



Mainstreaming human rights and gender into the EU's Common Security and Defense Policy: nuisance or necessity?

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Topics

1. What is mainstreaming?
2. Why is it important?
3. Who is in charge?
4. Any progress?
5. Some examples
6. .. But why is mainstreaming so difficult?
7. To do list
8. Conclusions

(1) Mainstreaming: legal basis

- **International human rights obligations** EU Member States as well as host states to CSDP missions
- **IHL**: respect and promote
- **Lisbon Treaty**: Art. 1, 2, 6, 10, 21, 42
- **UN Security Council Resolutions**, thematic and country specific, including:
 - 1325 (2000), 1820 (2008) on Women, Peace and Security
 - 1625 on Children affected by armed Conflict
 - UN framework for Protection of Civilians (UNSCR 1894(2009), A/63/19)
 - 1244 (1999) on Kosovo, 1575 (2004) on BiH
 - 1778 (2007), 1834 (2008), 1575 (2009) on Tchad
 - 1851 Somalia
 - Outcome document 2005 (UNGA 2005 A/RES/60/1) and subsequent UNGA Resolutions on "Responsibility to Protect"
- **EU and Member States in OSCE, CoE, Relations with AU**

(1) Mainstreaming: policy

- The protection of human rights should be systematically addressed in all phases of CSDP operations
- Policy documents & Guidelines, incl.:
 - Human rights reference documents
 - Gender reference documents
 - Children and Armed Conflict, Violence against Women
 - International Humanitarian Law
 - Transitional Justice
 - Standards of Behaviour
 - Protection of Civilians
 - Civil Society

(2) Why is it important?

- Reasons internal to EU
- International obligations + declared policy
- Political correctness?
- Failure to mainstream comes at a price
- Contributes to operational effectiveness
- Impunity is a security threat
- Standards of behaviour: credibility EU
- Reasons related to external relationship with Host
- International human rights obligations
- CSDP missions typically where violations of human rights have taken/are taking place.
- Human rights protection is key to sustainable peace and stability
- Building blocks for work on the ground



(3) Who is in charge?

- Civilian and Military Crisis Management Structures
- Human Rights Division
- Geographical desks
- EUSRs
- Commission: DEVCO, ECHO, FPI/Instrument for Stability, EIDHR
- Member States



(4) Any progress?

- Human rights provisions in guiding, planning and review documents of CSDP missions (Compilation 2007) to be updated;
- Handbook 2010 (Finland)
- Implementation by CSDP missions, incl. by monitoring and reporting on human rights related issues;
- Inclusion of human rights and gender experts in CSDP missions,
- Pocket cards for some military operations;
- EUSR mandates include a responsibility to address human rights and gender issues (since 2005);
- Pre-deployment training, in-mission training;
- ICC agreement with EU on co-operation;
- EUSR for Human Rights
- Internal Task-Force
-On paper or on the ground?

Human Rights and Gender Advisors in CSDP 2003-2012



5. Some examples

- Tchad: protection of civilians, IDP camps
- Aceh: first HR monitors
- Afghanistan: police training, hotline
- DRC: reform and training military/police/justice
- Georgia: monitoring IDP & HR situation, exchange prisoners
- Balkans: prosecution rape as war crime, missing persons, property cases
- Somalia: hand-over of pirates, training
- Mali?



(6) Why is mainstreaming difficult?

- Soft versus Hard security issues?
- Norms versus Interests?
- Chain of command?
- Fear of mission creep?
- Civilian versus Military?
- Guys versus girls?
- Ignorance or Inconvenience?
- Nuisance or Necessity?
- Political correctness or added value?
- Community Competence or Beauty Contest?



(6) To do list

- Do we need a first scandal?
- Human rights as part of security and situation analysis
- Negotiate measures of progress with host country
- Discuss ratification ICCPR + ICESCR in context of EU deployment?
- Appoint experts at strategic level in field and HQ
- Benchmarks for HoMs/Force Cdrs
- Training in situ and in HQ
- Learn from UN, OSCE, CoE, NATO
- pocket cards for civilian and military CSDP staff
- Related: Protection of Civilians, R2P
- Lisbon Treaty, EEAS, comprehensive approach: new opportunities?

7. Conclusions

- Policy and legal basis is there on paper, need to implement it;
- Mainstreaming pays off, Negligence comes at a price;
- Impunity is a security threat;
- Individuals matter but HR and EEAS/ Cion at forefront;
- Change of mind-set, institutionalisation takes time
- More research and training needed.

