugees and Stateless Persons

8 15 DECEMBER 1980 - Law on the access to the territory, stay, residence and removal of foreigners

9 31 OKTOBER 2008 - Circular concerning the introduction of a multidisciplinary cooperation regarding victims of trafficking in human beings and/or of certain more vicious forms of smuggling in human beings, between the FPS Home Affairs, the FPS Foreign Affairs, Foreign Trade and Development Cooperation, the FPS Employment, Labour and Social Dialogue, the FPS Public Health, the FPS Finances as well as the Board of Procurators General.

10 29 APRIL 2004 - Council Directive 2004/83/EG on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted

11 15 SEPTEMBER 2006 - Law amending the Law of 15 December 1980 on the access to the territory, stay, residence and removal of foreigners

(CGVS) pays specific attention to applications for asylum coming from «vulnerable groups», such as victims of gender-related prosecution¹². A gender unit monitors this policy, which applies to the processing and evaluation of asylum applications, to the training of staff as well as to the exchange of information and the exchange of «best practices» with other countries, along with information campaigns¹³. In practice, this means that for example the gender aspect is taken into account for the interview (e.g. a woman asylum seeker can better tell her story to a woman interviewer or woman interpreter), for the reception upon the arrival in asylum centers (e.g. a directive especially meant for pregnant women), for the final decision (e.g. the human rights situation of the woman in the country of origin) and for the resettlement.

Regional

European Union

The European Union has decided upon a number of directives in order to promote gender equality and gender mainstreaming, including in the area of crisis management. Belgium actively contributes to the achievement of this agenda.

In practice, a lot of progress has been made:

- The mandate of the EU Special Representatives refers to the commitments and reporting obligation on the human rights situation including the gender dimension.
- The ESDP missions¹⁴ include a gender dimension, such as the presence of gender advisers. A checklist has been drafted to mainstream the gender dimension in the planning and implementation of ESDP operations (more information in Chapter 5 Peacekeeping missions).

Belgium believes that both a political concept as well as a military perspective are required in view of integrating the gender perspective into all stages of the ESDP missions. Furthermore, Belgium pleads within the EU

¹² Annual Report of the CGVS, pg. 27 and next

¹³ In December 2007 the CGVS published a brochure «Asylum for Women» designed for female asylum seekers, available in seven languages.

¹⁴ European Security and Defence Policy

for the strengthening of the implementation of Resolution 1325 and will support the subsequent EU presidencies in this matter. When Belgium will be entrusted with the EU presidency in the second semester of 2010, it will give special attention to gender-related issues and women's rights.

Organisation for Security and Cooperation in Europe

Within the Organisation for Security and Cooperation in Europe (OSCE), Belgium supports the various initiatives set up for and by women as well as gender mainstreaming in policies, recruitment and general activities. Emphasis is put on the strengthening local capacities as well as increasing gender expertise. The OSCE Action Plan for the Promotion of Gender Equality (2004) stipulates that the OSCE structures must duly promote Resolution 1325. This Action Plan needs further implementation.

Council of Europe

The Council of Europe plays a major role in developing standards regarding human rights at the European level. In this respect, Belgium believes women's rights must be given the largest scope possible.

International

During the membership of the UN Security Council in 2007 en 2008, Belgium pleaded for the protection of women's rights and the protection of women in (post-)conflict countries, mainly in relation with the (constitutional) law, the election system and the police. Alongside, Belgium also advocated for the integration of women's protection against all forms of violence into the mandate of peacekeeping missions; similarly to the integration of the gender unit into the mandate of the United Nations Mission in the Democratic Republic of Congo (MONUC).

The emphasis was put on the fight against impunity and on strengthening criminal laws, by excluding criminal offences against women from the amnesty provisions. Furthermore, sexual violence as ground for imposing sanctions has been implemented in the penalty system for the DRC.

