

HANDBOOK ON THE STANDARDIZATION OF GENDER TRAINING IN THE MINISTRY OF DEFENCE AND ARMED FORCES OF MONTENEGRO



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2023

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The Handbook on the Standardization of Gender Training in the Ministry of Defence and Armed Forces of Montenegro was prepared within the project *Strengthening of Regional Cooperation on Gender Mainstreaming in Security Sector Reform in the Western Balkans* which has been implemented since 2012 by the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) of the United Nations Development Programme (UNDP), hereinafter: UNDP SEESAC, with financial support from the Governments of the Kingdom of Norway and Slovakia. UNDP SEESAC was founded on the joint initiative of the United Nations Development Programme and the Regional Cooperation Council (RCC) with the aim to strengthen the capacities of national and regional stakeholders to control and reduce the proliferation and misuse of small arms and light weapons in order to increase the stability, security and development in Eastern and South Eastern Europe.

The names and materials used in this publication do not reflect the views of UNDP, RCC, the Government of the Kingdom of Norway and the Government of the Slovak Republic on the legal status of any state, territory or region.

Design and layout:

Damjan Dobrila

Printed by:

M Makarije

Circulation:

100

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Abbreviations and acronyms

ACO	Allied Command Operations
Bi-SC Directive 40-1	Bi-Strategic Command Directive 40-1
CE	Crisis Environment
CEDAW	The Convention on the Elimination of All Forms of Discrimination against Women
MNE	Montenegro
CIMIC	Civil-Military Cooperation
COIN	Counterinsurgency
CPOE	Comprehensive Preparation of the Operational Environment
CRSV	Conflict-related sexual violence
CRSGBV	Conflict-related sexual and gender-based violence
CULAD	Cultural advisor
DCAF	Geneva Centre for Security Sector Governance
DDR	Disarmament, demobilization, reintegration
EAPC	Euro Atlantic Partnership Council
EU	European Union
FRAGO	Fragmentation orders
GENAD	Gender advisor
GFP	Gender focal point
UNGA	United Nations General Assembly
HQ	Headquarters
IPSOS	Market research and public opinion agency (fr. Institut Public de Sondage d'Opinion Secteur)
JOC	Joint Operation Command
LEGAD	Legal advisor
MARA	Monitoring, Analysis and Reporting Arrangements

MoD	Ministry of Defence
NAP	National Action Plan
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
OU	Organizational unit
PE	Peace Environment
POLAD	Political advisor
PSYOPS	Psychological operations
PMP	Professional military personnel
ROE	Rules of Engagement
SSR	Security sector reform
UNSCR	United Nations Security Council Resolution
GBV	Gender-based violence
SEESAC	South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons
SSR	Security sector reform
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNPOL	UN Police
AFM	Armed Forces of Montenegro
WHO	World Health Organization
WPS Agenda	Women, Peace and Security Agenda

Foreword

Dear Madam/Sir,

It is my pleasure to present to you a document, which focuses on an issue of crucial importance in the human resource management process, and which is primarily the result of the experiences and knowledge of the mechanisms responsible for gender mainstreaming in the Ministry of Defence and the Armed Forces of Montenegro.

Gender is a very important part of many aspects of social life, so it is very present and has a significant impact on the work process of military organizations. The Ministry of Defence put gender equality high on the agenda of its activities as early as 2008, and Montenegro's NATO membership created a precondition for the adoption of new standards and the improvement of gender equality mechanisms.

Guided by these facts, and in order to achieve the desired results, gender training must become the core of military education modules. From the practices and experiences of other military systems, we know that we must take into account the fact that the only key to success is not to see gender equality as an isolated issue in trainings, but to integrate gender in all dimensions of the already existing topics. This is particularly important because trainings are an immediate and direct instrument for addressing messages about equal opportunities, chances and positions, as well as the most effective way to promote and raise awareness of this topic among broader target groups.

And this Handbook is a unique example of the commitment of the Ministry of Defence and the Armed Forces of Montenegro to all segments in the drafting of security policies. It is high-quality reading material both for experienced trainers and for trainers who are planned to be certified in the upcoming period, as well as for employees of the Ministry and members of the Armed Forces. On the other hand, this document can serve as a good model for other state authorities, and institutions of allied and partner countries, particularly at the regional level, when designing their trainings.

Topics such as discrimination, gender-based violence, conflict-related sexual violence, sexual exploitation and abuse, represent areas not only of national, but also of global importance, especially if we take into account the fact that members of the Armed Forces are continuously participating in peacekeeping missions and operations. Organizing gender trainings also has an impact on raising awareness about the need to respect the dignity and reputation of each individual, not only in the work environment, but also in all other life segments.

We certainly owe special thanks to UNDP SEESAC, with whose support we were recognized as leaders in gender mainstreaming, and who once again gave their full contribution to the drafting of another important document.

Finally, I am convinced that only through joint efforts can we make society more gender-aware and equal, and improve the values on which it rests, and each step that we, as an institution, take towards contributing to the creation of an inclusive and more efficient system will ultimately reflect on the country as a whole.



Colonel Velibor Bakrač

General Director
of the Human Resources Directorate
of the Ministry of Defence of Montenegro

Preface

Dear readers,

The Handbook in front of you was created as a result of our desire, as gender trainers, to make information from the field of gender equality and the link between this important topic and the armed forces more accessible, but also as a product of efforts to facilitate the process of preparation of trainings for future gender trainers and provide them with guidance on the mechanisms we use in our work.

Each chapter presents in detail important teaching units, references to refer to and consult, but also tools that can help you best motivate the trainees and actively involve them in the knowledge transfer process. At the same time, we tried to present the learning principles and methods that we use in trainings, and to point out the important skills that we as trainers must continuously nurture.

Although the covered teaching units are extremely detailed, you will use the information within them in a range adapted to the target group in your training.

This Handbook represents a summarized overview of our previous knowledge and experience. We hope that its future editions will be enriched by the contributions of people, like you, who find it an important companion on your first steps as trainers.

Authors,

Gender trainers
Ministry of Defence and the Armed Forces of Montenegro

INTRODUCTION

The importance of gender mainstreaming within the Ministry of Defence (hereinafter: MoD) and the Armed Forces of Montenegro (hereinafter: AFM) is not something new, but part of good practice that has emerged since the adoption of the first Law on Gender Equality (2008), which obliges state authorities to establish mechanisms for gender mainstreaming, use gender-sensitive language and organize trainings, among other things. The first certified trainers started organizing gender trainings in 2014, and since then, through their dedicated work and commitment, as well as personal examples and actions, they have been raising the awareness of members of the MoD and AFM about the importance of achieving gender equality.

As a United Nations member state, Montenegro has committed to adopt a National Action Plan for the implementation of United Nations Security Council Resolution 1325 – Women, Peace and Security (hereafter: NAP). So far, Montenegro has implemented two NAPs, the first in the period from 2017 to 2018, and the second in the period from 2019 to 2022. In the efforts to ensure the full implementation of the United Nations Security Council Resolution (hereinafter: UNSCR) 1325 and the related UN resolutions concerning women, peace and security, gender has become an integral part of policies, the normative framework and the human resource management process at the MoD and AFM. With the NATO membership, the MoD and AFM are also continuing gender mainstreaming and implementing UNSCR 1325 through the NATO BI-SC 40-1 Directive (hereinafter: BI-SC 40-1 Directive) and NATO/EAPC policy. Montenegro is a member of the Council of Europe, and it is also a candidate country for joining the European Union, so in this sense, the European normative acts that are already transposed or will be transposed in the legislative framework of Montenegro are of extreme importance.

The reform of the defence sector is one of the important elements of the process of overall democratization of society, which requires building modern armed forces, but also the need for fuller gender mainstreaming in the defence sector. Gender equality is connected with the need to further build the human capacities of the armed forces, so they can be ready to respond to complex security challenges in the 21st century. The integration of both women and men and their equal participation is necessary for the defence sector to be able to utilize the potential of the country's total human

resources, reflect the society in which it operates and thus respond more effectively to modern challenges and security needs of men and women, boys and girls. The readiness of members of the MoD and AFM to reform the sector towards achieving gender equality can be seen and confirmed through a series of activities. Strengthening gender equality through changes in the formal and legal segment is reflected in the established legal framework, necessary for the implementation of the NAP, in the adopted documents that are prescribed in this Plan, the effort invested in the process of forming institutional mechanisms, in the increased number of women in the AFM, as well as in the peace missions in which the AFM participates, in the number of conducted gender trainings in the defence sector, as well as the number of women in leadership positions in the security sector, and data related to the participation of women in leadership and command positions in the defence sector in relation to the participation of men.¹

Aiming to clearly and efficiently maintain the continuity of the process of achieving democratic principles and basic human rights within the defence sector, to foster policies of equal opportunities and to continue to strengthen gender mechanisms in that spirit, it was recognized that it is necessary to standardize gender trainings for employees in the defence sector. To respond to this need, the gender trainers of the MoD and AFM initiated the development of the Handbook on the Standardization of Gender Trainings (hereinafter: the Handbook), as a standardized and functional tool for educating people working in the defence sector about this important area.

From October 2021 to April 2023, ten certified trainers from the MoD and AFM, through work in small groups and consultative meetings, with the expert and administrative/technical assistance of the UNDP SEESAC team, prepared the Handbook covering topics important for gender trainings in the defence sector. All engaged trainers, whose role in this sector is not only reflected in the transfer of knowledge, but also in creating behaviour role models, have completed NATO-certified training of gender trainers. They are part of a regional network consisting of trainers from the MoDs and Armed Forces from the Western Balkans. The regional network enables intensive regional cooperation through

¹ NAP for the implementation of UNSCR 1325, Implementation Programme 2019-2020, p. 10. For more information about the position of women in uniform, see regional study, Position of Women in the Armed Forces of the Western Balkan Jurisdictions, available at: <https://www.seesac.org/f/docs/Gender-and-Security/Position-of-Women-in-the-Armed-Forces-CG.pdf>

the exchange of knowledge and good practices and thereby strengthens internal gender equality mechanisms thanks to the UNDP SEESAC regional project.²

The Handbook is primarily intended for trainers to help them develop and implement standardized gender training programmes for different target groups in the MoD and AFM in order to improve the knowledge of all members of the MoD and AFM about gender equality. At the same time, the Handbook can be useful to everyone interested in gender-related topics in the defence sector, including the normative framework and practical meaning of gender equality for this sector, as well as for society in general.

The Handbook was designed to be a useful tool for the development of gender trainings with content that is relevant, current and contributes to the achievement of gender equality within the MoD and AFM, but also with the knowledge that is necessary for conducting the missions that the AFM has in relation to preserving security within Montenegro, but also as a member of the international community and NATO.

The methodology used in the Handbook, without any time limitation on the usability of its content, leaves the possibility for its future upgrade and is based on the principles of adult learning, and it combines the theoretical and practical part through discussions, individual and group exercises, tests of acquired knowledge in trainings, case studies or examples from practice, presentations and lectures. The methods to be used in the training depend on the desired aim of the training, the size and composition of the group of trainees, and the method selection should take into account the experience and knowledge of the gender trainers.

A wide range of sources of national and international literature, publications, reports and research findings, as well as experiences and examples from the practice of the trainers themselves, were used in the preparation of the Handbook. With the aim of comprehensive and quality development of gender trainings in the part that acknowledges and addresses the provisions of UNSCR 1325 and other related UN resolutions, the Handbook also offers the necessary knowledge applicable for

² The defence sectors of Montenegro, Bosnia and Herzegovina, the Republic of Serbia and the Republic of North Macedonia, with the support of the UNDP SEESAC team, have been cooperating on gender mainstreaming since 2012 within the project Strengthening of Regional Cooperation on Gender Mainstreaming in Security Sector Reform in the Western Balkans. Through this regional project, UNDP SEESAC is providing support to ministries in accordance with UNSC Resolution 1325 to increase the participation of women and establish gender equality as one of the key segments of the security sector reform. The project is implemented with the financial support of the Governments of the Kingdom of Norway and the Slovak Republic.

conducting gender trainings for members of the MoD and AFM, with the ultimate goal of everyone in the sector understanding, accepting and respecting the principles of gender equality, because this is in line with the applicable normative framework, but also in line with the values promoted by the defence sector of Montenegro. Knowledge from the field of gender will also be useful during the implementation of pre-deployment training for persons participating in peacekeeping missions.

The Handbook includes two general units that can be used independently of the target group and the specific topic of the training: Why Gender Equality Matters to Us and Teaching Methodology. It also contains six special thematic units: Basic Terms and Concepts Related to Gender Equality; International Legal Framework for Gender Equality; National Legislative, Strategic and Institutional Framework for Gender Equality; Security Sector Reform and Gender Mainstreaming; Discrimination; Gender-Based Violence with sub-units: Conflict-Related Sexual Violence; and Sexual Exploitation and Abuse. Handbook Annexes include a list of the frequently asked questions and possible answers that trainers can use in gender trainings in the defence sector. Each of the mentioned thematic units is designed to contain the goal, teaching topics, work method, content for presentations and questions for testing the knowledge of trainees.

Regular and high-quality education and trainings raise awareness of the importance of gender mainstreaming in the defence sector, and thereby have an impact on creating a working environment where members of the sector contribute every day to nurturing interpersonal relationships based on respect and trust, and where diversity is accepted and contributions of all members of the defence sector are valued. Such trainings create a sustainable positive change and send a clear message that any violation of the dignity of a person or discriminatory behaviour on any basis (with special emphasis on gender-based discrimination, sexual harassment and abuse) represents a violation of human rights, key values and the very essence of the professional service in the armed forces.

Our gratitude for the preparation of the Handbook goes to the UNDP SEESAC team, who have supported the network of trainers and the preparation of this important document through phases I (2012-2016) and II (2018-2022) of the regional project *Strengthening of Regional Cooperation on Gender Mainstreaming in Security Sector Reform in the Western Balkans*.

Podgorica, June 2023

WHY GENDER EQUALITY MATTERS?

Gender equality is a basic human right, and undertaking activities for its full realization is a commitment undertaken by the state of Montenegro. Accordingly, the promotion of gender equality is the aim of activities of the security sector institutions. A more detailed description of the importance of gender equality, which is the reason for the aforementioned commitments and responsibilities of the MoD and AFM, will be the subject of this chapter.

Having in mind the frequent question, both in the professional and in the private sphere, of why gender equality matters, the aim of the brief overview of the arguments in this chapter is to serve, first of all, to trainers as a pool of facts when they need to explain why it is important to address this topic in the defence sector. At the same time, since the Handbook is intended not only for gender trainers working in the field, but for everyone else working in the defence sector of Montenegro, professional military personnel; civilian personnel serving in the Armed Forces; civil servants and employees, this will be of particular importance to those who are encountering this topic for the first time.

To harmonize the understanding of basic terminology in the field of gender, before explaining why gender equality matters, it is necessary to recall the relevant definitions.³

In a world of dynamic changes, gender mainstreaming in all spheres of social life is one of the indicators of the degree of society's democratization. Gender equality became an integral part of international law after World War II. The UN

³ Although this Handbook is primarily intended for trainers who are familiar with the definitions, it should be noted that it will also be available to those who do not conduct gender trainings. Definitions are given in the Basic Terms and Concepts chapter of the Handbook. For relevant definitions, please also see the Glossary from the Regional Handbook on Preventing and Responding to Gender-Based Discrimination, Sexual Harassment and Abuse in Ministries of Defence and Armed Forces of the Western Balkans Jurisdictions (SEESAC, 2021), available at: [UNDP---Gender-Equality-in-the-Military---Handbook-CG.pdf](https://seesac.org/UNDP---Gender-Equality-in-the-Military---Handbook-CG.pdf) (seesac.org)

Charter already contained provisions related to human rights and the equality of women and men. The UN Charter Preamble says:

“We the peoples of the United Nations determined... to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small...”

United Nations Charter (1945)

The Universal Declaration on Human Rights (UDHR), adopted by the UN General Assembly on 10 December 1948, is a milestone document in which human rights were proclaimed and universally protected for the first time. The Universal Declaration says the following:⁴

“All human beings are born free and equal in dignity and rights” and “everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion... birth or other status.”

Universal Declaration on Human Rights (1948)

Having in mind the global facts, which, through the collection and analysis of gender-disaggregated data, indicate the existence of gender inequality, the UN member states adopted 17 sustainable development goals in 2015⁵. Goal Five concerns gender equality, and all the other 16 goals also integrate a gender perspective. Montenegro is also committed to achieving these goals by 2030. The Universal Declaration of Human Rights, as well as a whole series of adopted

⁴ The translation of the text of the Charter is available at: https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/src1.pdf For more information about the development of the concept of gender equality within human rights, which are universal, inalienable and interrelated, please visit the website: <https://www.un.org/en/global-issues/gender-equality>

⁵ See: <https://sdgs.un.org/goals>

international documents⁶, laws and policies at the state level, concerning gender equality and women's rights, have contributed to visible progress in the field of gender equality. However, there is still significant room for improvement.

This is confirmed by the results of the Gender Equality Index for Montenegro⁷, which reveals deep-rooted inequalities. Unequal distribution of resources and power is sometimes hidden behind average values. For example, the majority of employees in the education sector are women (76.6%), but men occupy the majority of managerial positions (63% of school and kindergarten principals are men). Working women are facing a range of discriminatory practices in the workplace, while motherhood is still one of the most common obstacles to career advancement, job retention or even getting a job. Women are paid 14% to 16% less than men for the same work. Research shows that women own only 4% of real estate and 8% of land. At the same time, the data indicate that there is a correlation between financial insecurity and dependence on the one hand, and a number of other deprivations, such as the inability of women to leave a violent relationship or to start a business, on the other hand. That is why the number of companies owned by women in Montenegro is lower than 10%, and the number of women who suffer violence from their partners is at an alarming level. One in five women (20.2%) said that they had experienced violence from their partners during their lifetime.⁸

Based on the data from the Gender Equality Index, some of the most visible differences between the lives of women and men are in the areas of: demography, politics, economy, education and health. We should keep in mind that both women and men are losing out from the current gender regimes in our society. The data on the status of gender inequality⁹, as well as the normative framework related to that topic, suggest that achieving gender equality must be a priority.

6 More detailed information on the international legal framework, especially on the binding documents ratified by Montenegro, is available in Chapter 2 of this Handbook.

7 The Gender Equality Index for Montenegro was developed with the support of the European Institute for Gender Equality, in accordance with the methodology developed for EU member states and within the Instrument for Pre-Accession Assistance (IPA), financed by the European Union. The Gender Equality Index for Montenegro is a composite indicator of equality in the areas of knowledge, work, money, health and time, and as such it represents a significant step forward in efforts to achieve gender equality; improve the position of women; improve monitoring of the progress in this area and enable comparability with other EU member states and countries in the region. Available at: <https://www.gov.me/dokumenta/495023ee-0d49-4c2a-bcad-e7b0e5d9d3d5>

8 Quiz questions as a way to present data to the target group to highlight the differences in how men and women live in Montenegro, as well as the importance of gender-segregated data, can be found at the end of the Handbook in Annex 1.

9 <https://monstat.org/uploads/files/publikacije/Zene%20i%20muskarci%20u%20CG%20web%2026.12%20FIN.pdf>

Why gender equality matters in the security sector?

The security sector reform (hereinafter: SSR) is a concept that arose in the 1990s after calls to ensure the reform of all actors and relevant stakeholders in the security sector, so they can work in accordance with democratic norms, and ensure civilian control and respond more efficiently to the changed security challenges in the world. After the Cold War, the state-centric concept became too narrow a framework for understanding international relations, primarily international security, so a new approach was defined with a focus on human security:¹⁰ freedom from deprivation and freedom from fear. The new approach, oriented towards human life and dignity, includes: economic, social and political security, as well as security related to the protection of the natural environment and food. The analysis of development, security and conflict through the prism of human security shows that the level of insecurity of men and women is very different, both globally and at the community level. Such a concept represents a key condition for sustainable development and protection of human rights, and as such, it represents one of the processes of democratization of society. Thus, gender mainstreaming becomes a mandatory component of the security sector reform and an important assumption of the efficiency of this process.

Due to the changes in the concept of security and the increasing complexity of military operations with the demand for personnel that have specialized skills in a whole range of fields, the security sector reform is being set as an imperative in order to build modern armed forces. Only by using the full potential of a diverse workforce of women and men, with various knowledge, skills, experiences and perspectives, can this demand be met, and at the same time the degree of operational efficiency can be increased.

Thanks to gender mainstreaming in all spheres of security systems, they are becoming stronger and better adapted to the security challenges of the 21st century, armed forces are more diversified, and therefore better prepared to respond to challenges faster and better, because this is a sector that must respond to the needs of all citizens. Although, as we have seen, there are many reasons why gender equality matters in the armed forces as part of the security sector reform, the starting point is the legal obligation. Because, according to the provisions from international and national legislation, gender equality in the defence sector of Montenegro is a

10 Lipovac, M., & Glušac, L., *Perspektive koncepta ljudske bezbednosti*, Kultura polisa, VIII, br.16, (2011), p. 57-76.

legal obligation. International, regional and national law stipulates that women and men should be given equal rights to serve in the armed forces. Legal norms reflect Montenegro's commitment to the principles of gender equality and the intention to create a society tailored to all citizens. That is why "gender equality in the Armed Forces connects the global goals of gender equality with achieving peaceful societies, justice and strong institutions, fully recognizing that true development cannot be achieved if one half of the world's population is left out."¹¹

Emergencies have different effects on men, women, boys and girls, which is why it is necessary to have different approaches to these population categories in the event of an armed conflict or major natural disasters. This further makes it necessary to draft gender analyses, which aim to recognize the aforementioned differences, in order to adequately respond to the challenges and protect the entire population in the given circumstances, and also to make sure that armed forces can protect themselves through appropriate gender analysis when operating in the conflict zone.

Gender analysis therefore represents an important component in the security sector, as it aims to "identify different risks for women and men and leads to a better understanding of how these risks differ between different groups of women and men in relation to class, race, disability, poverty rate, ethnicity, religion, sexual orientation, age and other differences".¹²

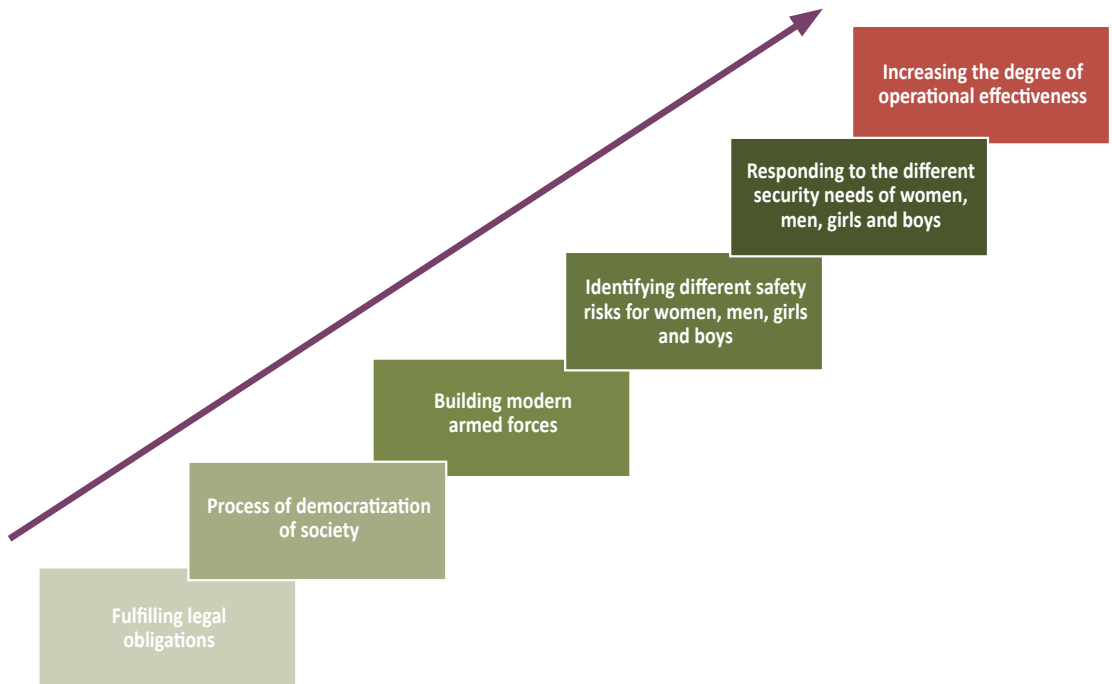
Gender inequalities can be found in all spheres of life, and the security sector is no exception in this sense. Experience from many armed forces around the world shows that strengthening gender equality strengthens the armed forces and their operational effectiveness.

The listed reasons that make gender equality important in society in general, and especially in the security sector, should be included in gender trainings, because they explain the reasons for conducting these trainings.

11 The importance of Gender Equality in the Military.

Available at: <https://www.seesac.org/Importance-of-Gender-Equality-in-Military/>

12 Watson, Callum, *Gender and Security Toolkit - Defence and Gender*, DCAF, OSCE/ODIHR, UN Women, 2019. page 6.



Gender equality is important in the security sector for several reasons, which can be summarized as follows:

- Participation of women and men in creating security measures and policies and decision-making is a legal obligation. At the same time, it is about respecting basic human rights;
- New strategic and operational requirements, as well as changes in the concept of security, lead armed forces around the world to revise the criteria for recruiting candidates, so they can attract both men and women with specialized knowledge and skills. With the new challenges, it is not wise to ignore the 50% of the population that represents a valuable recruiting potential;
- Adult women and men, young women and men, boys and girls have different security needs and priorities;
- For the security sector to be able to, first of all, recognize, and then effectively respond to the needs of both men and women, security institutions must have a representative composition that will reflect the share of women and men in the society they serve;
- Gender mainstreaming creates more efficient institutions and enables the adoption of informed policies.

QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

GIVE AT LEAST TWO INTERNATIONAL LEGAL DOCUMENTS THAT REPRESENT THE BASIS FOR GENDER EQUALITY?

Answer: The Preamble to the UN Charter and the Universal Declaration of Human Rights (the trainer can remind trainees about the content of these documents while noting that these are not the main documents calling on the UN member states to guarantee gender equality, but that they represent the basis and explicitly mention equality).

IN WHICH AREAS IS GENDER INEQUALITY REFLECTED IN MONTENEGRO AND BASED ON WHICH DATA/SOURCES CAN YOU CONCLUDE THAT?

Answer: Gender inequality is visible in various fields from politics, economy, justice to employment and health. (The data can be found in the Gender Equality Index for Montenegro. Also, on the website of the Statistical Office (MONSTAT), you can find statistical data presented by sex, which are periodically published in the publication “Women and Men in Montenegro”).

GIVE AT LEAST THREE REASONS WHY GENDER IS AN IMPORTANT ASPECT OF THE SECURITY SECTOR REFORM.

Answer:

- a requirement of both the international and national legal framework;
- more efficient response to new security challenges and
- shifting the focus from state security to human security, which requires the security needs to be considered from the perspective of women and men, girls and boys.

TRAINING METHODOLOGY

The aim of the chapter on methodology is to show us ways for a better transfer of knowledge between gender trainers and trainees in gender trainings in the defence sector.

This part of the Handbook arose from the need for a comprehensive overview of a large number of teaching methods, in order to refer to those methods that are more suitable and point out those that are not recommended for gender training, but also to gain insight into the skills needed for the knowledge transfer process. This is a chapter that should help trainers understand the logic behind suggesting a certain method listed at the beginning of each chapter. Also, knowledge of the methodology will allow trainers to be flexible in choosing some other method that they, in the given circumstances (with the defined target group, available time for training and topic), consider more appropriate.

When conducting gender trainings, it is important to keep in mind that topics related to this field are inspiring by themselves, regardless of the target group they are presented to. Since all people have personal experience related to the topics in this field, they always stimulate the discussion while inviting the trainer to a responsible approach and guidance, full of understanding and flexibility. The issues that are raised in these trainings and the information that is conveyed are different from those in classes of mathematics or some other exact science, because they concern people's value systems, their identities, attitudes and behaviours. People in gender trainings have the opportunity to receive information that can lead to them reconsidering their own attitudes and the way they see the world around them, which inevitably brings emotions into the entire learning process. Trainees may have different emotional responses to the content presented at the training, which can manifest from complete withdrawal and refusal to participate to a high level of involvement.

Acquiring new knowledge is not the only goal of gender trainings. These trainings have a higher goal – to transfer knowledge based on which trainees can improve and change their attitudes and behaviours, primarily in their work environment. Through various forms of education and the provision of information about gender in the AFM, it is important for trainees to go from being aware of gender issues to adopting gender equality in their value system.¹³ The MoD and AFM¹⁴ consider gender equality as a value that is part of the organizational culture, and therefore they expect everyone who works in the defence sector to accept and apply that value. That is why it is necessary that the trainings be prepared and conducted in detail, but changes also take time.

From all of the above, it follows that one training will most often not lead to the ultimate goal, i.e. to the change in the value system, but it can and should lead to an increased sensitivity of trainees regarding issues of gender equality, gender-based discrimination, as well as the need for gender mainstreaming in all areas of work.

13 PfPC SSRWG and EDWG, *Handbook on Teaching Gender in the Military* (Geneva, DCAF and PfPC, 2016), 2016. Available at: https://www.seesac.org/f/docs/Translated-Publications/TGM_Hbook_BCMS_WEB.pdf

14 Montenegro is in the process of joining the EU and the legislative framework requires respecting the principle of gender equality. Also, gender equality as one of the strategic policies of the NATO alliance has found an important place in the defence system of Montenegro, with constant efforts to incorporate gender into existing trainings, but also to raise the level of awareness about gender and gender equality in general.

Adult learning approach

There are many definitions of teaching. It is a complex process, a kind of art of the transfer of knowledge from one person or group of people to another, through the use of personal skills of the person who is transferring (teaching) certain material. It follows from the above that the manner of presenting the content is no less important than the content presented, which involves different methods and techniques adequately adapted to the target group.

In the context of the defence sector, adults learn about gender,¹⁵ which implies different approaches to teaching methods, adapted to the needs of adult women and men.¹⁶

According to some early assumptions associated with adult education, it is considered that they are self-oriented, that their experience is a resource for their learning, so their learning should focus on their social roles. In addition, adults are most motivated for success if their individual contribution in the class is valued.¹⁷

The general adult learning principles could be categorized into five domains:

- the learner's attitude to learning;
- role of the learner's experience;
- learner's readiness to learn;
- orientation to learning and
- motivation for learning.¹⁸

When it comes to the learner's attitude, we are talking about the awareness of the person entering the learning process that the entire process does not depend only on the person teaching, whose role is to guide, but that a large part of learning is made up of individual work, through which an individual can both evaluate what he/she has learned during the learning process and self-evaluate progress in the subject area.

¹⁵ Andragogy is a science that studies the theory and practice of learning and education of adults. The term andragogy originates from two words – aner (andros), meaning a “man”, and the word ago (agein), meaning “to lead”, which defines andragogy as the science of leading, i.e. raising and educating adults.

¹⁶ Useful information and guidance in this regard is provided in DCAF's Handbook on Teaching Gender in the Military which explains in detail the principles of andragogy, i.e. the principles to be followed when teaching adults.

¹⁷ PfPC SSRWG and EDWG, *Handbook on Teaching Gender in the Military* (Geneva, DCAF and PfPc, 2016), 2016. Available at: https://www.seesac.org/f/docs/Translated-Publications/TGM_Hbook_BCMS_WEB.pdf

¹⁸ *Ibid.*

The role of **personal experience** is much more important with adults than the role of experience among those who are taught at a younger age. The difference between the life experience and professional experience of the trainer and trainees is no longer big, nor do trainers necessarily always have greater experience. The experiences of trainees represent a frame of reference in which they will store the information they receive in the training. Having in mind the different experiences, the trainees can understand the obtained information in different ways. That is why it is important for trainers to check with trainees how they understand what they heard, while respecting different understandings. This is particularly important when it comes to topics such as gender equality, where each trainee already has a certain attitude and value judgement on issues on this topic.

Readiness to learn is most often not in question when it comes to adult education, for two reasons. Primarily, the topic is often something that is the subject of their personal interest, but also due to the fact that they can more easily assess the importance of a certain area, i.e. the importance of knowledge from a certain area for work efficiency or more effective work in certain aspects of life. However, people may be less interested in trainings/courses that are defined as mandatory, for various reasons. In this sense, it is important to have a responsible approach in the preparation and implementation of the training to attract and maintain the attention of the trainees.

Adequate **focus** is an important facilitating mechanism in the process of acquiring new knowledge. If theoretical knowledge is properly linked with practice, it is much easier for trainees to understand the practical application and acquire new knowledge. The practice can be related to the national level, i.e. the AFM, but the trainers can also use examples from the armed forces of the countries of the region (see the sources of regional publications¹⁹) or other countries²⁰.

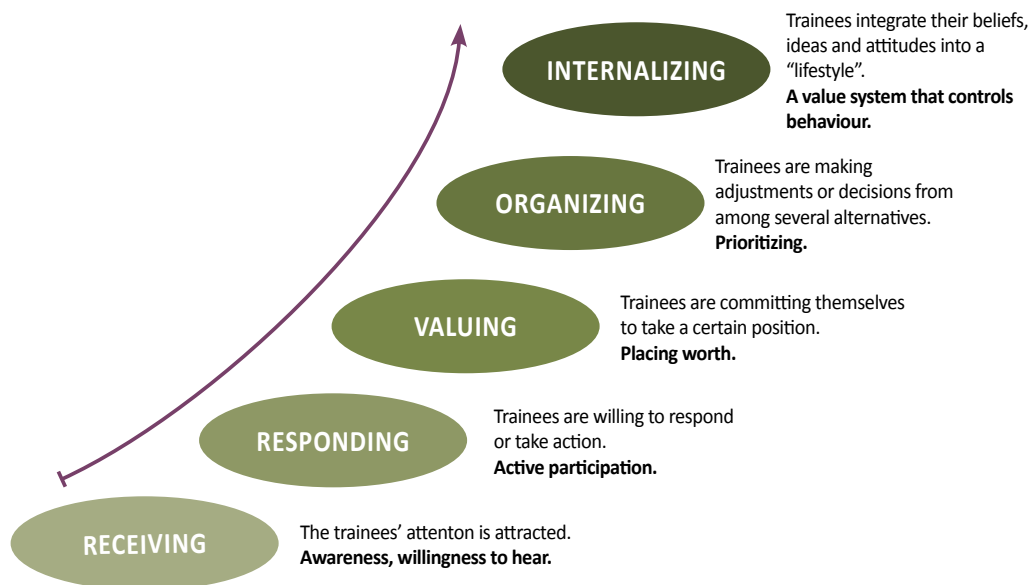
Motivation is basically the driving force of any progress in the process of acquiring new knowledge. It is the key factor for effective learning, it contributes to maintaining attention and facilitates learning. An adult learner does not need to always be primarily motivated by external pressures, better grades, or the consequences of failure. In addition to that, internal motivators are also important: self-esteem, recognition, better quality of life, promotion, self-confidence and self-realization.²¹

19 <https://www.seesac.org/Publication-Gender-in-security-sector-reform/>

20 Useful examples from the AF of other countries can be found in the publication *Bastick, Megan, Gender and Complaints Mechanisms: A Handbook for Armed Forces and Ombuds Institutions* (Geneva: DCAF, 2015.).

21 *Ibid.*

Since it has been mentioned that gender trainings go into deeply rooted attitudes, concerning family and society, it is useful to keep in mind a series of steps, from receiving to internalizing, that a person goes through when encountering new information at the level of emotions.²²



Krathwohl's affective domain²³

The visual representation shows that this is a process that the trainees go through gradually, step by step. Acquiring new knowledge about gender is accompanied by emotions on an ascending scale from simpler to more complex. Accordingly, when going towards higher complexity, during a training (or a series of trainings), individuals become more involved, committed and internally motivated to apply new knowledge.²⁴

²² Educare, *Affective Domain – Krathwohl's Taxonomy*, Available at: <https://educarepk.com/affective-domain-krathwohls-taxonomy.html/amp> (translated by M.M.Z.)

²³ *Ibid.*

²⁴ Educare, *Affective Domain – Krathwohl's Taxonomy*, Available at: <https://educarepk.com/affective-domain-krathwohls-taxonomy.html/amp>

RECEIVING – refers to the trainee’s willingness to attend to particular phenomena or stimuli (classroom activities, use of textbook, etc.). From a teaching standpoint, this part is concerned with getting, holding and directing the trainee’s attention. Learning outcomes in this area range from the simple awareness that a thing exists to selective attention on the part of the learner. Receiving represents the lowest level of learning outcomes in the affective domain.²⁵

RESPONDING – refers to active participation on the part of trainees. At this level, they not only attend to a particular phenomenon but also react to it in some way. Learning outcomes in this area may emphasize acquiescence in responding or satisfaction in responding to questions asked.²⁶

VALUING – is concerned with the worth or value a trainee attaches to a particular object, phenomenon, or behaviour. This ranges from the simpler acceptance of a value to the more complex level of commitment. It is based on the internalization of a set of specified values, but clues to these values are expressed in the trainee’s behaviour that is consistent and stable enough to make the value clearly identifiable.²⁷

ORGANIZING – is concerned with bringing together values, resolving conflicts between them, and beginning the building of an internally consistent value system. Thus the emphasis is on comparing, relating, and synthesizing values. Learning outcomes may be concerned with the conceptualization of a value or with the organization of a value system.²⁸

INTERNALIZING – can also be defined as **characterization by a value or set of values**. At this level, the individual has a value system that has controlled his/her behaviour for a sufficiently long time for him/her to develop a characteristic lifestyle, thus the behaviour is pervasive, consistent, and predictable. Learning outcomes at this level cover a broad range of activities, but the major emphasis is on the fact that the behaviour is typical or characteristic of the trainee.²⁹ In simpler terms, new knowledge is internalized, which consequently affects positive changes in behaviour that is aligned with the newly adopted value system.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

It follows from the above that during education about the gender perspective, the trainees actually go through a type of personal transformation through the acquisition of new knowledge. This is the *form of acquiring knowledge that changes the way trainees think about themselves and their world, and which involves a shift of consciousness*.³⁰

Having in mind the important characteristics of adult-oriented trainings, as well as the element of emotions that is involved, it can be concluded that persons acquiring new knowledge during gender trainings should:

- be involved;
- be treated with respect (building trust and understanding should be the priority);
- have the opportunity to ask questions; and
- have the opportunity to express their views.

Involvement in all four mentioned ways should be achieved by observing the rules of group work, which the trainer defines at the beginning of the training.

Trainees may forget the information and/or knowledge their gender trainer conveys to them, but they will never forget the way they were treated during the training.

How do we acquire new knowledge?

One of the personality typologies used for training purposes indicates that people can be dominantly **visual, auditory or kinaesthetic personality types**, and a different learning style and working principle corresponds to each type.³¹ We should keep in mind that the groups in trainings are diversified, and in that case, mixed methods should be used when choosing teaching aids, which are adapted to all types of personalities, with the note that the use of visual methods is definitely recommended. Clear data supported by references from reliable sources combined with visuals is always a good choice.

³⁰ DCAF, *Handbook on Teaching Gender in the Military*, 2016, p. 111.

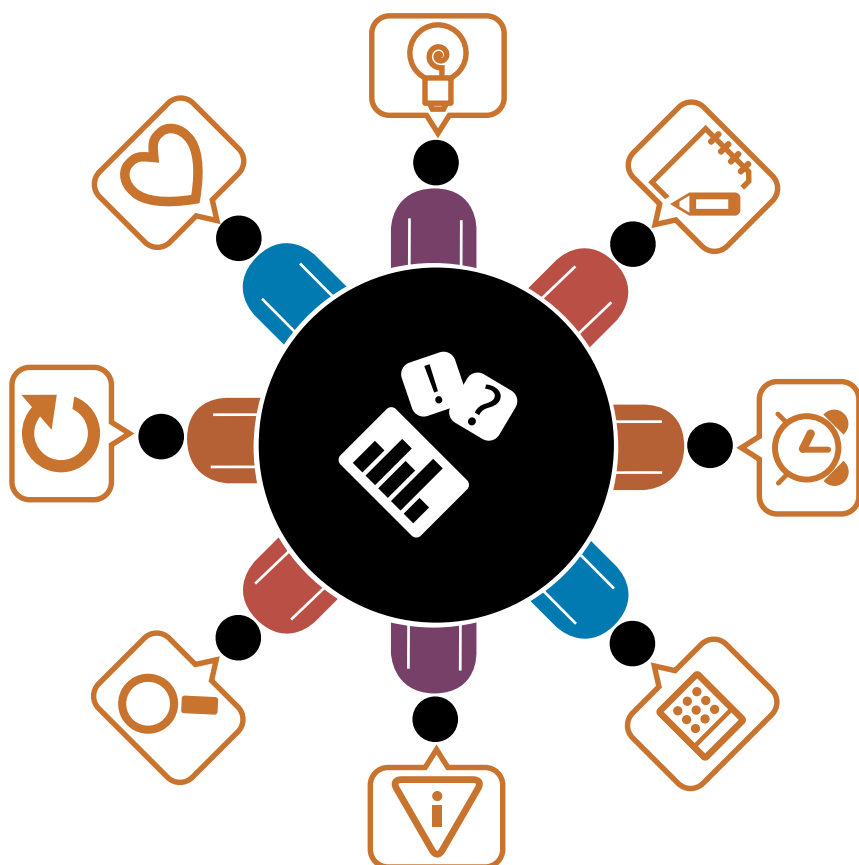
³¹ The explanation for all three personality types was taken from the website of the NLP Institute. Available at:
<https://www.nlpinstitut.com/govorisi-li-mojim-mozgovnim-jezikom-nlp-komunikacija/>

Preparations for implementing the training

The gender training process consists of several stages, the first of which is planning and preparation. The previously mentioned five aspects, which are important in the adult learning process, observed from the prism of the gender trainer's preparation, indicate that it would be useful for the trainer to have the following information on the trainees before the training:

- demographic data;
- previous attendance of gender trainings;
- organizational units that trainees come from;
- staff category;
- motivation for training (optional) and
- attitudes about the training topic (optional).

This information can be collected with a short form with multiple choice questions that the trainees will fill in before being sent to the training, or before the start of the training. This is definitely a kind of **target audience analysis**, which, in addition to the above-mentioned, may also include a comprehensive overview of the initial attitudes and knowledge of future trainees. If carried out properly, this kind of analysis can greatly facilitate the work of trainers, as it can indicate preferred teaching methods and the potential resistance to the topic. The data obtained this way can indicate whether the group is homogeneous or heterogeneous in its composition. The heterogeneity of the group can be a challenge for trainers, especially if it consists of people with different levels of knowledge in the subject matter. However, by using adapted approaches during training, the differences present in the audience can be used in a positive way and contribute to the quality of the training.



Let us take, for example, a group where trainees learn about basic terms in the field of gender equality. In a group of 15 people, five of them are familiar with definitions and concepts, know how to recognize and use them, while the other 10 participants do not even have basic knowledge in this field. The lecture itself should be adapted to those with a lower level of knowledge, while actively involving trainees with prior knowledge, while the practical part will use the heterogeneity of the group so that those with prior knowledge can transfer their knowledge and experiences to the other trainees. For example, the target group can be divided into five smaller subgroups, so that each has one person with a higher degree of knowledge compared to the others. The teamwork lasts for 15 minutes, with the task of completing a quiz/case study or questionnaire from the subject area. This way, people with a higher level of knowledge can share their information, they feel more useful, even though they listened to something they already know enough about in the training, while people with no prior knowledge have an additional source of support and motivation. This makes the work in the group easier, more dynamic and aligned with the recommended methods for adult learning, and the level of interest and active participation is significantly higher.

