

THE EASTERN AFRICA POLICE CHIEFS COOPERATION ORGANIZATION HANDBOOK ON GENDER RESPONSIVE LAW ENFORCEMENT



THE EASTERN AFRICA POLICE CHIEFS COOPERATION ORGANIZATION (EAPCCO) HANDBOOK ON GENDER RESPONSIVE LAW ENFORCEMENT

This Handbook was prepared under the *Empowering Every Badge: Transforming Gender Dynamics in Law Enforcement in Eastern Africa* initiative, jointly implemented by the United Nations Office on Drugs and Crime (UNODC Regional Officer for Eastern Africa (ROEA), the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) Eastern and Southern Africa Regional Office (ESARO), and the Eastern Africa Police Chiefs Cooperation Organization (EAPCCO).

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Trigger warning

The following includes descriptions of sexual and gender-based violence.

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ACRONYMS AND ABBREVIATIONS

ACRA	Africa Climate Security Risk Assessment
APCOF	African Policing Civilian Oversight Forum
ASEAN	Association of Southeast Asian Nations
AU	African Union
AUCEVAWG	African Union Convention on Ending Violence Against Women and Girls
BASCAP	Business Action to Stop Counterfeiting and Piracy
CCTV	Close Circuit Television
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CJSI	Criminal Justice and Security Institute
CSOs	Civil Society Organisations
DCAF	Geneva Centre for Security Sector Governance
DNA	Deoxyribonucleic Acid
DV	Domestic Violence
EAC	East African Community
EAPCCO	Eastern Africa Police Chiefs Cooperation Organization
EIGE	European Institute of Gender Equality
ESARO	Eastern and Southern Africa Regional Office
FATF	Financial Action Task Force
FBA	Folke Bernadette Academy
FFTs	Foreign Terrorist Fighters
FGC/M	Female Genital Cutting/ Mutilation
FGM	Female Genital Mutilation
FGM/C	Female Genital Mutilation/Cutting
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GRLE	Gender Responsive Law Enforcement
HTP	Harmful Traditional Practices
IAWP	International; Association of Women Police
ICAT	Inter-Agency Coordination Group against Trafficking in Persons
ICCWC	International Consortium on Combatting Wildlife Crime
IDPs	Internally Displaced People
IIF	Institute of International Finance
ILO	International Labour Organisation
INTERPOL	International Criminal Police Organization
IOM	International Organisation for Migration
IPV	Intimate Partner Violence
ISIL	Islamic State of Iraq and the Levant
NGOs	Non-Governmental Organisations

ACRONYMS AND ABBREVIATIONS

NPCC, UK	United Kingdom National Police Chiefs Council
NVCs	Non-verbal Communications
OCGs	Organised Criminal Groups
OHCHR	The Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
PPPM	Positive-Psychology-Positive Masculinity Paradigm
RECs	Regional Economic Communities
ROEA	Regional Officer for Eastern Africa
S.M.A.R.T	Specific, Measurable, Achievable, Relevant, and Timed
SGBV	Sexual and Gender Based Violence
SDGs	Sustainable Development Goals
SOP	Standard Operating Procedure
TFGBV	Technology Facilitated Gender-Based Violence
TiP	Trafficking in Persons
TRAFFIC	The Wildlife Trade Monitoring Network
UDHR	Universal Declaration of Human Rights
UK	United Kingdom
UKHTC	UK Human Trafficking Centre
UN	United Nations
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNGIFT	United Nations Global Initiative to Fight Human Trafficking
UNHCR	United Nations High Commissioner for Refugees
UNIAP	United Nations Inter-Agency Project on Human Trafficking
UNODC	United Nations Office on Drugs and Crime
UNPOL	United Nations Police
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolutions
UNTOC	United Nations Convention against Transnational Organised Crime
US	United States
USDOJ	United States Department of Justice
VAW	Violence Against Women
VAWG	Violence Against Women and Girls
WCO	World Customs Organisation
WHO	World Health Organisation
WIPO	World Intellectual Property Organisation
WWF	World Wildlife Fund for Nature

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INTRODUCTION

HANDBOOK AIM

Empowering Every Badge - EAPCCO Handbook on Gender Responsive Law Enforcement is comprised of four modules, each with its own goal. Each module is then subdivided into chapters, which identify key messages and learning points. Empowering Every Badge - EAPCCO Handbook on Gender Responsive Law Enforcement focuses on police services, targeting police officers and staff of all ranks and grades as its main audience. However, where references are made to 'policing', the guidance provided is applicable and relevant to all organisations within wider law enforcement. It can be utilised to raise awareness in local communities. Empowering Every Badge - EAPCCO Handbook on Gender Responsive Law Enforcement has been designed to provide guidance and learning for the reader and act as a tool for reference.