At the initiative of the United Kingdom and Belgium, an informal group was set up within the Security Council consisting of countries sharing likeminded views on Resolution 1325¹⁵, as well as the UN Secretariat (a.o. the Department of Peace Keeping Operations, UNIFEM) as well as a number of relevant ngos (Amnesty International, Human Rights Watch). Each month, this group analysed the agenda of the Security Council in order to be able to raise certain aspects of Resolution 1325. This group played a fundamental and tactic role in the run-up of Security Council Resolution 1820 concerning the fight against sexual violence in armed conflicts¹⁶.

On 10 July 1985, Belgium ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which outlines the normative framework necessary to achieve gender equality by eliminating discrimination against women. The CEDAW convention and Security Council Resolution 1325 are complementary. They provide a useful basis for taking into account women's rights and experiences in political, judicial and social decisions which have an impact on peace, conciliation and development.

A number of resolutions on women's rights adopted by the UN General Assembly, ECOSOC and the Human Rights Council are actively supported by Belgium. Belgium also attaches great importance to the special procedures system, set up by the Human Rights Council, such as e.g. the UN Special Rapporteur's mandate on violence against women, its causes and consequences.

Furthermore, regarding the Draft Treaty to ban cluster munition¹⁷, Belgium has made efforts to incorporate an explicit reference to the protection of women and children. The rights of women as victims are taken into account in the broadest possible way. These provisions are in line with earlier discussions in the context of the Ottawa Convention on

15 Belgium, the United Kingdom, the United States of America, Italy, France, Costa Rica, Panama, Burkina Faso, Croatia in 2008 and Canada as president of the «Group of Friends of 1325»

16 Within the UN membership, Canada presides a «Group of Friends» of Resolution 1325. Since its creation, Belgium never has been a member of this Group, but the Presidency of the European Union has.

17 Signed in Oslo in December 2008

the Prohibition of anti-Personnel Mines. As a result of the adoption of the 1997 Ottawa Convention, women now appear to play a bigger role in projects of «mine awareness», e.g. through children's education, which proves to be beneficial for post-conflict rehabilitation and reconstruction. In both areas (the ban on landmines and the ban on cluster munition), Belgium played a pioneering role.

Finally, Belgium emphasizes the gender dimension in the analysis of the mandate and the budget of the UN peacekeeping missions.

Guidelines

Both in bilateral and in multilateral contacts, Belgium will defend the following guidelines:

- Continue condemning impunity and encouraging prosecution.
- Continue emphasizing the major role women can play as political actors in peace and democratisation processes.
- Urge all countries to ratify the Rome Statute of the International Criminal Court, especially countries in conflict or post-conflict situation.
- Invite all countries to comply with international treaties and resolutions providing protection to women (a.o. CEDAW and the additional protocol, Security Council Resolutions 1325 and 1820).
- Systematically integrate the gender dimension into documents on the rule of law and transitional justice.
- Promote the presence of women and gender expertise within the local judicial system (judge, public prosecutor), police and defence.
- After the membership of the UN Security Council, continue lobbying in favour of the integration of the gender dimension into Security Council missions, sanctions and resolutions.
- Actively cooperate with the «Group of Friends of 1325», pleading for a monitoring mechanism and more transparency.
- Consult women activist groups when UN missions are discussed within the Security Council, also after the termination of the Belgian membership.
- Continue to draw attention on women's rights within the framework of the General Assembly, ECOSOC and the Human Rights Council.

- Continue supporting the mandate of the UN Special Rapporteur on violence against women and the mandate of the UN Special Rapporteur on trafficking in human beings.
- Continue fighting the use of landmines and cluster munition, with specific focus on the impact of these weapons on women and children.
- Regarding peacekeeping missions of the UN, NATO, EU and OSCE: plead for an increased participation of women, both at civil and military level; and for the provision of a gender advisor or gender unit.
- Plead for a stronger implementation of Resolution 1325 within the EU, and support the successive EU Presidencies on this issue.
- Integrate a gender dimension in the interdepartmental cooperation between the Ministry of Defence, the FPS of Foreign Affairs, Foreign Trade and Development Cooperation, the FPS Home Affairs and the FPS Justice concerning the bilateral and multilateral foreign and security policy.
- Strengthen organisations and institutions in (post-)conflict countries in order to foster equality of women and men.
- Draw the attention on gender equality at donor conferences.
- Continue focusing on the gender dimension of refugees issues and on the protection of women in refugee camps, as well as during their return and resettlement.
- Regarding resettlement, pay more attention to the specific needs of women, particularly of women in vulnerable positions (such as single women, victims of violence, ...).
- Keep on focusing on better representation of women in recruitment and secondment.
- Promote women's candidatures for international organisations.