Overcoming resistance

Various types of resistance can happen during the preparation and implementation of gender trainings, both among the trainees themselves and among those who need to provide the conditions for the smooth implementation of the training. To provide suitable conditions for the transfer of information and knowledge, it is important to know what types of resistance can be encountered, as well as the possible ways to overcome them.

Resistance, as a form of not accepting new knowledge and firm adherence to deep-rooted beliefs, is a form of behaviour that can appear at gender trainings. The causes of resistance are numerous, and when it comes to gender, they range from a lack of information to a lack of understanding. Resistance is based on the general human trait of not liking change. Change often leads to a feeling of personal vulnerability or a perception of threat to the existing organizational value system. Resistance can also be based on not understanding how gender can be connected to missions and mandates in operations, that is, how it contributes to increasing operational effectiveness.³²

There are several ways of expressing resistance, but in this part, we will only cover two that appear the most during gender trainings.

The trainer is invisible – The aim of this resistance technique is to send the message that you don't exist, i.e. that what you say or do has no importance or value. Basically, this means that the trainees act as if you are not in the same room with them. The most direct form of this behaviour involves disruption: while you are teaching a lesson or doing an exercise, the trainees are communicating with each other, crumpling papers, coughing, etc. This type of resistance can also manifest through a lack of response – no one is taking notes of what you are saying, or asking questions that would show that they are interested in anything related to the topic. In all such cases, the goal is to make the target of this behaviour, i.e. the trainer, feel insignificant and insecure. What can be done in such situations is the so-called **taking a stand**. The most important aspect in such a situation is not to show anger or frustration due to the behaviour of the trainee. However, it is necessary to act immediately. When you are speaking and the others are not listening, you can stop speaking as soon as you notice they are not paying attention to you, because this way you are showing that you would like to be heard. This resistance can be overcome by involving the trainees in the lecture, by asking questions and joint discussions to keep the trainees engaged.

³² See the most frequently asked questions from trainings at the end of the Handbook (Annex no. 9)

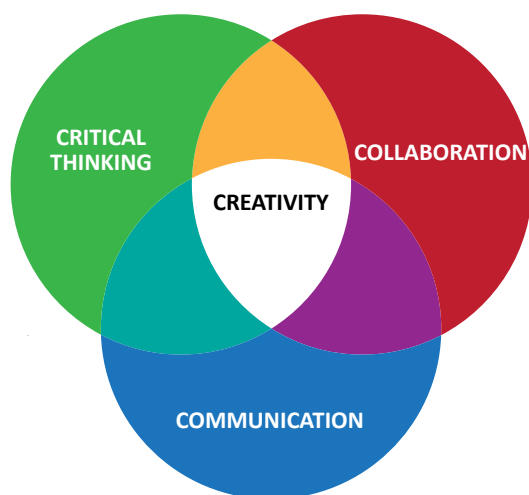
Mocking – The goal of this technique is to show the lack of equality, because everyone who is mocking someone else is actually dominating in a certain situation. Mocking diminishes and belittles the trainer in a certain way, reducing the target of mocking to an object of ridicule. The counter strategy in this case is **asking questions**. It is necessary to define yourself as a strong person and show your expertise, to remain serious and stick to the facts. Never join the laughter if the group is using the mocking technique, because you will give legitimacy to such behaviour. At the same time, ask the person who behaves in the described manner a question to let them know that you have noticed their behaviour, or show the trainees that it is not easy to be in the role of a trainer by assigning them the task of presenting a certain part of the lesson to all other trainees.

It is very important to make a difference between mocking and the appropriate use of humour. Laughter in training is sometimes useful and can animate the group. The trainer can use appropriate humour and so can the trainees, in which case it is okay for the trainer to join in the group laughter.

Having in mind the resistance that occurs during such trainings, the general advice for the trainers is to use the check-list below, which will facilitate their detailed preparation:

- » **Data on trainees** (completed form)
- and **place of conducting** the training
 - material and technical support provided;
- » **goals and expected outcomes of the training** clearly defined;
- » **quality introduction** prepared;
- » **adequate presentation** prepared;
- » **activities of the trainer** prepared and developed;
- » **activities of trainees** prepared and developed;
- » printed copies for **individual and/or group work** provided;
- » **manner of verification** of acquired knowledge prepared;
- » form for **training evaluation** prepared in enough copies.

Skills of a gender trainer



Regardless of the professional orientation of an individual, if they find themselves in the role of a trainer, especially for such an important and significant topic, in addition to all the other skills necessary for proper functioning and performance of work tasks, they must have a special focus on four skills in the 21st century. It's easiest to remember them as 4C: communication, collaboration, critical thinking, creativity.

Communication is interpreted as the ability to exchange opinions, ideas, doubts, questions and experiences, which results in **collaboration** which is characterized by joint work on achieving a certain goal, because different skills, expertises and ways of working are unified in the service of more effective action. Along with the aforementioned skills, **critical thinking**, which implies the acquisition of new knowledge, but only after thinking about it and considering it from a different perspective and/or solving problems after considering them from a new point of view, often in unconventional ways, together creates a field of **creativity** and innovation, which is the momentum of ideas and development, and which essentially means the existence of willingness to try new approaches and methods, with the aim of obtaining a different and/or better result. When preparing for gender trainings, gender trainers can use the four mentioned skills to bridge the gap between themselves and the trainees and leave their comfort zone in one part to show them how much better things can be when those skills are used and when gender is mainstreamed in daily processes. Success in the teaching process can be achieved if the gender trainer meets certain requirements and has certain traits.³³

³³ Olayide, Olawale Emmanuel, Qualitative Teaching and Teaching Methodology, Centre for Sustainable Development, University of Ibadan, April 2015.
Available at: Olayide.QualitativeTeachingandTeachingMethodology (1).pdf

REQUIREMENTS a gender trainer needs to meet

- Excellent knowledge of the subject matter
 - the trainer should be certified for gender trainings
- Good training preparation with the use of appropriate teaching materials
- Good command of the facts and the ability to support each fact with relevant literature
- Use of teaching methods that are appropriate for the audience, innovation in approach
- High motivation and mastery of group management techniques

SKILLS AND TRAITS a gender trainer needs to have

- ▶ Credibility and knowledge
- ▶ Dedication and accountability
- ▶ Presentation skills, skills of active listening and giving constructive feedback
- ▶ Thoroughness (good preparation for a successful training)
- ▶ Ability to reflect
- ▶ Willingness to constantly improve
- ▶ Enthusiasm and love for the subject matter
- ▶ Empathy, warmth and humour
- ▶ Flexibility

Why it is important for a gender trainer to have a good command of the facts.

When the trainer has data, it provides the opportunity to guide the trainees through the domain of knowledge and facts instead of the domain of assumptions, attitudes and beliefs. Unlike intuition, sense or referring to experience, data can be used much more safely and reasonably for: insight into a situation, supporting attitudes, monitoring progress.

Presenting data can also be a tool for overcoming resistance during the implementation of training.

An important element in the implementation of policies for the equality of women and men is the availability of data. Montenegro is committed to the development of policies based on statistical indicators and analyses, and their availability enables trainers to use data at the national level. The MoD and AFM have also participated in drafting several national and regional publications rich with data.

Some publications gender trainers might find helpful:

- Data on the position of women and men in Montenegro are available on the MONSTAT website³⁴
- The Gender Equality Index is available on the website of the Government of Montenegro³⁵
- Implementation of the activities defined by the NAP for the implementation of UNSCR 1325 is explained in the brochure available on the website of the MoD of Montenegro³⁶
- Data on the position of women in the AFs of the Western Balkan countries can be found in the regional Study available on the SEESAC website³⁷
- The Regional Baseline Study – Integrating a Gender Perspective in Military Education and Training in the Defence Systems of the Western Balkans Countries³⁸
- Prevent and Respond: Regional Handbook on Prevention and Response to Gender-Based Discrimination, Sexual Harassment and Abuse in Ministries of Defence and Armed Forces of the Western Balkans Countries³⁹

34 http://monstat.org/cg/publikacije_page.php?id=212

35 <https://www.gov.me/dokumenta/495023ee-0d49-4c2a-bcad-e7b0e5d9d3d5>

36 <https://www.gov.me/clanak/publikacije>

37 <https://www.seesac.org/Gender-and-Security/>

38 <https://www.seesac.org/f/docs/Gender-and-Security/Integracija-vojne-perspektive-u-vojno-obrazovanje.pdf>

39 <https://wapi.gov.me/download-preview/708f6311-74df-43bb-a1c2-79bac6538ca5?version=1.0>

Training methods

In most cases, gender trainings will be aimed at those who need to acquire new knowledge, and depending on technical possibilities, a high-tech approach to learning is always preferred.⁴⁰ This does not mean that the trainings will be conducted online, but that the trainers will rely on using modern technologies and, among other things, materials available online. Also, regardless of the method used, it is recommended to use presentations (e.g. PowerPoint).

Teaching methods are mechanisms facilitating the process of transferring knowledge from teachers to learners. The method is actually a process, procedure or way in which learning takes place, i.e. in which a specific curriculum is implemented. There is no one ideal teaching method or one correct way of teaching. The teaching method that will be selected for a specific lecture largely depends on the structure of the target audience. The ways of teaching are categorized into different types of teaching methods, and some of them are:



Direct Instruction – The bottom line is that this strategy used by learners comes down to taking notes, which facilitates their learning. It is unlikely that the trainer will choose to use this strategy alone, but combining it with other strategies can achieve the best effects, and it will find its place in almost all gender trainings.



Personalized Learning – is a new educational model, so its definition is still in the development stage. In this model, trainers work with trainees who have personalized learning plans that are specific to the interests and skills of each trainee. *The main features of this strategy are the self-orientation of trainees and the influence on the creation of the curriculum and syllabus. The principle of evaluation is also adapted to individual trainees: at the place where this type of learning takes place, competency-based progress is evaluated so*

⁴⁰ In the era of modern information technologies, trainings can take place in two ways: **High-tech approach to learning** – *Advances in technology have also completely changed the education sector in the past few decades. This learning approach involves the use of the internet, which provides unlimited resources, because it can also be used by trainees, to deepen their knowledge and do certain tasks more easily, but it can also be used by trainers, both to prepare the materials and as a mechanism for connecting people interested in a certain topic that is not geographically limited, but requires a good internet connection, as well as knowledge of the language (for example, a lot of useful literature on gender is in English).* **Low-tech approach to learning** – *Although technology has undeniably changed education, many teachers still choose to use a more traditional, low-tech approach to learning. Some learning styles require physical presence and interaction between the teacher and the learner. In addition, research shows that using this approach can actually boost learning. For example, students who write down notes by hand remember new information better than those learning with the help of technology.*

that trainees can move on to the next standards or topics when they have mastered the current ones. This way, trainees can make greater/faster progress than the group as they are mastering the subject matter. Personalized learning is aimed directly at the trainees, but trainers are expected to teach the lessons, evaluate the trainees to make all the necessary changes and corrections in their curricula.⁴¹ A significant number of instructions that trainees receive is often in the form of online lessons and programs, so a good internet connection is a requirement for this form of learning.⁴² When it comes to the defence sector, a modified version of this strategy was used for the **Gender Coach Programme**. The modification was reflected in the fact that the lessons and programs were not online, because for coaching programmes it is recommended to have both people in the same room, although it is recommended to use materials from the internet, as well as presentations during coaching sessions.



Game-based Learning – stems from the desire to involve trainees in more active learning. Since they are required to solve problems and use soft skills⁴³, this strategy is an excellent way to stimulate thinking.

In the environment where this strategy is implemented, trainees work on tasks to achieve a certain goal by choosing different actions and experimenting. Game-based learning requires a lot of time and planning by the trainer.⁴⁴ This strategy is largely focused on trainees working at their own pace and making independent choices in a changed environment, but trainers have an important role in planning and creating content.⁴⁵ This is another strategy that is suitable for conducting multi-day trainings, such as the Gender Training of Trainers (GToT), it contains case studies and role-play tasks, and aims to create circumstances that are likely in reality. Trainees work on solving a certain problem or crisis in a controlled environment, so that they can apply the acquired knowledge in real circumstances. It is important to point out that trainers should be careful when using this strategy. Because one of the goals of this strategy is to enable trainees to step out of their comfort zone, which is an important prerequisite for accepting new knowledge and acquiring skills. However, in this process, just like trainers must maintain their credibility, trainees must be aware that although their learning is game-based, the situations taking place in a controlled environment are very likely to happen in real life. Personalized learning is extremely learner-oriented, but teachers are required to teach lessons, review frequent assessment data and meet with students so they can make any necessary changes to their learning plans.

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ *Soft skills* – personal characteristics and habits that shape the way someone works and that enable effective communication with other people

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

The following section presents the methods in a different way, but using the traffic light principle so that it can be easier for trainers to recognize those methods that are more or less suitable for trainings in this field⁴⁶



Discussion method – *This is a method that can be followed only if the teacher is extremely well prepared and has experience in conducting trainings. In accordance with the nature of the topic, in this two-way communication method, the trainees will carefully listen to the point of view of other trainees and exchange ideas with each other. The role of the teacher is to use various techniques to facilitate (moderate) the discussion and simultaneously clarify the concept of the topic.*

This method is mainly used when you are trying to awaken the knowledge, experience and creativity of each trainee. At the end of the discussion, the teacher points out any possible mistakes and clarifies unclear concepts.⁴⁷



Study assignment method – *a method that stimulates active learning. Here, the trainer assigns a task to the trainees before the start of the class. This can be reading a book or research paper, analysing a project or any relevant review of materials.*

This method stimulates the research abilities of the learners, and the discussion part in the class allows everyone participating in the training to learn about different points of view.⁴⁸



Demonstration method – *is a type of teaching method in which the trainer must perform, i.e., demonstrate something so that the trainees can understand the topic properly and in detail. This can be a demonstration of the functioning of a certain system, teaching them how to solve a problem, do a certain job, etc. The trainer should explain why, how, where, what and when, and demonstrate the activity so that the learners can adopt new knowledge by watching.*

If the trainer chooses this method, it is recommended to rehearse it well before class, for the demonstration to be clear enough and ensure that trainees can later easily implement what they learned.⁴⁹

⁴⁶ Some of the methods listed here overlap with or complement the already listed methods in the previous section of the Handbook.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*



Tutorial method/coaching – *it can only be used when the trainer teaches one person or works directly with one trainee. This method requires more time and money, unlike the others. Those following this method know for certain that both the trainer and the learner*

will actively participate in the learning process.

One of the key features of this method is its adaptability to the needs of the learner. The topics the lessons will focus on are agreed upon during the process, and the entire coaching process is tailor-made to the learner. Trainees can skip or return to a lesson at any time. Learning takes place through dialogue, and the learning process itself should have a goal that is mutually agreed upon. This method is particularly suitable for people in leadership and command positions in the defence system.⁵⁰



Seminar method – *this is another method that requires more time and money. Trainers give tasks to groups of trainees to work on their projects, then ask them to exchange information about the techniques they used and their findings from working on the project.*

Highly professional or competent trainers must elaborate the seminar method in detail, and then evaluate it and assess its effectiveness.⁵¹



Interactive or participative method – *this is a method believed to be useful both for teachers and learners. The teacher is responsible for explaining the key points or the importance of using the interactive method, i.e. of participation in the classes in general, so*

that the trainees can develop a desire to be active in the training.

This teaching method uses many strategies such as writing exercises, think-pair-share, group debate, problem-based learning, or situation analysis.⁵²

⁵⁰ Mentoring is also sometimes called coaching.

⁵¹ The Complete List of Teaching Methods and Strategies (modified text)

⁵² *Ibid.*



Online teaching method – *one of the most flexible methods is the online teaching method. Trainees and trainers can choose a flexible time frame without any spatial limitations. Communication takes place via online classes (e.g. via Zoom) or via e-mail. Thanks to technological progress, trainees can access the recorded lectures after the online session, and they can listen to them later and understand them better. This method is most often preferred by those who want to use their free time for learning and achieving the set goals, without having to go to classes, as it is just necessary to have a good internet connection.⁵³ The advantages and disadvantages of this method were best visible during the COVID-19 virus pandemic.*



Content-focused methods – *Among the various teaching methodologies, the trainer can also use the content-focused method, most often in cases where the content, set of information or skills to be taught to the target group cannot be changed. This means that the content being taught is so important or undeniable that both trainers and learners must fit into the subject without the chance to discuss or think critically about the content.⁵⁴ This method is suitable for presenting information about the strategy and legal framework governing gender equality.*



Learner-centred method – *Trainers play a dual role in this teaching method, they act as both learners and teachers, because they learn new things every day while delivering the lecture. The learner-centred method is beneficial for both sides in the learning process. The best way to implement this method is to follow discussions, include strategies based on joint research and exploration, for example, through solving a case study.⁵⁵*

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Ibid.



Teacher-centred method – *This is a method where the teacher is the only expert and has the authority over the trainees. In this case, trainees rely on the teacher and adopt knowledge with the primary goal of getting a good grade in the final exams. This method is teacher-centred and requires very little involvement from trainees during the teaching process. It is also called the closed method due to the minimal involvement of learners.*⁵⁶



Lecture method – *One of the most frequently used formal teaching methods is the lecture method. People teaching certain lessons usually use this method for larger groups of people. Teachers explain basic definitions and concepts, facts, events and principles from the given topic, and clarify the whole meaning of the subject or topic with relevant examples and problems.*

*Trainees usually take notes during the lecture, and ask any questions they may have at the end of the lecture, with the teacher answering them. So, in this method, the teacher is the main role model to a large audience and during the lecture they demonstrate excellent command of a specific subject matter.*⁵⁷

In their work, gender trainers will mainly use the interactive/participative method; in accordance with the given topic, they will use the lecture method; discussion method; demonstration method, while they will be able to include the study assignment method together with other teaching methods in multi-day trainings. At the same time, some trainers will have the opportunity to also use the tutorial/coaching method, through activities such as the Gender Coach Programme, which involves teaching one person in accordance with their knowledge in the subject area, skills, competencies and their job.

The direct teaching method will mostly be used for gender trainings, but the combined method will be used in the majority of cases – in training, using the combined method, trainers will provide information on useful materials that can be found online.

⁵⁶ Text modified based on the publication: The Complete List of Teaching Methods and Strategies, Available at: <https://mytutorsource.com/blog/teaching-methods/>

⁵⁷ Ibid.

Exercises as an integral part of trainings

Exercises are an integral part of the methodology and can be included in certain lessons. If the target audience analysis is done properly, and if the method is appropriate, trainers include exercises that will help trainees draw conclusions about the key segments of the training, implement the existing knowledge and understand the importance of the subject matter. The following aspects need to be taken into account when preparing exercises to be included in gender training, to make the exercise process easier: ***who can participate; how much time it takes to conduct the activity/exercise***; what aids are necessary; ***what are the goals of the exercise***.

An overview in the form of a table that trainers can use, if they think it will facilitate their process of preparing for the training, as a guide for the exercise, needs to contain the information listed in Table 1, and it can be an integral part of the refresher package for the implementation of the training. Such a refresher package reduces the possibility of overlooking certain important segments of the exercise, and can also be useful to other trainers, who would use the material later.

Name of the exercise	
Who can participate	
Time for the exercise	
Necessary aids	
Goal of the exercise	
Note	

Table 1 Preparation for exercise

Presentation skills

Regardless of the topic they teach, when preparing and conducting the training, trainers should think about how they will present the content so that the training audience is interested and carefully follows the training content.

When it comes to the manner of presentation and interaction with trainees, the key to success is thorough preparation. However, in addition to that, it is extremely important to have a couple of things in mind:

- whenever the circumstances and nature of the training allow it, involve the trainees (through discussions, exercises, questions) – this way, their attention is kept continuously high and their level of interest in the subject matter increases;
- speak in a loud and clear voice and at a moderate pace, check if everyone can hear and see the presentation well;
- maintain eye contact with the trainees;
- do not look at the floor or ceiling (unless this is intentional and is a part of the exercise);
- avoid talking with your arms crossed because such a posture sends the message that there is a barrier between the trainer and the trainees. Feel free to use appropriate gestures while speaking;
- do not walk around too much – this does not mean that the trainer should not move during the training, it just means that their walking should not distract from the focus, i.e. from what they are teaching;
- convey a positive attitude with your body language and facial expressions; smiling and appropriate use of humour are good ways to create a positive atmosphere.

Special attention should be paid not only to the manner of presenting, but also to what, at that moment, is the necessary teaching material, such as a PowerPoint presentation. That is why it is necessary to have the following in mind when preparing presentations:

- use a font colour that is in contrast with the background;
- font and background colours should be complementary, not to make it difficult to read the content – for example, blue and red are on different sides of the spectrum and it would be extremely difficult for the eye to follow both colours, if they were used for the background and font colour on the same slide;
- the most suitable font size is between 22 and 28, it should not be smaller than 18;
- all caps are used only if it is necessary to emphasize something (although it is better to use bold letters, and use capital letters only for acronyms);
- members of the AFM will make presentations in accordance with the current order on making PowerPoint presentations;
- it is desirable to avoid complicated fonts – Times New Roman, Arial or Calibri are preferred;
- write the text in the form of bullet points, not sentences; Avoid descriptions, use words and phrases;
- whenever possible, follow the 7x7 rule – meaning that one slide should not contain more than seven lines of text with seven words per line (bullet);
- a large number of people are visual types, so the use of photos and other visual effects (short videos, charts, drawings) adds to the quality of the overall presentation, because the content is easier to remember.

Conclusion

Being in the role of a trainer, especially for such an important topic as gender equality in the defence sector and gender mainstreaming in work and life processes, is a huge challenge. The entire process is further complicated by the potential resistance among the trainees. Therefore, before conducting the training, the trainer must make an effort to get to know the target audience, i.e. the trainees, because this is a prerequisite for the proper selection of the most adequate method, approach and strategy for the work in the training. 5. Characterization by a value or set of values

This Chapter presents the methods, approaches and strategies that can be most helpful to trainers when conducting training at the tactical, operational and strategic levels. However, since it is a living process prone to change, the overview available in this Chapter is subject to amendments.

At the same time, it must be kept in mind that gender mainstreaming goes hand in hand with changing deep-rooted attitudes and behaviours, and that it is a long-term process, which is not finished after one training or one lecture, and that one of the roles of a trainer is to provide continuous support to the trainees on the challenging path of adopting values and attitudes that support gender equality and are aligned with the proclaimed values of the defence system.

Chapter 1.

BASIC TERMS AND CONCEPTS RELATED TO GENDER EQUALITY

■ Goal

Familiarize trainees with basic terms and definitions in order to achieve a common understanding of concepts related to gender equality and enable their adequate use in the work environment.

■ Teaching topics

- Sex and gender,
- Gender roles and gender stereotypes,
- Gender equality,
- Gender mainstreaming and other terms related to gender equality.

■ Work method

This module is implemented in the form of a lecture and discussion with the use of a PowerPoint presentation, with an attached quiz and a video.

■ Introductory questions

To be able to understand any field and to learn and research more about it, it is first of all necessary to know the basic concepts and definitions that the theory of the specific issue is based on. That is why it is important for trainees to gain a common understanding of the basic terms and concepts that we use when we talk about gender equality. Trainees should be informed that they will learn the meaning of the terms sex, gender, gender roles and gender stereotypes during this training/module. This will also be an introduction for a better understanding of discrimination and how it occurs (if discrimination is the module that follows this one).

1. How would you describe the following people:

- prison guard,
- professional chess player,
- passenger transport driver,
- ballet dancer,
- person keeping public order.

What characteristics must a person have in this professional role to be successful? Does success in these professions depend on the sex of the person? Has it always been like that? Has something changed over time? What does it depend on?

The goal is to raise awareness of potential stereotypical expectations of which sex a person must be in a certain professional role in order to efficiently fulfil it. Mention that the definition of “typically male” and “typically female” professions changed in different periods depending on the needs of society and times. Announce that there will be a discussion during the presentation on how expectations of the male and female sex change over time, that they depend on the geographical location, age, rural/urban environment, etc., why this is so and why it is important to know it.

2. What is the first thing that comes to your mind when you hear: “Women, war and conflict”? “Men, war and conflict”? What is the impact of armed conflicts on men and women, are there any differences? What changes happen in the lives of both of them in the conflict period and in the post-conflict period?

The goal is to highlight the often simplified and generalized way in which we understand and interpret reality, social phenomena and the people around us. Due to widespread and generally accepted attitudes and beliefs, each of us inevitably gets only a partial picture and understands reality through the already existing frame of reference. We all look through our “glasses” and that is why we have a selective picture of reality, which means we can miss an important part of information about a certain situation. Since attitudes about someone or something direct our emotions, but also our expectations, conclusions and decisions about our behaviour, it is important to become aware of how we form images of the world around us and how reality is created for us. Who and what shapes it? How many attitudes have we adopted through the process of socialization, based on which we interpret what is happening? How do we hear, understand and react when we come across different roles, choices and procedures than those considered acceptable in our family, work environment, culture and the times we live in?

The trainer can give several examples close to the military practice, to make things easier to understand. For example:

- a girl cannot be a member of a terrorist group,
- a man cannot be a medic in a war, he must fight,
- everyone coming from region xxx is a terrorist,
- all women involved in women's organizations are lesbians, etc.

SEX AND GENDER

The trainer can invite the trainees to think for themselves about what makes us who we are? Is it our age? The place where we grew up? The place where we live? Our job? Don't linger on these questions too long, but clarify immediately that our identity is made up of everything listed here, and much more. Trainees can imagine onion layers, where each layer is a part of our identity. Thus, both sex and gender are parts of our identity, important for understanding gender equality. These two terms are often confused, but they are practically two different concepts.

In the national legal system, these concepts are defined in the following way:

- Sex is a biological trait that differentiates human beings into male and female.⁵⁸
- Gender is a socially determined role of women and men in public and private life that developed based on the biological difference between the sexes.⁵⁹

Additionally, a broader definition from another relevant source may be cited. Regional Handbook on Prevention and Response to Gender-Based Discrimination, Sexual Harassment and Abuse (SEESAC, 2021) gives the following definitions:

Sex – a word denoting the biological differences between men and women. Women are carriers of the XX chromosome pair and men of the XY chromosome pair and they have different roles in the reproduction process. These differences between men and women are universal, obvious and, as a rule, immutable. They exist at all times and in all societies, regardless of living conditions, social status, or ethnic or racial background.

⁵⁸ Article 7 of the Law on Gender Equality ("Official Gazette of Montenegro", No. 46/07 and "Official Gazette of Montenegro", No. 73/10, 40/11 and 35/15)

⁵⁹ *Ibid.*

Gender – means the socially determined roles, behaviours, activities, and characteristics which a given society considers suitable for women and men. The attitudes and behaviours that one society prescribes to women and men are learned and can change. The term “gender” is often equated with the term “sex”. It should be noted that the two terms are not synonyms as sex is biologically conditioned and, as a rule, immutable, whereas gender comprises a wide range of variations within and between cultures and is changeable.

NATO, Bi- SCD 40-1⁶⁰, gives the following definition of gender:

Gender refers to the social differences and relations between women and men, which are learned through socialization and determine a person’s position and value in a given context.

Understanding the difference between sex and gender is important because it is necessary to point out that everything that women and men do and everything that is expected of them, with the exception of their biologically based functions, is socially conditioned, and as such, can change following the change of social and cultural situations.

Explain to the trainees that whenever they are in doubt whether a certain statement refers to gender or sex, they should ask themselves whether the given difference between men and women is biologically determined, or adopted or accepted through the process of socialization in a certain society and time period. It is also important to explain that gender does not refer exclusively to women, but to women and men, and that both women and men can benefit or lose from the existing gender regimes, as social patterns governing relations between the sexes.

After this part, it is recommended to use **Quiz 1⁶¹** on understanding the terms sex and gender, to determine whether the trainees have understood the difference between these basic concepts. Also, one of the more effective ways to achieve the goal of this quiz is to include the interactive method in the work, through work in smaller groups with the exchange of views and comments.

60 *Bi-Strategic Command Directive 040-001 Integrating Gender Perspective into NATO Command Structure*, October 2021. Available at: BISC Directive 40-01- working draft as of 15th of JULY 2021 (nato.int)

61 Quiz 1 is given at the end of the Handbook, Annex 2

GENDER ROLES AND GENDER STEREOTYPES

Gender roles imply a set of social rules, including rules of behaviour that are considered socially appropriate for people of a certain sex within a certain culture. These social rules govern the relations between the sexes, the responsibilities and obligations of men and women. Attitudes concerning gender roles are acquired from early childhood, and they are influenced by numerous factors, including family, education, the media, attitude towards religion, etc.

It is important to keep in mind that the way gender roles are defined in a society largely depends on economic, political, social, as well as cultural and religious factors. Gender roles can change over time, since social values and norms are not static. So, for example, something that is considered acceptable for women or men in one culture or time period may be condemned in another. Gender roles are also defined differently in urban and rural areas in the same time period, and they are different in the same time period and in the same social environment for people who belong to different classes or who have chosen a certain way of life.⁶²

Some social environments are more insistent on the big difference in gender roles, so the norms related to sexes in such societies are much stricter and more restrictive, while other social environments have greater equality of gender roles. That is why the social and cultural context is of great importance when considering gender issues, because knowing the context means understanding the norms shaping social behaviour and gender roles. This is particularly important for members of the AFM going to missions, because understanding the gender roles and norms of the people of the countries to which members of the AFM are deployed is crucial for the success of the mission, particularly for risk management during the mission.

A very good example of gender roles representing a social construct, i.e. them being conditioned by what society considers acceptable or unacceptable, is the example of sworn virgins. Sworn virgins used to exist in the Montenegrin patriarchal society (e.g. Stana Cerović), as well as in surrounding societies, e.g. in Albania or in some parts of Croatia.⁶³ If the head of the family would die without leaving behind a male

⁶² For example, monks do not marry. Or people of noble origin (where nobility exists) or very rich people do not respect the same division of gender roles as the poorer classes, etc. – some behaviours of women and men that are acceptable in rich noble circles are not allowed among poorer people. Also, artistic circles can be different, for example, female artists (e.g. George Sand) were allowed to dress like men, while it was not acceptable for other women of that era.

⁶³ More details are available at following links: <https://nationalgeographic.rs/istorija-i-kultura/tradici-ja-i-obicaji/a19746/stana-cerovic-poslednja-crnogorska-virdzina.html> and The last sworn virgin Stana Cerović in a mountain village on Sinjajevina, 2004, RTCG <https://www.youtube.com/watch?v=Wb7k53FDvRQ>

heir, one daughter would assume the role of a man – the head of the family. She would dress like a man, and she was allowed to smoke, socialize with men in the village tavern, etc. (which was absolutely unacceptable for women of that time). In addition to all that, she would take a vow of celibacy and had the duty to protect her mother, sisters and family property. Here, we see the importance of gender roles in society in real-life examples. If society “allows it”, a person can assume the gender role of a man even though they are biologically a woman. Similar examples exist on the Polynesian islands, where biological men, with society’s permission, assume the gender role of women, i.e. they dress, behave and perform work normally done by women. Just like in the case of sworn virgins, this happens when there is no female child in the family, so someone has to do the work assigned to women within that social environment. Such customs show the rigidity of gender roles. Because, it is easier for society to accept to “make” a woman into a man, or (in the case of Polynesia) vice versa, a man into a woman, but other people in the society of that time are not allowed to change their gender roles and everyone knows exactly what is allowed to women and what is allowed to men. The fact that in the context of the given time period and socially accepted behaviour, the appearance of sworn virgins was rare and that it has been eradicated in recent times indicates greater gender equality, i.e. lower rigidity of gender roles. Today, it is socially acceptable for women to smoke, socialize in mixed environments, inherit and manage property, etc. Also, it is not unusual today for men to cook or take parental leave which is allowed by law, and which was once unacceptable.

However, social norms are very firm and durable and can often be “above” the law. For example, customary law says a sister should pass over inherited property to her brother, although by law, siblings are equal when inheriting property from parents. Also, the law allows men to use parental leave, but in practice, it is still used only by a very small number of men and women care for the child entirely on their own.

Stereotypes are widely accepted simplified ideas about specific groups; beliefs, generalized attitudes, preconceived negative opinions about a certain group, whereby all members of the group are attributed with the same characteristics and their individual characteristics are denied.⁶⁴

A gender stereotype is a generalized view or prejudice about the traits or roles that women and men have or should have. Gender stereotypes can be harmful

64 Prevent and Respond – Regional Handbook on Prevention and Response to Gender-Based Discrimination, Sexual Harassment and Abuse in Ministries of Defence and Armed Forces of the Western Balkans Countries, Sarajevo, Podgorica, Skopje, Belgrade, 2021.

when they hinder women and men from developing their personal abilities, continuing their professional careers and/or making decisions about their lives.

In this case, it is also desirable to lead the participants to a discussion and suggest that they give some examples of gender stereotypes (e.g. “women are irrational”, “women are bad drivers”, “men are aggressive” or “men are strong – women are weak”, “men are brave – women are timid”, “men are rough – women are gentle”, etc.). Gender stereotypes also include the traditional view of women as those who are in charge of raising and caring for children, so a woman who works overtime is a careless and selfish mother, while a father who works the same number of hours is a responsible and self-sacrificing parent who is contributing to his family. It is important to note that both men and women have stereotypes and that stereotypes apply to both men and women.

In connection with the previously explained, according to gender stereotypes, men and women differ in traits that are traditionally considered important for success in the military profession. This discrepancy between the stereotypical traits of women and the desirable traits of soldiers/NCOs/officers can reduce objectivity when evaluating work results, affect the relationship between superiors and subordinates, candidates in the selection process in the AFM, but also influence the process of personal assessment of the competence to perform a certain type of work or a specific task.

Gender stereotypes can be positive or negative, but they rarely convey true and complete information about others (for example, women can perform several tasks at the same time; flying lessons only affect women and their reproductive abilities, but not men; it is not in the nature of a woman’s personality to lead, etc.). The real danger lies not in whether the stereotype is true or not, but in the fact that it has a strong effect not only on those who have that stereotype, but also on those to whom that stereotype applies.

If we believe that a certain person (man/woman) cannot do a task or exercise, consciously or unconsciously and on a verbal and non-verbal level, we will send messages to that person that he/she cannot do it. The behavioural confirmation theory speaks in favour of the fact that our attitude and message that we do not believe in someone’s abilities are reducing the chances that the person will convince us otherwise. By not giving this person a chance and reducing their self-confidence, we affect their success, because self-assessment of the ability to successfully do an activity is the basic prerequisite for starting that activity, and without starting the

activity, there is no success. Therefore, a positive self-assessment of the ability leads to a definite initiative to act, and this opens up the possibility that the action will produce the expected, positive effects that, if achieved, will confirm the individual's initial attitude about personal abilities and give them security and a foundation for future positive assessments. In this chain reaction, the positive image of oneself and one's abilities is the main trigger for further actions that, by their very existence, create the probability of a successful outcome.

Similar to stereotypes, prejudices can be described as preconceived negative or positive attitudes that are logically unfounded, i.e. they are not based on facts, and are accompanied by intense emotions. And it is emotions, especially negative ones, that make the main difference between stereotypes and prejudices. Prejudices are quite persistent and resistant to change for various reasons such as: ignorance, fear, conformism and similar. Stereotypes and prejudices result in a distorted picture of the world, because it is difficult for us to see people as individuals with all their specific traits.⁶⁵

Gender stereotypes and prejudices about the gender roles of men and women, as well as prejudices against people of different sexual and gender identities, are present at all levels of society. Gender-responsive education, culture and media through which the values of equality, cooperation and inclusiveness would be nurtured are the best path towards a long-term change in consciousness. In Montenegro, however, stereotypes and prejudices are still not addressed decisively and strongly enough through these three sectors, which represents the second most important cause of gender inequality.⁶⁶

GENDER EQUITY AND GENDER EQUALITY

Gender equity is a process that leads to fair treatment of women and men. To ensure equity, certain measures are taken to compensate for the historical and social injustice that prevented women and men from fully participating in social life. Gender equality is a goal that is achieved through gender equity.⁶⁷

⁶⁵ See definitions given in the *Regional Baseline Study on Integrating Gender in the Military Education and Training in the Ministries of Defence in the Western Balkans*, and in *Prevent and Respond – Regional Handbook on Prevention and Response to Gender-Based Discrimination, Sexual Harassment and Abuse in Ministries of Defence and Armed Forces of the Western Balkans Countries*, Sarajevo, Podgorica, Skopje, Belgrade, 2021.

⁶⁶ National Gender Equality Strategy 2021-2025 with the Action Plan 2021-2022, July, p. 5

⁶⁷ See definitions provided in the *Regional Handbook on Prevention and Response to Gender-Based Discrimination, Sexual Harassment and Abuse in Ministries of Defence and Armed Forces of the Western Balkans Countries*

Gender equality means equal visibility, empowerment and participation of both sexes in all spheres of public and private life. As a legal principle, gender equality promotes the full participation of women and men in society. The concept of gender equality means that all human beings have the freedom to develop personal abilities and make choices without the limitations imposed by rigid gender roles; that the different behaviours, wishes and needs of women and men are equally taken into account, valued and supported. In the national legislation, gender equality “means the equal participation of women and men, as well as persons of different gender identities in all spheres of the public and private sector, equal position and equal opportunities for exercising all rights and freedoms and the use of personal knowledge and abilities for the development of society, as well as receiving equal benefits from the results of work”.⁶⁸

Equality VS. Equity



Among other things, gender equity includes the use of affirmative action measures to achieve gender equality. Affirmative action measures are the main instrument for equalizing opportunities and achieving essential equity; they are of limited duration. They do not constitute discrimination and therefore it is not accurate to use the term “positive discrimination”. Some of the examples are: recruitment campaigns targeting women; mentoring and training programmes aimed at women; sector quotas for women (which are of limited duration, until gender equity is achieved). It is very important to emphasize that it is not an affirmative action measure if a woman is hired for a certain position, even though she is not qualified, and a suitably qualified man is rejected. An affirmative action measure is when an equally qualified man and woman apply for the advertised position, and the job is given to a person of the less represented sex (men are predominantly employed in the defence sector, so an equally qualified woman is given preference over a man).

⁶⁸ Article 2 of the *Law on Gender Equality*

Equal opportunities mean the absence of sex-based limitations for the participation of men and women in political, economic, social, cultural and other spheres of life, which ensures the realization of their rights and freedoms.

Unequal treatment is any action that makes a difference between men and women because they belong to different sexes or unjustifiably favours a person of one over a person of the other sex.

Immediate discrimination based on sex exists if individuals or groups of individuals of one sex are put at a disadvantage by an act, action, or omission in relation to other individuals or groups of individuals in the same or similar situation.

Indirect discrimination based on sex exists if an ostensibly neutral provision of a regulation or a general document, criterion or practice leads or could lead individuals or groups of individuals of one sex to an unequal position in relation to other individuals or groups of individuals of the other sex, unless this provision, criterion or practice is objectively and reasonably justified by a legitimate aim, with the means to achieve this being appropriate and necessary, i.e. in an acceptably proportional relationship with the aim that needs to be achieved.

Sex-based violence is an act that causes or may cause physical, mental, sexual or economic harm or suffering, as well as the threat of such an act that seriously hinders a person from enjoying their rights and freedoms in public or private life, including domestic violence, incest, rape and human trafficking, in accordance with a special law.

Sex-based harassment exists when unwanted behaviour towards individuals or groups of individuals of one sex is aimed at or has the consequence of violation of personal dignity, causing fear, feeling humiliated or insulted or creating a hostile or humiliating environment for those individuals or groups of individuals, in accordance with a special law.

Sexual harassment is any unwanted physical, verbal or non-verbal behaviour of a sexual nature, which aims at or represents a violation of personal dignity or when it creates a state of fear, unpleasant, aggressive, humiliating or offensive state, in accordance with a special law.

Gender analysis means the systematic collection and study of data on gender differences and social relations between women and men to identify gender-

based inequalities. Gender analysis requires an understanding of differences in the conditions, needs, representation, access to resources, control of resources, decision-making power, etc., between women and men. Differences are based on gender roles and are always present, because no activity or situation is gender-neutral.⁶⁹

When planning military activities, gender analysis should be used to assess the different security challenges faced by men, women, boys and girls, and the different effects that an operation or mission might have on them and their situation, as well as what the effect might be on the operation or mission. Gender analysis is crucial to the mission's success.

After the above, the trainees are shown a segment from the short film *Starter Kit for Sustainable Gender Equality*, produced by the Swedish Association of Local Authorities and Regions – SALAR⁷⁰ (prepare the video in advance, not longer than five minutes) which aims to draw the trainees' attention and make them think about the importance of gender mainstreaming in all segments of life. Depending on the structure of the trainees and the available time, trainers can adapt the material in the sense that, as already mentioned, they can choose one segment to present, and recount the rest or use it for examples. In addition to the above, DCAF's video *Why Gender matters in Security and Justice* is also useful, and depending on the available time a segment can be taken from it as well.⁷¹

Gender mainstreaming denotes a strategy for achieving gender equality through assessing the implications of each planned activity for women and men, in all areas and at all levels, to ensure that the issues and experiences of women and men are taken into account in the development, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres (e.g., gender-responsive budgeting, taking into account the physical traits of both men and women when choosing uniforms, work equipment and furnishing work rooms, etc.). It is important to note that high-quality gender mainstreaming cannot be implemented without the gender analysis.⁷²

69 Bi-Strategic Command Directive 040-001 *Integrating Gender Perspective into NATO Command Structure*, October 2021, also see the Glossary in the *Regional Baseline Study on Integrating Gender in the Military Education and Training in the Ministries of Defence in the Western Balkans*

70 The film is available at the following link: <https://www.youtube.com/watch?app=desktop&v=8zINnx-8j6k>

71 The film is available at the following link: <https://www.dcaf.ch/gender-and-security-films>

72 See the definition of the UN Economic and Social Council, which is a generally accepted definition. Available at www.un.org

Note that it is important not to view gender equality just as an issue that concerns only one sex. When we talk about gender equality, very often it is thought that we are talking about the equality of women. Gender equality is an issue concerning all of us and is not only a struggle for human rights, including women's rights, but also a requirement for the development of individuals and institutions in which they work. Gender equality is a value accepted and promoted by the state of Montenegro and its defence sector, which means that everyone involved in the defence sector is expected to accept and promote it.

LITERATURE:

- NATO Bi-Strategic Command Directive (BI-SCD) 40-01, 2021
- Law on Gender Equality ("Official Gazette of Montenegro", No. 46/07 and "Official Gazette of Montenegro", No. 73/210, 40/11 and 35/015
- Teaching Gender in the Military, DCAF, 2016
- Prevent and Respond – Regional Handbook on Prevention and Response to Gender-Based Discrimination, Sexual Harassment and Abuse in Ministries of Defence and Armed Forces of the Western Balkans Countries, Sarajevo, Podgorica, Skopje, Belgrade, 2021

QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

WHY DO WE TALK ABOUT GENDER ROLES, AND NOT SEX ROLES?