Throughout the Empowering Every Badge - EAPCCO Handbook on Gender Responsive Law Enforcement, the term 'victim' is used to describe a person who has been attacked,

injured, or killed as the result of a crime, a disease, an accident, etc.¹ Whilst it is recognised that the term 'survivor' should be encouraged when referring to someone who continues to live, especially despite being nearly killed or experiencing great danger or difficulty², the term 'victim' is more commonly used in policing and law enforcement and within criminal law.

The definition of law enforcement for the Empowering Every Badge - EAPCCO Handbook on Gender Responsive Law Enforcement has been taken from the EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective.³ This refers to the broad range of agencies and personnel that are responsible for enforcing laws, maintaining public order, and managing public safety. The primary duties of law enforcement include ensuring safety, preventing crime and the investigation, apprehension, and detention of individuals who have committed crimes as well as those suspected of criminal offences.

HANDBOOK GOALS

1. To influence culture change that addresses and prevents harmful institutional gender bias and stereotypes, thereby increasing equality, diversity, and inclusivity within law enforcement.
2. Maximising the contribution of women in law enforcement by ensuring they are recognised and supported, as well as engaging with men to enable inclusive institutions led by gender responsive leaders.
3. To address the challenges facing law enforcement by strengthening capacity for the prevention, investigation and detection of gender-related crime that is trauma informed, victim centered, and perpetrator focused.
4. Harmonising and standardising gender-related crime investigations across the region by providing law enforcement officials with the requisite skills to adequately deal with gender-based violence and gender security threats and impacts.
5. To improve trust and confidence of law enforcement within local communities, by being representative, strengthening collaboration with stakeholders, and delivering gender responsive law enforcement services.

1 https://www.oxfordlearnersdictionaries.com/definition/american_english/victim

2 <https://www.oxfordlearnersdictionaries.com/definition/english/survivor?q=Survivor>

3 EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective (2022).



PART ONE: **GENDER RESPONSIVE LAW ENFORCEMENT INSTITUTIONS**

Module 1: Gender and Gender Perspectives

This opening module provides a summary of global and regional legal gender equality frameworks, accompanied by an activity that encourages readers to research the alignment of national frameworks with those at the regional and global levels, thereby gaining a broader understanding of a country's international obligations. They are also directed to check organisational and national gender disaggregated data as a measure of performance against gender equality commitments. The reader is then encouraged to research national workplace equality frameworks that exist in their country.

Various definitions of gender terms and concepts, including gender responsive policing/law enforcement, are covered, with emphasis that the gender responsiveness concept is inclusive of women and men.

This module also details the types and impacts of gender stereotypes and bias on law enforcement, and how stereotyping and sexism can impact women and men both within the organisation and in the communities it serves. Misogyny and toxic masculinities are also explained together with the impact of culture and tradition on gender equality/gender responsiveness.

Module 2: Women's Representation and Meaningful Participation in Law Enforcement

The module commences by explaining the importance of gender responsive law enforcement, both for the internal community of the organisation and the external communities it serves. It emphasises that the key aim of gender-responsive law enforcement is to ensure an organisation is operationally effective by being inclusive and representative, providing improved service delivery and thereby building trust and confidence of law enforcement within all communities.

A summary of the history of women in law enforcement across the region is provided to identify how things have changed since the early days of their recruitment. Some general data is included, noting that data can soon become outdated. The reader is encouraged to check their organisation or country's gender disaggregated data in relation to the representation of women in law enforcement.

This module explores some of the challenges women face that prevent their full and meaningful participation in law enforcement, including through an organisation's strategies, policies and procedures. The module also consists of some examples of enabling strategies and policies that can improve the participation of women and promote culture change, including the engagement of men.

MODULE 1

Gender and Gender Perspectives

MODULE GOAL

At the end of the module, the reader should be able to define key gender terms and concepts, distinguish between gender and sex roles in society and identify international, regional and national frameworks for gender equality.