Actions:

Belgium will :

- Encourage (post-)conflict countries to allow a higher participation of women in democratisation and peace processes.
- Support consultations of women and women activist groups in transition and reconstruction processes.
- Support initiatives that involve women on the access to justice, encourage women to lodge complaints, and offer them protection and shelter. This applies on cases of sexual violence but also on disputes about land, heritage, labour, discrimination, ...
- Support the consolidation of judicial systems in countries in which Belgium participates in international missions.
- Provide means to organise human rights trainings for people who will be employed in the national judicial system (at the request of the country), for diplomats and other public service employees as well as for Belgians participating in international civil missions (civil servants, experts, police,...).
- Support initiatives which strengthen the status of women (heritage, property, training, forced marriage,...).
- Support initiatives aimed at introducing transitional justice mechanisms with an effective gender dimension.
- Report on gender aspects as part of the mission statement of embassies.

- Set up a genderbalanced database of potential candidates for functions within international organisations, including candidates for secondment.
- Support the functioning of the international criminal court by organizing air transports of detainees, if necessary.

2. All forms of violence against women in armed conflict

The fight against and condemning of all forms of violence against women, with special attention for sexual violence, is a priority for the Belgian foreign policy and development cooperation. The Ministers of Foreign Affairs and Development Cooperation systematically address the lack of prevention, the banalization and the impunity of sexual violence and other forms of violence against women in (post-)conflict areas and put the issue on the European and international agenda. Sexual violence used as a weapon of war, is firmly condemned. Efforts are permanently made in order to exclude all forms of violence, including sexual violence, from amnesty provisions.

Within the UN General Assembly, ECOSOC and the ECOSOC commissions, the Council for Human Rights as well as within the specialised agencies and UN funds, Belgium will plead in all resolutions in regard to women and children for the promotion and protection of human rights, such as: sexual and reproductive rights, women's right to protection and development, the fight against impunity, and will also stress the importance of good governance regarding the protection and development of women.

During the 63th session of the General Assembly (2008), Belgium and The Netherlands negotiated the resolution on the elimination of all forms of violence against women¹. At the United Nations, Belgium is a member of the «Group of friends» of the resolution «Violence against Women»; a group engaging in the concrete implementation and monitoring of this resolution, both by the member states and the UN institutions.

In June 2006, Belgium organised a conference on sexual violence entitled «International

¹ This resolution traditionally is negotiated by France and The Netherlands. As France held the EU-presidency in the 2nd semester of 2008, its role was temporarily taken over by Belgium.



Conference on sexual violence in conflicts and beyond» in cooperation with UNFPA and the European Commission. This conference gave rise to the Brussels Call to Action². All participants committed to take additional action in order to prevent and respond to sexual violence in conflict and post-conflict areas.

As mentioned before, Belgium actively contributed to Resolution 1820 on the fight against sexual violence. Belgium also advocated for the integration of protection against sexual violence and violence against women into peacekeeping missions, similarly to e.g. the gender unit in the MONUC mandate. Sexual violence as ground for imposing sanctions has been implemented in the sanction regime for the DRC. Belgium hopes that this will be a precedent for other sanction regimes. Belgium is also in favour of initiatives such as the «Stop Violence Against Women» campaign of the UN Secretary General as well as the UN campaign «Stop rape now».

Finally, Belgium intends to organise a debate on violence against women in armed conflict. It will examine the possibilities to strengthen the judicial framework, e.g. in the form of a treaty.