Answer: Sex roles are a narrower concept and come down to the biological difference between men and women that is determined at birth, while gender roles represent a broader concept and include the entire spectrum of roles that women and men assume through the process of socialization. Gender roles as such are socially determined, they can change over time, in different environments within one society (urban/rural), different cultures, etc. This means that through our conscious action, and as society makes progress, we can make progress from gender inequality towards gender equality, because it is not a matter of biological conditioning but of a socially accepted view of the roles of women and men.

WHY IS GENDER EQUITY A PREREQUISITE FOR ACHIEVING GENDER EQUALITY?

Answer: Gender equality is a goal that can be reached by ensuring gender equity, i.e. by ensuring the same starting positions for women and men. This means that providing equal opportunities is a requirement for gender equality.

WHY IS IT IMPORTANT TO SYSTEMATICALLY COLLECT GENDER-DISAGGREGATED DATA IN THE DEFENCE SECTOR?

Answer: It is important to collect gender-disaggregated data in order to identify potential inequalities in the treatment of men and women in the defence sector (e.g. in terms of career development and promotion, working conditions, access to resources, etc.). These data should further serve to create adequate and efficient gender-responsive policies.

It is also necessary to collect gender-disaggregated data during operations in order to better understand the risks and the different security needs of women and men, girls and boys. Such an approach ensures operational effectiveness.

Chapter 2.

INTERNATIONAL

LEGAL FRAMEWORK

FOR GENDER EQUALITY

■ Goal

Present the international legal framework, i.e. the most important international documents forming the legal basis for gender mainstreaming in the security sector, so that participants in gender trainings would better understand the obligations of the state of Montenegro, and therefore of the defence sector of Montenegro, to implement international documents and standards in the field of gender equality. Montenegro is a member state of the United Nations, a member of the Council of Europe, it is in the process of joining the European Union and is a member of the NATO Alliance. Therefore, Montenegro and its defence sector should implement all the undertaken international commitments under all four mentioned international entities.

■ Teaching topics

United Nations documents:

Universal Declaration on Human Rights (1948)

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW – 1979)

Beijing Declaration and Platform for Action (1995)

UN Security Council Resolution 1325 (2000) and related resolutions⁷³

National Action Plan for the implementation of UNSCR 1325A brief overview of European documents related to gender equality

NATO documents:

NATO Bi-Strategic Command Directive (BI-SCD) 40-01

ACO Functional Planning Guide

NATO Policy on Preventing and Responding to Sexual Exploitation and Abuse and

NATO Policy on Preventing and Responding to Conflict-Related Sexual Violence

⁷³ UN Security Council Resolution No. 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015), 2272 (2016), 2467 (2019), 2493 (2019), and 2538 (2020).

Work method

This module is implemented in the form of a lecture and discussion with the use of a PowerPoint presentation.

Explain that the international legal framework for gender mainstreaming is broad and comprehensive, but that the gender training in the defence sector will focus on a couple of the most important UN and NATO documents, with reference to aspects that are significant due to the membership in the Council of Europe and the process of Montenegro's accession to the European Union.

United Nations documents:

As a member of the UN, Montenegro agreed to act in accordance with international law.⁷⁴ The UN documents promote the principles of equality between men and women and the prohibition of discrimination based on sex, and determine the concrete obligations of the UN member states in order to achieve those principles. When talking about gender equality as part of human rights, some of the most important documents are:

- Universal Declaration on Human Rights (1948),
- Convention on the Elimination of All Forms of Discrimination against Women (1979) and Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (1999),
- Beijing Declaration and Platform for Action (1995)⁷⁵,
- Security Council Resolution 1325 – Women, Peace and Security (2000) and related resolutions⁷⁶
- UN General Assembly Resolution UN A/RES/70/1 (2015): Transforming our world: The 2030 Agenda for Sustainable Development.

⁷⁴ In accordance with the Decision on the Declaration of Independence of the Republic of Montenegro ("Official Gazette of the Republic of Montenegro" No. 36/06), Montenegro established in Article 4 the obligation to apply and accept the international treaties and agreements concluded and acceded to by the State Union of Serbia and Montenegro, which are related to Montenegro and which are in accordance with its legal order, based on which it sent declarations on the succession of such documents to competent international organizations.

⁷⁵ Declarations are not legally binding, but impose an ethical obligation on all UN member states. The MoD also has the obligation to report according to this Declaration

⁷⁶ Related resolutions are those adopted after the adoption of the UNSCR 1325: 1820(2008), 1888(2009), 1889(2009), 1960(2010), 2106(2013), 2122(2013) and 2242(2015), UNSCR 2467 (2019), UNSCR 2493 (2019), UNSCR 2538 (2020).

The following section describes in more detail the key documents related to human rights, as well as to the equal rights of women and men:

Universal Declaration on Human Rights (UDHR – 1948)

The Universal Declaration of Human Rights is a declaration adopted by the United Nations General Assembly, which presents the general view of the UN related to human rights issues. The declaration was adopted in 1948, by an almost absolute majority, and represents the response of the international community to mass crimes and terrible human rights violations during World War II. It also reflects the aspirations of UN member states to support the rights of all people, regardless of their differences, including sex.

Women from several countries played a significant role in integrating women's rights into the Declaration. Hansa Mehta of India is credited with changing the initial wording of Article 1 of the Declaration from "All men are born equal" to "All human beings are born equal".

The General Assembly declared the Universal Declaration of Human Rights to be a common standard to be achieved by all states so that every person and every institution in society can contribute, through learning, education and action, to the respect of universal rights and freedoms, and secure their general and real recognition and respect through progressive internal and international measures. The Universal Declaration has 30 articles that talk about 30 basic human rights and is considered the first international document that promotes human rights as universal, inalienable, indivisible and interdependent.⁷⁷

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW – 1979)

The Convention on the Elimination of All Forms of Discrimination Against Women was adopted at the United Nations General Assembly in December 1979, as the first comprehensive internationally recognized document on women's rights.⁷⁸ It entered into force as an international treaty in September 1981 after it was

⁷⁷ The text of the Universal Declaration of Human Rights is available at: https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/cnr.pdf. The list of 30 basic human rights (in English) is available at: [30_basic_human_rights_list_english.pdf](https://www.opseu.org/30_basic_human_rights_list_english.pdf) (opseu.org)

⁷⁸ Text of the Convention is available at: <https://media.cgo-cce.org/2013/06/8-Konvencija-o-ukidanju-svih-ob-lika-diskriminacije-zena.pdf>

ratified by the first twenty countries.⁷⁹ The Committee for the Elimination of All Forms of Discrimination against Women was established in 1982. For monitoring the implementation of the Convention, Montenegro ratified the Convention through the process of succession and thus assumed the obligation to fulfil the commitments prescribed by the Convention. In accordance with the Constitution of Montenegro, the Convention, as an international treaty, is part of the internal legal order and is fully harmonized with the national legal framework. The Convention emphasizes the principles that the state must guarantee in the enjoyment of human rights and basic freedoms, as well as in providing equal opportunities for women to advance in all spheres of social life.

The state parties are expected to take appropriate measures to eliminate discrimination against women in social, cultural, economic, political and all other spheres of life, regardless of whether the discriminatory treatment originates from individuals, state institutions or private companies.

These measures include:

- introducing the principle of equality between women and men in the constitutions of the state parties to the Convention;
- taking adequate legislative and other measures to ensure the implementation of these principles stated in the Convention in practice;
- establishing competent bodies and appropriate institutions for effective protection against discrimination against women;
- amending the laws, changing rules and customs that represent the causes of discrimination against women.

In its general recommendations, the Convention highlighted the need for gender trainings and recommended that state parties to the Convention adopt codes of conduct for the armed forces as part of a preventive approach, i.e. zero tolerance towards gender-based violence and human trafficking, including situations when these acts are committed by state actors and peacekeepers.⁸⁰

⁷⁹ As of April 2022, a total of 189 countries have signed CEDAW.

⁸⁰ Regional Baseline Study – Integrating a Gender Perspective in Military Education and Training in the Defence Systems of the Western Balkans Countries (SEESAC, 2022). Available at: [Integracija-vojne-perspektive-u-voj-no-obrazovanje.pdf](https://seesac.org/integracija-vojne-perspektive-u-voj-no-obrazovanje.pdf) (seesac.org)

Beijing Declaration and Platform for Action (1995)

The Beijing Declaration and Platform for Action was adopted at the Fourth World Conference on Women, which was held on 15 September 1995. The Beijing Declaration starts from the principle that women's rights are human rights, it believes that it is necessary to make broad institutional changes to reduce military expenditures and enable the global promotion of human rights and non-violent conflict resolution. The Declaration also believes that it is necessary to ensure the participation of women in the peacemaking and conflict-resolution processes, along with the protection of women in war zones and refugee camps.

The importance of the Beijing Declaration and Platform for Action (1995) for the harmonization of laws is reflected in the fact that it states:

- Specific goals and actions to be taken,
- It specifically addresses removing obstacles to women's participation in all spheres of life,
- It introduces gender mainstreaming as an instrument for achieving the goals of integration,
- It urges all states to implement the Platform in their programmes and policies.

2030 Agenda

As a UN member state, Montenegro is committed to achieving the 2030 Agenda (UN Sustainable Development Goals by 2030), which includes a contribution to the achievement of SDG 5 related to gender equality, i.e. the empowerment of all women and girls, as well as SDG 16 related to access to justice and the promotion of peaceful and sustainable societies, and the building of effective, accountable and inclusive institutions at all levels.

In 2022, Montenegro adopted the Second Voluntary National Review Report on the Achievement of Sustainable Development Goals, which shows progress in relation to all 17 SDGs, and for this Handbook it is important to focus on the activities implemented for achieving SDG 5, noting that gender is recognized as important for all other goals.⁸¹

⁸¹ Available at: [predlog-drugog-dobrovoljnog-nacionalnog-izvjestaja-crna-gora-i-cilje-vi-odrzivog-razvo-ja-2016-2021-godine.pdf](#)

UN Security Council Resolution 1325 (2000) Women, Peace and Security

On 31 October 2000, the United Nations Security Council adopted UNSCR 1325 on Women, Peace and Security. The Resolution reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, in peacebuilding, peacekeeping, humanitarian responses and post-conflict reconstruction, and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.

In addition to calling upon all actors to adopt a gender perspective in all segments of achieving the aforementioned goals, this Resolution also calls upon all parties to conflict to take the necessary measures to protect women and girls from gender-based violence, sexual harassment and abuse in armed conflicts.

UNSCR 1325 is based on four pillars:

- participation;
- protection;
- prevention;
- relief and recovery.

After the adoption of UNSCR 1325, the following related resolutions were adopted:

UNSCR 1820 (2008) addresses the issue of sexual violence in conflict and post-conflict situations, recognizes conflict-related sexual violence (CRSV) as a tactic of war and says that rape and other forms of sexual violence can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide. It calls upon states to provide training for their members on the topic of preventing and responding to sexual violence.

UNSCR 1888 (2009) defines concrete measures for the implementation of UNSCR 1820, focusing on the protection of women and girls from sexual violence in armed conflicts. It calls for the appointment of a special representative of the Secretary-General and the deployment of teams of experts, who would work in the field as part of the United Nations, in order to establish more effective coordination, implementation and reporting on the implementation of UNSCR 1820.

UNSCR 1889 (2009) is focused on protecting women and girls in post-conflict situations. It calls for further measures to increase women's participation during all stages: conflict resolution, post-conflict planning and peacebuilding, including political and economic decision-making. It requests that the Secretary-General adopt a set of indicators for tracking the implementation of UNSCR 1325.

UNSCR 1960 (2010) focuses on ending the impunity of perpetrators of sexual violence and establishing monitoring, analysis and reporting arrangements.

UNSCR 2106 (2013) notes the slow progress in the implementation of the UNSCR 1960 and calls for effective measures to prosecute and respond to cases of sexual violence, which would contribute to the maintenance of international peace and security. It recognizes that men and boys can also be victims of conflict-related sexual violence (CRSV).

UNSCR 2122 (2013) calls for continuous implementation of UNSCR 1325 and national action plans, and improvement of the coordination, monitoring and evaluation system. The resolution explicitly links women's empowerment and gender equality with the maintenance of peace and security and focuses on women's leadership and greater involvement of women in tracking progress in conflict resolution and peacekeeping.

UNSCR 2242 (2015) presents women's participation as a central component of efforts to address challenges in the global context, including the rise of violent extremism, climate change and large numbers of displaced persons. It also points out the importance of including gender analysis and gender expertise throughout all stages of mission planning in UN operations.

UNSCR 2272 (2016) requests the UN Secretary-General to replace all military and/or police units of contributing countries whose personnel are the subject of accusations of sexual exploitation and abuse, if they have not taken appropriate steps to investigate it and/or if the perpetrators were not held accountable.

UNSCR 2467 (2019) stresses the importance of eliminating sexual violence in situations of conflict, stresses the links between women's participation and protection; notes more explicitly the occurrences of sexual violence against men and boys. It also focuses on documenting sexual violence in situations of conflict by adopting a victim/survivor-centred approach.

UNSCR 2493 (2019) focuses on women's participation, the role of civil society and increased implementation and financing of the Women, Peace and Security Agenda.

UNSCR 2538 (2020) refers specifically to the role of women in peacekeeping. Some of the main elements of the Resolution refer to the need to increase the number of women, both civilian and uniformed, in missions; it is stressed that women are indispensable for the effectiveness of peacekeeping operations.

To implement UNSCR 1325, i.e. the Women, Peace and Security Agenda, UN member states adopt national action plans for the implementation of UNSCR 1325 and related resolutions.

In Montenegro, the Ministry of Defence has the role of the initiator and the mandate to monitor and report on the implementation of activities from the National Action Plan for the implementation of United Nations Security Council Resolution 1325⁸² (hereinafter: NAP). The first NAP for the period 2017-2018 was adopted in February 2017. The Government adopted the second NAP in September 2019, with the Implementation Programme for the period 2019-2020. Both NAPs defined priorities that include three key areas for the implementation of UNSCR 1325:

1. increasing women's participation in decision-making and peacekeeping processes;
2. protecting women and girls in conflict zones;
3. integrating gender perspective and gender education into peacekeeping operations.

A brief overview of European documents related to gender equality

With its geographical position, and the chosen strategic direction, Montenegro is located in Europe, and it is in the process of harmonizing its legislation with the European Union acquis. In that sense, Montenegro respects the relevant European documents, and the following section of the Handbook lists the documents that are most relevant to the topic of the Handbook.

European Union

Documents that the European Union is based on point out the values such as human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, as well as pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men, as values common to the European Union (EU) Member States⁸³. Human rights standards have been integrated into the policy and legal system of the EU over time.

Gender equality is among the key values of the EU. According to the Gender Equality Index for 2021 published by the European Institute for Gender Equality

⁸² A brochure with more detailed information about the NAP is available at: <https://www.gov.me/dokumenta/d2d8f56d-be5b-44ef-b961-dc046ec2040c>

⁸³ European Union, *"Consolidated version of the Treaty on European Union"*, Official Journal of the European Union, 26th October 2012, EU Doc. C 326/01

(EIGE), the EU scored 68 on a scale of 100, which indicates that gender equality has not yet been achieved, so measures are needed in various areas where equality between men and women has not yet been achieved. The European Commission deems gender equality an important lever to create a fair society without gender-based discrimination or discrimination based on any other personal trait.

One of the most important political decisions of the EU in the field of gender equality in recent years is the *Gender Equality Strategy 2020-2025*⁸⁴ adopted by the European Commission. The aim of the Strategy is “achieving a gender equal Europe where gender-based violence, sex discrimination and structural inequality between women and men are a thing of the past”.

All Member States are obliged to implement the *acquis* related to gender equality, i.e., to transpose it into their legal framework, and other states aspiring to join the EU should also gradually do so, including Montenegro.

An area of importance for the defence sector of Montenegro is the possibility of engagement in EU military and civilian missions. Paving its way towards the EU membership, the AFM is engaged in some EU missions. The Common Security and Defence Policy of the European Union – CSDP is part of the Common Foreign and Security Policy of the EU. In response to new security challenges and threats, the EU continues to develop and strengthen its CSDP, and it is increasingly taking on important military and civilian missions in NATO member countries or countries where NATO has previously been engaged, so the EU legislation and policies are important for the execution of missions. The complexity of these situations and the fact that mission members are expected to be involved in peacekeeping and peacebuilding means that they need the knowledge to integrate the gender perspective.

All current CSDP missions and operations have appointed focal points for human rights and/or gender focal points or advisors. This system was introduced to ensure that the policies and knowledge of the EU are translated into operational guidelines, that the issues of women, peace and security covered by UNSCR 1325 and related resolutions are systematically included in all CSDP mission strategies, as well as to assist personnel in missions and operations with gender issues in their daily work. As part of efforts to advance gender equality, the EU has established the position of the European External Action Service’s Principal Advisor on Gender and on the implementation of UNSCR 1325.

⁸⁴ Available at: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en

Council of Europe

The Council of Europe is an organization dedicated to the protection of human rights, democracy and the rule of law, so, in accordance with its mandate, it adopted a large number of documents and instruments related to gender and guaranteeing gender equality,⁸⁵ which are of importance for the topic of gender mainstreaming in the defence sector. Montenegro has been a member state of the Council of Europe since 2007, which means that it supports the documents and activities of the Council of Europe.

The *European Convention for the Protection of Human Rights and Fundamental Freedoms* was adopted in 1950 and it guarantees civil and political rights, including the right to life, right to liberty and security and it prohibits discrimination based on sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence – Istanbul Convention from 2011 establishes binding standards for protection from violence against women and domestic violence. It was adopted with the aim of establishing zero tolerance for violence against women and domestic violence, effective combating of all forms of discrimination against women and promoting essential equality between women and men. Violence against women is deemed a violation of human rights and a form of discrimination against women. The member states of the Council of Europe have the obligation to ensure the implementation of the Istanbul Convention without discrimination on any basis (Article 4). Montenegro signed the Istanbul Convention on 11 May 2011, and adopted the Law on Confirming the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in March 2013, whereby Montenegro undertook to implement the Istanbul Convention and report on its implementation through the GREVIO mechanism.⁸⁶

⁸⁵ *Regional Handbook on Prevention and Response to Gender-Based Discrimination, Sexual Harassment and Abuse in Ministries of Defence and Armed Forces of the Western Balkans Countries* SEESAC, Sarajevo, Podgorica, Skopje, Belgrade, 2021

⁸⁶ Numerous recommendations have also been adopted within the Council of Europe, the most important of which are: Recommendation Rec (2003) 3 on balanced participation of women and men in political and public decision-making; Recommendation No. R (90) 4 on the elimination of sexism from language; Recommendation No. R (98) 14 on gender mainstreaming; Recommendation No. R (2000) 11 on action against trafficking in human beings for the purpose of sexual exploitation; Recommendation 1325 (1997) on traffic in women and forced prostitution; Recommendation No. R (96) 5 on reconciling work and family life; Recommendation Rec (2002) 5 on the protection of women against violence; Recommendation Rec (2003) 3 on balanced participation of women and men in political

Today, the Council of Europe also works on new security challenges in Europe, such as cybercrime or migrant issues, taking into account the gender perspective in all areas of its work.

NATO documents related to gender equality

As a NATO member state, Montenegro and its security sector are obliged to implement all NATO documents and guidelines related to gender equality. The most important documents are listed below.

NATO Bi-Strategic Command Directive (BI-SCD) 40-01

The aim of this Directive is to provide clear guidelines for the implementation of UNSCR 1325 and related resolutions, the NATO/EAPC Policy and the Action Plan on Women, Peace and Security. The implementation of the mentioned documents, i.e. the gender perspective, should be done through all three core tasks of the Alliance: collective defence, cooperative security and crisis management at all levels (tactical, operational and strategic). In accordance with that, the directive provides guidelines for the implementation of UNSCR 1325, related resolutions, as well as gender mainstreaming in the analysis, planning, execution and assessment of operations, missions, trainings and exercises under the leadership of NATO. The Directive recognizes the importance of gender mainstreaming and states that commanders and senior officers in charge are responsible for implementation, while relying on gender advisors (GENAD) and gender focal points (GFP) for advice and support. The Directive contains six chapters and, in addition to an overview of basic terminology, addresses gender mainstreaming in planning and operations, standards of conduct, education and training, the role of gender advisors and gender focal points.

ACO Functional Planning Guide⁸⁷

The aim of this document is to provide guidance to gender advisors, focal points and persons in charge of planning. The document identifies segments of the

and public decision-making; Recommendation CM/Rec (2007) 13 on gender mainstreaming in education; Recommendation CM/Rec (2007) 17 on gender equality standards and mechanisms; Recommendation CM/Rec (2013) 1 on gender equality and media; Recommendation CM/Rec (2017) 9 on gender equality in the **audiovisual** sector; Recommendation CM/Rec (2019) 1 on preventing and combating sexism, etc.

87 ACO Functional Planning Guide, available at: https://www.act.nato.int/application/files/7316/7474/8543/ACO_Gender_Functional_Planning_Guide_2015.pdf

gender perspective that should be taken into account during each phase of the planning process at the strategic, operational and tactical levels. Also, with the aim of being comprehensive, it lists the segments that should be considered at the tactical level. In addition to listing numerous tools that can be used for preparing a gender analysis, i.e. a gender annex, this document stresses the importance of gender mainstreaming in all segments of the planning process and relevant documents.

NATO Policy on Preventing and Responding to Sexual Exploitation and Abuse⁸⁸

This Policy aims to ensure a coherent and consistent policy framework for NATO's role in preventing and responding to sexual exploitation and abuse.

Sexual exploitation and abuse are contrary to NATO's principles and fundamental values, they undermine the effectiveness and credibility of the Alliance and call into question the success of the mission. Therefore, NATO has a zero-tolerance approach towards all acts of sexual exploitation and abuse. This Policy defines sexual exploitation and abuse as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically.

The document further defines the obligation to organize pre-deployment and in-mission trainings on SEA. It also states the obligation to respond, i.e. to report all incidents in a prescribed manner.

NATO Policy on Preventing and Responding to Conflict-Related Sexual Violence⁸⁹

Like the previous policy, this policy aims to ensure a coherent and consistent policy framework for NATO's role in preventing and responding to conflict-related sexual violence.

The aim of this Policy is to ensure effective prevention and response to conflict-related sexual violence in all NATO missions, operations and activities under the mandate of the Security Council within its jurisdiction and mandate, and in accordance with international law.

⁸⁸ The NATO Policy on Preventing and Responding to Sexual Exploitation and Abuse, available at: https://www.nato.int/cps/en/natohq/official_texts_173038.htm

⁸⁹ NATO Policy on Preventing and Responding to Conflict-Related Sexual Violence- CRSV, 31 May 2021, available at: https://www.nato.int/cps/en/natohq/official_texts_184570.htm

This Policy applies to all members, military and civilian, deployed in NATO missions, operations and activities under the mandate of the Security Council and in all phases of their planning.

This Policy provides a definition of conflict-related sexual violence and says that such violence is often used as a deliberate tactic of war and systematic attacks against civilian populations, which may significantly impede the restoration of peace and security. The document further defines the obligation to organize pre-deployment and in-mission trainings on conflict-related sexual violence. It also states the obligation to respond, i.e. to report all incidents in a prescribed manner.

The documents and the amount of information presented should be adapted to the target audience. In courses for officers, the recommendation is to present a broad spectrum of information related to listed documents, while the courses for NCOs and soldiers should focus on UNSCR 1325 and the main guidelines of Bi-SC Directive 40-01.

LITERATURE:

- Universal Declaration on Human Rights (1948)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW – 1979)
- Beijing Declaration and Platform for Action (1995)
- UN Security Council Resolution 1325 (2000) and related resolutions
- Military Guide to UNSCR on WPS, NCGM
- NATO Bi-Strategic Command Directive (BI-SCD) 40-01, 2021
- ACO Functional Planning Guide
- NATO Policy on Preventing and Responding to Sexual Exploitation and Abuse, November 2019
- NATO Policy on Preventing and Responding to Conflict-Related Sexual Violence, 31 May 2021
- Military Guidelines on the Prevention of, and Response to, Conflict Related Sexual and Gender-based Violence, 2015

QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

LIST THREE INTERNATIONAL ORGANIZATIONS THAT HAVE SET THE INTERNATIONAL LEGAL FRAMEWORK FOR GENDER EQUALITY?

Answer: UN, EU and NATO (Council of Europe is also accepted)

LIST KEY NATO DOCUMENTS RELATING TO GENDER EQUALITY?

Answer: NATO Bi-Strategic Command Directive (BI-SCD) 40-01, ACO Functional Planning Guide, NATO Policy on Preventing and Responding to Sexual Exploitation and Abuse and Policy on Preventing and Responding to Conflict-Related Sexual Violence.

HAS MONTENEGRO RATIFIED THE ISTANBUL CONVENTION AND WHAT DOES IT REFER TO?

Answer: Yes, Montenegro ratified the Istanbul Convention on 11 May 2011, and the Law on Confirming the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence was adopted in March 2011, whereby Montenegro undertook to implement the Istanbul Convention and report on its implementation.

The 2011 Istanbul Convention establishes binding standards for protection against violence against women and domestic violence. It was adopted with the aim of establishing zero tolerance for violence against women and domestic violence, effective combating of all forms of discrimination against women and promoting essential equality between women and men. Violence against women is deemed a violation of human rights and a form of discrimination against women.

WHAT IS THE KEY UN RESOLUTION RELATED TO THE TOPIC OF WOMEN AND SECURITY?

Answer: UNSCR 1325

IN YOUR OPINION, WHAT IS THE REASON FOR ADOPTING MORE THAN 10 RESOLUTIONS ADDRESSING THE WOMEN, PEACE AND SECURITY AGENDA?

Answer: On the one hand, it shows the commitment of the UN and UN Member States to this topic. On the other hand, reading the text of the resolutions, we can notice that the requests and recommendations are repeated, which points to their insufficiently effective implementation and the need to call upon the Member States to implement all the provisions of the previous resolutions under the Women, Peace and Security Agenda.

Chapter 3.

NATIONAL LEGISLATIVE, STRATEGIC AND INSTITUTIONAL FRAMEWORK FOR GENDER EQUALITY

■ Goal

Introduce trainees to the legal and institutional framework for gender equality in Montenegro, so they can understand the legislative framework that is binding for all citizens and all members of the defence system of Montenegro, recognize institutions in charge of implementing gender-responsive policies and be able to identify key gender equality mechanisms within the MoD and AFM system.

■ Teaching topics:

- Legislative framework for gender equality in Montenegro
- Strategic framework for gender equality in Montenegro
- Institutional framework for gender equality in Montenegro

■ Work method

The method used to implement this module is the lecture in combination with the interactive method. Explain to participants that this module (part of the course) is theoretical and that it addresses the legal and institutional framework for gender equality in Montenegro. Trainees should be encouraged to ask questions. The trainer can start their presentation in an interactive manner, by opening the discussion and asking trainees what they know about the legislative framework related to gender equality, about their opinion on the importance of the gender equality mechanisms, who these mechanisms are aimed at and how accessible they are. In the end, trainers can check the level of acquired knowledge of trainees through a mini-test or quiz.

■ Introductory questions:

- Do you know which laws make up part of the legal framework in the field of gender equality in Montenegro?
- How important do you think it is to implement the legislative and/or institutional framework related to gender equality policies? How would you elaborate on your answer?
- Who is in charge of the implementation of laws and regulations on gender equality, and to whom do they apply?
- Are there social groups in Montenegro that have a harder time reaching institutions and exercising their rights compared to some other groups in society?
- Which gender equality mechanisms exist in the MoD and AFM? Are you familiar with their mandates?
- How accessible are the mechanisms to every employee in the defence sector? What do you think should be done to make the mechanisms even more accessible in order to promote gender equality, which is in line with the values promoted by AFM?

Depending on the target audience and the number of trainees, these questions can be asked in the plenary session or trainees can be invited to discuss the questions in pairs/small groups for a certain period of time, after which they would share their findings with the entire group. Questions should be prepared on a PowerPoint presentation slide or on a flip chart. If you are planning to do group work, you can print out the questions for each group, and show all questions on the slide. Depending on the group composition (if some group members have law degrees), you can introduce the interactive component by printing out some of the laws and tell groups to analyse articles related to gender equality.

When we talk about gender equality in the context of a certain society, then we must talk about mechanisms that exist within this society, which are making sure that gender equality is adequately integrated in all spheres of social existence. That is why we believe that everyone interested in the issues from this field must be familiar with the fundamentals of the current legal and institutional framework in Montenegro, particularly the parts concerning the defence system of Montenegro.

Legislative framework

The legal and institutional framework for gender equality and equal opportunity policies in Montenegro are the basis for achieving gender equality. Gender equality is promoted and protected by the Constitution of Montenegro, public policies and strategies that define the courses of action, priorities and obligations of public authorities and institutions established with the aim of monitoring, promoting and advancing equal participation of women and men in all spheres of public and political life, along with a series of other regulations. After restoring its independence and assuming responsibility for international relations, the State of Montenegro undertook to respect the principles of international law and succession obligations. All mechanisms necessary for the effective implementation of the policy of gender equality and equal opportunities must be harmonized with the international legal framework related to gender equality and the prohibition of gender-based discrimination.

Constitution of Montenegro⁹⁰

As the highest legal document that all laws and by-laws in our country must be harmonized with, the Constitution of Montenegro prohibits any direct or indirect discrimination on any grounds and prescribes that introduction of regulations and special measures aimed at creating the conditions for the exercise of national, gender and overall equality and protection of individuals who are in an unequal position on any grounds shall not be considered discrimination (Article 8). It is stipulated that the state shall guarantee the equality of women and men and shall develop a policy of equal opportunities (Article 18). The Constitution shall guarantee and protect rights and liberties (Article 6), guarantee that all shall be deemed equal before the law, regardless of any particularity or personal feature (Article 17), and that everyone shall have the right to equal protection of the rights and liberties (Article 19).

Law on the Prohibition of Discrimination⁹¹

The Law on the Prohibition of Discrimination prescribes special measures aimed at creating conditions for achieving national, gender and overall equality and protection of persons being in an unequal position on any ground. The measures may be imposed, i.e. introduced and implemented as per their mandates by state authorities, authorities of the state administration, authorities of the units of local self-government, public enterprises and other legal persons performing public powers as well as other legal and natural persons (Article 5, paragraph 1).

⁹⁰ "Official Gazette of Montenegro", No. 1/2007 and 38/2013- Amendments I-VI

⁹¹ "Official Gazette of Montenegro" No. 046/10, 040/11, 018/14 and 042/17 (Law on the Prohibition of Discrimination of Montenegro). Text of the law available at: Law on the Prohibition of Discrimination | Montenegro | Paragraf Lex

Law on Gender Equality⁹²

The Law on Gender Equality was adopted a year after the declaration of independence of Montenegro, a couple of months after the signing of the Stabilisation and Association Agreement with the EU and immediately before the adoption of the Constitution of independent Montenegro.⁹³ The adoption of the new Constitution of Montenegro provided an even stronger basis for the introduction and regulation of gender equality, as well as mechanisms for achieving gender equality.

The aim of adopting the Law on Gender Equality is not only to eliminate discrimination against women, but to create equal opportunities for women and men in all spheres of life, which is insisted on by contemporary international legal documents that Montenegro has transposed into its normative and legal system, as well as the internationally accepted practice.

The Law is divided into five parts, which cover the goal and definitions, obligations of state authorities, including national mechanisms, which are in charge of promoting gender equality. The law prescribes in greater detail, for both the public and the private sector, the obligation to work towards achieving gender equality, in all stages of planning, making and implementing decisions, as well as in undertaking activities within their mandate, and to evaluate and assess the impact of those decisions and activities on the position of women and men.

In accordance with this Law, gender equality means the equal participation of women and men, as well as persons of different gender identities in all spheres of the public and private sector, equal position and equal opportunities for exercising all rights and freedoms and the use of personal knowledge and abilities for the development of society, as well as receiving equal benefits from the results of work. The Law on Gender Equality is the first law in Montenegro's legislation to promote gender equality as one of the fundamental values of the legal sector and establish explicit prohibition of discrimination based on sex. The Ministry of Human and Minority Rights is in charge of implementing this Law.

Taking into account the importance of this Law, which stems from all of the above, being familiar with this Law and referring to its provisions is a prerequisite for high quality lectures.

⁹² "Official Gazette of the Republic of Montenegro", No. 46/07 and "Official Gazette of Montenegro", No. 73/2010, 40/2011 and 35/2015. Text of the law is available at: http://www.podaci.net/_gCGO/propis/Zakon_o_rodnoj/Z-rravno04v0746-1140.html

⁹³ The constitutional basis for the adoption of the Law on Gender Equality is contained in Article 12, items 3 and 4 and Article 15 of the then-valid Constitution of the Republic of Montenegro, which stipulated that the Law, in accordance with the Constitution, shall regulate the ways of exercising rights and liberties. It states that all citizens are free and equal, regardless of any particularity or personal feature, and that everyone is equal before the law.

Labour Law⁹⁴

The Labour Law prohibits direct or indirect discrimination of persons seeking employment, as well as employees, with regard to personal features, including sex and sexual orientation (Article 7). It also prohibits harassment and sexual harassment at work and in relation to work, as well as in relation to training, education and development, promotions at work, employment conditions, termination of employment or other issues arising from employment (Article 10), and in relation to that, a special regulation regulates in greater detail the prohibition of abuse at work⁹⁵. It is important to stress the above, because the provisions of these laws guarantee protection from all forms of indirect and direct discrimination and sexual harassment, which on the other hand contributes to the more effective implementation of the policy of equal opportunities.

This is the key legal document that regulates that employees are guaranteed equal pay for equal work or work of the same value (Article 99, paragraph 1 of the Law). The legal norm in this case indicates the obligation to provide the same compensation for the same work, regardless of any personal feature of the employee, including sex. This directly encourages gender equality.

Law on the Armed Forces of Montenegro⁹⁶

Article 5 of the Law on the Armed Forces of Montenegro stipulates that persons serving in the Armed Forces are professional military personnel and civilian personnel serving in the Armed Forces.⁹⁷ Citizens and civil servants employed in the Ministry of Defence can be recruited for service in the Armed Forces of Montenegro. When it comes to the recruitment of civilian personnel to serve in the Armed Forces, the criteria are different in relation to the recruitment of professional military personnel, and are reflected in the fact that those who are recruited to serve in the Armed Forces do not undergo physical testing. When it comes to the gender perspective, all public and internal advertisements must use gender-sensitive language, and the conditions for the recruitment of men and women are the same (except in the case of the recruitment of professional military personnel – when the physical norm for women is lower than that of men). Affirmative action is an integral part of the methodologies for internal and public advertisements of positions and it is reflected in the fact that if two candidates have the same result, preference is given to the candidate of the less represented sex.

94 "Official Gazette of Montenegro" No. 49/08 and 26/09. Text of the law available at: <https://www.katalogpro-pisa.me/propisi-crne-gore/zakon-o-radu-2/>

95 Law on the Prohibition of Harassment at Work ("Official Gazette of Montenegro", No.)

96 "Official Gazette of Montenegro", No. 51/2017 and 34/2019. Text of the law available at: <https://www.paragraf.me/propisi-crnegore/zakon-o-vojski-crne-gore.html>

97 The Armed Forces of Montenegro have the following categories of employees: officers, non-commissioned officers, soldiers under the contract and civilians. Persons employed in the MoD are civil servants and state employees.

Although gender equality is not covered by a separate article within the Law on the Armed Forces of Montenegro, it is addressed in the part dealing with the prohibition of discrimination, where it is explicitly emphasized that persons applying for service in the Armed Forces shall be guaranteed the application of the principles of transparency, fairness and equal rights, without discrimination on any grounds (sex, race, nationality, language, religion, political or other opinion, ethnic or social background, gender identity, sexual orientation, property or other personal status or feature (Article 16)). The same provisions should also apply to career advancement, education, training, participation in missions and all segments that are an integral part of the quality functioning of the defence sector. This Law also stipulates that any discrimination, including that based on sex, constitutes a disciplinary offence (Article 157, paragraph 1, item 18), and qualifies as a serious violation of military discipline.

Public policies for gender equality

By adopting a series of strategic documents and action plans, the state authorities are implementing the legal norms presented in this chapter, thereby forming the entire policy corpus in Montenegro. When it comes to issues in the field of gender equality, it is important to highlight the following strategic documents:

National Gender Equality Strategy 2021-2025 – a strategic document establishing the framework for achieving gender equality in Montenegro. It is harmonized with the umbrella strategic documents of Montenegro, the commitments of the state in the negotiations process for EU membership, as well as with the Sustainable Development Goals, i.e. the 2030 Agenda;

Second Action Plan for the implementation of UNSCR 1325 for the period 2019-2022 – a document that was in the implementation process during the writing of this Handbook. It was preceded by the Action Plan for the period 2017-2018, whose adoption in February 2017 was significant not only for Montenegro as a UN member state, but also from the aspect of Montenegro's NATO membership and in the context of negotiations for accession to the European Union, especially for Chapter 31 – Foreign, security and defence policy.⁹⁸ The plan is to draft and adopt the third action plan in the upcoming period;

⁹⁸ The monitoring of the implementation of the Action Plan for implementation of UNSCR 1325 for the period 2019-2022 is conducted by the MoD of Montenegro and the Intersectoral Working Group, consisting of representatives of the Parliament of Montenegro through the Gender Equality Committee, as well as representatives of the General Secretariat of the Government of Montenegro, Ministry of Foreign Affairs, Ministry of Education, Ministry of Culture, Ministry of Finance, Ministry of Human and Minority Rights, Ministry of Justice, Ministry of Health, Ministry of Labour and Social Welfare, Ministry of the Interior, Human Resources Administration, Union of Municipalities of Montenegro, Revenue and Customs Administration, Police Administration, National Office to Combat Trafficking in Persons, Police Academy, Supreme State Prosecutor's Office and Ministry of Defence. The Intersectoral Working Group is responsible for proposing, monitoring and reporting on the implementation of activities.

Human Resources Management Strategy in the MoD and AFM – within the section *Policies for acquiring and hiring the most competent candidates*, it gives recommendations for attracting the best candidates, through the provision of quality information and promotion of the MoD and AFM as an attractive employer, thereby contributing to the promotion of positive perception and a better understanding of the military profession and all its advantages. The Strategy states that in order to create conditions for the equal promotion of women in the Armed Forces and to increase the number of women in command positions, greater availability of all types of professional development and additional trainings will be ensured, as this is a prerequisite for successful professional and career development;

Defence Strategy of Montenegro⁹⁹ – which defines the vision of the development of the AFM as professional, efficient, financially sustainable, interoperable and modernly equipped Armed Forces, which will be capacitated to complete missions and tasks, both internally and externally. The capacitation of the AFM in the human resources sphere is achieved through continuous development and training of its members, in order to monitor and achieve modern standards of professionalism and interoperability;

Strategic Defence Review (SDR)¹⁰⁰ – provides guidelines for the professional development of staff for continuous improvement and guidance of individual career development, in accordance with the principles of merit and equal opportunities. Education, professional development and training of personnel is carried out in a planned manner, in order to maintain the ability to successfully perform existing and next duties, in accordance with the needs of the service, individual work results and professional competencies. Education and professional development of the staff is carried out in accordance with the needs of the service following the principle “education/professional development – next duty”. The SDR stipulates that officers who are planned for leadership duties shall be given preference in education and professional development, and that they will be referred to professional development at the command/staff and operational/strategic levels. This document also states that women will be constantly supported to improve and develop their careers and be granted openness and availability to all, including leadership positions.

Long-term Defence Development Plan (LTDDP) 2019-2028¹⁰¹ – sets the priority of ***increasing the number of women in command positions and in missions and operations***. In line with that priority in the part related to the recruitment of

99 Available at: <https://www.gov.me/dokumenta/08cb12b5-395e-4047-a1cd-ff884683b9e3>

100 Available at: <https://www.gov.me/dokumenta/70540913-cb57-47a3-a4fa-efce3456ecc2>

101 Available at: <https://www.gov.me/dokumenta/19190b9e-dd26-4c76-b99b-34e41bb38c2e>

personnel, it is stressed that the availability of personnel in deficit professions may be a challenge in the future, and for this reason, it is stressed that it is necessary to analyse and monitor the dynamics of demographic, economic and social trends. At the same time, this strategic document defines that quality and modern mechanisms for promotion of all the advantages of the military profession, especially among the younger population, will continue to attract and provide the missing personnel. The LTDDP specifically states the need for active promotion of the military profession with the aim of bringing it closer to the younger female population.

Institutional mechanisms for implementing policies and laws on gender equality

Effective implementation of the legislative framework and relevant public policies is ensured by **institutional mechanisms** that exist in Montenegro, and in this context, these are: the Gender Equality Committee of the Parliament of Montenegro; the Ministry of Human and Minority Rights; and the Protector of Human Rights and Freedoms (Ombudsman). Within the defence sector of Montenegro, these are the gender advisor of the Chief of the General Staff, the gender equality coordinator in the Ministry and gender trainers.

Gender Equality Committee – A Committee of the Parliament of Montenegro, it represents the first in a series of institutional mechanisms for implementing gender equality policies in Montenegro. One of its primary functions is to consider proposals for laws, other regulations and general documents related to the achievement of the principle of gender equality.¹⁰² In addition to this, some other mandates of the Committee are:

- to monitor the implementation of these rights through law enforcement and the promotion of the principle of gender equality, especially in the area of child rights, family relations, employment, entrepreneurship, decision-making processes, education, health, social policy and provision of information;
- to participate in the preparation, drafting and harmonization of laws and other documents with the standards of the European acquis and European Union programmes related to gender equality;
- to promote the signing of international documents addressing this issue and monitor their implementation; and
- to cooperate with appropriate working bodies of other parliaments and non-governmental organizations working on gender equality issues.

¹⁰² Gender Equality Committee of the Parliament of Montenegro. Available at: <https://www.skupstina.me/me/radna-tijela/odbor-za-rodnu-ravnopravnost>

Department for Gender Equality Affairs in the Ministry of Human and Minority Rights¹⁰³

Department for Gender Equality Affairs carries out the work related to: preparing the draft Law on Gender Equality; coordinating the process of drafting a proposal for the gender equality strategy and coordinating activities aimed at establishing gender equality and participating in the preparation of action plans for establishing gender equality at all levels; implementing international documents and conventions, as well as adopted international standards in the field of gender equality; organizing research and analysis on the state of gender equality, as well as data collection within the cooperation at the national level; cooperating with the local self-government and providing support for the establishment of mechanisms for achieving gender equality at the local level; establishing cooperation with non-governmental organizations; encouraging activities on gender equality education and preparing publications aimed at promoting gender equality; submitting the annual report on the implementation of the gender equality strategy to the Government; implementing activities related to regional initiatives in the field of gender equality; performing other tasks in the field of gender equality, as well as other appropriate tasks within the scope of work of the Department.