Guidelines

Belgium will

- Continue emphasizing that the responsibility for the fight against sexual violence lies with the states themselves.
- Spur states to integrate the fight against sexual violence into mechanisms of transitional justice and criminal law.
- Encourage initiatives that develop and implement national legislation preventing and condemning sexual violence.
- Ensure that perpetrators of sexual violence, including militaries, will get sentences proportionate to the offence.
- Stress the need for protection of women and children, especially from sexual violence.

² Please find the statement on http://www.dgcd.be/documents/en/news/brussels_call_to_action_to_address_sexual_violence_in_conflict_and_beyond.pdf

- When participating in civil and military operations, provide more «human security» by paying extra attention to possible symptoms of trafficking in human beings or sexual violence.

Actions

Belgium will

- Organise a debate with the stakeholders in order to reflect on ways to strengthen the current international judicial framework concerning violence against women in armed conflict.



3. Conflict prevention and Peace building

The FPS Foreign Affairs, Foreign Trade and Development Cooperation has set up a service for «Conflict prevention, Peace building and Preventive diplomacy». Projects selected for funding via these budget lines have to meet a number of criteria, one of which is gender. Specific projects with an impact on women are supported, e.g. the participation of women in elections, the fight against sexual violence and trafficking in human beings. Moreover the evaluation system will incorporate lessons learned and recommendations.

Furthermore, Belgium is a member of the Peace Building Commission for Burundi. At the country-specific meeting for Burundi, Belgium, along with other delegations, pointed out the transversal importance of the gender dimension in peace building. This implies that the gender dimension was adopted as a separate priority in the Strategy Paper for peace building for Burundi.

Also in the Sierra Leone Peacebuilding Cooperation Framework, that was adopted early 2008, specific attention is requested for the gender dimension. It emphasizes that ensuring an equal participation of women, and especially of young women, to the political process constitutes a specific challenge and requires specific interventions such as law amendments and sustained capacity building.

Since July 2008, Belgium presides of the Peace Building Commission for the Central African Republic. Likewise, Belgium requests special attention for the role of women in the peace building process.

Furthermore, Belgium emphasizes the importance of the gender dimension in the Security Sector Reform (SSR). In this context children require special attention. On the European level, Belgium assists in analysing the needs of female and male ex-combatants (including their families) within the framework of the SSR-missions.

In all initiatives for disarmament, demobilisation and rehabilitation (DDR), Belgium requests to consider the specific needs of women and children.

Moreover, Belgium pays attention to the specific position of women and children in the context of illicit trade in small arms and light weapons, since women and children frequently are the first victims of violence committed with these weapons. Belgium supports the 2001 UN Action plan on the fight against the illicit trade in small arms and light weapons and promotes the proposal of an international treaty on the arms trade. Such a treaty should contain proper criteria for the export of arms, avoiding that arms could be exported to countries marked by conflicts, internal instability or the non-respect of human rights.

In addition, the Belgian arms legislation is the only one in the world that prohibits arms exports to countries that have a practice of recruiting children into the regular army. During the negotiations of a UN treaty on arms trade, Belgium will advocate for a similar regulation.

Guidelines

Belgium will

- Advocate the facilitation of the participation of women's groups in peace negotiations. The role of women in peace processes is institutionalised by stimulating the dialogue between women's groups and negotiators, by distributing information, by training women's groups and by guaranteeing the participation of women in negotiations.
- Investigate the gender strategy of each application for project funding submitted to the Conflict Prevention and Peace Building service. This strategy as well as the corresponding gender-specific activities are important elements for the approval of the project.
- Continue to advocate the importance of the gender dimension in the framework of the Peace Building Commission (PBC), both by drawing up new IPBS (Integrated Peace building Strategies) and by considering this dimension at the two yearly evaluations of the Strategic Frameworks.
- Highlight the gender dimension in the planning, the training and the development of SSR and DDR programmes.
- Promote a civil approach in disarmament and rehabilitation processes with regard to women who did not participate actively in the conflict. This means that preference is given to the expertise of international organisations or of international civil missions.
- Gender mainstreaming will remain a part of the Belgian policy regarding peace missions, e.g. in recruitment, education and training, regulations, directives etc., including DDR and SSR programmes.
- In fragile states where Belgian detachments are deployed, «early warning indicators» concerning the situation of women will be observed.