Protector of Human Rights and Freedoms – Ombudsman – an independent and autonomous institution with the task to take measures to protect human rights and freedoms, when they are violated by actions or omission of public authorities.¹⁰⁴ The ombudsman's mandate includes taking measures for protection against discrimination. The Protector has deputies for four areas, but also four main groups of work. Among them is the group of work related to the area of protection against discrimination, vulnerable groups and gender equality (Institutional mechanism for protection against discrimination).¹⁰⁵

There is no department or service in the MoD dealing only with gender issues. The work in the area of gender equality in the MoD is carried out by the gender equality coordinator. The work in the area is included in the work description for two more positions of independent advisors in the MoD. In addition to the work from the area of gender equality, all previously mentioned persons also perform other work prescribed by the document on the internal organization of the Ministry of Defence.

The position of the gender advisor of the Chief of the General Staff was introduced for the first time in the AFM in October 2020.

103 Ministry of Human and Minority Rights. Available at: <https://www.gov.me/dokumenta/12fd9458-442d-4971-b418-2221630ec3b6>

104 The area of its activity is governed by the Law on the Protector of Human Rights and Freedoms (OG 42/11, 32/14).

105 Protector of Human Rights and Freedoms. Available at: www.ombudsman.co.me

Gender equality coordinator in the Ministry of Defence – According to the Law on Gender Equality, state authorities are obliged to appoint officials who will carry out the work of gender equality coordinators for matters within their mandates. This person has the obligation to propose measures for improving gender equality, prepare and submit periodic and annual reports on gender equality; to work on cooperation with other state administration bodies, as well as international organizations; on planning, organizing and implementing activities related to gender equality; to prepare analyses that include the gender equality aspect; to have regular communication with other mechanisms, propose improvements for implementation of gender equality policies, etc.

Gender advisor of the Chief of the General Staff – The description of the duties of this position includes carrying out tasks exclusively related to gender equality, which include providing advice on gender mainstreaming and the implementation of the security dimensions of UNSCR 1325 and related resolutions, as well as gender policies through planning processes, providing reports and evaluations on progress in the implementation of UNSCR 1325, informing the Chief of the General Staff and decision-makers about activities related to gender equality, plans and assessments and proposing measures for improvement. Gender advisor of the Chief of the General Staff monitors and develops directives and guidelines, procedures and mechanisms for more effective integration of gender policies; provides advice in the sphere of gender mainstreaming in the development of policies, standards of conduct, recruitment, education, career development, preparation and participation in missions and operations, military exercises and other processes. They also initiate and conduct gender analyses in order to assess and respond to cases of gender inequality or gender-based discrimination, with the aim of achieving equal rights, responsibilities and opportunities for women and men in the AFM and achieving gender balance; they cooperate and support other mechanisms, advise unit commanders, etc.¹⁰⁶

Gender trainers – The AFM have certified gender trainers who train members of the Armed Forces on various issues related to gender equality.¹⁰⁷ All trainers have undergone the NATO-accredited Gender Training of Trainers, after which they were included in the gender mainstreaming activities implemented in the MoD and the AFM. Gender trainers are conducting training in units and organizational parts of the AFM and MoD, in accordance with the relevant documents and plans.¹⁰⁸ By

¹⁰⁶ *The Position of Women in the Armed Forces in the Western Balkans*, (UNDP SEESAC, 2021.)

¹⁰⁷ *Ibid.*

¹⁰⁸ Out of the total number, 7 trainers completed the training organized by RACVIAC and NCGM, two in PSOTC, BiH (NCGM and UNDP SEESAC), and two in CMO, Republic of Serbia (NCGM and UNDP SEESAC). This number increased in June 2022 by 5 additional trainers who completed the GTotT in Skopje.

becoming certified gender trainers, members of the AFM and MoD automatically become included in gender mainstreaming activities in the AFM and MoD (trainings on raising gender awareness, on the national and international legal framework related to legal commitments of implementing the gender equality principle, and on the importance of gender mainstreaming in armed forces, both with the aim of protecting human rights and increasing the operational effectiveness).

Focal point – Bi-SCD 40-1 recommends that each organizational unit should have a focal point in charge of gender mainstreaming. The introduction of this function represents an effective mechanism that is incorporated in the practice of most armed forces of NATO member states and neighbouring countries. The AFM started appointing focal points at the end of 2022, and their duties are related to supporting the existing mechanisms in the implementation of activities in the field of gender equality. In addition to this, focal points have the following duties: monitoring, analysing the situation, reporting and proposing activities to improve the situation in the field of gender equality; contribution to the implementation of the goals of UNSCR 1325 and related resolutions; giving proposals during the preparation of annual training plans in terms of gender mainstreaming in individual and collective training and other forms of education, especially the training of persons and units sent to peacekeeping missions and operations; preparing and compiling periodic reports on gender issues; providing opinions on gender issues and ensuring the implementation of regulations related to gender equality (Law on Gender Equality and Law on the Prohibition of Discrimination); monitoring and analysing the situation regarding the admission of candidates in the Armed Forces/promotion, as well as their deployment from the gender equality point of view; monitoring of promotions in the service, referral to education, professional development and training from the gender equality point of view; keeping records of employees in their unit from the gender equality point of view; providing recommendations and measures to improve the situation in terms of gender equality; informing the personnel in their units about their role and biannual reporting on their work.

LITERATURE:

- Constitution of Montenegro
- Law on Gender Equality
- Labour Law
- Law on the Prohibition of Discrimination
- Law on the Armed Forces
- Parliament of Montenegro, website.
- Ministry of Human and Minority Rights, website.
- Protector of Human Rights and Freedoms, website.
- Regional study “The Position of Women in the Armed Forces in the Western Balkans 2021”

QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

WHICH REGULATIONS GUARANTEE GENDER EQUALITY IN MONTENEGRO?

Answer: Gender equality in Montenegro is guaranteed by the Constitution of Montenegro (Article 8, Article 18, Article 6, Article 17 and Article 19), the Law on Gender Equality and the Law on the Prohibition of Discrimination.

DOES MONTENEGRO HAVE A STRATEGY AND LAW SPECIFICALLY RELATED TO GENDER EQUALITY?

Answer: Montenegro has the Strategy (for the period 2021-2025) and the related Action Plan. Montenegro also has the Law on Gender Equality.

ARE THERE INSTITUTIONAL MECHANISMS FOR GENDER EQUALITY IN THE MOD AND AFM – IF YES, MENTION AT LEAST ONE OF THE MECHANISMS.

Answer: Yes, there are institutional mechanisms in the MoD and AFM, they are:

- gender equality coordinators in the Ministry of Defence.
- gender advisor of the Chief of the General Staff,
- gender trainers,
- gender focal points in the Armed Forces of Montenegro.

Chapter 4.

SECURITY SECTOR REFORM AND GENDER MAINSTREAMING

Goal

To explain to the trainees the importance of and ways for gender mainstreaming in the defence sector as part of the security sector reform. Reflect specifically on security challenges in the 21st century that have different effects on men and women, girls and boys, which require reform, in the context of strengthening the operational efficacy of the defence sector, as well as the protection of human rights in accordance with the values and legislative framework of Montenegro and its defence system.

Teaching topics

- Gender perspective and security sector reform;
- Gender roles and security threats;
- Reasons for gender mainstreaming in armed forces;
- Gender mainstreaming in the Armed Forces of Montenegro.

Work method

This module is implemented in the form of a lecture with the use of a PowerPoint presentation with visuals and short videos. It is important to include the interactive part through short quizzes and discussion on security challenges; and how a gender perspective can help us better respond to challenges within the military and in relation to the population affected by various disasters, from armed conflicts to natural disasters.

Since this session's topic implies a greater degree of understanding and knowledge

of the subject matter, it is important for the trainer to receive completed forms from the trainees (see the Training Methodology Chapter) and to do a target audience analysis based on the responses.

If trainees are encountering the topics of gender and gender equality for the first time at this training, the trainer should also briefly present basic terminology and definitions related to gender.

Introductory questions

The introductory discussion can include asking the following questions:

- Men and women can be concerned about different things that can or do threaten their security. How do you see this difference between the security needs of men and women?
- How can we identify the security needs? What can facilitate the process of obtaining this information?

Who can respond to the different security needs of men and women, boys and girls?

Explain that the analysis of security, both in peacetime and during conflicts, shows that the perception of security and the level of insecurity of men and women are very different, both globally and at the level of the same community.¹⁰⁹ That is why it is important to take into account the gender perspective when analysing, planning and undertaking activities, i.e. to take into account the impact of gender roles, gender stereotypes and gender-based power structures in society and institutions on people's opportunities, their social roles, interactions and security needs.

The trainer should explain that they will first clarify the concept of the security sector reform, the relationship between gender roles and security threats, and later they will present how gender can be mainstreamed into various segments of the military structure. At the end of this training, the trainees will be informed about what the MoD and AFM have done in terms of gender mainstreaming.

109 See more at: <https://www.osce.org/files/f/documents/5/0/475757.pdf>

GENDER PERSPECTIVE AND SECURITY SECTOR REFORM

To be able to respond to its role in society, the security sector and, within it, the defence system, recognizes the need to change from within, to be able to respond more effectively to external security threats.

The ultimate goal of the security sector reform are normative and practical changes that would correspond to the needs of the state (state security) and the needs of its citizens (personal security).

Reforms in the security sector, including the defence system, represent a part of the global process and involve continuous changes in order to achieve efficient and effective security of the state and its citizens – women and men, girls and boys.¹¹⁰ All countries are exposed to such processes, including Montenegro, because changes at the political, economic or technological level, both in the national and international sphere, require all countries to change and adapt their national security and defence strategies, which also requires institutional reforms in those sectors. In countries in the process of transition, such as Montenegro, the changes have a reform significance, because they require the concept of security to be redefined and the security and defence forces and structures to change within the democratic management of institutions.

Gender equality is an important element of the security sector reform process. Gender mainstreaming in the security sector reform processes is based on international law that is incorporated into the national normative framework.

Gender equality is important for the defence sector because it should contribute to building gender-responsive institutions in this sector, which should effectively respond to security needs that are characteristic of today's and tomorrow's security challenges.

A gender-responsive security system is built by increasing the share of women in security institutions, including in the defence sector, aiming to increase the capacities of the system by diversifying the knowledge and skills so that it can provide timely and adequate responses to all security challenges, having in mind the different needs of the male and female population, as well as gender-based violence, which should be given special attention in conflict situations.¹¹¹

Women have an important place in armed forces operations alongside their male

¹¹⁰ The defence sector reform is part of the wider security sector reform.

¹¹¹ Valasek, K. (2008). Security Sector Reform and Gender. Gender and SSR Toolkit, Tool 1. DCAF.

colleagues and make them more effective together. This particularly applies to operations supporting civilian authorities in countering security threats, but also to special operations or participation in peacebuilding operations around the world. Experiences from military interventions and peacebuilding operations around the world show that the presence of women improves operational efficacy, contributes to a better understanding of the factors in the operational environment, which ensures better protection of one's own forces and increases the success of the mission.¹¹²

A defence sector reform that supports gender equality is a process that includes introducing new or changing existing norms, rules and procedures – changing the organizational culture.¹¹³ Organizational culture is modified in the process of resolving requests for external adaptation and internal integration. The requirement of external adaptation is a matter of adapting the defence sector to the external environment (with the aim of responding to the requirements of the broader social and/or international environment, for standardization and interoperability). It is extremely important due to the assumption that this is the only way an organization, as an open system, can survive. The problem of internal integration refers to the question of how to reintegrate the system so that it works as a whole, how to preserve the identity (mission and vision) and enable the coordination of its members in a changed work environment.

Transformative changes are necessary to ensure conditions for smooth access of women and girls to the armed forces in all segments, including referral to education and military schools, as well as gender mainstreaming in the defence sector. Above all, it is necessary to have support from people in leading positions to recognize and acknowledge the fact that both women and men benefit from gender mainstreaming and that it helps the armed forces achieve their mission. Another important thing for the process of accepting women as equal members of the armed forces is the behaviour of persons in command positions in military units and their trust in the abilities and knowledge of women in uniform and the essential belief in the equality of women and men in uniform which is reflected in everyday activities and behaviours that are in line with the values accepted by the state of Montenegro and its Armed Forces, which include gender equality.

112 It is important to keep in mind that both women and men should undergo gender training and it is wrong to assume that women have a better understanding of the gender perspective just because they are women.

113 Organizational culture is one of the main reasons why we want or do not want to work somewhere. It is an invisible quality, a certain nature and the way an organization functions. This nature and the way of functioning of an organization can be stronger than any person or the formal system. It can be defined as a "summary of important conclusions, invented, discovered or developed by a given group as it faces problems of external adaptation and internal integration, which are formulated well enough to be considered valuable and transmitted as such to new members of the organization, as a correct way of perceiving, thinking, and feeling about the same problems" Petković, M, Jovanović-Božinov, M, Organizaciono ponašanje, "Megatrend" Univerzitet primenjenih nauka, Belgrade, 2001.

In short, the security sector reform is a process of restoring, and in some segments building the security sector, which should contribute to the accountability, efficiency and effectiveness of the security institutions and, within that framework, the defence system of Montenegro. Democracy, respect for human rights and international standards are necessary prerequisites for the success of the entire process.¹¹⁴

GENDER ROLES AND SECURITY THREATS

Note for the trainer:

Before starting the work on this topic, you should have a discussion to define the types of security threats, and then focus on security threats during armed conflicts. For trainees to better understand the relationship between armed conflicts and gender roles, they should be involved in the discussion. A good technique for achieving interaction is to ask the trainees what are the established gender regimes, i.e. what are society's imposed expectations of men and women. Discuss how these roles are different in times of peace (generational differences, rural/urban differences) and in the context of armed conflicts.

You can split trainees into two groups and give them the task of writing down which concepts, traits and roles they associate with men/women during peace, and which during armed conflicts – clarify the context by selecting an urban or rural environment and remind them that it is important to pay attention to age, disability, etc., because it additionally affects the needs of men and women (use a flip chart, a piece of paper, etc.). The roles that the participants are expected to list will most likely be those from the existing gender regimes (the relationships between men and women and adopted social roles):

- for men: soldiers, take part in combat, protectors, decision-makers, perpetrators of crimes, etc.
- for women: mothers/wives/daughters, housewives, nurses, caregivers, do not participate in decision-making processes, victims of war, sexual exploitation, etc.

During the discussion, reflect on the concept of gender stereotypes and how important it is to analyse the gender perspective in order not to miss important information (for example, we expect women to look after children, and they can be trained terrorists). At the same time, it is important for the trainer to underline the difference between *gender stereotypes* and *facts/data obtained from research*¹¹⁵.

¹¹⁴ Hänggi, Heiner. "Conceptualizing Security Sector Reform and Reconstruction", in: Alan Bryden, Heiner Hänggi, Reform and Reconstruction of the Security Sector. Berlin: Lit Verlag, 2004.

¹¹⁵ An example of a fact can be that men are owners of firearms much more often (99.4%) and that they are the great majority (97.4%) of perpetrators of criminal offences committed with firearms (https://www.seesac.org/f/docs/SALW-Surveys/web_Montenegro_SALW-Survey_MNG.pdf). It is also a fact that in 2022 in Montenegro, women were most often the victims of incidents related to domestic violence (44%), while men mostly get killed in incidents

Gender roles are a set of community expectations related to how individuals behave in relation to their sex. They differ across societies and can change due to various factors.

We will see this through the example of a certain society, where gender roles are traditionally defined as:

- Man – head of the household, supports the family;
- Woman – housewife, takes care of children.
- In some societies or among younger generations in the same society, the roles may be different:
 - The man works, but shares housework and childcare with the woman or
 - The woman works outside the home and contributes financially to the household budget, sometimes even more than a man, and she shares housework with her husband (although research shows that women still do most of the housework and care for children and the older people in addition to the work outside the home) or
 - The woman works and supports the family financially, and the man is at home with children and they share the housework.

However, during armed conflicts, and often during natural disasters, drastic changes occur in the field of division of gender roles.

Note for the trainer:

Ask trainees how armed conflicts affect men and how they affect women, and what are the possible consequences of armed conflicts on women, men, boys and girls (the previous exercise where they already listed the concepts, traits and roles in armed conflicts is a good introduction).

During armed conflicts, men are away from home because they participate in the conflict, and they are more likely to be forcibly recruited, injured, detained or otherwise affected during the conflict and its aftermath. This is when women become the “head of the household” and have to support the family, getting food and water is more difficult during the conflict and women are exposed to many dangers. Health care and protection is also poorer, which leads to increased mortality rates of women (lower availability of contraceptives, gynaecological

related to street conflicts (36%) (<https://www.seesac.org/f/docs/Armed-Violence/Quarterly-Regional-Armed-Violence-Monitor-Oct-Dec-2022.pdf>). While the example of a gender stereotype can be: “all women are good mothers”, and “a real man likes to drink”.

services, etc.).¹¹⁶ Also, in modern conflicts, a large number of victims are civilians, i.e. older people, women and children. In addition, women in conflicts live in danger of sexual violence, which is used as an instrument of war. It should be noted that victims can be from all age categories, and they can also be children and men, but women are most often the victims. It is important to stress that men can be victims, in order to take this possibility into account and provide them with the necessary help and support.

After armed conflicts, men may be disabled veterans or suffer from post-traumatic stress disorder (PTSD), lose their jobs due to the economic crisis, and the consequences of that are felt by them and their families and surroundings. A woman who was a victim of sexual violence during a conflict is often rejected by her family and partner, as if she were to blame for the violence she survived. The consequences of an armed conflict are often long-term and reflect on the entire society and the family. Gender roles that changed during the conflict go back to previously established ones, but some of the changes may remain. Women who started doing men's work during war conflicts may keep some elements of emancipation, as was the case in many European countries, after World War II.

The situation in rural areas is different. In accordance with patriarchal customs, women and girls are not allowed to go far from home, so they are most often affected by the problem of existential threat due to their inability to work outside the home and to support themselves, as they are expected to marry early and take on the role of a wife and mother. Men can, for example, keep livestock or do other jobs and can move in riskier areas, and boys can play further away from home, unlike their sisters. Therefore, men and boys are more exposed to the dangers of unexploded ordnance remaining after the conflict. So, we see that security threats can be different for men and women, which also depends on their gender roles. Such a scenario is not an imaginary one, but comes from real-life circumstances that have affected the populations of war-torn territories such as the Democratic Republic of the Congo, Afghanistan, Somalia, Sudan, etc. in recent decades.

It should be pointed out that both men and women can take part in the combat. That is why it is very important not to ignore women as potential members of the armies in the war or members of terrorist units.

116 T. Plümper and E. Neumayer (2006) "The unequal burden of war: The effect of armed conflict on the gender gap in life expectancy", International Organization

Examples:

In 2011, Rwanda's former Minister for Family Welfare, Pauline Nyiramasuhuko, was sentenced by the International Tribunal for Rwanda to life imprisonment for genocide and incitement to rape (Rwandan Civil War 1990-1994);

Research conducted in Goma (Eastern Democratic Republic of Congo) in 2012, which included an urban population, a refugee camp and a military base, showed that 22% of women and 9% of men were victims of sexual violence during the conflict. Available data show that men and boys are very unlikely to report being victims of sexual violence, due to stigmatization in society. Similar research conducted in three districts of the Democratic Republic of the Congo showed that as many as 48% of the participants in the combat were women (War in Eastern DR Congo, 2012-present);¹¹⁷

Research conducted in Liberia in 2004 showed that women actively participated in all phases of the armed conflict during the Second Liberian Civil War from 1999 to 2003. By mid-2004, women made up 38% of ex-combatants who went through the process of disarmament, demobilization, and reintegration (DDR);¹¹⁸

In 2020, there were 31,000 women in the Armed Forces of Ukraine or 16%, while in 2022, due to the aggression of the Russian Federation on Ukraine, that percentage increased to 22%.¹¹⁹

117 Gender Relations, Sexual Violence and the Effects of Conflict on Women and Men in North Kivu, Eastern Democratic Republic of Congo: Preliminary Results from the International Men and Gender Equality Survey

118 Red Shoes: Experiences of girl-combatants in Liberia, International Labor Organization

119 Thematic Analysis: The use of Gender Perspective in the Conflict in Ukraine; NCGM Thematic Analysis, 2023

REASONS FOR GENDER MAINSTREAMING IN ARMED FORCES

Based on the previous discussion, the trainer can conclude with the trainees:

- **Women and men, boys and girls can have different security needs and priorities;**
- **The defence sector should respond to the needs of all citizens, and it cannot do this efficiently if it is not capacitated for gender analysis;**
- **The defence sector can respond in a more adequate way if it has a representative composition with a more equal representation of women and men – that is why its reform is important, including gender mainstreaming in all areas of the system.**

It follows from the above that it is necessary to ensure the equal participation of women and men both in the defence system and in other security institutions. Including gender-aware women and men in the analysis of the situation that requires action, as well as in the creation and implementation of policies and making decisions, ensures that they are made and implemented with the inclusion of a gender perspective. The items below can support the trainer in providing argumentation for these claims.

Potential of total human resources

Since women make up half of the total population, the issue of gender mainstreaming is also an issue concerning development policy. A society that does not fully use one half of its resources calls into question the responsible planning of its future. Particularly when it comes to the defence of the state, the optimal use of all human resources is of particular importance. In the defence system, using diverse knowledge, skills and competencies of both women and men is of key importance for the efficient and successful implementation of the armed forces missions. This is especially important during tasks that are increasingly in the focus of the armed forces, such as crisis management, peace support and humanitarian operations.

Democratization of society and respect for human rights

Gender mainstreaming in the defence system, which implies the equal participation of women and men in security institutions, in decision-making, in creating and implementing policies, is a commitment arising from ratified international documents and the normative framework at the state level that corresponds to the highest democratic standards. Among other things, this includes creating equal opportunities for women and men to participate in the defence sector, i.e. the changes in employment requirements, creating conditions for retention of

women and men in the service, career development of women and ensuring a safe and stimulating environment for both women and men. This is an ongoing process, because full equality in many areas has not yet been achieved, even if progress is visible. It is necessary to further improve gender-responsive policies and practice. According to the conclusions of the second regional Study on the Position of Women in the Armed Forces in the Western Balkans, that the Ministry of Defence of Montenegro took part in, further progress is particularly necessary in the following areas:

- Improving gender-sensitive records,
- Further improving gender equality policies,
- Improving the representation of women in uniform,
- Further improving working conditions and career development opportunities,
- Better work-life balance,
- Improving protection against discrimination, mobbing, and gender-based violence and
- Increasing operational effectiveness.¹²⁰

■ Higher degree of security in society

It has already been stressed at the beginning of this chapter that changes at the political, economic and technological levels, both at the national and international level, require all countries to change and adapt their national security and defence strategies, which also requires institutional reforms in those sectors. It is a fact that the defence sector reform is successful if it is supported by the entire society, and this is only possible if men and women have equal opportunities to influence decisions and their implementation in the defence sector. Inclusion of women and men in the armed forces expands the pool of skills from which it is then possible to select a higher quality and more diverse staff when it comes to knowledge and experience, practical, technical and social abilities and skills. The equal inclusion of women and men in military operations or peacekeeping missions increases the success of operations, enables a better understanding of the needs for the protection of all members of the population and the vulnerability of society and institutions to gender-based violence. Women, in addition to their male colleagues, have an important place in the operations of armed forces and make them efficient together. This particularly applies to operations supporting civilian authorities in countering security threats, but also to special operations or participation in peacebuilding operations around the world. Experiences from

¹²⁰ The second regional study is available at: <https://www.seesac.org/f/docs/Gender-and-Security/Position-of-Women-in-the-Armed-Forces-CG.pdf>

military interventions and peacebuilding operations around the world show that women's participation improves operational efficacy, contributes to a better understanding of the factors in the operational environment, which provides better protection of own forces and increases the success of the mission.

THE KEY ROLE OF THE COMMAND STAFF IN GENDER MAINSTREAMING

As mentioned in the chapter explaining the international legal framework for gender equality, it is necessary to implement the provisions of international documents in practice. Montenegro, as a NATO member state, is obliged to implement Bi-Strategic Command Directive 40-1 (Bi-SCD 40-1), which provides very specific guidelines for gender mainstreaming. To improve operational efficacy, the General Staff and unit commands should include a gender perspective in all processes of planning, preparation, execution and evaluation of operations and missions. Bi-SCD 40-1 provides an overview of the key areas for each organizational unit and what should be taken into consideration during the process of operations, but also in carrying out regular duties. The responsibility for gender mainstreaming lies on the unit commander, and to that end, all organizational units have responsibility in this matter. The following section will show the key areas in which it is possible and necessary to integrate a gender perspective.

As already said, this NATO Bi-Strategic Directive establishes the position of the gender advisor, at the strategic, operational and tactical level, as a position directly under the commander. Their task is to support and advise the commander in order to integrate the gender perspective in the processes of planning, preparation, execution and evaluation of operations, as well as to support organizational units in gender mainstreaming during the planning and execution of their work.

It is important to note that the person appointed to the position of gender advisor is not the only one responsible for gender mainstreaming. The proper gender mainstreaming is always and primarily the responsibility of the unit commander. The gender focal point is a person who, in addition to their regular duties, is also responsible for providing support to the unit commander in the implementation of gender-related directives and procedures. It is important to note that within the AFM system, these duties are adapted to current needs, possibilities and organizational structure. Although they are not envisaged in the Bi-Strategic Directive 40-1, gender trainers also play an important role, as they organize gender trainings for members of the MoD and AFM. Sensitization and training of command staff is of particular importance, due to their key role in the promotion of gender equality and gender mainstreaming in all areas of the defence sector.

OPERATIONALIZATION OF THE BI-STRATEGIC DIRECTIVE 40-1

The following section will explore how the gender perspective is integrated into the tasks of organizational units, which can also serve as guidelines for improving work within these units. For these purposes, it is useful to consider the answers to the following questions, which are related to the main scope of work of each individual organizational unit¹²¹:

Organizational unit (OU)	Task	Question
J 1	Internal policies, rules and regulations	Do admission and retention conditions, including job descriptions, take gender aspects into account? Are all positions open for men and women? Are there GENAD or GFP positions? Is the gender perspective integrated when planning missions (gender balance, position of gender advisor and focal point, mandatory gender training)? Depending on the mission, is there enough staffing capacity, i.e. trained personnel to carry out potential tasks: - searching women and girls; providing health care services to women and girls; communicating with local women, men, girls and boys or with mixed groups - responding in cases of gender-based violence or conflict-related sexual violence
	Recruitment and retention of staff / Generating forces	Is the gender perspective integrated or taken into account when creating strategies and policies? Are gender policies implemented in accordance with international commitments, including commitments from the WPS (Women, Peace and Security) Agenda? Are the practices of armed forces harmonized with NATO practices? Is the organizational structure (in peacetime and crisis environment – PE & CE) gender balanced?
	Rules of conduct	Are there appropriate standards and norms of behaviour to avoid negative stereotypes and gender-based discrimination? Are different forms of sexual violence monitored and reported on, and how?
J 2	Data collection and processing / HUMINT	Is the gender perspective included in the <i>horizon scanning</i> (early detection and assessment of potential threats and forecasting of future events)? Are there gender-based early warning indicators? Is collected data disaggregated by sex and age? Is the opponent using the gender perspective against us and how?
	Risk and security situation assessment	Does the intelligence analysis include the threats, risks and impact of sexual and gender-based violence? Is the result of the gender analysis taken into account?

¹²¹ The table was made in accordance with the guidelines from Bi-SCD 40-1 and the ACO Functional Planning Guide

J 3	Execution of operations	Is there a gender focal point (GFP) in the Joint Operations Centre (JOC) to identify and report on what is currently missing? Support in the assessment of operational issues (patrols, reconnaissance, psychological operations – PSYOPS, information operations, counterinsurgency operations – COIN, etc.)
	Instructions for operational reporting	Is there a gender-balanced approach to engaging key leaders? Are reports and other collected data disaggregated by sex and age? Was the gender perspective taken into account during the reporting and monitoring of submitted reports?
	Short-term planning	Is the understanding of the security situation consistent with the 360-degree concept (the ability to respond to threats from different sides)? Do fragmentation orders (FRAGO) include gender issues?
J 4	Medical service	Cooperation on medical issues and raising awareness of conflict-related sexual violence: Is the medical staff trained to respond to CRSV? What is the impact of gender mainstreaming on the infrastructure and layout of buildings and rooms?
	Infrastructure	What is the impact of gender mainstreaming on the military equipment? Are gender equality and gender balance included in procurement regulations/policies?
	Procurement	
J 5	Situational awareness	Are the gender analysis results included in the comprehensive preparation of the operational environment (CPOE)? Are early warning indicators taking into account the gender perspective? Are the GENAD and GFP included in groups/teams for planning and preparation of Operational Plans? Is the gender perspective integrated into the main parts and annexes of plans?
	Development of plans	Is the Allied Command Operations (ACO) Functional Planning Guide used? Are the different needs of men and women taken into account when planning and implementing the DDR process?
	Long-term planning	Is the gender perspective included when prioritizing areas for development? Is the support of gender experts included in long-term planning (analysis of tasks, course of action, rules of engagement, generation of forces)?

J 6	Equipment IT systems / Communications	<p>When planning operations: Which technical equipment can the local population access and are there differences for men and women in access and use? How does the local population access information and are there differences in access for men and women? What means of communication are used by the local population and are there differences for men and women?</p>
J 7	Collective trainings and exercises	<p>How is the gender perspective integrated and is it included in pre-deployment training for missions? Is the gender perspective integrated into the entire process of planning exercises? How is the integration of the gender perspective evaluated during exercises? (GENAD/ GFP or the command staff?) Are lessons learned collected and analysed?</p>
J 8	Contracting and procurement	<p>Is there a budget allocated for gender-related activities and tasks? (closely related to J/S4) Is there gender-responsive budgeting?</p>
J 9	CIMIC projects	<p>Is the gender perspective taken into account when developing CIMIC projects? Are there projects being developed to support the social, political and economic development of women? Is there cooperation with relevant international, governmental and non-governmental organizations, including key local government stakeholders? Is there established cooperation with organizations that respond to conflict-related sexual violence, women's security, human rights, etc.? Is the gender perspective integrated into media coverage and activities? Is there a specific gender issue that needs media coverage?</p>
Task for everyone		<p>Updating and writing Standard Operating Procedures (SOP) with the aim of integrating gender perspective.</p>

ROLE OF THE GENDER PERSPECTIVE IN INTERNATIONAL MISSIONS

The concepts and instructions from the strategic and operational levels are implemented at the tactical level through the implementation of military activities and tasks. This includes activities related to the protection of civilians, patrolling, checkpoint duties, humanitarian aid support and support to national security forces. The table shows how the gender perspective can be applied when performing tasks at the tactical level, primarily during participation in missions:

During patrolling tasks	
Use mixed teams	<ul style="list-style-type: none"> Including women in patrolling duties increases the efficiency of collecting information and at the same time ensures greater protection of women and girls. It is important to collect gender-disaggregated data on the local population.
Determine patrol routes and schedules in consultation with local women and men	<ul style="list-style-type: none"> To improve women's safety (i.e. to avoid situations such as attacks, kidnapping and rape), it is necessary to determine when the local population feels most vulnerable.
Increase the number of patrols in areas where women are the most present during their everyday activities	<ul style="list-style-type: none"> Using mixed teams during patrols along routes frequented by women and girls is a useful strategy both to improve the protection of women and girls and to collect information from the entire local population.
Increase the number of patrols with mixed teams in areas with high reported cases of violence against women.	
At the tactical level, monitoring and verification tasks provide an opportunity to consult local women and men, whose perspectives can help to obtain a more comprehensive analysis of the situation on the ground.	
High-quality patrolling tasks achieve:	<ul style="list-style-type: none"> Possibility to cooperate and connect with the local population, Collecting information to increase the situational awareness, Reducing security threats by planning patrolling routes.
When carrying out tasks at checkpoints	
Follow the code of conduct/rules (<i>standards</i>) of conduct when meeting and searching men, women, boys and girls.	
Use mixed teams to ensure the necessary conditions for searching men and women.	
Provide separate premises for searching and detaining women and men.	
Interaction at checkpoints between male members of international forces and local women should be based on respect for women and adherence to established international rules of conduct.	

When carrying out tasks of protecting victims of sexual violence

Ensure the safety of victims of sexual violence or domestic violence who have reported the violence to members of peacekeeping forces.

Protect the identity of victims of violence and their families and respect their wishes, rights and dignity.

Refer victims of sexual violence to relevant entities, such as UNPOL or the human rights office, for support, proper incident registration and liaison with national police.

When carrying out tasks of providing humanitarian aid

Consult with the local population to ensure fair and equal access to aid.

When overseeing food distribution, pay special attention to vulnerable categories of the population, including older people, pregnant and breastfeeding women.

Increase patrols from food distribution points to homes, to ensure safe passage, especially for vulnerable categories.

Gender mainstreaming during the disarmament, demobilisation and reintegration (DDR) process

In accordance with the instructions elaborated in the operational orders, commanders at the tactical level should ensure that the implementation of security support tasks includes the implementation of the UN Women, Peace and Security Agenda.

Ensure that the DDR process of former female combatants is carried out exclusively by women, and also provide separate facilities and other necessary conditions during their stay in camps where DDR processes are carried out.

Work with local men and women on collecting information when carrying out DDR processes (e.g. data on former female combatants, illegal storages or weapons smuggling, etc.)

During elections, work to encourage women and provide conditions for their safe participation in the electoral process, both during voting and in the organization of the electoral process itself and active participation in political life.

During the reform and restructuring of national security forces:

- promote recruitment among different target groups, to encourage women to join the national security forces;
- in cooperation with relevant local and international stakeholders, organize and implement quality screening procedures during recruitment, to prevent individuals involved in serious crimes from being recruited into the national security forces.

Conduct training for members of the national security forces about the implementation of a zero-tolerance policy for sexual exploitation of local women or sexual harassment of members of the security forces.

When carrying out demining tasks

Consult both men and women when establishing priority areas for demining – explain why this is important during training.

Ensure that both men and women (the entire population) are aware of the existence of minefield locations – explain why this is important, for example, in some societies women are the ones going to get water and if they are not informed about the location of the mines, they may die.

Ensure freedom of movement for men, women, boys and girls – what does that mean in practice? Visibly mark minefields and ensure that everyone is informed. Put guards next to minefields or help the local population organize to ensure that, for example, children do not wander into minefields when playing.

During reporting

Gender mainstreaming helps get a more comprehensive picture of the security situation.

Data on the population in reports should always be disaggregated by age, sex and other relevant factors such as ethnicity and religion.

Main points: situational awareness, cultural awareness and the use of common sense.

Reports should contain information about the position of men and women, boys and girls; the impact of military interventions; and sex-disaggregated statistics.

Reports may also include oral briefings, development reports or thematic reports.

The content of the reporting makes the foundation for providing information for gender analysis and for raising the awareness of the command staff, which enables efficient decision-making. In addition to collecting and providing information on developments among the target population, it is necessary to expand reporting to record the implications, effects and potential undesired effects of actions taken by peacekeeping forces.

GENDER MAINSTREAMING IN THE DEFENCE SYSTEM OF MONTENEGRO

Gender mainstreaming in the defence system of Montenegro can be considered from several aspects, which will be presented in the next part of this Chapter.

As already shown in Chapter 3, the gender perspective is integrated into the set of laws, by-laws, action plans, strategies and internal policies.

The normative basis and mechanisms for achieving gender equality in the defence system have been established, and a detailed overview of both norms and institutional mechanisms is given in Chapter 3 of this Handbook.

The conditions have been created for the implementation of equal opportunities policies for the admission of women to the Armed Forces, and there is constant work on increasing the number of women as professional military personnel, with the use of affirmative measures.

An example of a short-term affirmative support measure is to give priority to female candidates when ranking and selecting candidates for employment in the Armed Forces, education at military academies, scholarships at civilian faculties and professional development, if they have the same results (the same number of total points) as men on knowledge and ability tests. The starting point is certainly the provision of the Law on the Armed Forces of Montenegro, which foresees paying attention to gender-balanced representation during admission to service in the Armed Forces of Montenegro. Therefore, it can be concluded that mechanisms for attracting and retaining women in the military system have been established. It is important to note that affirmative action measures have a limited duration, i.e. they are used until the goal of the measure has been achieved. Affirmative action measures should not be confused with discrimination, nor should the term positive discrimination be used.

Chart 1: Overview of the increase of women in AFM, in the last 10 years, in percentages

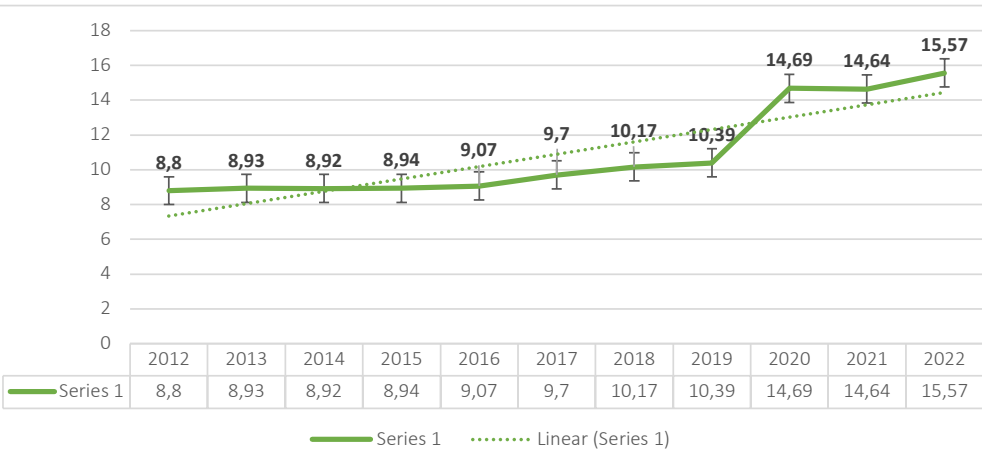
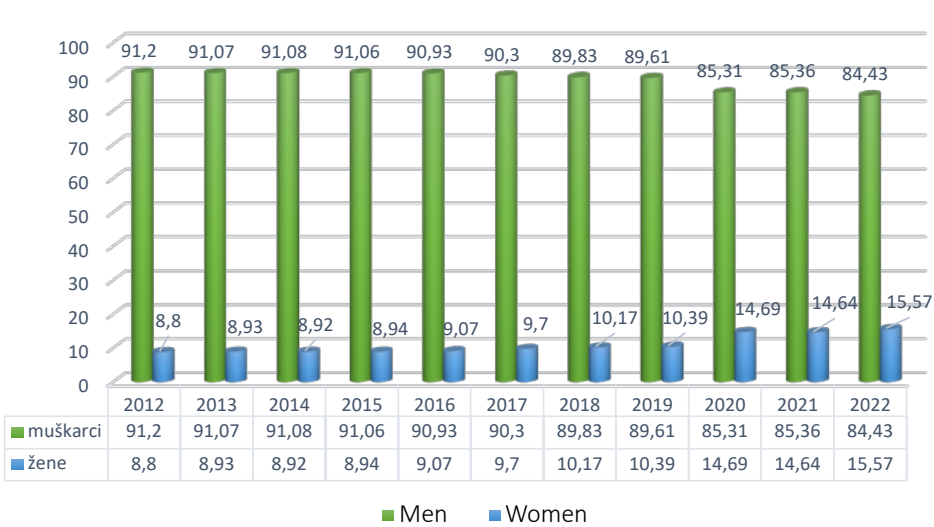


Chart 2: Overview of the number of women and men in AFM, in the last 10 years, in percentages



It is ensured that at least one-third of the members in the selection committees on various issues are women. Trainings are organized for members of selection committees on the importance and practising equal opportunities.

Capacities of the MoD and AFM for implementing gender-responsive policies and developing data-driven policies have been increased. The MoD uses gender-disaggregated data and gender analysis when drawing conclusions about the results of studies, both those conducted internally and various regional studies, to make informed, gender-sensitive decisions and guidelines. One such example is the Regional survey on perceptions of young people on how attitudes and values, socio-economic context and previous education influence the choice of occupation of young women and men with a special focus on careers. The Ministry of Defence used the results of this survey in the process of designing recruitment campaigns in order to make them more accessible to a wider circle of young people and to enable equal access and participation of both women and men. Empirical research is also carried out in the AFM (based on their own internal capacities – employees conducting research) on the attitudes and perceptions of employees in the Armed Forces. Gender-segregated results of the research are used by decision-makers to improve the living and working conditions of the employees of AFM when planning and creating future strategies and policies.

Women members of the Armed Forces are always included in promotional activities for employment and education for the needs of the AFM, to inform the public that the equality of women and men is one of the values of the defence system. And the female population represents a separate target group of promotional activities and affirmative action messages.

Capacities of the MoD for conducting training in the field of gender equality are strengthened by the expansion of the Regional Network of Gender Trainers. Currently, there are 15 gender trainers available to the MoD and the AFM for trainings in the system, for different target audiences, on issues related to gender and gender equality. Trainings in this field have become an integral part of the training curriculum of the AFM and have influenced and continue to influence the increase in awareness and change in the institutional culture. The trainings envisaged by the Annual Plan for the Implementation of Gender trainings are contained in the Training Instructions of the AFM and in the training guidelines adopted at the level of the AFM units, and in accordance with that, the planned topics are regularly covered on the annual level in all AFM units, and they are an integral part of the following courses and trainings: basic officer course, basic non-commissioned officer course, leadership non-commissioned officer course, advanced non-commissioned officer course, basic soldier training and advanced soldier course.

The MoD has strengthened its capacities for efficient response to gender discrimination, sexual harassment and abuse by establishing the mechanism for preventive response, action and informing employees through training and developing informative and educational publications at the regional and national level.

In addition, the MoD has been participating in gender-responsive budgeting for two years, standing out as a good example of the successful implementation of this important segment. Gender-sensitive language is used at all levels. The names of positions/jobs within the formations of the Armed Forces of Montenegro are prominent good examples of that.

The MoD and AFM have expressed their understanding of the importance of gender mainstreaming in military education through their contribution to preparing the Regional Baseline Study on Integrating a Gender Perspective in Military Education and Training. The study contains basic data on the achieved level of gender mainstreaming in military education and training, as well as good practice examples that already exist in the defence system of Montenegro and it maps the ways in which the gender perspective can be integrated into military education and training.

Awareness of the importance of the role of senior management and command staff in promoting and integrating gender equality in the MoD and AFM is demonstrated by the participation of leaders in the Gender Coach Programme. The aim of this activity is for leaders, as agents of change and decision-makers, to improve their knowledge of various aspects of gender equality, in order to provide full professional and dedicated support for gender mainstreaming in the activities of the MoD and AFM.

The process of developing gender awareness and gender mainstreaming in the defence system of Montenegro can also be monitored based on relevant statistical data, which are collected and analysed every year in order to create and improve the human resources management strategy (through the preparation of gender analyses in the field of human resources management, reports on the implementation of UNSCR 1325, reports to NATO, OSCE and other international organizations, reports within MONSTAT). It is important to highlight the following comparative data on the:

- number of women in the Armed Forces by personnel category, with an emphasis on professional military personnel;
- number of female cadets at foreign military academies;
- number of female scholarship holders at civil faculties in the country;
- number of female members of the AFM participating in missions;
- number of female members of the AFM in command positions;
- number of women in professional development and training.

The aim of these statistical data is to inform the trainees about the progress in gender mainstreaming through increasing the representation of women in the AFM. Accordingly, it would be desirable to present the aforementioned statistical data for at least two different periods.

The Ministry of Defence regularly updates the page dedicated to women in the defence sector, on the official website of the Ministry of Defence.

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QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

WHY IS IT IMPORTANT TO UNDERSTAND THE DIFFERENCE BETWEEN SECURITY PERCEPTIONS AND NEEDS OF WOMEN AND MEN, BOYS AND GIRLS?

Answer: Gender roles and the position of women and men are different in every society. For armed forces to effectively protect the security of all civilians, men and women, boys and girls, they need to understand that security needs are different, and this is only possible if they include a gender perspective in their plans and operations.

WHY IS THE INCLUSION OF WOMEN IN THE DEFENCE SECTOR IMPORTANT FOR THE SECURITY SYSTEM REFORM PROCESS IN MONTENEGRO?

Answer: Since Montenegro is a member of NATO, it must implement NATO policies related to gender equality. Also, as a member of the UN, there is a requirement from the UN to include women when sending troops to missions. To respond to modern security challenges, it is necessary to expand the range of skills, knowledge and abilities, for which it is necessary to recruit the best personnel from the entire population, not just one half of it, i.e. men, as was the traditional approach. Mixed teams are an important prerequisite for increasing the efficacy of operations.

WHY IS THE ROLE OF THE COMMAND STAFF CRUCIAL FOR THE PROGRESS TOWARDS GENDER EQUALITY IN THE AFM?

Answer: Command staff is important because behaviour patterns are modelled under their influence. The message coming from the command staff in a hierarchical system like the military is a very powerful encouragement to understand gender equality not only as a formal obligation, but also as an essential contribution to increasing the efficacy and inclusiveness of the system. Gender-aware command staff makes decisions incorporating a gender perspective and therefore incorporates gender equality into the everyday functioning of the system as a value promoted by the defence sector, thereby respecting the legal framework of Montenegro.

WHAT DOES THE ABBREVIATION GENAD MEAN AND WHAT IS THE ROLE OF THAT PERSON IN INTERNATIONAL MISSIONS?

Answer: The definition exists in NATO documents, and it refers to Gender Advisors. In international missions, GENAD is in charge of supporting the command staff to implement the recommendations from the Women, Peace and Security Agenda.

WHY DOES THE UN DEMAND MANDATORY INCLUSION OF WOMEN FROM COUNTRIES SENDING THEIR TROOPS TO PEACEKEEPING MISSIONS?

Answer: The UN requires countries sending troops to include women because the need for the inclusion of women at all levels is recognized in key UN documents, above all the resolutions that make up the Women, Peace and Security Agenda. At the same time, the countries sending troops have various levels of understanding of the gender perspective in the armed forces, and women are often left out from nominations, so the troops are composed exclusively of men. It has been proven in the field that the presence of women is important for the efficacy and success of operations.

Chapter 5.

DISCRIMINATION

■ Goal

Introduce trainees to the main definitions and concepts related to discrimination, with a special emphasis on gender-based discrimination, explain how discrimination occurs, what are the ways of recognizing and mechanisms for preventing, reporting and sanctioning gender-based discrimination.

■ Teaching topics:

- Main terms (gender stereotypes, prejudices and discrimination)
- Discrimination as an act, achieving protection
- Gender-based discrimination – recognition, prevention, reporting and sanctioning.

■ Work method

This module is implemented in the form of a lecture, case studies and interactive discussion. It is particularly important to allocate time for questions and discussion. This Chapter also contains statistical data, i.e. results from studies in Montenegro, and they concern indicators of the presence of discrimination, which can serve as arguments for trainers. In addition to statistical data, the Chapter also contains additional material for starting the discussion, training the participants to recognize discrimination, shown through an exercise, examples for discussion, questions for brainstorming, a quiz – recognize discrimination and a knowledge test, which can be found in the Annex of the Handbook. The trainer can use what they feel is the most adequate. It is preferable to create an encouraging environment, with enough space for thinking, analysis and open dialogue about the challenges related to recognizing discrimination. Point out that the problem of discrimination is present in every society, that it is not specific to certain societies and institutions, and that it is necessary to continuously raise awareness and learn about what constitutes discrimination, how to prevent and fight against the negative consequences it leaves on society, institutions and individuals.

■ Introductory questions

- Describe discrimination in one word.
- Who can discriminate?
- Where do you think you can report discrimination?
- Who do you think are the most common victims of discrimination?
- Can you list some discriminatory practices?

■ Content:

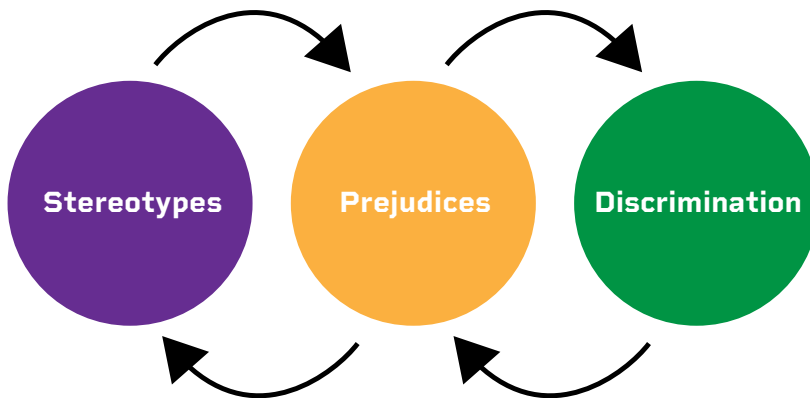
In the beginning, the trainer should remind trainees what stereotypes and prejudices are. They can stress that the existence of stereotypes and prejudices is not attached to only one sex; both men and women have stereotypes and they refer to both men and women, and stereotypes and prejudices occur in all organizational environments.

Stereotypes are simplified and often inaccurate ideas of other individuals or groups of individuals. They involve attributing a whole series of traits, physical or psychological, which are believed to describe a particular individual or group of individuals.

Gender stereotypes are beliefs that certain personality traits and abilities are more characteristic of one sex than the other. Gender stereotypes are widespread, uncritically accepted, self-evident opinions about the traits of men and women, boys and girls, which are used as the basis for forming attitudes about the roles and positions they should take in a certain society. All of us live with certain assumptions and images of the world and people around us, formed through the process of socialization.

Prejudices are attitudes adopted without prior reasoning. We can say they are extreme stereotypes because they contain the affective component, i.e. the emotional basis that leads to action against an individual or a group of individuals. Prejudices and stereotypes are most often a reflection of the local, regional or national context. They convey condescending, hurtful, insulting, disparaging attitudes and reflect personal or collective values and views towards a certain group of individuals. Prejudices are usually negative, but they can also be positive (e.g. women are gentle and good mothers, all men are brave).

Why is it important to understand this? Beliefs and attitudes expressed through prejudices and stereotypes represent one of the key factors for the occurrence of discrimination.



The trainer invites trainees to imagine the following situation:

A lieutenant was assigned to the position of company commander which he successfully performed, and which was confirmed by the official evaluation of “stands out”. After three years in that position, he used parental leave, in accordance with the regulations. After returning from the leave, he was assigned to the position of a staff officer, which does not allow him to advance in the service. A lieutenant who had just been promoted to the rank was appointed to his position.

Trainer asks trainees: **What do you think about this? What is the basis for this behaviour towards the lieutenant?**

If we apply the knowledge we have about stereotypes and prejudices, we can think in the following way. Since women are biologically predetermined to give birth, the role of men as competent fathers who are equally important in raising and nurturing children is often neglected. A man who uses his legal right to parental leave may become a target of comments based on gender roles and gender stereotypes: “The mother should stay with the child, and the father should work and build a career”, “Fathers can never be caring as parents like mothers”, “It is not in the man’s nature to raise children”, “Does this child have a mother?”. When we add emotions to these gender stereotypes, then we are talking about prejudices: “I don’t like people who act all smart and stray from normal behaviour”, “I cannot stand modern ideas in my work environment”. When these thoughts are translated into action, they lead to certain decisions and actions that result in discrimination.

Was the lieutenant treated unfairly in this situation? What do you think, is there discrimination in this case?

To be able to answer this question, the trainer says that they will explain what discrimination means, what forms it can take and how it can be recognized.

The term comes from the Latin verb *discriminare* – which means to separate, to differentiate. Although it has neither a negative nor a positive meaning, this term has gained a negative connotation over time and it is used today as a synonym for unjustified differentiation of people.

The use of the term discrimination is very widespread in society and it is used in all spheres of life, which speaks volumes about the presence of the very problem that discrimination refers to and the importance of paying attention to this topic in order to improve living and working conditions guided by the principles of equal opportunities.

Biological differences between people have been abused in many periods and places to justify labelling certain races or people as “inferior” and “superior”.

The first step towards achieving gender equality is learning about the basic meaning of discrimination, how it is carried out, and thus reaching the ability to recognize it and ultimately prevent it through action. Discrimination is a gross violation of human rights. Individuals who are discriminated against are systematically prevented from exercising their human rights based on individual or group traits.

For better understanding, discrimination can be explained in simpler terms as unacceptable, inappropriate, unfair treatment and differentiation. It is carried out based on singling out a personal trait or neglecting it, whether with an individual or a group, which does not have to be based on facts but on assumptions or stereotypes.

Equality does not mean that women and men are the same or should become the same, but rather that their enjoyment of rights, chances and life opportunities is not restricted or dependent on whether they were born as a woman or a man.

Harmful consequences of discrimination for an individual:

- Violation of dignity, emotional suffering, impairment of mental health, loss of self-esteem, self-blame,
- Neglect of work duties and/or absence from work,

Harmful consequences of discrimination for the staff:

- Disrupted cohesion, discipline and morale,
- Disturbed interpersonal relationships, tensions/conflicts,
- Reduced work efficiency,
- Damaged reputation of the armed forces.

Discrimination can be considered from several points of view and implies different treatment of individuals in the same, similar or comparable situation – so they should be treated the same, or the same treatment of individuals in different situations or positions – so their different starting positions should be taken into account in order to have equal opportunities at the start, because without that there is discrimination.

Taking into account personal traits, we make a difference between *immediate and indirect discrimination*. Immediate discrimination is about the different treatment of individuals in the same, similar or comparable situation, i.e. **UNEQUAL TREATMENT OF EQUALS**, and indirect discrimination is about the same treatment of individuals in different situations or positions, which is **EQUAL TREATMENT OF UNEQUALS**.

It is important to know that not every injustice is discrimination, that it cannot explain “everything that is not going right” and that a detailed analysis must be carried out in each individual case to examine whether certain treatment constitutes discrimination, having in mind the legal framework that governs the matter of discrimination.

Immediate discrimination

Immediate (direct) discrimination is a direct, open differentiation, exclusion or denial of rights because someone is characterized by a certain personal trait. It is immediately or directly visible because the people who act in a discriminatory manner are not hiding their actions, although sometimes they are not aware of them and usually try to “justify” discrimination with their good intentions or lack of awareness that their actions constitute discrimination. In the case of immediate discrimination, there must be a difference in the treatment of individuals in the same or relevantly similar situation, that is based on a recognizable trait of the individual or group of individuals.

Example 1: During a job interview, a committee member asks the female candidate if she is married, if she has children and how old they are, while the male candidate is not asked these questions.

Example 2: The superior officer sends a fellow male officer to a seven-day training, instead of a female officer, who meets all the requirements, is equally qualified as the male candidate and has expressed her desire to attend the training. The superior officer justifies his decision by stating that she has family obligations as she is a mother of a young child.

Indirect discrimination

Indirect discrimination includes any situation when a seemingly neutral circumstance has the effect of putting an individual in a less favourable and unequal position compared to other individuals. As a rule, it is covert (because the one who discriminates does not want their discriminatory behaviour to be visible, or they are not aware that they are discriminating), and the individual or group of individuals are put in a less favourable position by an action or omission that is seemingly neutral or based on the principle of equality. We speak of indirect discrimination when a general policy or measure is neutral at first glance, but in practice, it leads to a disproportionately harmful impact on a certain group or an individual. This means that indirect discrimination exists when an institution’s policy or practice applies to everyone in the same way, but thereby puts a group of individuals or an individual in an unfavourable position due to their personal traits. To avoid indirect discrimination of an individual or a group that is otherwise in a less favourable position than others who do not share that personal trait, it is necessary to avoid provisions and practices that would lead to discrimination. However, sometimes even that will not be enough to achieve the equality of

historically and socially disadvantaged individuals, which is why it is necessary to apply the principle of affirmative action.

Example 1: A common practice in armed forces around the world

The rule says that a professional military person can be promoted to the next higher rank if, during the time required for the promotion, he or she was assessed at least “very good”. The fact that only professional military personnel who performed duties for more than six months in the calendar year are assessed leads to the conclusion that this discriminates against female officers and non-commissioned officers who use parental leave more often than men.

This is an example of discrimination because internal policies/rules are not aligned or gender-responsive – in this case, the law does not recognize that members of the armed forces have the legal right to parental leave (note that having a child is not only a private decision but also a contribution to society), and that making a difference for promotion of women is not favouritism but an acknowledgement of gender differences.

Example 2: *The commander always schedules meetings of his team after working hours, so women and men who need to pick up their children from kindergartens or schools after working hours are not able to attend these meetings; this discriminates against women and men with family responsibilities. Given the traditional gender roles, women are much more often left out in this situation, because they are the ones who take care of children to a greater extent than men.*

In addition to immediate and indirect discrimination, we also distinguish between individual, structural and institutional discrimination:

Individual discrimination

Committed by individuals – the perpetrator and the victim know each other
The result of stereotypes and prejudices, e.g. employer's decision not to hire a young woman because she will have a child soon

Structural discrimination

Structural obstacles for access to social resources for members of certain social groups
For example, differences in women's and men's wages; disproportionately small number of women in the security sector

Institutional discrimination

Discriminatory policy and practice of institutions towards certain social groups and the behaviour of those carrying out this practice, e.g. less effective response of the police to domestic violence against Roma women

Discrimination as an act, achieving protection

Discrimination is most often carried out through differentiation, exclusion, restriction, favouring one individual over another, although they should be treated in the same way, separation, infrastructural restriction (e.g. persons with disabilities), harassment and humiliating treatment, violation of the principle of equal rights and obligations, hate speech, harassment and sexual harassment, etc. Discrimination can be carried out by anyone, regardless of duties or functions, it can be carried out in any place, it can happen to anyone, a legal or natural person, and it can also be intentional, unintentional or committed out of ignorance. From all of the above, we conclude that discrimination can be carried out through action or omission.

Characteristics of discrimination:

- making differences between people
- by acting or omitting to act
- leads to exclusion of individuals, restricting them or giving preference to one individual or group of individuals over others
- committed in an overt or covert manner
- can be expressed towards individuals, groups, family members or other close people
- discriminatory behaviour is based on real or perceived personal traits

Now let us go back to the example with the lieutenant who used parental leave and consider the decision to reassign him to another (lower) position. Such a decision can be justified by the needs of the service or other reasons, so at first glance, it is not obvious that this is a discriminatory decision. However, regardless of the reasons justifying the decision, the fact that the lieutenant successfully performed his duty before going on leave, that he received high marks and that he was assigned to a lower position after returning from leave, is a sufficient basis for concluding that this is a matter of discrimination.

This example shows how gender stereotypes and prejudices about the roles of men and women and the idea of predetermined roles can lead to actions that are prohibited by law, i.e. to discrimination.

Gender-based discrimination – recognition, prevention, reporting and sanctioning

Special forms of discrimination defined by the Law on the Prohibition of Discrimination that refer or may refer to the gender aspect are harassment and sexual harassment, segregation, hate speech, discrimination in the use of public facilities and spaces, discrimination in the field of upbringing, education and professional training, discrimination in the field of labour, discrimination based on gender identity, sexual orientation and/or intersexual characteristics and aggravated form of discrimination.

Protection against discrimination is achieved through reports to the Protector of Human Rights and Freedoms, through judicial protection and inspections.

Discrimination in the MoD and AFM is reported through the chain of command, i.e. to the immediate supervisor or manager. Detailed instructions for reporting discrimination are defined in the document *“Guide for Preventing Discrimination, Sexual Harassment and Abuse in the Armed Forces of Montenegro”*, which defines the informal and formal procedure, taking into account the fact that discrimination, as well as sexual abuse and harassment, is recognized in the Law on the Armed Forces of Montenegro as a serious violation of military discipline, i.e. a disciplinary offence. Consultations related to suspected discrimination or additional clarifications about specific concerns can be obtained from the gender focal points, which are designated in each unit of the AFM.

Gender discrimination or sexism

Appalling abuses are still being committed against women. And these include: domestic violence, dowry murders, coerced abortions, honour crimes and the killing of infants simply because they are born female. Some say all this is cultural and there is nothing anybody can do about it. I say it is criminal and we each have an obligation to stop it.

Madeleine Albright

Gender discrimination is any differentiation, exclusion or deprivation made based on sex, and with the consequence or purpose of endangering or preventing the acquisition or realization, based on the equality of men and women, of human rights and fundamental freedoms in political, economic, social, cultural, civil or other sphere.

Gender discrimination can be committed by action or omission. Acting implies taking an actual action (such as sexual harassment, unwanted body touching) or a legal action (various discriminatory advertisements), speech (denying women's abilities), gestures (offensive gestures). On the other hand, omission refers to failure to take certain actions, while not taking into account special personal traits or differences, which would be necessary in order to avoid discrimination in the given circumstances.

Then and now

The struggle for a better position of women in society began in 1908, when textile workers protested in New York City for women's right to vote, shorter working hours, higher wages and greater industrial safety. The first Women's Day was marked in 1909 in the United States of America with a declaration adopted by the Socialist Party of America. Among other important historical events, it also commemorates the fire in a textile factory in New York City when over a hundred women died. It is believed that the female workers were kept inside the factory to prevent them from striking with other workers. Back then, it was common to work 10 hours a day. For years later, demonstrations were repeatedly organized and women were increasingly vocal, states gradually began to acknowledge the messages that were heard from the protests, and the various forms of women pointing out gender discrimination and wanting to achieve equal rights with men.

Fifty years ago, women had on average fifty per cent fewer legal rights than men. In many countries, they were not allowed to work in industrial jobs and there were no laws to protect them from gender-based discrimination at work. *Women, Business and the Law published by the World Bank ranks countries based on their laws and regulations that affect women's economic opportunities. The Index consists of eight indicators (such as mobility, pay and pension), which are built around the life cycle of a working woman. The higher the number (Index), the higher the gender equality that is prescribed by law. In 1970, the global index score was 46.3 out of a possible 100 – which meant that women, on average, had less than half the legal rights of men. The biggest inequalities were recorded in the areas of parenthood, workplace and pay. Over the following decades, the Index gradually increased and finally reached the score of 76.1 in 2020. According to the latest report, parenthood and pay are still the areas with the biggest recorded differences, and the World Bank believes that full gender equality exists in only 10 countries in the world.*

Some of the examples of the typical treatment of women compared to men in Montenegro, where various prejudices and stereotypes are still present, to a significant extent, at least implicitly, is the fact that there is still prominent inequality in the distribution of housework and care for children or older household members, as well as in the matter of property inheritance:

“Upon birth, a woman is worth less than a man. Three daughters are born, and they say, ‘well, we have no heir’. Then you can hear men say for a woman – how can she, a woman, be my boss, how can she tell me what to do.” – A woman working in the private sector, Bar

“That a woman must, that a woman can do everything, this is in the past. I say for myself that I had to be active all day while I was raising my children, around the house, with the lunch, with the baby, and in the evening I could barely keep my eyes open while he slept like a baby... You learn all that at home... And he is always spared. And I can do everything, I can find a job... and I can fix the car and I can do everything...” – A woman of Bosniak nationality

“Here, women renounce their property, because they think they have no right to it. It was an embarrassment to take it, that was the tradition. I renounced it as well, 10 years ago. That was the tradition, whoever carries the last name, inherits the property.” – A woman working in the public sector, Podgorica

GENERAL PATTERNS:

When it comes to gender-based discrimination, there are some general patterns that indicate issues that should always be considered. Some of them are:

Inequalities in political power and representation – women are often underrepresented in formal decision-making structures, including governments, larger communities, the creation of political institutions, making the voices, interests and needs of women invisible.

Inequalities in economic participation and opportunities – Women receive less pay for the same or similar work, and are more likely to have low-paying jobs.

Sexual and domestic violence – Women are much more exposed to sexual violence, whether in the form of domestic violence by an intimate partner, sexual exploitation through trafficking and sexual services, in wars by hostile armed forces as weapons of war, etc.

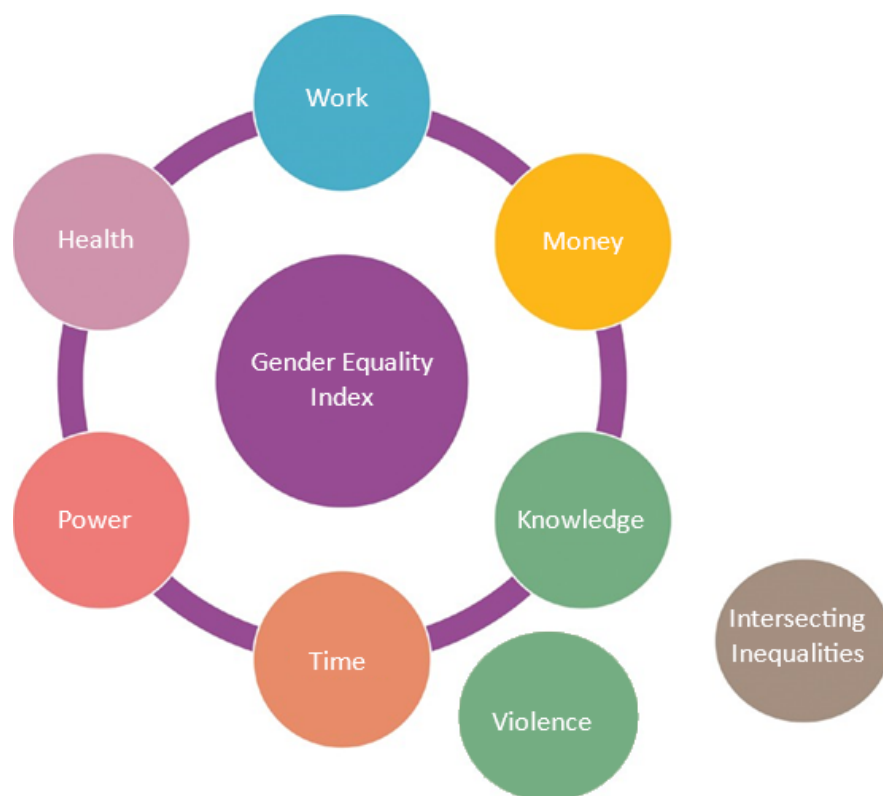
Differences in legal status and rights – There are many cases where equal rights to personal status, security, property, inheritance and employment opportunities are denied to women by law or in practice.

Household inequalities – Inequalities in the negotiating and decision-making potential and access to resources have been documented in households, examining policies and programmes based on the assumption that households operate as units where all members are equal.

Statistical data

Structure of the Gender Equality Index¹²²

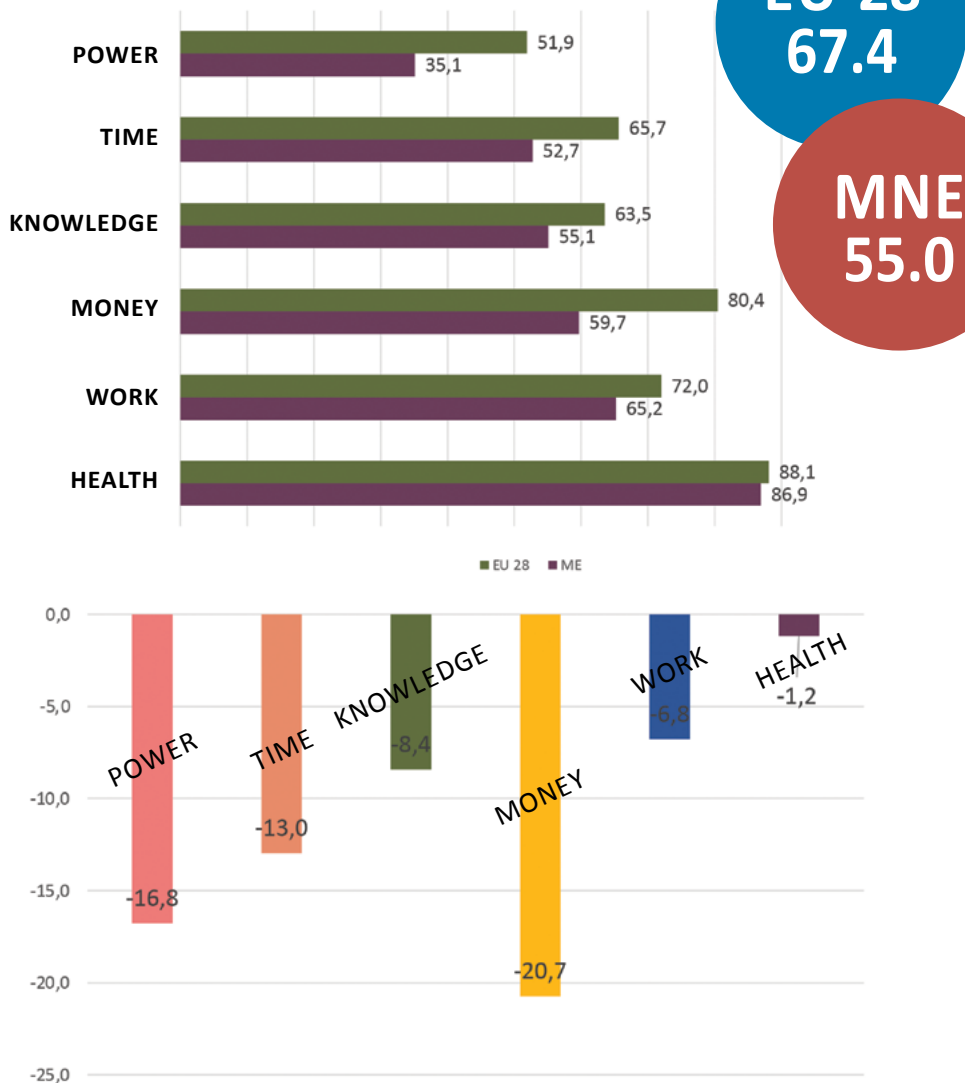
- Originally designed as an instrument to influence policy-making in the European Union and as such, it was made to monitor progress and uncover obstacles during the process of achieving gender equality in the European Union and its member states.
- 6 core domains, two additional domains, 31 indicators
- To be able to assess the pace of changes, the effectiveness of laws or public policies in the field of gender equality, Montenegro needs a comprehensive and comparable instrument, such as the Gender Equality Index.
- It is suitable for comparison *over time and between countries*.



¹²² Data taken from the Gender Equality Index for Montenegro for 2019 <https://www.gov.me/dokumen-ta/495023ee-0d49-4c2a-bcad-e7b0e5d9d3d5> and from the Training on creating instruments for the implementation of gender-sensitive research in the MoD and AFM (April 2021)

The following figure shows the Gender Equality Index for Montenegro in a comparative overview.

GENDER EQUALITY INDEX IN COMPARATIVE OVERVIEW EU-28



POWER DOMAIN: WOMEN ENTER, POWER EXITS

The value of the Index at the level of the 28 EU Member States for the domain of power is also the lowest of all domains. However, the situation is improving the fastest in this domain (contribution of the quota system).

In Montenegro, the difference was greatest in terms of economic power – women are rarely appointed to positions of importance for economic decision-making in the country.

What do we measure?

Gender equality in decision-making, political, economic and social life.

In relation to which dimensions?

SOCIAL

Research funding

Decision-making positions in the media

Decision-making positions in sport

ECONOMIC

Central Bank

Company Board Members

POLITICAL

Local MPs

MPs

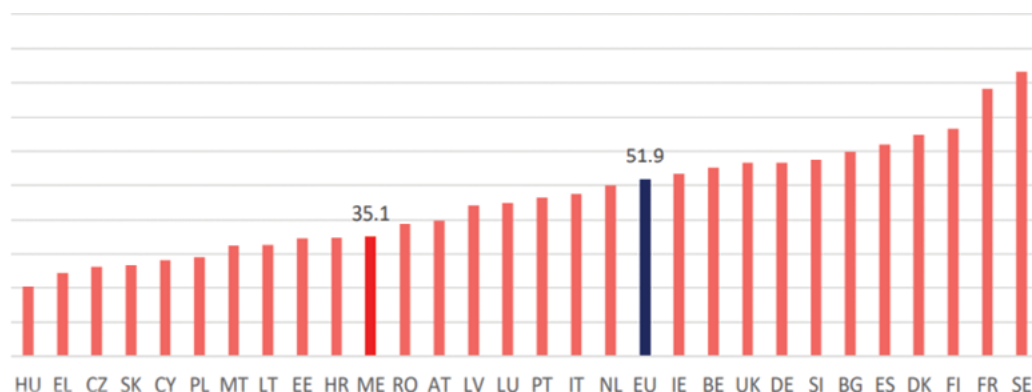
Ministers

What are our indicators?

35.1



The following figure shows the domain of power in a comparative overview of the EU Member States.



MONEY DOMAIN:

FINANCIAL SELF-SUSTAINABILITY – AN IMPORTANT PRECONDITION FOR GENDER EQUALITY. WHERE'S THE GAP?

In the domain of money, Montenegro achieved a score of 59.7, which is significantly lower than the average in the 28 EU Member States.

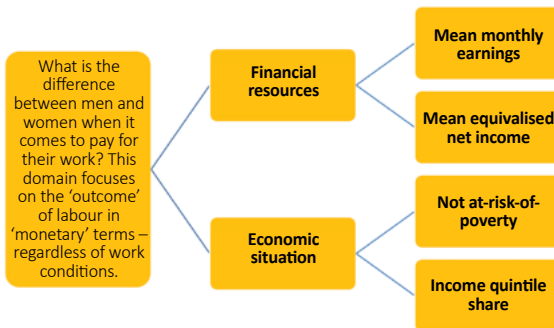
The financial resources subdomain is the main reason for such a difference.

The fact that Montenegro does not officially calculate the difference in pay between the sexes denies the possibility of using an important instrument for monitoring the success of policies aimed at reducing financial gender inequality. Women in Montenegro own 4% of all properties, 8% of land and 14% of vacation homes. Only 9.6% of entrepreneurial companies are owned by women.

What do we measure?

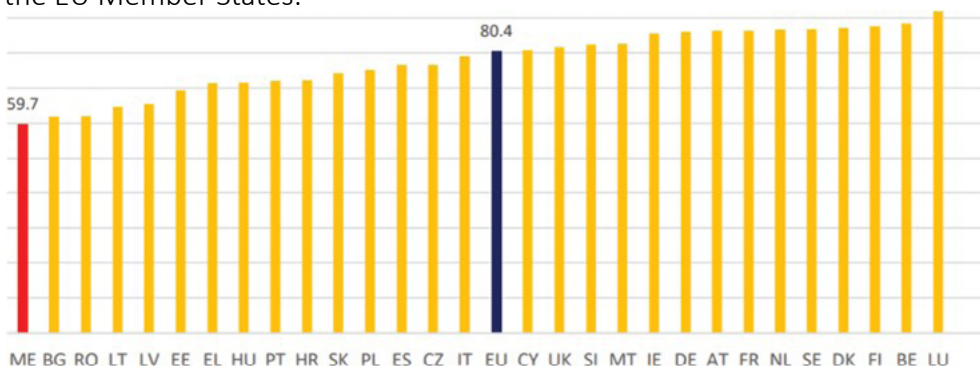
In relation to which dimensions?

What are our indicators?



59.7

The following figure shows the domain of money in a comparative overview of the EU Member States.



WORK DOMAIN

STILL PAYING A HIGHER PRICE FOR ‘HAVING IT ALL’?

The full-time equivalent employment rate is 37.3% for women and 50.5% for men. A woman who is 15 years old today will be active in the labour market for the next 27.9 years on average, and a man for 34.4 years.

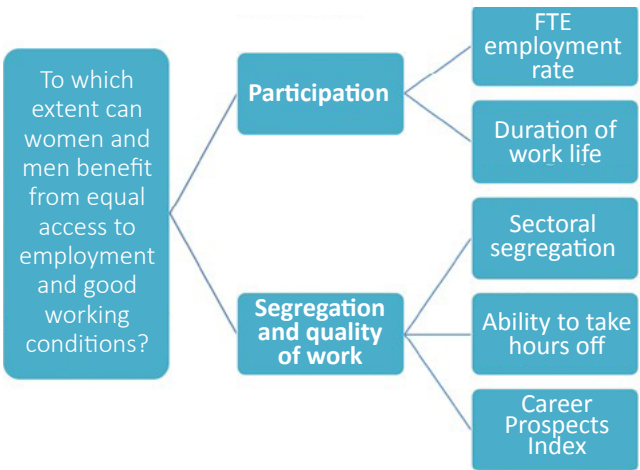
76.6% of employees in education sector are women, but 37% of them are principals of primary and secondary schools or kindergartens.

The percentage of women who said it would be very easy for them to take an hour or two off during work hours to finish something about their private life is 15.8%, while this number is 23.9% for men.

What do we measure?

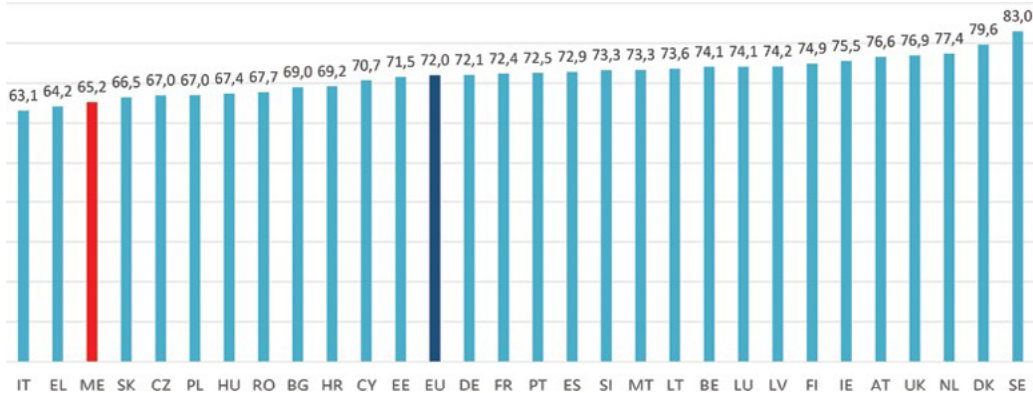
In relation to which dimensions?

What are our indicators?



65.2

The following figure shows the domain of work in a comparative overview of the EU Member States



TIME DOMAIN: TIME TO SPARE?

42.7% of women spend time taking care of children, older people, the disabled, relatives, etc. compared to 23.8% of men.

68% of women spend at least one hour doing housework every day, while only 10.3% of men do the same.

19.6% of women spent some time at least every other day on sports, cultural or entertainment activities, compared to 25.8% of men.

What do we measure?

In relation to which dimensions?

What are our indicators?

How much time is spent after work on household activities and taking care of supported family members, and how much time remains free for sport, culture, leisure or other activities?

Care activities

Care of children, elderly people and people with disabilities

Cooking and household activities

Social activities

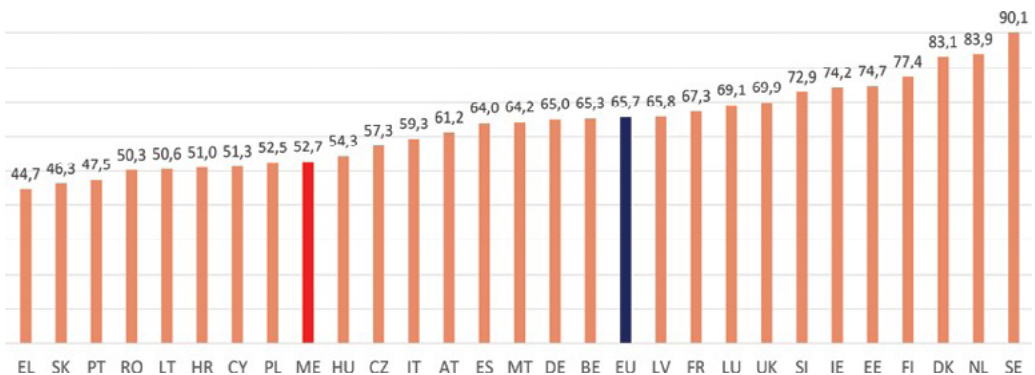
Sport, culture and leisure activities

Volunteering and charitable activities

52.7



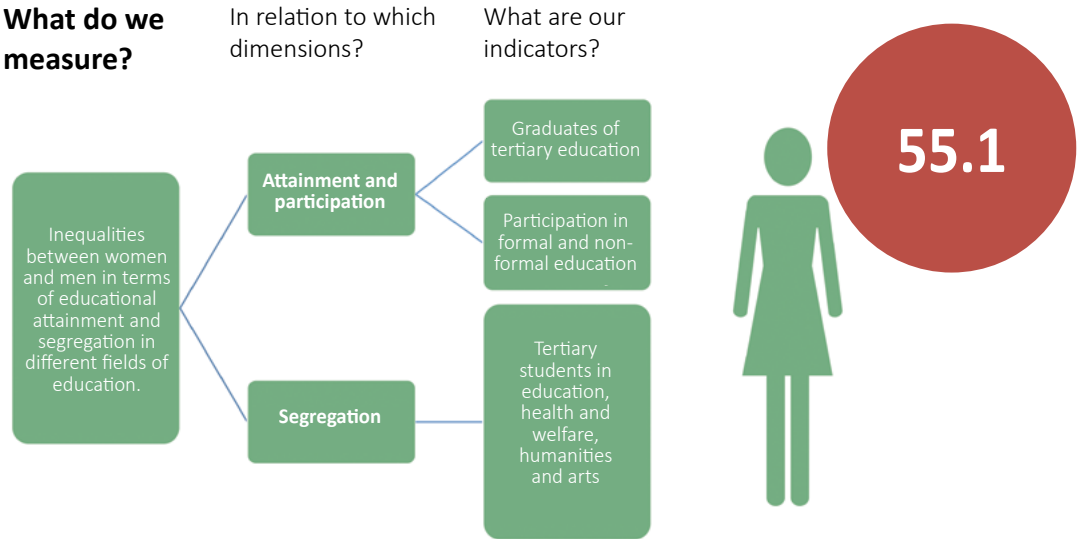
The following figure shows the domain of time in a comparative overview of the EU Member States



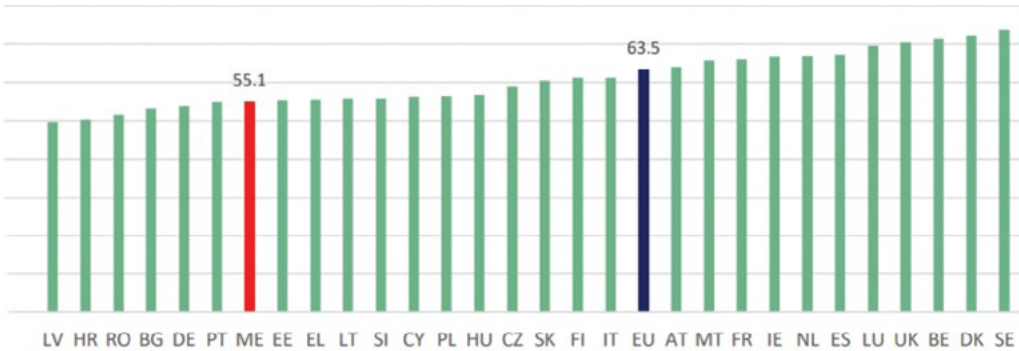
KNOWLEDGE DOMAIN: BETTER EDUCATION, SAME JOBS.

The result in Montenegro revealed that “women’s educational attainment is rising, but that their overall positive development is being held back by strong gender segregation and low engagement in lifelong learning”.

According to data from 2021, out of the total number of students completing undergraduate studies, 59.2% are female and 40.8% are male. In the part of the population that had no education at all, women made up a significant majority (80.8%). The situation is similar with the part of the population with incomplete primary education, where women make up 73%.



The following figure shows the domain of knowledge in a comparative overview of the EU Member States



HEALTH DOMAIN: UNEQUAL BEFORE BORN

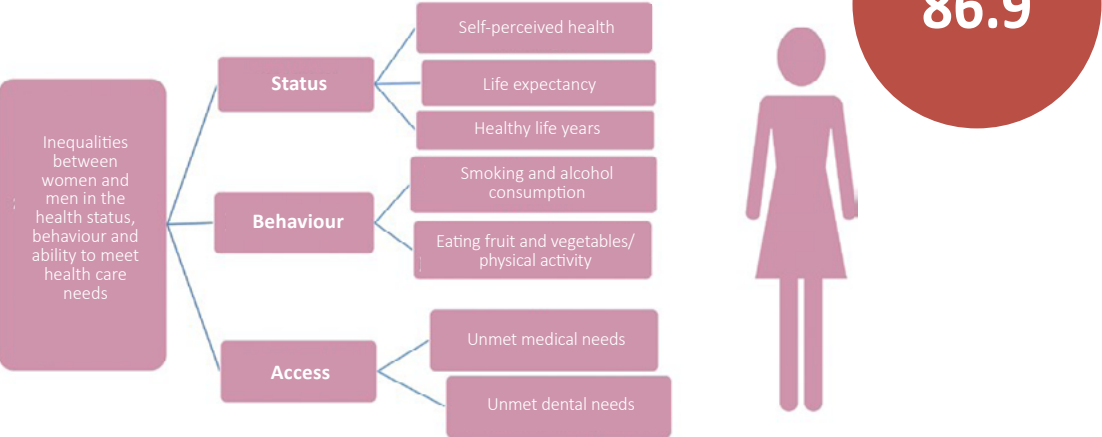
Montenegro’s result in this domain was the best. Women live longer but have poorer health.

Montenegro is among the countries with the biggest imbalance in the number of male and female newborn children in the region of Europe and Central Asia. Women are prone to being less physically active and to eating less healthily.

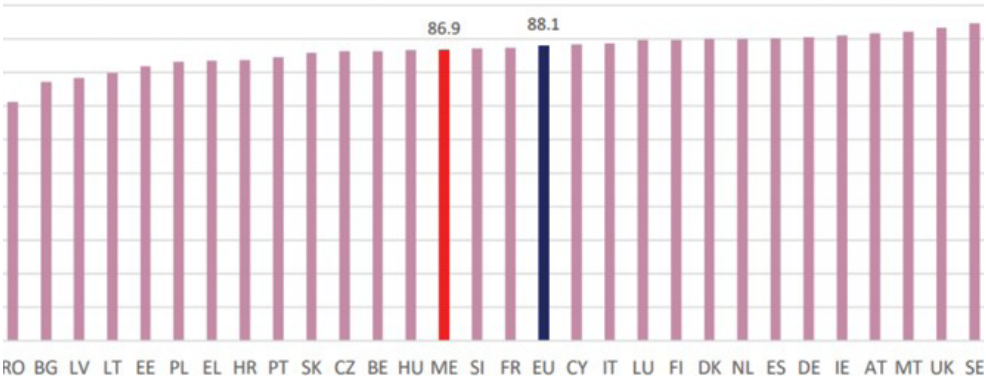
What do we measure?