Actions

Belgium will

- In accordance with the current selection criteria, fund projects concerning sexual violence, e.g. in the field of prevention, guidance, socio-economic reintegration, awareness raising and legal aid.
- Reserve funds for training women and women's groups and involving them in peace negotiations.
- Support education and training of women's groups in the field of peace building, conflict prevention and election processes.
- Promote women's networks which will be involved in peace building and election processes.
- In demining programmes plead to let local communities co-decide on which zones should be demined first. In this respect, women's participation is of crucial importance.
- Distribute good practices, recommendations and lessons learned and integrate them into the daily activities.

4. Development cooperation

Equal rights and equal opportunities for men and women and *empowerment* of women are a theme that appears in all policy measures, programmes and projects of the Belgian development cooperation¹.

Gender equality and empowerment of women are priorities for the Belgian development cooperation. Equality between women and men is one of the fundamental human rights and is a question of social justice. Gender equality and empowerment of women are also one of the cornerstones of growth and of the fight against poverty, of sustainable development and of the achievement of all millennium development goals. Moreover, the Belgian development cooperation aims at speeding up the progress in the field of gender equality and therefore supports the efforts of its partners² in this matter.

There is an interaction between security and development: sustainable development is not possible without security and all actions of development cooperation contribute to conflict prevention. However, this chapter will only treat development actions that are directly linked to the implementation of Resolution 1325.

In this respect, the Belgian cooperation wants to stimulate women's rights and the political, social and economic autonomy of women by taking into account the specific needs and capacities of women as well as the important role they play in the prevention of armed conflicts, in peace processes and in the reconstruction of their country. The Belgian cooperation considers the protection,

the treatment and the reintegration of victims of sexual violence during armed conflict as a priority, just like the fight against impunity of these crimes. Both these policy lines are applied in the Great Lakes region, a concentration region of the Belgian governmental cooperation. These policy lines are put into practice at the political level – within the framework of relations between the Belgian development cooperation and its (bilateral, multilateral or indirect) partners and within the framework of Belgian actions at the levels of the European Union and other international institutions. These policy lines are also put into practice at the operational level, by Belgian funding of programmes and projects via the different (bilateral, multilateral, indirect) channels and via special programmes.

The Belgian development cooperation did pioneering work in this respect and boosted the fight against sexual violence. Since 2004, it has been supporting a common programme of three UN agencies (the United Nations

- 1 Art. 8 of the Law of 25 May 1999 on the Belgian International Cooperation.
- 2 See the website of the Belgian Development Cooperation www.dgos.be for an updated list of the partner countries in governmental cooperation and of the international partner organisations in multilateral cooperation.



Sofie Muller
«Eye»
painted bronze

Population Fund – UNFPA, the United Nations Children’s Fund – UNICEF and the High Commissioner for Human Rights – HCHR) in the DRC.

The Belgian development cooperation is supported by the Commission on Women and Development, an advisory commission that was created by Royal Decree (December 1993). Within this commission, the «Women, War and Peace working group» concentrates its activities on Resolution 1325. It regularly organizes activities meant to raise the Belgian public’s awareness of the importance of the gender dimension in the process of peace, security and development.

Guidelines

In the future, Belgium will continue to:

- Give priority to gender equality and women’s empowerment in countries with an armed conflict, as well as in the framework of conflict prevention and rehabilitation of post-conflict situations,.
- Give priority to the fight against all forms of violence during and after armed conflicts, with special focus on sexual violence, both at the political and operational level.

Actions

Belgium commits itself to

- Support international partner organisations that accomplish a normative, innovative and stimulating task in the follow-up of Resolution 1325.
- Support initiatives focused on women’s empowerment and on the participation of women in decisions making on all levels (local, regional and national) in countries with an armed conflict or with a post-conflict situation.
- Support local women’s networks and organisations in order to strengthen their legal, economic, political and social capacities.
- Support countries with an armed conflict or with a post-conflict situation that advocate for both the protection as well as the respect of women’s rights.
- Participate in donor coordination concerning gender equality in partner countries with

an armed conflict or with a post-conflict situation.