In relation to which dimensions?

What are our indicators?



The following figure shows the domain of health in a comparative overview of the EU Member States.



QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

WHAT LEGAL DOCUMENTS IN MONTENEGRO PROHIBIT GENDER-BASED DISCRIMINATION?

Answer:

- Constitution of Montenegro,
- Law on the Prohibition of Discrimination,
- Law on Gender Equality,
- Labour Law

EXPLAIN IN YOUR OWN WORDS WHY WE SAY THAT DISCRIMINATION IS PREJUDICE IN ACTION?

Answer: Our attitudes about someone represent the basis for our choices of behaviour towards that individual or group of individuals. Prejudices that occur when a stereotype (an unfounded attitude and belief about an individual or a group of individuals) is accompanied by strong emotion, usually a negative one, are the basis for someone's discriminatory behaviour or action. That is why we say that discrimination is prejudice in action.

WHAT IS THE KEY ELEMENT FOR SOME ACTION TO QUALIFY AS DISCRIMINATION?

Answer: The key element is to establish that discriminatory behaviour is based on someone's personal trait (e.g. skin colour, gender, nationality). If an individual or group of individuals is receiving different treatment compared to other people in the same or similar situation (with an action or omission) due to their personal trait, that is discrimination.

WHAT SITUATIONS ARE THE MOST DIFFICULT TO RESPOND TO EFFECTIVELY—IN THE CASE OF INDIVIDUAL, STRUCTURAL OR INSTITUTIONAL DISCRIMINATION?

Answer: It is much harder to recognize and eradicate structural and institutional discrimination because they permeate entire systems and require conscious, planned and supported organizational change.

WHAT ARE THE HARMFUL CONSEQUENCES OF INSTITUTIONAL DISCRIMINATION?

Answer: Institutional discrimination weakens the institution from the inside and can result in various negative phenomena such as weakened discipline and morale, damaged interpersonal relations, tensions and conflicts in the team. This reduces the efficiency of the institution's work and has a domino effect outwards, on the institution's ability to fully implement its mandate.

Chapter 6.

GENDER-BASED VIOLENCE

Goal

Explain to the trainees the term and concept of gender-based violence, as well as the types of this kind of violence, so that they can recognize it and respond timely and adequately, both in everyday life and work, and in international peacekeeping missions (noting that the last two sub-chapters will cover the forms of gender-based violence that occur in the context of armed conflicts).

Teaching topics:

- The term and types of gender-based violence and
- How to recognize and respond to gender-based violence.

Work method

At the start of this Chapter, it would be necessary to explain to trainees that this thematic unit will focus on explaining the term of violence and types of violence, with a special focus on gender-based violence. *Explain what gender-based violence is. How to recognize it? According to research results, who are the most common survivors of gender-based violence? How to act to prevent GBV? Who to turn to for help? If you witness GBV, how to respond? If the person experiencing GBV asks you for help, how to respond? If you are experiencing violence, how to ask for help in such a situation?*

This topic should be covered as a combination of theoretical and practical, and it is important to ensure interactivity during the entire training. Examples, i.e. “practical lessons” provide the link between theory and practice, contributing to the development of thinking skills and the ability of the trainees to apply the knowledge gained at the training; use examples from everyday life, videos, presentations, which will clarify the concept of gender-based violence to trainees, noting that it is necessary to respect the right to privacy (avoid examples of bad

*media coverage or present them as bad examples). It is best to use examples from representative studies (e.g. Council of Europe and OSCE, such as the publication *The analysis of criminal policy in criminal and misdemeanour cases in the area of domestic violence in Montenegro for 2017*. Council of Europe and Women's Rights Centre. Podgorica, 2019.).*

It is desirable to assess the achieved level of understanding of the topic by surveying the trainees in order to determine the level of knowledge acquired during the training. This can be achieved with an interactive approach throughout the training, where there will be opportunities for individual opinions and exchange, i.e. group discussion. The recommendation for the end of the training is to prepare control questions (a mini-quiz) that will help the trainer assess how successfully he/she communicated the topic to the trainees.

THE TERM AND TYPES OF GENDER-BASED VIOLENCE

At the start of this teaching topic, it is necessary to first explain the terminology, and the very term of “violence”, as a general concept, within which there will be further discussion about a special type of violence, which is based on a person’s gender traits.

The word violence comes from the Latin *violentia*, and indicates a relationship between two parties in which one party influences the other party through the use or threat of using force – this is the use of force against the will or rights of the one that it is used against. Violence means any behaviour or action done against the will of a person, which endangers that person: psychologically, physically, sexually, economically, or threatens her/his peace of mind.

Gender-based violence as a subcategory of violence is characterized by a wide range of violent behaviours. It is important to note that the majority of survivors of this type of violence are women and girls, but it should be emphasized that men and boys can also experience gender-based violence. Reports of gender-based violence are only the tip of the iceberg, as many cases of gender-based violence remain unreported. Shame, fear of retaliation by the perpetrator and lack of trust in services are the main obstacles to reporting.

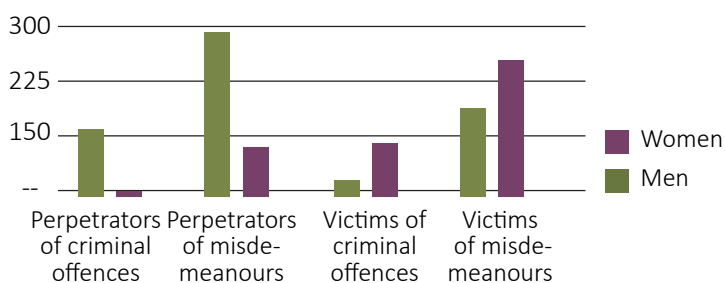
This topic may seem unrelated to the defence sector of Montenegro, and it may not be entirely clear to those who encounter the concept of gender equality in the armed forces for the first time why the Handbook contains a chapter on gender-based

violence. The reality and many studies indicate that gender-based violence is present in all societies, both in the work environment and in cases of domestic violence.

In addition, sexual violence, which represents one type of gender-based violence, has been recognized as one of the war tactics in the 21st century, and this topic must be approached with due care, and trainees should learn about the concepts and forms of gender-based violence and abuse, to be able to recognize and understand how to react in situations of gender-based violence in the work environment or outside the work environment, as well as to be able to penetrate deeper into the correlations between sexual violence and war conflicts.

Gender-based violence includes all types of physical, psychological, sexual and economic violence, as well as threats of violence aimed at an individual based on their gender. These types of violence affect women of all ages disproportionately more than men, which is a reflection of the different physical strength and distribution of social power between women and men, as well as the still widespread discrimination against women, both within the family and in society. The root of gender-based violence is actually gender inequality which is socially based through gender roles that represent a social construct and which, most often, are based on traditional gender concepts of masculinity and femininity.

It is recommended to present the facts that support the above during the presentation. The analysis conducted in 2017 by the Council of Europe in partnership with the Women's Rights Centre shows the data (see the chart below) based on the analysis of reported cases of violence which indicates that "the perpetrators were mostly male, while the victims/survivors were mostly female". More precisely, in 2017, 80.77% of defendants in misdemeanour proceedings, and 92.38% in criminal proceedings, were male, while 74.04% of victims in criminal proceedings, and 66.17% of victims in misdemeanour proceedings, were female, which indicates a significant gender component of violence. Furthermore, the analysis of the sample shows that men most often suffer violence from male family members – fathers, sons, brothers.



Gender-based violence does not always leave visible physical injuries. It also happens in situations of mocking, catcalling, humiliation or insults because of someone's physical appearance, perceived abilities, age, clothes, in the context of gender identity. In the case of touching of any part of the body without the consent of the other person, coercion of sexual relations, blackmail, threats or stalking on the street or on social networks, unauthorized photographing or publishing of someone else's photograph without permission, taking away of money and other basic livelihoods, prohibition and prevention of education, forced begging, prostitution, etc., we can talk about gender-based violence. More detailed descriptions of various forms of gender-based violence are given in this chapter.

Gender-based violence does not threaten only members of one sex, but represents a threat to society as a whole, and requires an appropriate response, comprehensive, continuous and timely intervention by relevant stakeholders at all levels (institution, community, state). That is why gender-based violence is regulated by law and sanctions are envisaged for such violence.

For trainees to understand the general importance of this topic, it is necessary to explain why gender-based violence is a threat to society as a whole.

Violence happens in the family, neighbourhood, at school, work, universities, etc. With the introduction of new technologies, primarily smartphones, the domain of violence has expanded into the digital sphere, so violent people can often take their violent behaviour to social networks and send threatening and violent messages by phone.

Due to the fact that gender-based violence is a threat to individuals, but also to the family and society as a whole, such types of violence are addressed in both international legal documents (see Chapter 2) and by laws of Montenegro. It is important to mention the relevant legal framework when talking about the topic of gender-based violence, particularly domestic violence, because it is often believed that what happens in a family is a "private matter" where no one has the right to interfere. However, the state sanctions behaviours that are clearly defined by the law and fall under gender-based violence.

In Montenegro, protection against such behaviour is provided by a series of provisions incorporated in the Criminal Code, Law on Protection from Domestic Violence and other special laws, which refer, inter alia, to the context of gender-based violence.

For the sake of better understanding and recognition, the next part gives definitions of different types of gender-based violence:

Psychological violence – represents the most widespread form of violence and includes insults, mocking, criticizing, accusations, threats, slurs, humiliation (e.g. “you are stupid”, “just look at your mother”, “your friends have a bad influence on you”, “you are a weakling”, etc.), eavesdropping, checking messages on the mobile phone, etc.;

Although it does not leave consequences on the body in the form of bruises, the scars show on the mental health of the abused person, and the recovery process is complex. The root of psychological violence is verbal abuse, because the violence perpetrator constantly criticizes or labels the victim of the abuse. The main goal of this behaviour is to damage the person’s confidence, independence and dignity (the latter particularly if it happens in the presence of other people).

In the work environment, it is very important to point out that mobbing, i.e. harassment at work, is one form of “psychological violence” which may or may not have a predominant gender dimension, and whose ultimate goal is to make the victim of mobbing leave their immediate work environment or quit their job. This form of violence has become an actual topic in Montenegro only in the last fifteen years, although such forms of behaviour in the work environment have existed before. Mobbing is about repeated behaviour, i.e. about active psychological violence which leaves permanent consequences on the victim of mobbing. For this reason, it is very important to recognize and report any such behaviour in a timely manner. The Law on the Prohibition of Harassment at Work speaks in greater detail about the protection of employees at work from such behaviour (see **Chapter 3**, National legislative, strategic and institutional framework for gender equality), while some more serious forms are criminalized, i.e. covered by the Criminal Code of Montenegro.

Economic violence – includes situations when the partner: does not provide money for the needs of the family, does not allow insight and access to the family income, takes the income of the person suffering violence and limits the spending of the money that person earned, wants the person to justify every spending, forces the person suffering economic violence to leave their job or does not allow them to get a job, makes it impossible for them to advance in their job or get education through manipulative actions (e.g. always makes a problem before an exam or a work duty, calls guests or organizes a time-consuming activity without consulting), all property is registered in the name of the person committing economic violence, the person suffering violence even transfers their inheritance under pressure to the partner, and/or has no right to decide on how to dispose of their personal or joint property and other similar situations.

Economic violence can be subtle and difficult to recognize, especially in traditional and patriarchal environments with the established opinion on women's and men's roles and where many violent behaviours are "normalized", i.e. socially acceptable. This is a specific form of abuse that includes behaviours that affect the material and financial position of the person suffering violence, and the feature of this type of violence is that it is most often manifested in the domain of family life.

Physical violence – includes slapping, hitting, pushing, kicking, pinching, squeezing, pulling hair, breaking body parts, cuts, putting out cigarettes on the body, strangling, scratching, biting, tripping, throwing an object at a person and other actions that threaten the safety of a person who is subjected to violence and cause physical injuries ranging from minor to severe. In its extreme form, physical violence can result in the death of the person subjected to the violence. In the case of the death of a woman who suffered violence, such a death is called femicide.

Physical violence happening within the family has consequences not only for the person suffering the violence, but also for those witnessing it. Children are most often in this role, and they can also be affected by physical violence or, if they witness such violence, then they suffer the psychological consequences of a violent family environment, and sometimes they transfer behavioural models to peer relationships or, to their own families as adults.

Physical violence involves the use of force and is the most easily recognizable form of violence. This includes any physical attack on another person. When it comes to gender-based violence, this type of violence is usually cyclical, with alternating periods of abuse and calm periods. In calm periods, the perpetrators of violence usually apologize and justify their actions or deny the significance of the violence or the violence itself, they make various concessions and make promises that it will never happen again. This is a form of manipulation of a person suffering violence and further complicates the process of making a decision to seek help, to report violence and leave a toxic relationship, especially since physical violence is often combined with other types of violence such as sexual, psychological or economic violence.

Sexual harassment – is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.

In the military environment, based on the definition of the Council of Europe, sexual harassment is defined as all unwanted sexual conduct such as physical contact and courtship, sexually coloured comments, showing pornography and sexual offers through words or actions, as well as other physical or verbal conduct of a sexual nature. Such situations are considered a violation of a person's dignity.

The state is expected to prohibit such conduct of a sexual nature, or any conduct that includes sexual connotations and violates the dignity of persons at work, including the conduct of superiors, as well as the conduct of colleagues. Sexual harassment must not be tolerated and effective systems for sanctioning such behaviour should exist. States should promote sensitization and awareness about sexual harassment, as well as the prevention of sexual harassment at work or in any other place where such behaviour may occur and should take measures to protect women and men from such behaviour.

Sexual assault – any sexual act committed against a non-consenting woman, even if she does not show signs of resistance, with the exception of rape (EIGE, Glossary).

Sexual exploitation – any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.

The term is often used especially in relation to the sexual exploitation of children. According to the UN Convention on the Rights of the Child, sexual exploitation includes the commercial sexual exploitation of children, audio or video recordings of child sexual abuse, child prostitution, sexual slavery, sexual exploitation in travel and tourism, smuggling (within and between countries) and trafficking of children for sexual purposes and forced marriages. According to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, sexual exploitation of children includes actions related to (a) sexual abuse, (b) criminal offences concerning child prostitution, (c) criminal offences concerning child pornography, (d) criminal offences concerning the participation of a child in the production of pornographic content, (e) intentionally inciting a child to watch sexual acts for sexual reasons and (f) recruiting children for sexual purposes. (EIGE Glossary).

Sexual violence involves the use of brute force for attempted or actual sexual relations or sexual activities against the will of the person who is the target of violence.

Any real or attempted act of a sexual nature towards another person without their consent, regardless of the relationship between the perpetrator and the

victim, in any environment, including, but not limited to, home and work. Acts of sexual violence are an attack on the right to sexual freedom, autonomy, control, integrity and safety, and on the right to enjoy a healthy, safe and satisfying sexual life. At the same time, these rights are closely related to reproductive rights, such as the freedom and autonomy to decide when to have children, how many children and which contraception method to choose. Examples of sexual violence include, but are not limited to, rape, date rape and marital rape. (EIGE Glossary). The term sexual violence is very similar to the term sexual abuse, but the latter is often used in relation to children. Both types of violence are particularly prevalent in the context of armed conflicts and it is important, particularly for people preparing for participation in peacekeeping missions, to get a firm grasp of these definitions. Ways of dealing with these phenomena will be discussed in more detail in the following subsections.

Sexual abuse – Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Although this definition is general, the term is mainly used specifically in relation to children. According to the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, sexual abuse of children includes (a) engaging in sexual activities with a child who, according to the relevant provisions of national law, has not reached the legal age for sexual activities (the term is not related to consensual sexual activities between minors) and (b) engaging in sexual activities with a child where use is made of coercion, force or threats, abuse is made of a recognised position of trust, authority or influence over the child, including within the family; or, abuse is made of a particularly vulnerable situation of the child, notably because of a mental or physical disability or a situation of dependence. (EIGE. Glossary)

It is important to recognize that the so-called rape culture can exist in society. It is a belief system that encourages male sexual aggression and supports violence against women. It describes a society where violence is seen as sexually exciting and sexuality as violent. The manifestation of rape culture includes examples of sexual violence that involve a range of actions from sexist statements to sexual touching and rape, as well as the acceptance of such violence against women and its portrayal as a normal phenomenon. The term can also be associated with certain groups or circumstances, such as rape in war or rape in prison. (EIGE. Glossary)

Technology-facilitated gender-based violence (TFGBV) is a relatively recent phenomenon, which was practically unimaginable thirty years ago. As information and communication technologies have become more and more present in our

everyday life lives, to the extent that it is now difficult to imagine a typical day without the internet, laptop, smartphone or social networks, so has the gender-based violence that takes place in the digital space become more and more frequent. Due to all of the above, in April 2022, the European Union began the work on creating a legal framework for regulating gender-based violence, so that it also includes technology-facilitated gender-based violence.

The definition of online violence against women refers to any act of sexual violence against women that is committed, facilitated or aggravated with the partial or full use of information and communication technologies (such as mobile phones and smartphones, the internet, social network platforms or email), and which is directed against a woman simply because she is a woman or which affects women disproportionately.

The Glossary of technology-facilitated gender-based violence proposes distinguishing between four manifestations of this type of violence. The **first group** consists of *cyber (or digital) violence* and gender-based online harassment, which includes various forms and types of harassment and abuse in the digital space, most often through the use of textual or graphic content, to intimidate a person, negatively affect their self-confidence or damage their reputation. If subjected to this type of violence, a person can be contacted constantly and without their consent, can be threatened, can be intimidated by sending unwanted, unpleasant, humiliating or offensive pictures or comments (this includes harassment on various platforms, gender-based and sexist hate speech, retaliation for supporting survivors of violence and online slander). The **second group** includes *sexual violence in the digital environment*, with a special focus on unwanted technology-facilitated sexual experiences. This group includes: abuse through visual content (which is based on making, sending or threatening to send photos or videos of an intimate or sexual nature in order to upset, blackmail, threaten or destroy a person's reputation, or to present them as a sexual object; recording girls and women in public places, without their permission or without their knowledge; sexting and abusive sexting; cyber exhibitionism, unwanted pornography – a form of cyber exhibitionism where a person sends an unsolicited photo of their genitalia or sexually explicit material to another person without their consent), recording and/or broadcasting sexual assaults and rapes, etc. The **third group** consists of forms of violence aimed at *technology-facilitated endangering of safety and privacy* (including impersonation and catfishing, technology-facilitated restriction or controlling, electronic financial abuse, cyberstalking and online stalking, attacks “in real life”, online threats, Google and Zoom bombings, as well as denial-of-access attacks and denial-of-

service attacks). The fourth group includes other forms of violence in the digital environment – those that are not included in the previous groups.

Like any other type of violence, technology-facilitated gender-based violence causes fear, anxiety and lasting consequences for the victim.

It is important to emphasize that the list of different forms of violence does not end here, because violence manifests in different places in different life situations and can happen to anyone. It can occur once, or repeat in cycles over long periods of time. It is extremely important to raise awareness of all people in society about various forms of violence, so they can recognize them in their surroundings and at work, and respond appropriately. It is important to raise awareness in society and bring perpetrators of violence to justice. If the person experiencing violence seeks help, they should act very cautiously and seek professional help, respecting maximum discretion. You should never try to “disperse” the feelings of fear, shame and embarrassment, which, as a rule, accompany such forms of behaviour, in order to encourage the person suffering violence to seek help and/or to report the violence – it should be the decision of the person suffering violence, when they are ready for such a step, because it often includes a plan on how to protect themselves from repeated attacks, how to survive economically, how to protect children from violence, and, in the most extreme situations, how to save their life.

Gender stereotypes and unfounded opinions (some of which persist for a long time as myths – for example, raping a woman is not possible if she is really determined to defend herself and crosses her legs firmly) shape the way the environment sees and responds to gender-based violence. There is a tendency to relativize the existence of violence and even to blame the people who have survived the violence, instead of holding the perpetrators of violence responsible for their behaviour and bringing them to justice. Gender stereotypes and myths can cause additional damage to survivors of violence, and can prevent the adequate response of institutions (centres for social work, health care institutions, the judiciary), and in the case of sexual violence, they can cause re-traumatization of the person who has experienced violence through inappropriate investigation actions.

The impact of violence can be very strong and can last for years. Survivors of violence are often in a state of shock, they feel fear or anger as a reaction to violence. Psychological consequences, such as loss of self-confidence, anxiety and similar traumatic symptoms were experienced by about one-half of women who have ever had a partner who was violent – it is said in the study conducted

by OSCE in Montenegro in 2019. The same study says that “more than two in five respondents believe that most of their friends would agree that ‘a good wife should respect her husband even when she disagrees with him’ (43%), and 14% believe that their friends would agree ‘that it is a woman’s duty to have sex with her husband’. One in four believe that the violence against women was often provoked by the victim herself”. In the study, the OSCE points out that these attitudes are slowly but surely changing. Gender Trainings addressing the topic of gender-based violence are one important link in the chain of positive measures aimed at prevention, timely and appropriate response, as well as sanctioning of gender-based violence.

According to the data of the Police Administration, one woman was a victim of domestic violence almost every day in January 2022, and three femicides that happened in four months in Montenegro are an **alarm for competent institutions to do more to prevent violence**.

Due to all of the above, it is very important to recognize gender-based violence and know how to respond to it and who to turn to for help if you become the target of violence, or if someone experiencing violence turns to you for help.

HOW TO RECOGNIZE AND RESPOND TO GENDER-BASED VIOLENCE

It is sometimes very difficult to recognize that a person is experiencing violence. It is important to keep in mind that it is not our task to search for people who might be suffering violence, but we have to be able to recognize violence if we are in such a situation or if someone comes to us for help.

This Chapter provides many examples of various types of gender-based violence which can help you recognize it if you are experiencing violence, or even if you are unknowingly committing violence against another person. Recognizing it is the first step to stopping it, if someone is unknowingly committing violence. In addition, knowing the legal framework means that there is awareness that Montenegro prescribes misdemeanour or criminal responsibility (depending on the severity of the offence) in its legislative framework for cases of gender-based violence.

If a person is complaining of suffering physical violence, you should keep in mind that the physical injuries may have disappeared in the meantime, or that they are

not easily visible. If a person is asking for help and claiming to be suffering from physical violence, you should, first of all, believe them. This means that you should not ask unnecessary questions because this can lead to re-traumatization. So, you should help them even where there are no visible traces of physical violence.

On the other hand, sometimes you may suspect that a person is suffering physical violence (e.g. has bruises around their eyes and covers them with sunglasses). If the person denies suffering violence, don't insist on them confiding in you, but be careful and build a relationship of trust until the person is ready to tell you what is happening to them. In any case, domestic violence is not a private matter, but a form of violence that is regulated by law and not tolerated by society, and therefore neither by your institution.

If a person suffers violence, it is important to understand that it is not that person's fault, but the fault of the person committing the violence. Everyone has the right to take steps to end a violent situation. It takes help for this to happen. The person suffering violence should be empowered to ask for help in order to get out of the violent situation. Such help takes many shapes – from NGOs supporting survivors of violence, to state institutions who have the obligation to follow the law. Since GBV is a violation of human rights that threatens safety and security, state institutions that are obliged to provide protection and respond in cases of domestic violence are centres for social work, the police and health care institutions, which should work in coordination. Doctors who suspect that injuries are the result of domestic violence have to report the case to the competent authorities.

If gender-based violence happens in the defence sector, a witness or survivor of violence should first report the situation within the system, either through the line of command, or directly through the mechanisms for protection against such behaviour, and then to the competent institutions.

It is important to remember that a person experiencing violence has the right to seek help and say NO, and that the blame and responsibility for violence always and exclusively lies with the person committing it.

PREVENTION OF GENDER-BASED VIOLENCE

Montenegro has good laws and policies related to gender-based violence. However, like in other countries of the region, there is a gap between the normative and the actual, i.e. the existing legal framework is not always implemented adequately.

Most cases of gender-based violence and domestic violence are treated as misdemeanours and resolved with fines, while prison sentences are rare.

Education on gender and gender-based violence at all levels, from primary school to university education is important, because the first condition for the prevention of violence is its timely recognition and consistent enforcement of the law (whether in misdemeanour or criminal proceedings).

In the defence sector, trainings, such as this one conducted by certified trainers, are one of the ways to broadly sensitize everyone who is employed or otherwise engaged in the sector. In addition to that, it is crucial to have internal procedures (SOPs), as well as complaint mechanisms that can respond in situations of gender-based discrimination and abuse. In this sense, it could be said that the defence sector is in the lead compared to the rest of society, but there is still room for improving the procedures and applying them consistently, so that the AFM as an institution can show zero tolerance for gender-based violence.

LITERATURE:

- OSCE. Well-being and Safety of Women – Montenegro, Report with results Podgorica, 2019
- National Gender Equality Strategy 2021-2025
- Analysis of penal policy in criminal and misdemeanour cases in the field of domestic violence in Montenegro for 2017
- CEDAW and GREVIO reports for Montenegro, the Criminal Code and the Law on Protection from Domestic Violence
- Types of violence – SOS Vojvodina (sosvojvodina.org)
- Columnists / Aleksandra Petrić: What is gender-based violence and how to recognize it

QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

IN ADDITION TO PHYSICAL VIOLENCE, WHAT OTHER TYPES OF GENDER-BASED VIOLENCE ARE THERE?

Answer: There is a whole range of forms of gender-based violence that can include sexual violence, psychological, emotional, economic, technology-facilitated violence (e.g. through social networks).

GENDER-BASED VIOLENCE IS PROHIBITED AND PUNISHED BY WHICH LAW(S)?

Answer: Montenegro prohibits gender-based violence through two laws: the Criminal Code of Montenegro and the Law on Protection from Domestic Violence sanction gender-based violence. Depending on the severity of the committed violence, prison sentences (criminal liability) or fines (misdemeanour liability) may be imposed.

LIST ACTIONS THAT CAN BE QUALIFIED AS SEXUAL HARASSMENT AND IS IT ALSO PROHIBITED BY LAW?

Answer: Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment. Based on the definition of the Council of Europe, sexual harassment is defined as all unwanted sexual conduct such as physical contact and courtship, sexually coloured comments, showing pornography and sexual offers through words or actions, as well as other physical or verbal conduct of a sexual nature. Such situations are considered a violation of a person's dignity (source: The Human Rights of Armed Forces publication).

Sexual harassment is also prohibited by the Law on the Armed Forces of Montenegro and is characterized as a disciplinary offence.

WHY SHOULD WE UNDERSTAND THAT PHYSICAL AND SEXUAL VIOLENCE, AS CATEGORIES OF GENDER-BASED VIOLENCE, ARE NOT A PRIVATE MATTER?

Answer: The international legal framework (particularly the Istanbul Convention), as well as the legal framework of Montenegro (Criminal Code and Law on Protection from Domestic Violence), govern this matter and prescribe criminal or misdemeanour liability, depending on the degree of physical injuries, as well as the type of sexual violence (attempted or committed sexual violence). Marital rape is also considered sexual violence, and any form of violent behaviour that physically and sexually endangers another person is not a private matter, regardless of whether it takes place inside four walls. Gender-based violence, particularly sexual and physical violence, is sanctioned and prohibited by law because it has a harmful effect not only on individuals, but also on the family and the entire society.

CAN GENDER-BASED VIOLENCE BE PREVENTED AND HOW?

Answer: We should not wait for violence to happen, society and institutions should rather work to prevent violence through education, media campaigns and trainings on gender-based violence. The defence sector should strengthen the established mechanisms and expand the coverage of already existing trainings conducted by certified gender trainers. It is very important to enforce the existing legal framework in cases of committed and reported violence to increase the trust in institutions and for potential or active (but unreported) perpetrators of violence to understand that such behaviour is punishable by law and socially unacceptable, as well as to increase the awareness of persons suffering violence that the law and institutions of Montenegro protect them.

Chapter 6A.

CONFLICT-RELATED SEXUAL VIOLENCE

■ Goal

Introduce trainees to the concept of conflict-related sexual violence and ways to prevent it and respond to it.

■ Teaching topics

- Conflict-related sexual violence (CRSV), definition and examples
- The connection between sexual violence and armed conflict and a brief history in relation to the visibility and criminality of CRSV
- Preventing and responding to conflict-related sexual violence

■ Work method

Tell trainees that within in thematic unit, you will explain the concept of conflict-related sexual violence and how such violence is defined within international law. After explaining the concept, give examples of sexual violence in conflict zones, how to recognize it, who are the most frequent victims of conflict-related sexual violence. Also explain how the UN and NATO respond to sexual violence in their missions, what they do in terms of prevention and what they do in the context of response to conflict-related sexual violence.

After the discussion on the given topic, test the newly acquired knowledge through a mini-quiz (joint discussion) or individual anonymous questionnaires.

Chapter 6 talked about different forms of gender-based violence which are sanctioned by the legal framework of Montenegro. This subchapter addresses conflict-related sexual violence, which has recently been sanctioned under international law.

Understanding the nature, manifestations and unacceptability, i.e. the punishability of conflict-related sexual violence is particularly important for the members of the AFM who are preparing to participate in international peacekeeping missions. It is important to start the training by recalling the definition of sexual violence – this is any real or attempted act of a sexual nature towards another person without their consent, regardless of the relationship between the perpetrator and the victim.

Sexual violence occurs in armed conflicts for many different reasons, including as a form of torture, to inflict injury, to extract information, to degrade and intimidate, and to destroy conflict-affected communities. Rape is used as a way to humiliate opponents, to drive communities and groups off land, and to wilfully spread HIV. Women are forced into sexual slavery and domestic slavery, and they are often abducted and then forced to serve as ‘wives’ to reward fighters (EIGE Glossary and Thesaurus).

Sexual violence has been commonly used in armed conflicts throughout the centuries, but it was only at the beginning of the 21st century that it was recognized that it can be used strategically, systematically, as a tactic directed most often against civilians, during war conflicts and in periods of peace. In this sense, conflict-related sexual violence is recognized as a serious violation of international humanitarian law, as well as a violation of human rights.

From invisibility to an internationally sanctioned crime – a brief history of the treatment of conflict-related sexual violence

Back in 1863, US President Lincoln proposed a law called the Lieber Code, where Articles 44 and 47 referred to rape in conflicts. However, these were only hints of recognition of this specific problem, which seriously affects individuals and entire communities during armed conflicts. Even after World War II, conflict-related sexual violence was not recognized as a crime. Although there was evidence during the Nuremberg trials that sexual violence occurred, it was not mentioned as a crime. The change happened after the adoption of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War,

in August 1949. In Section I, Article 27, it is said that women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.

Decades have passed until the Fourth Geneva Convention was properly implemented with the establishment of international courts for war crimes (Yugoslavia, Rwanda, Sierra Leone), and with the establishment of the International Criminal Court in 1998 and the adoption of the corresponding Rome Statute in 2002, in which rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity, committed as part of a planned systematic attack directed against any civilian population, can be qualified as a crime in terms of internationally accepted law.

Widespread use of sexual violence in armed conflicts, such as, for example, in Sierra Leone, Rwanda, and also in our region, led to the adoption of UNSCR 1820 in 2008. The UN Security Council recognized that the planned use of sexual violence, very often as a tactic of war, leads to the worsening of armed conflicts and the disruption of the peacebuilding and peacekeeping processes. In accordance with this, the UN Security Council adopted a series of related resolutions, including UNSCR 1888 (2009), UNSCR 1960 (2010) and UNSCR 2467 (2019), thereby establishing the framework for combating conflict-related sexual violence through prevention, coordinated response and call for accountability of perpetrators.

Since the adoption of the UNSCR 1820, the “survivor-centred approach” to conflict-related sexual violence has been used. The UN made the next significant step in 2019 with the adoption of UNSCR 2467. In the Preamble of UNSCR 2467, it is said that UN Member States have the obligation to end impunity and to prosecute those responsible for crimes of genocide, crimes against humanity, and war crimes, perpetrated against civilians and especially calls for the cessation of all activities within the conflict that can be classified as acts of sexual violence, calls upon Member States to combat sexual violence and ensure that survivors of CRSV receive appropriate treatment, taking into account their needs (survivor-centred approach), including health care, psychological support, shelter and other types of livelihood support, as well as legal aid.

Today, it is recognized that conflict-related sexual violence causes unimaginable suffering. It aims to destroy individuals, families and wider communities. This way, it prolongs conflicts and instability that often last for generations. The use

of sexual violence in conflict and post-conflict situations is a huge challenge due to its scale, prevalence and profound consequences, which has been recognized in the definitions used in the context of international law and peacekeeping operations, whether they are implemented under the auspices of the UN, within the framework of NATO or EU peacekeeping missions.

Definitions and terminology

According to the UN definition, conflict-related sexual violence refers to incidents and examples of sexual violence that occur during and after an armed conflict or in other crises (e.g. political unrest). Conflict-related sexual violence includes rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity, aimed against women, men, girls and boys.

The connection between conflict and sexual violence can be seen when we look at the typical profiles of perpetrators (which are often associated with armed groups operating under or outside the control of the state, including terrorist groups and networks). Common characteristics of persons subjected to sexual violence include persons who are perceived as members of a persecuted political, ethnic or religious minority, or who have become the target of sexual violence due to their sexual orientation or gender identity. The climate that favours impunity for acts of sexual violence is generally linked to a situation of a dysfunctional state, no border control (along with the occurrence of refugees and human trafficking), and violation of cease-fire agreements.

Human trafficking for the purpose of sexual exploitation also falls under the definition of conflict-related sexual violence, and it will be discussed in the next subchapter 6B.

Whether or not sexual violence is conflict-related should be determined on a case-by-case basis, based on an established methodology that helps to analytically and conceptually define conflict-related sexual violence (CRSV). To be defined as conflict-related sexual violence, it must be connected to the conflict in terms of time, geographic location and causal relationship. The connection to armed conflict may be visible in the profile and motivations of the perpetrator, the profile of the victim(s), the climate of impunity/weakened functions of the state, the cross-border dimension and/or the fact that the terms of the ceasefire agreement are being violated.

The link between sexual violence and armed conflict exists when:

- it is used as a “tactic of war” – in relation to military/political goals that serve a strategic goal of an armed conflict,
- it is committed against civilians,
- it is committed in refugee camps under the auspices of the UN,
- it is committed during the disarmament, demobilisation and reintegration (DDR) process,

Such violence is a subtype of gender-based violence, which was discussed in greater detail at the beginning of Chapter 6.

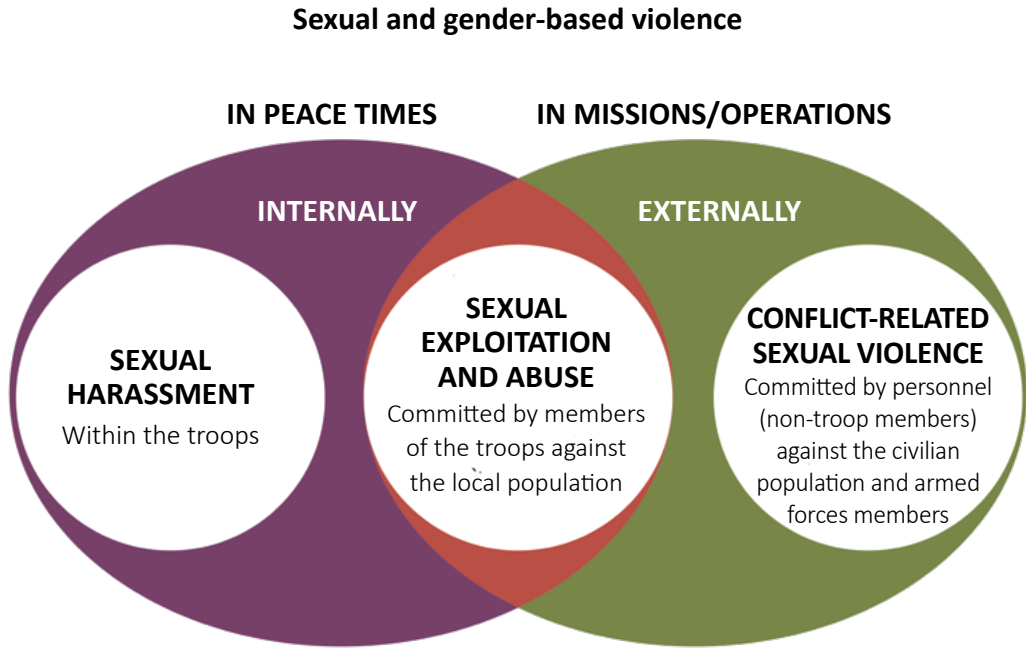
NATO defines conflict-related sexual violence as rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, forced marriage or any other form of sexual violence of comparable gravity, committed against women, men, girls and boys, directly or indirectly related to the conflict. Therefore, the NATO definition is fully harmonized with the United Nations definition.

Use of the term “victim of sexual violence” according to the UN interpretation – The use of the term primarily depends on the person who survived sexual violence, i.e. on how that person perceives themselves. The UN staff are instructed to respect the choice of term. Also, the use of the appropriate term will depend on the context. For example, both in the relevant national law and international laws addressing the issue of war crimes or crimes against humanity, the term “victim of sexual violence” is used. Victims are persons who directly survived violence or who were indirectly affected (e.g. children born as a result of rape during the conflict).

The term “survivor of sexual violence” is used to show respect for the person, help the healing process of psychological wounds and emphasize the resilience of such persons and the ability to recover from such a terrible experience. There is no generally accepted term according to the UN interpretation, so both terms are used in the documents.

Conflict-related sexual violence – NATO approach

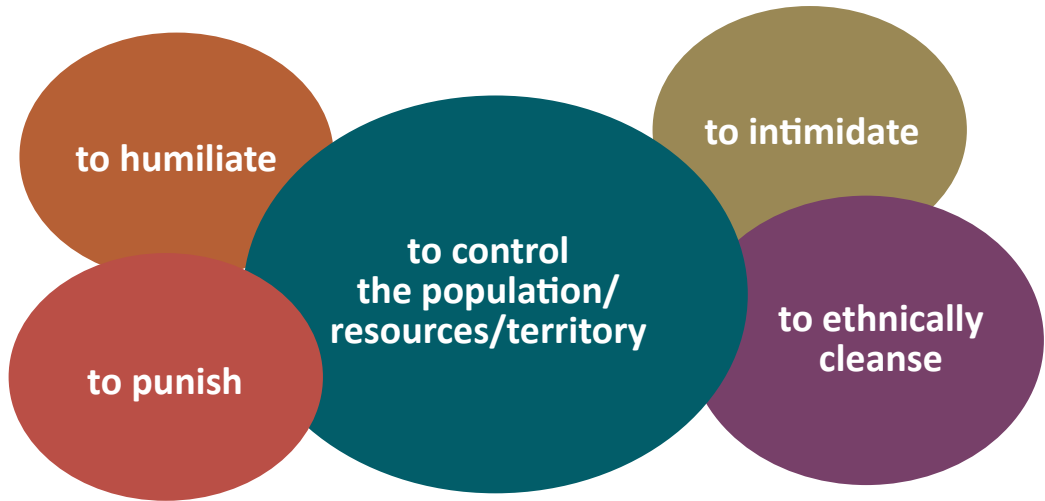
To make a clear distinction between different forms of conflict-related sexual violence, the chart used in the Bi-Strategic Directive (Bi-SCD) 40-01 (2021) should be used in trainings:



So, the perpetrators of conflict-related sexual violence are members of various armed groups, and sexual violence is directed mainly against civilians, and less often against armed forces or prisoners of war.

We distinguish this type of violence from sexual harassment (which occurs among members of the armed forces during international peacekeeping missions), sexual exploitation and abuse (which is committed by members of the armed forces against the local population, or against other members of peacekeeping forces). This will be addressed in particular at the end of this subchapter.

Some of the motivations for CRSV



It should be emphasized again during the training that conflict-related sexual violence is a crime under international criminal law:

- when committed in situations of armed conflict (or occupation) and in connection with the armed conflict – violation of international humanitarian law (war crime),
- when committed as part of a widespread or systematic attack on the civilian population – crime against humanity,
- as a form of torture (against a person in custody or under someone's control),
- as an element of genocide.

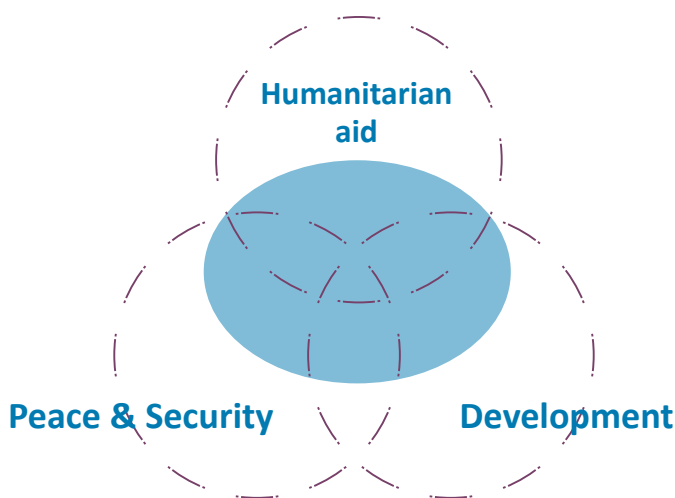
When used as a tactic in armed conflicts, sexual violence can be part of crimes committed in armed conflicts that qualify as genocide, crime against humanity or war crime. In this sense, systematically committed raping of the civilian population falls under the jurisdiction of international courts such as the former court for crimes in Rwanda and Sierra Leone, and also under the jurisdiction of the International Criminal Court.

Prevention and protection of persons at risk

The rules given below are the same for NATO and the UN, as well as for missions under the auspices of the EU, because all NATO member states, as well as UN member states, respect the Women, Peace and Security Agenda, i.e. UNSCR 1325 and related resolutions.

Mission personnel should focus on prevention. This means that through collaboration with the local community, including women's groups if they exist, missions should work proactively to identify the risk of CRSV, develop an early warning system and prioritize preventive actions. This includes both resource allocation and hot spot analysis for CRSV. Early warning indicators should be adapted to the local context and include response plans in the event of the appearance of the CRSV risk. Military missions are not alone there, there is a whole range of actors on the ground (UN police, various UN agencies, non-governmental organizations, local authorities).

The integrated framework in which the mission actors operate (graphic representation below) shows that there is an overlap in the activities of agencies working on development and humanitarian aid on the ground. In crises, UN OCHA has the mandate to ensure the coordination of all stakeholders for more efficient aid provision and progress towards conflict resolution.¹²³



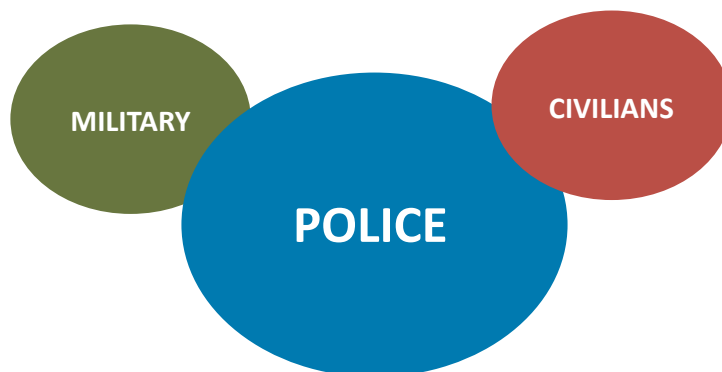
¹²³ The United Nations Office for Humanitarian Affairs – UN OCHA has the mandate to bring together all stakeholders in humanitarian disasters, including armed conflicts, and to provide a coordinated response so that all stakeholders can contribute to an efficient response to the crisis. More information available at: ABOUT OCHA | OCHA (unocha.org)

In the ideal case, a formal agreement is reached with the leaders of the parties to the conflict to prevent the occurrence of CRSV in their ranks in accordance with international legal commitments. The focus is on political negotiations, and peacekeeping military forces with the protection of civilians mandate should take all necessary steps, including the proportionate use of force, to prevent and respond to threats of violence against the civilian population, including sexual violence.