- Supervise the integration of the gender dimension into the support programmes for the security sector.
- Ensure that the specific rights and needs of women are taken into account in the framework of humanitarian aid to populations in countries with an armed conflict. Make sure that this problem is placed on the agenda of the annual deliberation of the Belgian development cooperation with the Belgian humanitarian partner organizations.
- See to it that the sexual and reproductive health care and the respect of the rights relating to it, are part of humanitarian aid programmes and of programmes for the rehabilitation of countries in a post-conflict situation.
- Promote a co-ordinated and harmonized approach on the fight against sexual violence between the Belgian and the international actors.
- Support programmes and projects aimed at a comprehensive and integrated response to the medical and psychosocial needs and to the socio-economic re-integration of the victims of sexual violence.
- Support programmes and projects focused on restoring the rule of law, particularly by reinforcing the national legal systems in order to oppose the impunity of offenders.
- Support awareness-raising, both in Belgium and in the partner countries, regarding the problem of sexual violence during and after armed conflict.
- Support and/or develop awareness-raising activities concerning Resolution 1325.



5. Peacekeeping missions

National

On the 8th of March 2007, the Minister of Defence and various other partner organisations signed the «Charter for the promotion of gender equality in the field of Defence and for the application of the principles of the Security Council's Resolution 1325». A steering group was created, assembling members of the different staff departments of the Ministry of Defence in order to follow up the integration of the gender dimension and the application of Resolution 1325. Belgium will plead for the inclusion of a gender advisor for missions abroad. Moreover, an Operational Gender Team was set up within the staff department Operations & Training, responsible for the preparation and execution of operations abroad. This team ensures the integration of the gender dimension during the planning and execution stage of operations. All these elements were combined in an action plan called «Gender mainstreaming in operations».

When new directives are drawn up, it is systematically verified if they are in accordance with the valid legislation, e.g. with the act on gender mainstreaming. Besides, for each mission abroad the operation orders and the country analysis are tested in the light of the gender dimension and resolution 1325. There is also a comparison with other operation orders from other contingents within NATO and the EU, in order to adapt operation orders.

A «gender checklist» is drawn up on behalf of the commanders heading a detachment during a mission abroad. Furthermore, systematic reporting on the application of resolution 1325 is included in the lessons learned and in the evaluation of the missions abroad.

The Ministry of Defence organises and regularly participates in activities that raise awareness and inform people, as well as exchanges good practices and lessons learned.

In preparation of missions abroad, military personnel receives training on gender and related topics. Depending on the number of places available, experts from other government institutions are allowed to participate.

The Ministry of Defence sees to it that the infrastructure and the basic logistic equipment do not slow down the deployment of women in operations. The participation of female soldiers is stimulated because of their added value, e.g. in their contact with the local population, the refugees and the local women's organisations.

For all Belgians on international missions there is a zero tolerance towards sexual violence.

European Union

Within the European Union many efforts have already been made to apply the principles of resolution 1325 in the European Security and Defence Policy (ESDP), as appears in documents such as «Implementation of UN Security Council resolution 1325 in the context of ESDP¹» and «Checklist to ensure gender mainstreaming and implementation of UN Security Council resolution 1325 in the planning and conduct of ESDP-operations²». In November 2008, the EU approved a global approach to continue the implementation of Security Council resolutions 1325 and 1820. Both aforementioned documents were combined into a holistic document called «Implementation of UN Security Council resolution 1325 as reinforced by UN Security Council resolution 1820 in the context of ESDP³». The gender dimension is systematically integrated in all aspects of the EU-missions. The recruitment is geared to a better representation of women as well.