Advisors for the protection of civilians need to ensure that CRSV aspects are integrated into the broader framework of the mission, for the information and analysis of CRSV risks to be included and for civilians to be protected from violations of international humanitarian law and internationally recognized human rights.

It should be noted that the roles of the UN military and police parts of the peacekeeping missions will be different, i.e. they will depend on the mandate of the specific mission, and on the needs of the country where the mission is deployed. Police and military components have an important role. Whenever possible, they should cooperate with host country representatives and other agencies on the ground to protect the population. The police, when it has the mandate, conducts and supports CRSV investigations and helps ensure that perpetrators do not go unpunished. The UN military and police forces should collect relevant information for better situational analysis and prevention of CRSV. Security is increased through more effective patrolling, UN police forces working closely with the local community, intelligence collection, support to the host country security sector reform, including internal oversight and accountability mechanisms.

Military and police forces should collect information on events indicating CRSV and immediately send it to human rights advisors (including gender advisors), so they can further research the matter in accordance with standard operating procedures determined for each specific mission.



To prevent and improve the response to CRSV cases, the recommendation for countries sending troops to peacekeeping missions is to increase the number of women in their troops, both in the military and in the police. This is important for better reporting on incidents indicating CRSV, and for women and girls to be freer to express their concerns and fears about possible sexual violence, in order to develop timely plans for early risk recognition and protection from CRSV. In addition to women in uniform, missions should also have a sufficient number of female interpreters available, to facilitate the collection of relevant information in a gender-responsive manner.

In this part of the training, the trainer should point out two important aspects: women as such are not better experts in the field of CRSV, but sometimes, especially in some cultures, women are allowed to talk only to other women and this is the way to obtain important information for a well-established system of risk determination and indicators for CRSV risks. Men participating in missions are equally responsible and should be involved in CRSV prevention and response just like their female colleagues.

Heads of military components (HOMCs) in missions are responsible for ensuring adequate prevention and response to CRSV. This means that all analysis, planning and operations should include a CRSV-related component. Good cooperation with other stakeholders such as international organizations, non-governmental organizations, independent government bodies is of fundamental importance to ensure a multi-dimensional, comprehensive approach and include all factors vital to a timely and efficient response to CRSV.

The Monitoring, Analysis and Reporting Arrangements (MARA) should also include the collection of data from various sources, including international and local non-governmental organizations¹²⁴

124 As stated in footnote 184, the MARA system is established based on UNSCR 1960 (adopted in 2010)

Matrix for establishing the CRSV risk¹²⁵

Conflict-related sexual violence has long been difficult to recognize and especially to predict. However, mass raping, as well as mass murders, do not happen without warning signs. Such violence is often planned and therefore it is possible to prevent it. This is very important, because there have been situations, such as the one in the Walikale area in the Democratic Republic of the Congo, where more than 400 adults and children were raped in just a few days in 2010, and a subsequent analysis found that red flags were visible, but that peacekeepers did not recognize them. The United Nations Security Council, which has been actively working on the subject of CRSV since the adoption of Resolution 1820, asked the UN leadership: “Why didn’t we see it coming?”

To facilitate risk recognition, a matrix with risk indicators was created, with an important note that this matrix should always be adapted to the context, because risk indicators are different. The Political Committee of the UN Secretary-General requested for the matrix to be made in December 2010 (Decision No. 2010/30), and the call for better identification of warning signs is mentioned in UNSCR 1888 from 2009 (item 24 of the Resolution).

The matrix contains provisional indicators with signs of potential and immediate danger from CRSV, as well as indicators showing that mass conflict-related sexual violence has occurred.

When it comes to the context itself, there are some general indicators showing that a certain country or province affected by a conflict is an area where gender-based discrimination existed and where violence was tolerated in the past, and additionally, the armed forces were not prepared for an adequate response. Such a situation is often aggravated by a lack of proper training and a professional approach, both among host country personnel and peacekeepers.

Examples from the matrix show the degree of risk that is marked with red flags and it is recommended to study the matrix as part of the pre-deployment training.

125 Taken from the document Matrix: Early Warning Indicators for Conflict-Related Sexual Violence. UN Action. Available at: [MatrixEarlyWarningIndicatorsCSV_UNAction2011.pdf](#)

Examples of immediate risks of CRSV and possible steps for prevention include:

Some of the indicators of increased risk for CRSV	Some of the steps to prevent/ reduce the possibility of CRSV
<p>Local militias attack vehicles and specifically target women (e.g. Ivory Coast, 2011)</p> <p>Withdrawal of peacekeeping forces or changes of the armed forces, police, leaving a security vacuum (Walikale, DRC, 2011)</p> <p>Infiltration of armed groups in big refugee camps (DRC, Sierra Leone, Chad)</p> <p>(Ceasefire) intervals between armed hostilities when armed actors begin to move around populated areas, especially those where only women and children remain.</p> <p>The end of the armed conflict when the military forces withdraw through the villages and towns with mostly women and children left due to the war (the possibility of revenge or celebrating the victory increase the risk of CRSV).</p> <p>Providing soldiers with supplies that may indicate CRSV, e.g. condoms and Viagra were allegedly distributed in Libya in 2011, there was a massive supply of condoms to soldiers during World War II.</p> <p>Women in custody with male guards or putting women in mixed prisons (e.g. mass rape in Goma prison in 2009)</p>	<p>Physically evacuate the civilian population from the danger zone.</p> <p>Increase the presence of uniformed peacekeepers in the area that could be at risk.</p> <p>Establish a local warning system with the help of mobile sphones, text messages, satellite phones and other communication equipment, depending on the context.</p> <p>Offer advice to authorities detaining prisoners on how to ensure compliance with international standards (e.g. the Standard Minimum Rules for the Treatment of Prisoners – so-called Mandela rules)¹²⁶</p> <p>Establish cooperation with the community liaison assistants and consult on patrolling protocols (e.g. frequency of patrols, night patrols, foot patrols). Especially monitor trading, wood collection or drinking water collection areas.</p>

¹²⁶ Available at: The United Nations Standard Minimum Rules for the Treatment of Prisoners (unodc.org)

Examples of indicators that conflict-related sexual violence is happening

Some of the indicators that conflict-related sexual violence is happening	Some possible steps
<p>Visible signs such as burnt down houses, destroyed fields, ravaged villages, remnants of clothes, refugee women who left their homes (e.g. Walikale, DRC, 2010)</p> <p>Military defeat and retreat through areas, use of sexual violence as a form of “scorched earth” tactics (movement of soldiers from Interahamwe – Hutu paramilitary forces – from Rwanda to eastern DRC)</p> <p>Women, girls and boys forced to stay in military units (Angola, Rwanda, Sierra Leone)</p> <p>Women and girls leave settlements where troops are stationed (western Ivory Coast, 2011)</p>	<p>Sending joint police patrols to the area at risk (UN and local police)</p> <p>Advocate for a greater presence of the police of the country where the mission is stationed (unless the police is also involved in cases of sexual violence)</p> <p>Liaise with local authorities and advocate for the protection of CRSV survivors and the punishment of perpetrators</p> <p>Advocate for the release of women, girls and boys forced to join military units</p> <p>Provide assistance to build local capacity to respond to CRSV (e.g. establishing reporting mechanisms)</p>

Facts and misconceptions about conflict-related sexual violence¹²⁷

Common misconceptions on victims of CRSV:	Facts:
Older women cannot be victims of CRSV.	Sexual assault can happen to anyone regardless of age. Sexual violence cases involving a wide age range are listed in the CRSVriskmatrix– MatrixEarlyWarningIndicatorsCSV_UNAction2011.pdf
Men cannot be raped; they are always perpetrators of CRSV.	Men and boys can be victims of sexual violence, particularly in detention. The majority of perpetrators of CRSV are men, but they can also be women members of the armed forces, although the cases studied so far confirm that most of the survivors of violence are women, and most of the perpetrators are men.
Many victims lie about being raped/sexually assaulted or make false claims.	This is one of the myths that is common when thinking about sexual violence. When it comes to CRSV, UN documents and literature emphasize that CRSV often remains unreported, i.e. non-reporting of sexual violence due to stigma is far more common. ¹²⁸ Men and boys are even more likely to remain invisible, i.e. they do not report CRSV cases due to fear of stigma. ¹²⁹ All reports of CRSV should be thoroughly examined before drawing any conclusions. Considering the specific nature of this type of sexual violence and its punishability under the international legal framework, data collection needs to be done professionally and according to the rules, so that the perpetrators can be brought to justice.

127 UN Handbook for Field Missions on Preventing and Responding to CRSV. New York, 2020. Available at: [2020.08-un-crsv-handbook.pdf](#) (norway.no)

128 For more information on the significant number of unreported cases, see the publication Best Practices in CRSV Monitoring and Early Warning. University of Birmingham, 2022. Available at: [Best practices in CRSV monitoring and early warning.pdf](#)

129 Available at: Sexual and gender-based violence | Doctors Without Borders – USA

<p>CRSV victims will cry, be upset or emotional.</p>	<p>Every person experiences trauma differently. The victim may have various emotions or may be “numb” (i.e. unable to feel or process emotions due to the trauma). If you have not received the specific training, you are neither ready nor qualified to assess the condition of a survivor of CRSV. Your job is to know who to turn to for help and information in order to help the CRSV survivor(s).</p>
<p>Only women can communicate and interview CRSV victims.</p>	<p>Victims may decide to share their experience with people of either sex. Victims themselves should make that decision. It is important for CRSV survivors to receive professional help, which means that any examination should be performed by trained persons. The most common practice is for a professional of the same sex to speak with the CRSV survivor.</p>
<p>All victims of CRSV will want to get medical assistance and report the case to the police.</p>	<p>There are many reasons why victims may prefer not to use medical services and report their case (e.g. for fear of stigmatization or lack of appropriate services). Trained medical personnel should be available to provide adequate assistance, as well as to collect material evidence (examination and treatment of physical injuries, collection of remains of organic material such as skin, blood, sperm, etc.). Medical assistance should also include psychological support.</p>

Responding to conflict-related sexual violence

NATO has a zero-tolerance position for all acts of sexual violence, and in its Policy on Preventing and Responding to CRSV ¹³⁰ it states:

- NATO condemns all acts of conflict-related sexual violence employed by state and non-state actors, including as a tactic of war and a tactic of terrorism, and is committed to responding to CRSV in line with all relevant UNSC Resolutions, and in accordance with the United Nations Women, Peace and Security Agenda.
- The Policy further states that prevention and response to CRSV will be taken into account in all phases of planning and operations. It defines the obligation of all countries to implement pre-deployment training on this topic. It also defines the obligation to respond in accordance with international law, the mandate of the mission and the rules of engagement.
- If a member encounters a CRSV survivor(s), the following principles should be observed:
 - In accordance with the survivor-centred approach, respect victims/survivors as individuals and their right to informed consent;
 - All survivors of sexual violence will be treated fairly, equally with respect and dignity and without discrimination;
 - Do not take any actions that could aggravate the situation or cause re-traumatization of the survivor of sexual violence (the 'do no harm' principle);
 - Do not question or interview survivors of sexual violence.
- Respect the privacy of survivors of sexual violence. All members of NATO troops have the obligation to respond to and report cases of conflict-related sexual violence in accordance with established mechanisms, through the chain of command.

¹³⁰ NATO Policy on Preventing and Responding to Conflict-Related Sexual Violence, 2021

UN GUIDE for actions in cases of CRSV

1. **Do no harm:** In all circumstances and at all times, mission staff and everyone working on CRSV cases have an obligation not to endanger the life, physical and psychological safety, freedom and well-being of the CRSV survivor, as well as the safety of others they come into contact with about CRSV cases. All UN personnel should always be aware of the potential risks of causing further harm to victims/survivors of violence, including re-traumatization, stigmatization, violence, and marginalization by perpetrators, families of victims or the entire community. That is why it is necessary to assess the situation and act carefully during all interactions involving CRSV survivors, their families or witnesses.
2. **Confidentiality:** CRSV survivors, their families, and witnesses must have guarantees that all data they provide would be treated as confidential unless informed consent has been given to use such data. All measures must be taken to safeguard the confidentiality of information, particularly the identities of survivors and witnesses of CRSV. This applies to recording data, storing data in a safe place and handling such confidential data in general.
3. **Informed consent:** When speaking with a CRSV survivor, or with witnesses or persons related in some way to CRSV, women protection advisers or human rights protection officers (or the CRSV focal point, if one exists in the mission) should obtain informed consent to be able to further share the information received during the interview. This means that we need to explain the principle of confidentiality, the purpose of obtaining data, and how the data will be used. We should explain that the identity of the victim(s) will not be revealed, and also which information will be included in the report and for what purpose. Finally, we should explain the possible outcomes of the process after interviewing and reporting on the CRSV case.
4. **Gender-responsive approach:** Everyone must use respectful non-discriminatory language, taking into account the different experiences, situations, needs and attributes of women, men, girls, boys in all interactions related to CRSV.
5. **CRSV survivor-centred approach:** CRSV victims/survivors, as well as their rights and needs, the way they perceive them, should be in the focus

of all actions by peacekeeping mission personnel. A reasonable level of participation should be appropriate to the age and sex of the person, as well as to their gender and specific cultural context. Everyone should respect the rights, needs and desires of CRSV survivors, including their desire to use the available support services.

- 6. Best interests of the child:** In all actions concerning children, the best interests of the child shall be the primary consideration. If interviewing children who were involved in CRSV either as victims or as witnesses, such interviews must be conducted in accordance with established standards. Assessing the best interests of a child means evaluating and balancing all elements and relevant information to make a decision which is in the best interest of the child or group of children in a specific situation.

In CRSV cases, medical personnel who are often part of the mission, or work within international humanitarian organizations, play a special role. The following section gives brief instructions to make it clearer why it is recommended to refer a CRSV survivor to a medical examination within a maximum of three days (unless they expressly refuse it). Steps to be taken by medical personnel include:¹³¹

- **Post-exposure prophylaxis** – using medicines that prevent sexually transmitted infections, such as HIV, syphilis and gonorrhoea. To be effective, these drugs should be given within three days of the attack. Hepatitis B and tetanus vaccines are also given in some cases.
- **Contraception (morning-after pill)** for women survivors of CRSV, where allowed by law, to prevent unwanted pregnancy;
- **Treatment of physical injuries**, including surgery, if necessary;
- **Pregnancy tests** for women victims of CRSV, including arrangements for follow-up examinations to determine whether rape resulted in pregnancy;
- **Unwanted pregnancy** – Support to women who became pregnant as a result of rape, to help them manage their care and treatment decisions;
- **Psychological care** – immediately after surviving sexual violence, survivors are often in a state of shock. They often feel guilty and believe

¹³¹ Instructions used by the staff of the international NGO Doctors Without Borders. *Sexual and gender-based violence*. Doctors Without Borders. 2021. Available at: <https://www.doctorswithoutborders.org/what-we-do/medical-issues/sexual-and-gender-based-violence>

that they could have avoided the rape. They may feel that they have lost control of their lives and may become unable to perform everyday tasks. They may have nightmares and disturbing flashbacks. Many victims continue to fear for their safety. Where impunity is rife, victims may still encounter their perpetrators and fear further attacks. Sexual violence survivors can also develop depression and post-traumatic stress disorder (PTSD). That is why it is necessary to provide psychological care immediately after the suffered shock, but also in the long term, to prevent or manage post-traumatic stress;

- **It is necessary to provide medical certificates** that CRSV survivors will be able to use if they decide to enter the legal process in order to punish the perpetrators.

Having in mind the fact that cases of CRSV are not always easy to recognize, with the aim of better understanding and adequate response, it is recommended to provide trainees with various scenarios based on which they should make conclusions about whether these are cases of conflict-related sexual violence or not. The example is provided in the Chapter Exercises.¹³²

132 UN Peacekeeping Resource Hub, available at: <https://resourcehub01.blob.core.windows.net/train-ing-files/Training%20Materials/003%20CPTM-EN/003-099%20FINAL%20Learning%20Activity%20Resources%202.6.pdf>

QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

LIST THE CIRCUMSTANCES IN WHICH COMMITTED SEXUAL VIOLENCE CAN AND SHOULD BE DEFINED AS CONFLICT-RELATED SEXUAL VIOLENCE (CRSV)?

Answer: The link between sexual violence and armed conflict exists when:

- it is used as a “tactic of war” – in relation to military/political goals that serve a strategic goal of an armed conflict,
- it is committed against civilians,
- it is committed in refugee camps under the auspices of the UN.

WHAT ARE THE MOTIVES FOR CONFLICT-RELATED SEXUAL VIOLENCE?

Answer: Motives can be multiple and are aimed at the whole community, not only at the individuals against whom violence was committed. Some of the motives are: to intimidate, humiliate, control or even ethnically cleanse the population from an area.

WHO CAN BE A VICTIM OF CRSV AND WHO CAN BE PERPETRATORS?

Answer: Victims can be people of both sexes, from all age categories. Perpetrators can be the enemy armed forces or paramilitary units.

IS SUCH VIOLENCE SANCTIONED AND IN WHAT WAY?

Answer: Such violence is sanctioned by the international legal framework and, depending on the severity of the crime, can be qualified as a war crime, a crime against humanity or even genocide. Some countries have their own legal framework, but the international legal framework is the umbrella framework and is binding.

LIST SOME RISKS FOR THE OCCURRENCE OF CRSV ACCORDING TO THE UN MATRIX.

Answer: Risky situations for the occurrence of CRSV happen when: local militias attack vehicles and specifically target women, during the withdrawal of peacekeeping forces or changes of the armed forces, police, leaving a security vacuum, during infiltration of armed groups in big refugee camps, during (ceasefire) intervals between armed hostilities when armed actors begin to move around populated areas, especially those where only women and children remain, at the end of the armed conflict when the military forces withdraw through the villages and towns with mostly women and children left due to the war (the possibility of revenge or celebrating the victory increase the risk of CRSV).

LITERATURE:

- Office of NATO Secretary General's Special Representative for Women, Peace and Security Concepts and Definitions Women, Peace and Security in NATO
- NATO Factsheet- Sexual Violence in Conflict
- NATO Policy on Preventing and Responding to Conflict-Related Sexual Violence
- United Nations Security Council Resolutions 1325, 1820, 1888, 1889, 1960, 2106, 2122, 2242, 2467, 2493
- NATO/EAPC Women, Peace and Security Policy and Action Plan 2018
- Report of the United Nations Secretary-General, June 2020
- Military Guidelines on the Prevention of, and Response to, Conflict-related Sexual and Gender-Based Violence MCM-0009-2015
- UN Action Analytical and Conceptual Framing of Conflict-Related Sexual Violence
- Bi-Strategic Command Directive 40-01
- United Nations Security Council. Resolution 1820 (2008). Adopted June 19, 2008. Accessed July 17, 2021. [https://undocs.org/en/S/RES/1820\(2008\)](https://undocs.org/en/S/RES/1820(2008))
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- DPO-DPPA-SRSG-SVC-OHCHR-Policy-on-Field-Missions-Preventing-and-Responding-to-CRSV-2020.pdf (un.org)
- Conflict-related Sexual Violence | United Nations Peacekeeping 2019-SG-Report.pdf (un.org)
- MatrixEarlyWarningIndicatorsCSV_UNAction2011.pdf

Chapter 6B.

SEXUAL

EXPLOITATION

AND ABUSE

■ Goal

Present main definitions and concepts related to sexual exploitation and abuse to trainees and introduce them to the ways of reporting it so they can recognize these forms of behaviour and respond effectively, particularly in a conflict and post-conflict environment.

■ Teaching topics

- Sexual exploitation
- Abuse

■ Work method

Tell trainees that in this thematic unit, you will explain the concept of sexual exploitation and abuse and how such violence is defined within international law. Remind them about definitions from Chapter 6 and give them the definition and examples of sexual exploitation and abuse, particularly in conflict zones, recognize the most common victims of sexual exploitation and abuse.

Explain how the UN and NATO respond to cases of sexual exploitation and abuse within their missions.

This module is implemented in the form of a lecture, presentation and interactive discussion. This means that a certain part of the training will focus on presenting credible data and information (due to the nature of the subject matter), while the target group in the training will be able to ask questions if anything is unclear. The interactive method should be used at the very beginning of the training, opening a discussion about what the trainees think about the importance of

these mechanisms, and what components do they think they have. At the end of the training, the trainer(s) will be able to use the interactive approach to check the level of acquired knowledge of the trainees, with a quiz that will be given at the end of the training.

Introductory questions and answers¹³³

1. What is sexual exploitation? Can you give some examples of sexual exploitation, particularly in the context of armed conflicts? What is the relationship between sexual exploitation and human trafficking?
2. What is the connection between sexual exploitation and abuse and the basis for punishing persons committing sexual exploitation or abuse?
3. “If someone accepts a business offer or knowingly engages in prostitution, then we cannot talk about human trafficking.” The victim cannot consent to human trafficking, because consent cannot be based on fraud or coercion or loss of control over one’s own life or loss of personal dignity. The victim’s consent has no significance for the existence of human trafficking as a criminal offence.
4. “Human trafficking and prostitution are one and the same.” A victim of human trafficking who ends up in forced prostitution has no right to choose and make decisions about any aspect of their life, while prostitution can be a woman’s conscious choice. In addition, human trafficking is not only forced prostitution or sexual exploitation, but also includes forced labour, forced begging or forced organ harvesting. Victims include not only women, but also children and men.
5. “Only people from other countries are victims of human trafficking, we don’t have that.” Human trafficking is not considered a problem if it is well-known that ‘only some foreign women’ work in local bars. People can also be victims of human trafficking in their own country, when their freedom of movement is denied and they are forced to engage in activities such as prostitution (commercial sex).
6. “Victims of human trafficking always come from poor families.” There is no typical profile of a human trafficking victim. Victims can be of any sex, age or origin. They can be both rich and poor. Although young people with limited financial means are at the greatest risk of entering the human trafficking chain, poverty is just one element that increases the risk of human trafficking.

¹³³ Introductory questions taken from the website: <https://www.astra.rs/sta-je-trgovina-ljudima/>

Chapter 6 talked about different forms of gender-based violence which are sanctioned by the legal framework of Montenegro. This subchapter addresses sexual exploitation and abuse, which is prohibited under international law. It is very important to recognize the differences between sexual violence, exploitation and abuse, although all three of these forms of gender-based violence can occur simultaneously, or at different times. Also, as seen from the introductory discussion, sexual exploitation is closely related to human trafficking. Armed conflict situations and the post-conflict period are particularly prominent because the rule of law does not exist or is very weak in such situations, which is fertile ground for actions that are not allowed by law, including human trafficking, sexual exploitation and abuse.

Understanding the nature, manifestations and unacceptability, i.e. the punishability of sexual exploitation and abuse is particularly important for the members of the AFM who are preparing to participate in international peacekeeping missions. It is important to start the training by recalling the relevant definitions.

Definitions that trainees should understand:

Sexual exploitation¹³⁴: any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. The term is often used *especially in relation to the sexual exploitation of children*. According to the Convention on the Rights of the Child, sexual exploitation includes the commercial sexual exploitation of children, audio or video recordings of child sexual abuse, child prostitution, sexual slavery, sexual exploitation in travel and tourism, smuggling (within and between countries) and trafficking of children for sexual purposes and forced marriages¹³⁵.

According to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (often called the Lanzarote Convention), sexual exploitation of children includes actions related to (a) sexual abuse, (b) criminal offences concerning child prostitution, (c) criminal offences concerning child pornography, (d) criminal offences concerning the participation of a child in the production of pornographic content, (e) intentionally inciting a child to watch sexual acts for sexual reasons and (f) recruiting children for sexual purpose.¹³⁶

134 EIGE Glossary

135 In this context, special attention is paid to early marriages (so-called child-brides, i.e. young girls who marry with the consent or coercion of their parents)

136 Available at: mhrr.gov.ba

NATO definitions of sexual exploitation and abuse:¹³⁷

Sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Acts that constitute sexual exploitation include, but are not limited to, the exchange of money, goods or other commodities and/or services, employment or any exchange of assistance that is due to the local population in exchange for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. All such transactional sex, including the exploitation of the prostitution of others, is a form of sexual exploitation. Sexual relationships based on inherently unequal power dynamics are a form of sexual exploitation.

Sexual abuse: actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Acts that constitute sexual abuse include, but are not limited to, any action or behaviour of a sexual nature that coerces, threatens or forces a person to engage in sexual activity, or any unlawful sexual activity with a person under the age of 18.

According to the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, sexual abuse of children includes (a) engaging in sexual activities with a child who, according to the relevant provisions of national law, has not reached the legal age for sexual activities (the term is not related to consensual sexual activities between minors) and (b) engaging in sexual activities with a child where use is made of coercion, force or threats, abuse is made of a recognised position of trust, authority or influence over the child, including within the family; or, abuse is made of a particularly vulnerable situation of the child, notably because of a mental or physical disability or a situation of dependence.

Sexual abuse is any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Actions that constitute sexual abuse include, but are not limited to, any action or behaviour of a sexual nature that coerces, threatens or forces a person to engage in sexual activity, or any unlawful sexual activity with a person under the age of 18.

137 The NATO Policy on Preventing and Responding to Sexual Exploitation and Abuse, 20 November 2019

Human trafficking: Human trafficking represents a serious crime and a gross violation of international human rights, and it is also sanctioned in the laws of most countries, including Montenegro.

The UN has adopted a systemic approach to the prevention of sexual exploitation and abuse, which includes trainings, as well as the investigation and sanctioning of such cases if they involve UN personnel, including peacekeepers – for more information see: [Preventing Sexual Exploitation and Abuse \(un.org\)](http://un.org).

NATO's definition of human trafficking is identical to the definition agreed upon by the so-called Palermo Protocol: Recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation (in any case it includes prostitution or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, the removal of organs, etc.).

NATO has adopted the Policy on Combating Trafficking in Human Beings, which explains the Alliance's position towards this phenomenon, which is particularly prevalent during and after armed conflicts.¹³⁸

NATO's approach is harmonized with the UN approach, so the prohibition of activities that can be defined as sexual exploitation and abuse applies to NATO personnel – for more information, see: [Where to go from here? NATO's first step in their Sexual Exploitation Policy – NAOC \(natoassociation.ca\)](http://natoassociation.ca)

The key goal of the UN strategy is to take proactive and comprehensive measures in the UN system in partnership with member states. The foundation of the approach is staff screening and raising awareness on the subject of sexual exploitation and violence, as well as conducting a risk assessment.

Screening – The UN Secretary-General has emphasized that if an individual has committed acts of sexual exploitation and abuse while in the service of a UN entity, that individual should not be rehired anywhere in the UN system. The initial screening of all candidates for every UN post is strengthened, to identify prior incidents of misconduct of individuals applying to work in the UN.

138 Available at: NATO- Official text: NATO Policy on combating trafficking in human beings, 29-Jun.-2004

Training—all UN staff and personnel must be familiar with the UN Code of Conduct which emphasizes the prohibition of sexual exploitation and abuse. Training for UN personnel is conducted both before and after deployment. The UN also has an online course on the topic of sexual exploitation and abuse that has been mandatory for all staff in the Secretariat and in UN peace operations since 2017, and all other UN entities are using similar trainings.

Public awareness-raising—there are activities aimed at raising awareness about what is acceptable behaviour by UN staff and personnel and how to report misconduct through the existing mechanisms (this relates to UN peace operations and UN agencies). Safe, accessible and confidential community-based complaint mechanisms must be established in locations where the UN has humanitarian, peacebuilding and peacekeeping missions.

Risk assessment—An important way of preventing misconduct is identifying risks. Regular risk assessments and risk-mitigating actions are carried out by UN entities in their field locations, with a particular focus on sexual exploitation and abuse.¹³⁹

Women and girls, as well as children of both sexes, are often trafficked for the purpose of sexual and economic exploitation, especially prostitution and pornography, forced labour, including work in commercial agriculture and domestic work, arranged marriages or to be “sold” as brides, trained to participate in unpleasant situations and for similar purposes such as sexual services, illegal transfer of goods and escort in dangerous situations. The experience of women and girls related to human trafficking is different from that of men and boys. Women and girls are disproportionately more affected (that is why the Palermo Protocol particularly emphasizes trafficking in women and children), although we should have it in mind that men who are victims of human trafficking rarely access the existing programmes for helping victims.

Trade in sexual services is a form of trafficking in human beings, mainly women and children, for the purpose of sexual exploitation.

Not every form of human trafficking includes sex and prostitution, the purpose can vary from organ trafficking to the recruitment of child soldiers and it does not always come through the use of physical violence, but can happen through abusive relationships or threats. It is very important to know that any country can be

¹³⁹ The UN Secretary-General submits annual reports on sexual exploitation and abuse to the Security Council. Reports are available at: <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/secretary-generals-reports>

affected. Human trafficking is not present only in less developed areas or developing countries, rather, it is increasingly gaining momentum in developed areas.

Armed conflicts, as well as the militarization of a territory, represent one of the important factors for the process of criminalization of the area, as well as the “normalization” of behaviours that are unacceptable, both ethically and legally. In times of wars and armed conflicts, the category of people who are particularly vulnerable to this phenomenon are war refugees and displaced persons. Persons without personal documents, exposed to violence, separated from their families, are particularly vulnerable both when fleeing war zones and during exile. That is why war refugee women and girls are much more likely to become victims of human trafficking for the purpose of sexual exploitation than other women, and this also applies to children of both sexes.¹⁴⁰

Another important contributing factor to human trafficking for the purpose of sexual exploitation is the susceptibility to corruption of officials in the countries of origin, transit and destination, as well as the inefficient and inadequate enforcement of the appropriate regulations in different legal systems.

Numerous documents related to the systematic prevention and punishment of human trafficking have been adopted at the international and national level. Sexual exploitation, as one of the forms of human trafficking, is included in those programmes. The following section mentions the most important documents adopted by the UN and Council of Europe:

- United Nations Convention against Transnational Organized Crime¹⁴¹ with three supplementary protocols:
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children – the Palermo Protocol
- Protocol Against the Smuggling of Migrants by Land, Sea and Air
- Protocol Against the Illicit Manufacturing of and Trafficking in Firearms

Of particular importance in the context of this subchapter is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children – the Palermo Protocol.¹⁴² The Palermo Protocol was adopted by General Assembly resolution 55/25 and entered into force in December 2003.

¹⁴⁰ All persons under the age of 18 are considered children. For more information about child trafficking for the purpose of sexual exploitation and abuse, see the UNICEF publication available at: [untitled \(unicef-irc.org\)](http://untitled.unicef-irc.org)

¹⁴¹ Available at: [United Nations Convention against Transnational Organized Crime \(unodc.org\)](http://United Nations Convention against Transnational Organized Crime (unodc.org))

¹⁴² The text of the protocol in English is available at: [ProtocolonTrafficking.pdf \(ohchr.org\)](http://ProtocolonTrafficking.pdf (ohchr.org))

It is the first global legally binding instrument which gives a definition of human trafficking. The aim of the Protocol is to harmonize national approaches for establishing national legislation that would support efficient international cooperation in the investigation and trial of human trafficking cases. An additional aim of the Protocol is to indicate the need to provide assistance to victims of human trafficking while respecting their human rights.

Council of Europe Convention on Action against Trafficking in Human Beings¹⁴³ – The main value of this Convention is the focus on human rights and the protection of victims of human trafficking. The Convention defines trafficking in human beings as a violation of human rights and an offence to the dignity and integrity of the human being. This means that the state authorities are responsible if they do not undertake activities to prevent human trafficking, to protect victims and to conduct timely and effective investigations of human trafficking cases.

Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse – Lanzarote Convention¹⁴⁴

European Parliament resolution on sexual exploitation and prostitution and its impact on gender equality from 2013.¹⁴⁵

143 Available at: [16805d41b1 \(coe.int\)](https://www.coe.int/t/t09/Convention/Convention_Trafficking_in_Human_Beings/Convention_Trafficking_in_Human_Beings.pdf)

144 Available at: Council of Europe Convention on Protection of Children against Sexual Exploitation – Bosnian ([coe.int](https://www.coe.int/t/t09/Convention/Convention_Protection_of_Children_against_Sexual_Exploitation/Convention_Protection_of_Children_against_Sexual_Exploitation.pdf))

145 Available at: European Parliament resolution of 26 February 2014 on sexual exploitation and prostitution and its impact on gender equality (2013/2103(INI)) ([europa.eu](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62014R0001)) – Published in the Official Journal of the EU, translated to Croatian

QUESTIONS YOU SHOULD BE ABLE TO ANSWER AFTER THIS MODULE

WHO ARE THE MOST COMMON VICTIMS OF SEXUAL EXPLOITATION AND ABUSE?

Answer: The most common victims in all conflicts so far have been women and children (girls and boys), but victims can also be men, as well as people of different genders.

WHAT IS THE IMPACT OF WAR CONFLICTS ON SEXUAL EXPLOITATION AND ABUSE?

Answer: The state's power to protect the victims and punish the perpetrators weakens during the conflict, and in some areas, there can be a vacuum, i.e. a lack of authority over the territory or the authority can be held by paramilitary units, while there are also cases where the state apparatus encourages or, at the very least, turns a blind eye to obvious cases of sexual exploitation and abuse committed by its own troops during a conflict.

WHAT IS THE RELATIONSHIP BETWEEN HUMAN TRAFFICKING AND SEXUAL EXPLOITATION AND ABUSE?

Answer: Human trafficking is frequent in conflict zones and the most common victims are women and children who are sold for sexual exploitation, and in cases when children are involved, the term abuse is used. That is why peacekeeping forces prescribe codes of conduct that emphasize the prohibition of engaging in relationships with minors and persons engaged in commercial sex.

WHAT IS THE AGE LIMIT FOR DEFINING PERSONS AS CHILDREN AND WHAT ARE THE FORMS OF SEXUAL ABUSE OF CHILDREN?

Answer: According to UNICEF's definition, the age limit is 18 years. This means that any attempted or actual sexual relations with the consent of a person under the age of 18 constitute sexual abuse, while after the age of 18, it is considered sexual exploitation.

According to the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, sexual abuse of children includes (a) engaging in sexual activities with a child who, according to the relevant provisions of national law, has not reached the legal age for sexual activities (the term is not related to consensual sexual activities between minors) and (b) engaging in sexual activities with a child where use is made of coercion, force or threats, abuse is made of a recognised position of trust, authority or influence over the child, including within the family; or, abuse is made of a particularly vulnerable situation of the child, notably because of a mental or physical disability or a situation of dependence.

HOW ARE THE UN AND NATO FIGHTING AGAINST THE POSSIBLE SEXUAL EXPLOITATION AND ABUSE BY PEACEKEEPING TROOPS?

Answer: NATO fully accepts the international legal framework established by the UN. The UN has adopted a systemic approach to the prevention of sexual exploitation and abuse, which includes trainings, as well as the investigation and sanctioning of such cases if they involve UN personnel, including peacekeepers. The prohibition of activities that can be defined as sexual exploitation and abuse applies to NATO personnel.

The key goal of the UN strategy is to take proactive and comprehensive measures in the UN system in partnership with member states. The foundation of the approach is staff screening and raising awareness on the subject of sexual exploitation and violence, as well as conducting a risk assessment.

LITERATURE

- Prevent and Respond – Regional Handbook on Prevention and Response to Gender-Based Discrimination, Sexual Harassment and Abuse in Ministries of Defence and Armed Forces of the Western Balkans Countries. UNDP SEESAC: Sarajevo, Podgorica, Skopje, Belgrade, 2021
- UNDP---Gender-Equality-in-the-Military---Handbook-CG.pdf (seesac.org)
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- Mijalković, Saša. “Vidovi i oblici trgovine ljudima”
- Website: <https://www.astra.rs/sta-je-trgovina-ljudima/>
- Website: https://www.nato.int/cps/en/natohq/official_texts_173038.htm
- Website: <https://www.seesac.org/Gender-and-Security-Resources/>
- untitled (unicef-irc.org) – UNICEF publication addressing the subject of child trafficking for the purpose of sexual exploitation

Annex_1

Work material for Chapter

Why gender equality matters to us?

Quiz questions as a way to present data to the target group to highlight the differences in how men and women live in Montenegro, as well as the importance of gender-segregated data.

POPULATION. When it comes to children born every year, in the countries of the region (BiH, Serbia, North Macedonia and Montenegro), there are:

- A. **More boys than girls**
- B. More girls than boys
- C. The same number of girls and boys

CRIMINAL OFFENCES. In 2015, 344 persons were convicted of criminal offences against safety in traffic in Montenegro. Out of this number, women accounted for:

- A. **12%**
- B. 37%
- C. 50%

CRIMINAL OFFENCES. Of the total number of convicted adult perpetrators of criminal offences in 2015, men accounted for:

- A. **91.7%**
- B. 23%
- C. 48.7%

EDUCATION. There were no men among the students who obtained secondary education in the field of textile and leather processing, while 75% of students in the field of health care and social protection were women. How many men obtained secondary education in the field of electrical engineering?

- A. **81%**
- B. 14%
- C. 52%

RECOGNITION OF ACADEMIC ACHIEVEMENTS. The Montenegrin Academy of Sciences and Arts has 32 regular members. The number of women is:

- A. **3**
- B. 7
- C. 15

Women spend 4.5 hours a day doing housework and family chores, while men spend:

- A. **1.5 hours**
- B. 4.5 hours
- C. 3 hours

*Note: Correct answers are in **purple**.

Other data from the Monstat publication can be shown (undergraduate students; masters of science, etc.)

Annex_2

Work material for

Chapter 1 Basic Terms and Concepts Related to Gender Equality

QUIZ 1

For each of the statements below, mark whether you think it belongs to the category of sex or gender.

<i>Statements about men and women</i>	<i>Sex</i>	<i>Gender</i>
Women give birth to children, men don't.	✓	
Girls are gentle, boys are tough.		✓
In ancient Egypt, men stayed at home and did weaving. Women inherited property, but men did not.		✓
Men are more composed in dangerous and problematic situations and behave much more rationally than women.		✓
Men are more aggressive than women.		✓
Women breastfeed, men do not.	✓	
Men are better drivers than women.		✓
Boys are better in natural and technical sciences, and girls in social sciences.		✓
Men's voices change in puberty, women's do not.	✓	
According to UN statistics, women do 67% of all work in the world, and earn only 10% of the global income.		✓

*adapted from The Oxfam Gender Training Manual © Oxfam UK and Ireland, 1994

Annex_3

Work material for Chapter 4 Security sector reform and gender mainstreaming

■ Test of knowledge:

On a separate slide, show the text describing the following situation. Gender trainer can also show the animated video describing the situation:

You are the platoon commander, in charge of the checkpoint. The task of your platoon is to adequately search everyone entering the base. A large number of employees in the base are from the local population. In the area where the base is located, there is currently a real threat of rebels attacking the base or infiltrating it. Your platoon has only one woman trained for searching persons and she is currently on a break. Next in line to be searched is a woman from the local population. The mission takes place in a region where the culture is very patriarchal and women wear clothes that cover them because men outside the family are not allowed to see them. Since the line for the search is already long and the crowd is getting bigger, in order to speed up the process, a man searches the woman who is next in line. The crowd waiting in line and watching the search begins to protest and the situation gets tense. What will you do?¹⁴⁶

- A. You will explain to the local population waiting in line that it was a mistake and you will wait for the female soldier to return from her break;
- B. You will let the woman through without searching her, to defuse the situation;
- C. You will call a female nurse, who is at the checkpoint and is not trained for the task, to conduct the search.

In the given situation, the correct course of action is under a). To avoid any confusion about the correct answer, since practice has shown that the search can also be conducted by a female member of staff who is not on this duty, if she is trained for it, point out that the key fact in the answer offered under c) is that the nurse is not trained to perform the search.

146 NATO online course: ADL 169 – Improving Operational Effectiveness by Integrating Gender Perspective

QUIZ/QUESTIONNAIRE FOR TESTING KNOWLEDGE OR AS WORK MATERIAL:

1. The gender roles of women and children in many societies make them more vulnerable than men to the dangers of anti-personnel mines and unexploded ordnance.

- a. True
- b. False

2. Gender-based violence is committed only against women and girls?

- a. True
- b. False

3. Violence during conflicts has an effect on “everyone”. Who does “everyone” include?

- a. Men and women
- b. Men, women, girls and boys
- c. Men and key male leaders
- d. Boys and girls

4. Which of the following refers to sex?

- a. It primarily refers to physical attributes, i.e. body characteristics, particularly genitalia and reproductive functions, which are different in most individuals.
- b. It consists of the attitudes and behaviours of men and women (masculinity and femininity).
- c. It is learned and developed primarily through: family, education, religion (if dominant) and represents acquired identity over time.
- d. Because it is socialized (social), it can change over time.
- e. It is biologically determined – by genes and hormones.
- f. It is “relatively” constant over time.

5. Which of the following refers to gender?

- a. It primarily refers to physical attributes, i.e. body characteristics, particularly genitalia and reproductive functions, which are different in most individuals.
- b. **It consists of the attitudes and behaviours of men and women (masculinity and femininity).**
- c. **It is learned and developed primarily through: family, education, religion (if dominant) and represents acquired identity over time.**
- d. **Because it is socialized (social), it can change over time.**
- e. It is biologically determined – by genes and hormones.
- f. It is “relatively” constant over time.

6. Write down what the definition refers to (sex or gender):

It refers to social differences between women and men, differences that are learned, change over time, and have a wide range of variations within and between cultures.

GENDER

7. Write down what the definition refers to (sex or gender):

Expresses biological traits that identify human beings as women and men.

SEX

8. What does it mean to “integrate a gender perspective”?

- a. Examine security threats to men and boys.
- b. **Evaluate the gender differences between men and women as expressed in their social roles and interactions.**
- c. Evaluate the distribution of power between boys and girls.
- d. Gender refers only to women and for this reason, integrating a gender perspective means evaluating the issue of women’s safety.

9. GENAD is responsible for gender equality, equal opportunities and violations of the rules of conduct or sexual abuse.

TRUE

FALSE

10. GENADs work with the gender perspective as an operational tool in order to increase operational efficacy.

TRUE

FALSE

11. What is the meaning of the abbreviation GENAD?

- a. **Gender advisor of the commander.**
- b. General advisor.
- c. A rank designation.

12. What is the meaning of the abbreviation GFP?

- a. Ground force protection
- b. General focal point
- c. **Gender focal point**

13. Why do we “integrate the gender perspective”?

- a. **To recognize if and when a situation or operation affects men, women, girls and boys differently based on their gender.**
- b. To be able to recognize when unnatural laws and rules are introduced in society as a whole.
- c. To be able to introduce topics about the LGBT community into education.

Annex_4

Work material for

Chapter 5 Discrimination

Exercise:

What is my response to gender-based discrimination and sexual harassment?

In the office that you share with both women and men colleagues, while waiting for the meeting to start, your man colleague says loudly: "Have you seen the new woman colleague who started working yesterday? What a hottie, a sight for sore eyes."

What form of misconduct is this? How would you react in this situation?

1. I would not comment, I am not responsible for other people's actions
2. I would change the subject
3. I would leave the room
4. I would suggest that such behaviour is insulting
5. I would report it to the competent person/institution
6. Other

A man employee in the unit under your command tells you that another man employee is constantly calling him derogatory names because of his sexual orientation. What form of misconduct is this?

How would you react in this situation?

1. I would tell him not to get upset
2. I would ask him if he wants me to warn the colleague
3. I would report it to the competent person/institution
4. Other

A woman lieutenant working in the training centre under your command complains to you that she has been suffering the verbal and non-verbal humiliation of men soldiers in training for a long time because they cannot accept being trained by a woman.

What form of misconduct is this? How would you react in this situation?

1. I would tell her not to get upset
2. I would ask her if she wants me to warn the soldiers
3. I would report the situation to the competent person/authority
4. Other¹⁴⁷

The Ministry of Defence has published a call for the recruitment of soldiers under contract. The general conditions of the internal competition stipulate that the candidates, among other things, need to have completed military service under arms, except for women. Selected female candidates, who have not completed military service, will be sent to training units and centres to complete training. Candidates who successfully complete the training will be hired as professional soldiers on a fixed-term contract for a period of six months, with the possibility of extending the employment contract for a period of 3 years until the age of 40.

Do the general conditions of this call constitute discrimination?

It was ordered that all professional soldiers from the unit would rotate on the duty of the commander's courier every seven days, regardless of the duties to which they were assigned and regardless of their sex. Courier's duties include making coffee. All male and female soldiers performed this duty regularly without any objections. Only one female soldier refused to perform that duty, with the explanation that she was assigned to the duty of a teleprinter operator and that she didn't want to make coffee, but wanted to do her job, for which she was an expert and for which she was employed in the Armed Forces. She believed that by making coffee, she was discriminated against based on her sex, because when she was assigned to that unit, she was greeted with the words: "Finally, we got someone to make us coffee".

Is there gender-based discrimination in this case?

¹⁴⁷ Regional workshop on combating gender-based discrimination, sexual harassment and abuse/UNDP/ SEESAC presentation <https://www.seesac.org/Complaint-Mechanisms-in-MoDs-and-AFs/>

Examples for discussion¹⁴⁸

Explain that the short examples for discussion will be used to test the acquired knowledge, and if needed, provide additional explanation for recognizing discrimination in different situations. The trainees will be given time to think about the answer, after which they are expected to present the answer individually or in small groups.

1. At a New Year's party, a colonel, after several drinks, hugs a young woman colleague, pulls her towards himself and tells her that she is the most attractive lieutenant he has ever seen.
2. Upon being notified that the truck transporting soldiers to the military training field has skidded off the road, the Commanding Officer sends the team to the scene. Lieutenant Maria expresses the wish to be part of the team. The Commanding Officer tells her, "There are many injured, you'd better not go."
3. In the office shared by both women and men officers, a man officer tells "a blonde joke", mocking the intellectual abilities of blondes. Everybody laughs.
4. In an informal conversation about the enrolment of the new generation of students at the Military Academy, the professor of the Military Academy addresses the present women and men colleagues by saying: "If it were up to me, women would be looking after children and not interfering in jobs not meant for them."
5. A woman commander is spreading rumours that a member of her unit is gay because of his gentle voice and "feminine" movements and gestures.
6. When commenting on the promotion of a woman colleague, her colleague says to the others: "It is easy for her to get promoted because she is taking advantage of her 'women's assets'".
7. A woman colleague always addresses her newly appointed young man colleague with "dear" and "honey".

148 Kosana Beker/ WORKSHEET Basic gender training for female officers of the Ministry of Defence and the Armed Forces of Montenegro

Questionnaire for testing knowledge:

Any unjustified differentiation or unequal treatment of someone, overt or covert, based on race, colour, nationality or ethnicity, religious or political beliefs, sex, gender identity, sexual orientation, marital or family status, disability, age and other real or assumed personal traits, is called:

- A. Prejudice
- B. Discrimination**
- C. Nepotism

Discrimination is the negative treatment of an individual or group of individuals based on:

- A. Gender identity
- B. Race
- C. Sexual orientation
- D. Age
- E. All of the above**

Abuse, harassment and discrimination on any basis are prohibited by law.

- A. True**
- B. False

Does a health care worker have the right to decide whether to provide a health care service to an individual based on their race, gender identity or health status?

- A. Yes
- B. No**
- C. Depends on the personal beliefs of the health care worker

Undertaking special measures that should enable the inclusion of certain minority and marginalized social groups in social life or improve the state of equality in a certain area is not considered discrimination.

- A. True
- B. False

The counter worker lets his friend skip the line to come to the counter. Is this still a case of discrimination?

- A. Yes
- B. No

On the internal call for filling positions in military missions abroad, special conditions stipulate, among other things, that the candidate is married and “takes their spouse” abroad with them.

Do the special conditions of this call constitute discrimination?

- A. Yes
- B. No

Massage parlours have separate rooms for women and men. Does this separation based on personal traits constitute discrimination?

- A. Yes
- B. No

The legal framework in Montenegro that protects citizens from discrimination includes:

- A. Constitution of Montenegro
- B. Law on the Prohibition of Discrimination
- C. Law on the Armed Forces
- D. All of the above

Annex_5

Work material for

Chapter 6

Gender-based violence

GENDER-BASED VIOLENCE-POTENTIAL SITUATIONS THAT MEMBERS OF THE AFM MAY FIND THEMSELVES IN

The legal framework of Montenegro includes provisions for the prevention of sexual harassment and violence that also apply to the armed forces. AFM organize trainings that should strengthen the prevention of sexual harassment and abuse in the Armed Forces. There are institutional mechanisms for gender equality in the defence system that are in charge of implementing formal procedures after reports of sexual harassment and abuse, whether the report is filed by women or men. The Law on the Armed Forces governs the subject of sexual harassment and recognizes such conduct as a disciplinary offence. The law also includes guidelines for further steps to be taken in cases of sexual harassment and abuse.¹⁴⁹ The Ministry of Defence implements gender equality policies at all levels, through the legal framework, strategic documents and through raising the awareness of personnel in the defence sector. The Ministry of Defence cooperates with the Parliament of Montenegro, the Ministry of Human and Minority Rights, as well as with non-governmental organizations in the field of education through trainings, seminars and the implementation of UNSCR 1325.¹⁵⁰ As a NATO member country, Montenegro submits reports on the status of gender equality in the AFM, as well as on the number of reports of sexual harassment and abuse.

Armed forces of countries worldwide have been combating the issue of sexual exploitation and abuse for a long time, and NATO members are no exception. However, it took decades to adopt a policy specifically addressing this issue, with the aim of implementing zero tolerance. The same applies to the United Nations, i.e. the United Nations peacekeeping forces.

NATO introduced reports on the gender perspective in 2014, and then in 2020 it adopted, for the first time, the Policy on Preventing and Responding to Sexual

¹⁴⁹ NATO Report on Gender Perspectives for 2016

¹⁵⁰ NATO Report on Gender Perspectives for 2016

Exploitation and Abuse. Item 3 of this document says “sexual exploitation and abuse runs counter to NATO’s principles and core values, and undermines the effectiveness and credibility of the Alliance and risks mission success. Therefore, NATO has a zero-tolerance approach to all acts of sexual exploitation and abuse. As all Allies are members of the United Nations, Allies reaffirm and associate themselves with the applicable UN policies on Sexual Exploitation and Abuse.”

The NATO Policy on Preventing and Responding to Sexual Exploitation and Abuse addresses cases of unequal power dynamics in sexual relations and says: “sexual relationships based on inherently unequal power dynamics are a form of sexual exploitation.” Such wording sends a strong message that there is no acceptable reason for relationships between a superior and a subordinate, because there is an inherent inequality of power in such cases.

Member countries are responsible for cases of sexual exploitation and abuse. The United Nations, like NATO, have for decades recognized the problem in peacekeeping missions consisting of the armed forces of member states. Since 2016, the Secretary-General has been submitting annual reports related to the topic of sexual exploitation and abuse. The UN focused on assessing the risk of sexual exploitation and abuse¹⁵¹ and a methodology was developed for establishing the risk.

In the UN Secretary-General’s report from February 2017 titled Special measures for protection from sexual exploitation and abuse: a new approach, it is said that the UN has “wrestled for many years with the issue of sexual exploitation and abuse and that there is awareness that this problem is not exclusive to military (peacekeeping) forces, but rather that it can occur in any part of the UN system.”¹⁵² The Secretary-General’s report from 2019 is focused on conflict-related sexual violence and ways to prevent, recognize and sanction such violence.¹⁵³

As an example, in 2016 alone, there were 80 cases of sexual exploitation and abuse by persons in uniform (within UN peacekeeping forces) reported, as well as 65 cases involving persons employed in civilian UN missions. Out of a total of 145 cases, 4 cases are associated with 311 known victims, of which 309 are women and girls. The report says that it is possible that there are more cases, and these are only the

151 See: <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/prevention>

152 Report of the UN Secretary-General to the UN General Assembly, February 2017: Special measures for protection from sexual exploitation and abuse: a new approach

153 Conflict-Related Sexual Violence – Report of the United Nations Secretary General. New York, 2019

known cases. The number of cases has increased since 2015, which is attributed to the introduced measures and increased reporting of cases of violence, but this is still only the tip of the iceberg, as many cases remain unreported.

As the answer to the question of why sexual exploitation and abuse continue to happen, the report of the UN Secretary-General from 2016 states: “Across the globe, every society has practices that are deeply discriminatory against women, and, very often, institutions and laws are not doing enough to eliminate these practices. We must acknowledge that unequal gender relations lie at the heart of sexual exploitation and abuse, and that the potential for this behaviour poses a threat to women and the vulnerable wherever they live or work.”

Back in 2000, at the request of the UN Secretary-General, the so-called Brahimi report¹⁵⁴ was prepared and it discusses the situation faced by peacekeeping forces in the field and their ability/inability to respond adequately if they witness the abuse of civilians. In the first two decades of the 21st century, the UN took decisive steps towards recognizing and preventing sexual exploitation and abuse among peacekeeping forces. It has been acknowledged that cases of sexual exploitation and abuse occur where there are frequent interactions between peacekeeping forces and the civilian population, and where the population is extremely vulnerable due to hunger, displacement, and local legislative systems are ineffective or non-existent. The increased risk exists in those units that do not comply with the UN standards – usually single-nation units deployed in remote areas, and also among personnel, armed forces and partners with no previous experience of participating in UN peacekeeping operations.

What is important to keep in mind is that gender-based violence also happens among members of the armed forces, and that sexual exploitation and abuse can include misconduct by the armed forces as part of international missions against the local civilian population. That is why the following section presents some potential situations that members of the AFM can find themselves in.

It is necessary to provide adequate training, because this is the only way to be able to recognize, prevent and sanction misconducts that the AFM does not tolerate, based on the laws of Montenegro, and as a member state of the United Nations and NATO.

¹⁵⁴ Available at: [a_55_305_e_brahimi_report.pdf \(un.org\)](#). It should be noted that the Brahimi report primarily addresses the problem of how to strengthen the mandates of peacekeeping missions, so they could respond in situations where civilians are subjected to violence, while the other reports mentioned here address the occurrences of misconduct among the armed forces themselves.

POTENTIAL SITUATIONS THAT MEMBERS OF THE AFM MAY FIND THEMSELVES IN:

PERSONS IN UNIFORM – IN THEIR DEFENCE SYSTEM, THEY CAN FIND THEMSELVES IN THE ROLE OF A

- Victim of some form of gender-based violence at work.
- Witness in a situation when someone else was exposed to gender-based violence at work.
- Perpetrator of gender-based violence, out of ignorance, which does not diminish the responsibility.

We do not consider the possibility of someone knowingly committing an act of gender-based violence, because everyone in the defence sector of Montenegro should be familiar with the values this institution represents, familiar with the international and national legal framework that sanctions forms of physical and sexual violence as a criminal offence (or a misdemeanour, depending on the severity of the committed violence) based on two laws (Criminal Code and Law on the Prohibition of Domestic Violence).

PERSONS IN UNIFORM IN A MISSION (NATO, UN, EU)

In accordance with the specific mandate of their mission, they should work on the prevention of gender-based violence, with a special focus on conflict-related sexual violence (CRSV), sexual exploitation and abuse. They should also be aware that CRSV can be qualified as part of the plan of military or paramilitary troops and, based on certain characteristics, it can be defined as genocide, a crime against humanity or a war crime.

Regardless of prevention measures, they may find themselves in one of the following undesired situations:

- They can be witnesses to some form of gender-based violence, which can be CRSV or human trafficking for sexual exploitation and abuse. If they witnessed such an act, they must report it, and they may be called to testify about the event.
- They may come across a location where, given the appearance of the location, CRSV is very likely to have occurred (see the risk table), in which case they should report the case and connect with other stakeholders. If needed, secure the location to prevent the destruction of evidence (in cooperation with UN police forces and local authorities).

- During patrols, they may encounter human traffickers and in that case, they should act in accordance with the defined procedures.
- They can pay for commercial sex and have sex with a person who is a victim of human trafficking – ignorance is not an excuse, one should act in line with the rules followed by NATO, the UN and the CoE, which are part of the international legal framework.
- They can commit an act that qualifies as rape in relation to a person from the local population.
- They can commit an act that qualifies as rape in relation to other colleagues in uniform, who are part of the same peacekeeping contingent.
- They can be victims of rape by the local population or paramilitary units.
- They can be victims of rape in the military camp, committed by a person in uniform from the same mission.

OUTWARDS – OUTSIDE THE CAMP WHERE THE CONTINGENT IS STATIONED

While performing their duties, they may encounter:

- Survivors of CRSV (they can be adults from the local population; children of both sexes from the local population; refugees or displaced persons – adult men and/or women).
- Victims of human trafficking (they can be adults from the local population; children of both sexes from the local population).
- Victims of sexual exploitation (they can be refugees or displaced persons, adult men and/or women; children of both sexes – local population, refugees or displaced persons, with or without a family consisting of adults).
- Victims of sexual abuse (they can be children of both sexes, local population, refugees and displaced persons, with or without a family consisting of adults).

Situations that can potentially directly involve members of the AFM:

- Sexual harassment of the local or refugee population.
- Payment for commercial sex involving:
- Local population (adult men or women)
- Children from the local population
(with or without a family consisting of adults)
- Refugees or displaced persons (adult men and/or women)
- Children of both sexes (refugees or displaced persons,
with or without a family consisting of adults)
- Sexual abuse of children of both sexes
from the local or refugee population.
- Attempted or actual rape of a person from the local population.
- Attempted or actual rape of a person from the refugee
or displaced population.

INWARDS – WITHIN THE CAMP WHERE THE CONTINGENT IS STATIONED

Situations that can potentially directly involve members of the AFM:

- Perpetrators of sexual harassment and/or acts
of rape against other members of the peacekeeping mission.
- Victims of sexual harassment by other members
of the peacekeeping mission.

Annex_6

Work material for Chapter 6A Conflict-related sexual violence

Exercise:

Read the following scenarios and for each example think about whether it is a case of CRSV or not? Give your reasons.

Note for the trainer: From the provided scenarios, pick those for which you are sure that you can answer the potential concerns of trainees, when determining the correct answer.

SCENARIO	ANSWER
1. Sandra is a 23-year-old woman from a remote village in the countryside. Her village was attacked by armed rebel fighters. Her husband and newborn baby were killed, and she was abducted. She is treated like a slave. She is forced to cook, clean, carry supplies for the fighters, and sometimes fight. Anyone of the fighters can rape her at any time. She belongs to no one, and to everyone.	<div>yesno</div>
2. Ajola is a 32-year-old woman. During the war in her country, her husband was a combatant fighting against the national army. When her husband was away, Ajola struggled to look after the family, but managed to find the food they needed to survive. Now that the war is over, her husband is back at home. There is no work, and Ajola continues to be the main provider for the family. Her husband is frustrated and also traumatized by the war. He beats Ajola daily, and threatens to kill her if she leaves him.	<div>yesno</div>

<p>3. Gina is an 18-year-old girl from a small village. Two years ago, an armed group raided her village. They stole all the goats and cows, and burned down the huts. Gina was kidnapped and taken to a camp along with other girls and women. She became the wife of one of the commanders. She takes care of him. She now has a baby girl, and is pregnant with another child. Her husband feeds and shelters them. They all travel together from camp to camp¹⁵⁵.</p>	<p>yes no</p>
<p>4. Nasir is a 9-year-old boy from a small town. His parents have been killed in the conflict between the warring groups. As an orphan and only child, there is no one to protect him and look after him. When the local warlord came through the small town, Nasir was taken away to live with him. Nasir is now the companion of the warlord. Nasir entertains the warlord with singing, dancing and sexual favours. As a “boy for pleasure,” Nasir is also given to other older men for sex.</p>	<p>yes no</p>
<p>5. Mariam is a 16-year-old with two small children. At the age of 12, she got married to a man in his 60s. She became pregnant and gave birth to her first child at the age of 13. Her husband was abusive. He got tired of her, and even more violent. When she became pregnant with her second child, Mariam decided to run away. She never wanted to get married at a young age, but it was the tradition in her culture for girls to be married young. Her mother was also married when she was young.</p>	<p>yes no</p>
<p>6. Victoria is a mother of four children, living in an overcrowded refugee camp. Her family fled from their country for fear of losing their lives in the violent conflict. In the refugee camp, food is scarce. Victoria needs to support her family. There are few jobs. Sometimes Victoria is able to find work for a few hours in sweatshops and farms. When she is desperate, she performs sexual favours in exchange for money. She decides when she sells sex. Victoria would not have to sell sex if she had regular work which pays well.</p>	<p>yes no</p>
<p>7. Tobias is a young man who was detained by the army. He and his brother were suspected of being members of the rebel group who has been fighting the government for power. Tobias and his brother were held in a prison for five days. They were beaten by the soldiers as they were questioned. When they failed to confess that they were members of the rebel group, the soldiers continued with other acts of torture. The soldiers used sexual violence also. After a few days, Tobias was released. His brother died from his injuries.</p>	<p>yes no</p>

Answers: 1. yes 2. no 3. yes 4. yes 5. no 6. no 7. yes

155 For arguments, it is recommended to consult relevant literature/articles such as Field wife

Annex_7

Work material for Chapter 6B Sexual exploitation and abuse

Exercise:

Read the following scenarios and for each example think about whether it is a case of SEA or not? Give your reasons.

SCENARIO	ANSWER
1. Betty is a 16-year-old girl living in a small village. She has four younger brothers and sisters. Her parents do not have much money. They find it difficult to cover education, clothing and food for all of their children. They have discussed Betty dropping out of school to help her mother at the market. However, all the problems have been solved as Betty has started a sexual relationship with Johnson, a UNHCR officer. Johnson promises to pay for her school fees and helps to pay for her brothers and sisters to continue their education. Betty’s parents feel relief that this opportunity has come. They encourage Betty to maintain the relationship. It has helped the family: all the children can stay in school.	yes no
2. Carlos is a military commander posted in the southern district. He helped set up a boys’ soccer club in the town where his national contingent is deployed. Carlos enjoys the soccer games. Even more, he enjoys the access that the club gives him to local adolescents. He gives presents of magazines, candy, sodas and pens to different boys in exchange for sexual acts. He thinks there’s nothing wrong with this, because the boys are willing and like the presents.	yes no

<p>3. John is a locally-hired driver for a UN agency. He transports relief items from a warehouse to the refugee camp for distribution. On one of his trips, he recognized a 15-year-old refugee girl walking on the side of the road. John gave her a lift back to the camp. Since then, he often offers to drive her wherever she is going. Sometimes he gives her small items from the relief packages in his truck, which he thinks she and her family could use. He wants to impress her and win her over. The last time he drove her home, she asked him to go inside her house to meet her family. The family was happy she had made friends with a UN worker. John likes the girl and wants to start a sexual relationship with her. He knows her family will approve.</p>	<p>yes no</p>
<p>4. Marie is a 30-year-old refugee whose desperate circumstances have forced her into prostitution. On Saturday night, a UNICEF staff member in a UN car picked her up and paid her for sex. Prostitution is legal in the country and he does not think he is doing anything wrong. He plans to see Marie again.</p>	<p>yes no</p>

Answer: All four situations are cases of sexual exploitation and abuse (SEA)

When commenting on the situations, it is recommended to underline once again that both the UN and NATO have a zero-tolerance policy for all forms of SEA.

Annex_8

Questions and answers for the quiz at the end of each module

WHY GENDER EQUALITY MATTERS TO US?

Questions you need to know the answers to at the end of this module

Give at least two international legal documents that represent the basis for gender equality?

Answer: The Preamble to the UN Charter and the Universal Declaration of Human Rights (the trainer can remind trainees about the content of these documents with the note that these are not the main documents calling on the UN member states to guarantee gender equality, but that they represent the foundations and explicitly mention equality).

In which areas is gender inequality reflected in Montenegro and based on which data/sources can you conclude that?

Answer: Gender inequality is visible in various fields from politics, economy, justice to employment and health. (The data can be found in the Gender Equality Index for Montenegro. Also, on the website of the Statistical Office (MONSTAT), you can find statistical data presented by gender, which are periodically published in the publication “Women and Men in Montenegro”).

Give at least three reasons why gender is an important aspect of the security sector reform.

Answer:

- a requirement of both international and national legal framework;
- more efficient response to new security challenges and
- shifting the focus from state security to human security, which requires the security needs to be considered from the perspective of women and men, girls and boys.

Chapter 1.

BASIC TERMS AND CONCEPTS RELATED TO GENDER EQUALITY

Questions you need to know the answers to at the end of this module

Why do we talk about gender roles, and not sex roles?

Answer: Sex roles are a narrower concept and come down to the biological difference between men and women that is determined at birth, while gender roles represent a broader concept and include the entire spectrum of roles that women and men assume through the process of socialization. Gender roles as such are socially determined, they can change over time, in different environments within one society (urban/rural), different cultures, etc. This means that through our conscious action, and as society makes progress, we can make progress from gender inequality towards gender equality, because it is not a matter of biological conditioning but of a socially accepted view of the roles of women and men.

Why is gender equity a prerequisite for achieving gender equality?

Answer: Gender equality is a goal that can be reached by ensuring gender equity, i.e. by ensuring the same starting positions for women and men. This means that providing equal opportunities is a requirement for gender equality.

Why is it important to systematically collect gender-disaggregated data in the defence sector?

Answer: It is important to collect gender-disaggregated data in order to identify potential inequalities in the treatment of men and women in the defence sector (e.g. in terms of career development and promotion, working conditions, access to resources, etc.). These data should further serve to create adequate and efficient gender-responsive policies.

It is also necessary to collect gender-disaggregated data during operations in order to better understand the risks and the different security needs of women and men, girls and boys. Such an approach ensures operational effectiveness.

Chapter 2.

RELEVANT INTERNATIONAL DOCUMENTS

Questions you need to know the answers to at the end of this module

List three international organizations that have set the international legal framework for gender equality?

Answer: UN, EU and NATO (Council of Europe is also accepted)

List key NATO documents relating to gender equality?

Answer: NATO Bi-Strategic Command Directive (BI-SCD) 40-01, ACO Functional Planning Guide, NATO Policy on Preventing and Responding to Sexual Exploitation and Abuse and Policy on Preventing and Responding to Conflict-Related Sexual Violence.

Has Montenegro ratified the Istanbul Convention and what does it refer to?

Answer: Yes, Montenegro ratified the Istanbul Convention on 11 May 2011, and the Law on Confirming the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence was adopted in March 2013, whereby Montenegro undertook to implement the Istanbul Convention and report on its implementation.

The 2011 Istanbul Convention establishes binding standards for protection against violence against women and domestic violence. It was adopted with the aim of establishing zero tolerance for violence against women and domestic violence, effective combating of all forms of discrimination against women and promoting essential equality between women and men. Violence against women is deemed a violation of human rights and a form of discrimination against women.

What is the key UN resolution related to the topic of women and security?

Answer: UNSCR 1325

In your opinion, what is the reason for adopting more than 10 resolutions addressing the Women, Peace and Security Agenda?

Answer: On the one hand, it shows the commitment of the UN and UN Member States to this topic. On the other hand, reading the text of the resolutions, we can notice that the requests and recommendations are repeated, which points to their insufficiently effective implementation and the need to call upon the Member States to implement all the provisions of the previous resolutions under the Women, Peace and Security Agenda.

Chapter 3.

NATIONAL LEGISLATIVE AND INSTITUTIONAL FRAMEWORK FOR GENDER EQUALITY

Questions you need to know the answers to at the end of this module

Which regulations guarantee gender equality in Montenegro?

Answer: Gender equality in Montenegro is guaranteed by the Constitution of Montenegro (Article 8, Article 18, Article 6, Article 17 and Article 19), the Law on Gender Equality and the Law on the Prohibition of Discrimination.

Does Montenegro have a strategy and law specifically related to gender equality?

Answer: Montenegro has the Strategy (for the period 2021-2025) and the related Action Plan. Montenegro also has the Law on Gender Equality.

Are there institutional mechanisms for gender equality in the MoD and AFM – if yes, mention at least one of the mechanisms.

Answer: Yes, there are institutional mechanisms in the MoD and AFM, they are:

- Gender equality coordinators in the Ministry of Defence
- Gender advisor of the Chief of the General Staff,
- Gender trainers,
- Gender focal points in the Armed Forces of Montenegro.

Chapter 4.

SECURITY SECTOR REFORM AND GENDER MAINSTREAMING

Questions you need to know the answers to at the end of this module

Why is it important to understand the difference between security perceptions and needs of women and men, boys and girls?

Answer: Gender roles and the position of women and men are different in every society. For armed forces to effectively protect the security of all civilians, men and women, boys and girls, they need to understand that security needs are different, and this is only possible if they include a gender perspective in their plans and operations.

Why is the inclusion of women in the defence sector important for the security system reform process in Montenegro?

Answer: Since Montenegro is a member of NATO, it must implement NATO policies related to gender equality. Also, as a member of the UN, there is a requirement from the UN to include women when sending troops to missions. To respond to modern security challenges, it is necessary to expand the range of skills, knowledge and abilities, for which it is necessary to recruit the best personnel from the entire population, not just one half of it, i.e. men, as was the traditional approach. Mixed teams are an important prerequisite for increasing the efficacy of operations.

Why is the role of the command staff crucial for the progress towards gender equality in the AFM?

Answer: Command staff is important because behaviour patterns are modelled under their influence. The message coming from the command staff in a hierarchical system like the military is a very powerful encouragement to understand gender equality not only as a formal obligation, but also as an essential contribution to increasing the efficacy and inclusiveness of the system. Gender-aware command staff makes decisions incorporating a gender perspective and therefore incorporates gender equality into the everyday functioning of the system as a value promoted by the defence sector, thereby respecting the legal framework of Montenegro.

What does the abbreviation GENAD mean and what is the role of that person in international missions?

Answer: The definition exists in NATO documents, and it refers to Gender Advisors. In international missions, GENAD is in charge of supporting the command staff to implement the recommendations from the Women, Peace and Security Agenda.

Why does the UN demand mandatory inclusion of women from countries sending their troops to peacekeeping missions?

Answer: The UN requires countries sending troops to include women because the need for the inclusion of women at all levels is recognized in key UN documents, above all the resolutions that make up the Women, Peace and Security Agenda. At the same time, the countries sending troops have various levels of understanding of the gender perspective in the armed forces, and women are often left out from nominations, so the troops are composed exclusively of men. It has been proven in the field that the presence of women is important for the efficacy and success of operations.

Chapter 5. DISCRIMINATION

Questions you need to know the answers to at the end of this module

What legal documents in Montenegro prohibit gender-based discrimination?

Answer:

- Constitution of Montenegro,
- Law on the Prohibition of Discrimination,
- Law on Gender Equality,
- Labour Law

Explain in your own words why we say that discrimination is prejudice in action?

Answer: Our attitudes about someone represent the basis for our choices of behaviour towards that individual or group of individuals. Prejudices that occur when a stereotype (an unfounded attitude and belief about an individual or a group of individuals) is accompanied by strong emotion, usually a negative one, are the basis for someone's discriminatory behaviour or action. That is why we say that discrimination is prejudice in action.

What is the key element for some action to qualify as discrimination?

Answer: The key element is to establish that discriminatory behaviour is based on someone's personal trait (e.g. skin colour, gender, nationality). If an individual or group of individuals is receiving different treatment compared to other people in the same or similar situation (with an action or omission) due to their personal trait, that is discrimination.

What situations are the most difficult to respond to effectively – in the case of individual, structural or institutional discrimination?

Answer: It is much harder to recognize and eradicate structural and institutional discrimination because they permeate entire systems and require conscious, planned and supported organizational change.

What are the harmful consequences of institutional discrimination?

Answer: Institutional discrimination weakens the institution from the inside and can result in various negative phenomena such as weakened discipline and morale, damaged interpersonal relations, tensions and conflicts in the team. This reduces the efficiency of the institution's work and has a domino effect outwards, on the institution's ability to fully implement its mandate.

Chapter 6.

GENDER-BASED VIOLENCE

Questions you need to know the answers to at the end of this module

In addition to physical violence, what other types of gender-based violence are there?

Answer: There is a whole range of forms of gender-based violence that can include sexual violence, psychological, emotional, economic, technology-facilitated violence (e.g. through social networks).

Gender-based violence is prohibited and punished by which law(s)?

Answer: Montenegro prohibits gender-based violence through two laws: the Criminal Code of Montenegro and the Law on Protection from Domestic Violence sanction gender-based violence. Depending on the severity of the committed violence, prison sentences (criminal liability) or fines (misdemeanour liability) may be imposed.

List actions that can be qualified as sexual harassment and is it also prohibited by law?

Answer: Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment. Based on the definition of the Council of Europe, sexual harassment is defined as all unwanted sexual conduct such as physical contact and courtship, sexually coloured comments, showing pornography and sexual offers through words or actions, as well as other physical or verbal conduct of a sexual nature. Such situations are considered a violation of a person's dignity (source: The Human Rights of Armed Forces publication).

Why should we understand that physical and sexual violence, as categories of gender-based violence, are not a private matter?

Answer: The international legal framework (particularly the Istanbul Convention), as well as the legal framework of Montenegro (Criminal Code and Law on Protection from Domestic Violence) govern this matter and prescribe criminal

or misdemeanour liability, depending on the degree of physical injuries, as well as the type of sexual violence (attempted or committed sexual violence). Marital rape is also considered sexual violence, and any form of violent behaviour that physically and sexually endangers another person is not a private matter, regardless of whether it takes place inside four walls. Gender-based violence, particularly sexual and physical violence, is sanctioned and prohibited by law because it has a harmful effect not only on individuals, but also on the family and the entire society.

Can gender-based violence be prevented and how?

Answer: We should not wait for violence to happen, society and institutions should rather work to prevent violence through education, media campaigns and trainings on gender-based violence. The defence sector should strengthen the established mechanisms and expand the coverage of already existing trainings conducted by certified gender trainers. It is very important to enforce the existing legal framework in cases of committed and reported violence to increase the trust in institutions and for potential or active (but unreported) perpetrators of violence to understand that such behaviour is punishable by law and socially unacceptable, as well as to increase the awareness of persons suffering violence that the law and institutions of Montenegro protect them.

Chapter 6A.

CONFLICT-RELATED SEXUAL VIOLENCE

Questions you need to know the answers to at the end of this module

List the circumstances in which committed sexual violence can and should be defined as conflict-related sexual violence (CRSV)?

Answer: The link between sexual violence and armed conflict exists when:

- it is used as a “tactic of war” – in relation to military/political goals that serve a strategic goal of an armed conflict.
- it is committed against civilians.
- it is committed in refugee camps under the auspices of the UN.

What are the motives for conflict-related sexual violence?

Answer: Motives can be multiple and are aimed at the whole community, not only at the individuals against whom violence was committed. Some of the motives are: to intimidate, humiliate, control or even ethnically cleanse the population from an area.

Who can be a victim of CRSV and who can be perpetrators?

Answer: Victims can be people of both sexes, from all age categories. Perpetrators can be the enemy armed forces or paramilitary units.

Is such violence sanctioned and in what way?

Answer: Such violence is sanctioned by the international legal framework and, depending on the severity of the crime, can be qualified as a war crime, a crime against humanity or even genocide. Some countries have their own legal framework, but the international legal framework is the umbrella framework and is binding.

List some risks for the occurrence of CRSV according to the UN matrix.

Answer: Risky situations for the occurrence of CRSV happen when: local militias attack vehicles and specifically target women, during the withdrawal of peacekeeping forces or changes of the armed forces, police, leaving a security vacuum, during infiltration of armed groups in big refugee camps, during (ceasefire) intervals between armed hostilities when armed actors begin to move around populated areas, especially those where only women and children remain, at the end of the armed conflict when the military forces withdraw through the villages and towns with mostly women and children left due to the war (the possibility of revenge or celebrating the victory increase the risk of CRSV).

Chapter 6B.

SEXUAL EXPLOITATION AND ABUSE

Questions you need to know the answers to at the end of this module

Who are the most common victims of sexual exploitation and abuse?

Answer: The most common victims in all conflicts so far have been women and children (girls and boys), but victims can also be men, as well as people of different genders.

What is the impact of war conflicts on sexual exploitation and abuse?

Answer: The state's power to protect the victims and punish the perpetrators weakens during the conflict, and in some areas, there can be a vacuum, i.e. a lack of authority over the territory or the authority can be held by paramilitary units, while there are also cases where the state apparatus encourages or, at the very least, turns a blind eye to obvious cases of sexual exploitation and abuse committed by its own troops during a conflict.

What is the relationship between human trafficking and sexual exploitation and abuse?

Answer: Human trafficking is frequent in conflict zones and the most common victims are women and children who are sold for sexual exploitation, and in cases when children are involved, the term abuse is used. That is why peacekeeping forces prescribe codes of conduct that emphasize the prohibition of engaging in relationships with minors and persons engaged in commercial sex.

What is the age limit for defining persons as children and what are the forms of sexual abuse of children?

Answer: According to UNICEF's definition, the age limit is 18 years. This means that any attempted or actual sexual relations with the consent of a person under the age of 18 constitute sexual abuse, while after the age of 18, it is considered sexual exploitation.

According to the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, sexual abuse of children includes (a) engaging in sexual activities with a child who, according to the relevant provisions of national law, has not reached the legal age for sexual activities (the term is not related to consensual sexual activities between minors) and (b) engaging in sexual activities with a child where use is made of coercion, force or threats, abuse is made of a recognised position of trust, authority or influence over the child, including within the family; or, abuse is made of a particularly vulnerable situation of the child, notably because of a mental or physical disability or a situation of dependence.

How are the UN and NATO fighting against the possible sexual exploitation and abuse by peacekeeping troops?

Answer: NATO fully accepts the international legal framework established by the UN.

The UN has adopted a systemic approach to the prevention of sexual exploitation and abuse, which includes trainings, as well as the investigation and sanctioning of such cases if they involve UN personnel, including peacekeepers. The prohibition of activities that can be defined as sexual exploitation and abuse applies to NATO personnel.

The key goal of the UN strategy is to take proactive and comprehensive measures in the UN system in partnership with member states. The foundation of the approach is staff screening and raising awareness on the subject of sexual exploitation and violence, as well as conducting a risk assessment.

Annex_9

Frequently asked questions and possible answers in gender trainings

The table contains the most frequent questions/comments collected during the trainings organized by trainers in the MoD and AFM. Trainees have similar questions in trainings, they reflect a misunderstanding of the topic and underline the need to make an additional effort to reduce stereotypes and prejudices, to discuss gender equality more and raise awareness of its importance. Trainers also offered answers to typical questions they received from their colleagues during trainings.

QUESTIONS/COMMENTS	PROPOSED ANSWER
“Women are spared from certain duties.”	<p>The unit commander has the mandate and responsibility to prevent the division of jobs and tasks by sex and not to accommodate special requests from employees or their wishes arising from personal preferences. Unjustified giving of privileges and assignment of tasks according to a person’s sex means supporting the prejudices, customs and social patterns of behaviour that are based on the idea of the subordination of the female sex and the strict division of gender roles. In addition, this prevents a person from being a full member of the team. By making a personal choice to enter the military service, persons of both sexes have committed to perform all duties without exception – having rights also means having obligations. Being spared from more difficult duties because of someone’s gender supports and reinforces gender stereotypes, which means that it is wrong for the commander to do it, even though they may be convinced that their intentions are good.</p> <p>The main principle of gender equality is that we have the same rights and possibilities, but also the same obligations and responsibilities. Commanders should not allow different treatment of women in terms of assigning them easier jobs, and women should not accept this.</p>

<p>“Why are there different criteria for physical tests for men and women?”</p>	<p>It is important to understand that equal opportunities are a prerequisite for equality. This means that when it is possible and justified, due to different starting positions, a difference can be made in the criteria to make the starting positions equal. Gender equality does not mean lowering standards in those cases where such standards are important for performing certain roles and tasks. The development of criteria requires, on the one hand, a balance between attainable standards for women and men due to their different physical build, which largely determines the success in tests (and which were defined before the mass influx of women into the defence system). At the same time, the physical test must be based on a legitimate work purpose, assessment of skills and abilities at the level required to successfully perform the job. It was established that with the criteria set in this way, the entire personnel, at any moment, will be able to perform a wide range of general military tasks, in addition to their specific duties.</p> <p>It is important to point out that this practice is not specific for Montenegro, but is also present in the armed forces of many other members of the NATO alliance, and proved to be justified and effective for the aforementioned reasons.</p>
<p>“Is physical contact a form of sexual harassment?” The same question can also be asked for entering another person’s personal space, i.e. getting very close, but without touching.</p>	<p>Sexual harassment is any form of unwanted/not allowed verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of hurting the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment (Article 40 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, 2011. Also regulated by the relevant law in Montenegro – Article 7, paragraph 2 of the Law on the Prohibition of Discrimination in Montenegro).</p> <p>Physical acts of a sexual nature are sexual assaults and attempted assaults, neck or shoulder massaging, touching clothes, hair or body parts, hugging, kissing, patting or caressing, leaning over a person, restricting movement, pinching, standing too close to a person and similar.</p> <p>All employees should be aware that such forms of conduct, when they are unwanted/not allowed by the other person it is directed at, are manifestations of sexual harassment.</p> <p>The victim needs to know what they don’t have to put up with, and needs to make it clear that certain behaviour bothers them.</p>
<p>“Isn’t it discrimination to say in the advertisement for the mission position that women are given preference?”</p>	<p>It is not discrimination if it is an affirmative measure introduced to encourage the balanced participation of men and women in the missions, justified by the statistics that say that men are disproportionately more present in missions.</p> <p>Affirmative action or affirmative measures can be introduced to achieve full equality of an individual or group of individuals who are essentially in an unequal position. Affirmative measures practically mean a deviation from the basic principle of formal equality, but they are not considered discrimination and have a special legal basis.</p> <p>Affirmative actions last only as long as they are necessary to achieve equality, after which they are stopped.</p>

<p>“Why is the term positive discrimination used, when it is still discrimination?”</p>	<p>The term positive discrimination is not used, the proper term is affirmative action. It is not discrimination because it does not discriminate, but rather corrects injustice or discrimination.</p> <p>See the previous answer and use it for this question.</p>
<p>“This is all a conspiracy theory (destroying the family as an institution, imposing the theme of the rights of the LGBTI population)”</p>	<p>The international and national normative legal framework oblige us to ensure the equal participation of men and women, both in society and in security institutions, in creating and implementing policies and decision-making. But this is not only about the commitment of Montenegro and our obligation to respect it, it is about respecting the basic human rights to freedom of choice and equality, about including 50% of the population, and thereby ensuring multiple benefits for the individual, the community and the defence system that is made up of these individuals. Diversity of qualifications and resources, different experiences, knowledge, perspectives, all increase the operational efficacy of the system. Being a good representative of the society that we are a part of, the defence system can respond even more effectively to the various security needs of the men and women of our society or community/nation in the missions to which the members of the Armed Forces are deployed.</p> <p>See the Handbook for the conventions ratified by Montenegro, as well as the national laws governing the topic of gender equality, National Action Plans, as well as UNSCR 1325 and related resolutions. Refer to them as needed.</p>
<p>“Why are female AFM members allowed to wear make-up with their uniform?”</p>	<p>There is no discrimination, unless a man really wants to come to work with make-up on. Equality does not mean uniformity, but the right to equal treatment.</p> <p>Refer to the Rulebook governing these types of rules.</p>
<p>“Should a person who has changed their sex, in order to align it with their gender identity, be able to remain in their position in the Armed Forces?”</p>	<p>The possibility for a person to change sex is a legitimate choice. Firing a person simply because they have changed their sex, despite them still being able to perform their job successfully, would be a violation of human rights.</p>
<p>“If we are talking about gender equality, why are we mostly talking about women?”</p>	<p>To achieve gender equality, we need to include both women and men. Both are “affected” in different ways by the existing gender regimes that dictate the distribution of roles, resources, expectations in the family and society. However, it is evident that in traditional, and even in current gender regimes, women are more often treated unequally, they are more often victims of sexual harassment and domestic violence, and the international community has recognized the need to protect women’s rights in particular. The international legal documents and the national legal framework contain laws that are intended to protect women and that is why we are more concerned with their rights. Unlike women’s rights, men’s rights are still more protected by existing social and private relationships, because society, including workplaces, is made to be “men-friendly”. There are still areas that women do not have access to.</p>

Annex_10

Evaluation Questionnaire



MONTENEGRO
MINISTRY OF DEFENCE

Evaluation Questionnaire

Name of the training:

Date and place of the training:

On a scale from **1** to **5**, please tell us your impression of the entire training, for each statement (**1** being the **lowest**, and **5** the **highest**).

RATING THE CONTENT OF THE TRAINING

No.	STATEMENT	RATING				
1.	Rating the content of the training	1	2	3	4	5
2.	To what extent did the content of the training meet your expectations?	1	2	3	4	5
3.	To what extent was the way of working at the training appropriate?	1	2	3	4	5

RATING THE QUALITY OF TRAINING IMPLEMENTATION

No.	STATEMENT	RATING				
4.	The competency of the trainer(s) for the topics covered and their attitude towards the trainees?	1	2	3	4	5
5.	Time allocation for sessions?	1	2	3	4	5
6.	Total training duration?	1	2	3	4	5

USEFULNESS AND APPLICABILITY OF ACQUIRED INFORMATION AND KNOWLEDGE

No.	STATEMENT	RATING				
7.	How much do you think your knowledge and awareness improved after this training?	1	2	3	4	5
8.	To what extent do you think you will be able to use the knowledge and information from the training in your daily work?	1	2	3	4	5

COMMENTS

9. What did you like the most, what did you like the least in the training?

11. What are the topics you would like to hear more about in one of the future trainings?

12. Additional comments and recommendations