NATO

Since the end of 2007, NATO is one of the international organizations applying resolution 1325. The recognition of the importance of a gender perspective by the North Atlantic Council led to the approval of a NATO policy document⁴. This document lays the foundation of the integration of a gender perspective in all stages of the NATO operations and NATO missions. The preparation of the directives necessary to convert this into military practice, has been planned for the first quarter of 2009.

Belgium also welcomes the preliminary study on the application of resolution 1325 in the provincial reconstruction teams in Afghanistan⁵. This study can certainly serve as a basis for stimulating a general application of resolution 1325 within NATO.

1 29/9/2005 - Doc. 11932/2/05 REV 2

2 27/7/2006 - doc. 12068/06

3 24/11/2008 - doc. 15782/2/08 REV 2

4 NATO/EAPC(C)D(2007)022

5 This study was carried out by experts from Denmark, Finland, The Netherlands, Norway and Sweden.

Guidelines

Belgium will

- Continue to request the application of resolutions 1325 and 1820 for peace missions of EU, NATO and UN, both in the preparation and in the execution, and continue to support the further integration of a gender dimension.
- Support consultation and co-ordination mechanisms between UN, OSCE, NATO and EU to obtain a better coherence in the field.
- Disperse good practices and recommendations with the EU and NATO partners and plead for their application in future missions.
- Emphasize that collecting relevant gender data is part of each peace mission.
- Provide support in setting up gender units for peace missions, e.g. by detaching experts.
- Plead for a gender advisor in the international military staff of NATO.
- Make permanent efforts to involve more women in both civil and military peace missions, e.g. in higher ranks and in the chain of command.
- Build up gender competence in the legal framework on gender mainstreaming (2007).
- Take into account the specific needs of women and girls when executing humanitarian tasks, e.g. the construction of refugee camps.
- During the preparation of peace missions and during the pre-deployment training draw attention on gender and violence against women and children.
- Apply and promote the UN code of conduct.
- Be receptive to suggestions and recommendations to strengthen the actual gender policy and to give it sufficient priority.

Actions

Belgium will

- Chair the Committee on Women in NATO forces (CWINF) until June 2009.
- Aim at the implementation of resolution 1325 in the framework of the Belgian participation in the EU battle Group.

- Draw up a policy document on gender mainstreaming in military operations.
- Carry out the action plan «Gender mainstreaming in Operations».
- Draw up action plans in the other policy fields of the Ministry of Defence (human resources, material resources, budget, ...).
- Elaborate a reporting system with regard to violence against women.
- Identify posts with few if any women, analyse the causes for their absence and propose solutions in order to obtain a better representation of women.
- If sufficient gender expertise and training is available, provide gender experts for evaluation missions (EU, NATO, UN) and proactively ask for evaluation missions.
- Provide experts for supporting gender training.
- Support the development of gender sensitive training material for training on peace building, conflict prevention, human rights and peace missions.
- Set up a data base of gender experts who can be involved in the preparation, implementation, monitoring and evaluation of peace operations.
- Appoint a gender advisor in support of the gender focal points sent out.
- In the course of the peace missions, collect relevant gender data within the mandate.
- Test the national directives for the application of resolutions 1325 and 1820 in light of the directives of the organisations under whose mandate Belgium is operating.
- Systematize consultations with women and women's organisations in fact finding missions, with the focus on local women's groups, and spread this information.
- Have the current gender module evaluated by the Operational Gender Team in the course of pre-deployment training.
- Promote participation of women in civil crisis management missions
- Provide the necessary means enabling the Belgian Federal Police to organize a specific module as part of the «National generic course ESDP» .



Karin Hanssen
«The Girl»
oil on canvas
2008

6. Monitoring and Evaluation

This Belgian National Action Plan will be analysed and evaluated on an annual basis by the administrations concerned, under the direction of the FPS Foreign Affairs, Foreign Trade and Development Cooperation. On the basis of these conclusions, recommendations will be formulated.

After 2 years, in 2010, this Belgian National Action Plan will be analysed and evaluated by the civil society, made up of NGO's, university professors and members of parliament. These recommendations will be handed over to the administrations. This will allow the determination of a number of objectives for the Belgian presidency of the European Union in the second semester of 2010.

This action plan covers the period 2009-2012. In 2012, the action plan will be evaluated and revised by the administrations as well as by the working group with the civil society.



Ann Veronica Janssens
«neon running through the wall»
Neon-tube
various sizes

Action matrix

Chapter	Responsible authority	Co-responsible authorities
Normative framework		
National	FPS of the Interior FPS Justice	- IEWM - FPS Foreign Affairs, Foreign Trade and Development Cooperation
Regional	FPS Foreign Affairs, Foreign Trade and Development Cooperation	- Ministry of Defence
International	FPS Foreign Affairs, Foreign Trade and Development Cooperation	- Ministry of Defence
All forms of violence against women in armed conflict	FPS Foreign Affairs, Foreign Trade and Development Cooperation	- Ministry of Defence - FPS of the Interior - FPS Justice - IEWM - Commission on Women and Development
Peace building and Conflict prevention	FPS Foreign Affairs, Foreign Trade and Development Cooperation	- Ministry of Defence - FPS of the Interior
Development cooperation	FPS Foreign Affairs, Foreign Trade and Development Cooperation	- Commission on Women and Development - FPS Justice
Peace missions	Ministry of Defence	- FPS Foreign Affairs, Foreign Trade and Development Cooperation - FPS of the Interior
Monitoring and Evaluation	FPS Foreign Affairs, Foreign Trade and Development Cooperation	- Ministry of Defence - FPS of the Interior - FPS Justice - IEWM - Commission on Women and Development

List of abbreviations

CGVS/CGRA	The Office of the Commissioner-General for Refugees and Stateless Persons is an independent asylum-granting authority. Its mission is to protect foreigners running the risk of being prosecuted or seriously harmed when returning to their country of origin. The CGVS/CGRA recognizes the status of refugee or grants the subsidiary protection status. Hence, the CGVS/CGRA closely analyses every asylum request according to the Belgian, European and international standards.
CVO/CFD	The Commission on Women and Development was created in 1993 as an advisory commission for equality of women and men on behalf of the Belgian Minister for Development Cooperation. The commission consists of representatives of women's organisations, NGO's for development cooperation, universities, the Ministry for Development Cooperation and of experts in gender equality.
DDR	Disarmament, Demobilization and Reintegration is an applied strategy for executing peacekeeping operations. Disarmament means that all means that can be used as weapons and ammunition by former combatants are removed. Demobilization means that the former armed groups are disbanded. Reintegration describes how the reintegration of former combatants in society can reduce the possibility of resurgence of armed conflict.
DPKO	Within the United Nations, the mission of the Department of Peacekeeping Operations is to plan, prepare and manage the UN-peacekeeping operations.
ECOSOC	Economic and Social Council of the United Nations
EU	European Union
ESDP	European Security and Defence Policy
FPS	Federal Public Service. In other countries comparable to a ministry or a state department.
IEWM	The Institute for the Equality of Women and Men is the federal public institute that guarantees and promotes the equality of women and men and that fights against any form of gender-based discrimination and inequality. The IEWM is a competence of the Minister for Equal Opportunities.

List of abbreviations

MONUC	United Nations Mission in the Democratic Republic of Congo
NATO	North Atlantic Treaty Organisation
NGO	Non-governmental organisation
Circular letter	A government letter addressed to several institutions. A circular letter can elucidate the law or give a concrete interpretation to the law. Besides, a circular letter can contain an advice or a statement.
OSCE	Organisation for Security and Cooperation in Europe
PBC	The United Nations Peace Building Commission was established in December 2005 by the UN General Assembly and the UN Security Council. This intergovernmental advisory body assists countries in post-conflict situations in the matter of peace building, reconstruction and development. Belgium is member of PBC and currently president of PBC for the Central African Republic.
SSR	Security Sector Reform
UN	United Nations
UNHCR	United Nations High Commissioner for the Refugees
UNFPA	United Nations Population Fund
UNICEF	United Nations International Children's Emergency Fund
UNIFEM	United Nations Development Fund for Women