INTRODUCTION

The purpose of this module is to guide the reader in an examination of gender and gender perspectives and enable them to distinguish between the concepts of gender and sex. It also introduces the reader to legal and policy frameworks, helping them build a deeper understanding of these frameworks and their impact on day-to-day duties. This will lay the foundation for the rest of the guidance within the Empowering Every Badge - EAPCCO Handbook on Gender Responsive Law Enforcement, which will explore other gender-related concepts such as gender responsive law enforcement. Gender responsiveness will be explored in more detail in terms of how it can impact an organisation's service delivery to its internal and external communities. Institutional strategies, policies, and procedures need to be gender responsive to ensure they are neither detrimental to the trust and confidence of those working within law enforcement nor to the local communities served. The overall aim of gender-responsive law enforcement is to enable operational effectiveness, enhance service delivery, and build and improve trust and confidence in law enforcement across all communities.

Equality is at the heart of human ideals and can be a major contribution towards development and progress. Unfortunately, society is often characterised by discrimination and inequalities. Gender provides a useful lens through which to examine and address this reality. Equality and non-discrimination affirm the principle of the inherent value of all human beings, while international, regional, and national legal instruments provide the legal framework for the achievement of gender equality.

Gender Responsive Policing and the inclusion of women is about “operational effectiveness, not women's rights and equality.”⁴

Understanding gender is important, as it enables the challenges of beliefs that are prejudicial or limiting to women and men. It is also important from the outset to emphasise that gender is not just about women, but that the current focus on women in law enforcement is due to the overall lack⁵ of inclusive and representative law enforcement institutions across the globe. The chapter on the legal frameworks for gender equality is useful because it helps identify a state's obligation to promote gender equality and is sufficiently detailed to provide information for all ranks.

4 Peters, A. (2015). 'Gender Responsive Policing and the Importance of Women Officers' Involvement in Tackling Violent Extremism', International Association of Women Police Annual Training Conference, Cardiff, UK, 26 August, 2015.

5 <https://www.unodc.org/unodc/frontpage/2023/September/the-united-nations-celebrates-the-inaugural-international-day-of-police-cooperation-on-7-september-by-highlighting-the-role-of-women-in-policing.html#:~:text=South%20Asia-.The%20United%20Nations%20celebrates%20the%20inaugural%20International%20Day%20of%20Police,leaders%2C%20of%20the%20police%20workforce.> Accessed 9th April 2025.

CHAPTER 1

GENDER EQUALITY: LEGAL AND POLICY FRAMEWORKS

Key Messages and Learning Points:

An awareness of international legal and policy frameworks on gender equality is important to understand how they can influence national legislation and policies, including those that govern the standards expected of law enforcement officials.

- As law enforcement organisations have a responsibility for security within and between nations, an understanding of the Women, Peace, and Security agenda is relevant.

- When developing organisational strategy and policy, it is important to know and be able to reference how such strategies and policies align and support international, regional and national frameworks.

- National legal frameworks help define law enforcement responses and inform expectations of service delivery to communities.

International Frameworks

1948 Universal Declaration of Human Rights

The United Nations General Assembly adopted the Universal Declaration on Human Rights in 1948 after the Second World War. It was the first global declaration of rights to which all human beings are inherently entitled.

It states in Article 2 that everyone is entitled to enjoy their rights and freedom “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. Further, Article 7 stipulates that all are equal before the law and are entitled without discrimination to equal protection of the law.

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

CEDAW was adopted by the UN General Assembly in 1979 and has often been described as an international bill of rights for women. This was the first international human rights instrument after the Universal Declaration of Human Rights, exclusively to address discrimination against women and girls and to promote their equal rights. It defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

CEDAW calls for the following, among other things:

- Elimination of all forms of discrimination against women in political, economic, social, civil, cultural, or any other field
- Elimination of discrimination in public and private life
- Elimination of discrimination in customs and practices
- Promotion (by states) of gender equality through legislative and other measures

1985 Nairobi Forward-looking Strategies for the Advancement of Women

These strategies were adopted at the 1985 United Nations World Conference to Review and appraise the achievements of the United Nations Decade for Women, which commenced in 1975. The forward-looking strategies were a significant achievement because they were adopted with the consensus of all the governments present. Here, they agreed and acknowledged that women all over the world share common concerns, and pledged to pursue the advancement of women in their own countries and on a global scale within the next 15 years.

The five chapters of the forward-looking strategies address equality, development, peace, areas of concern, and international and regional cooperation. Each chapter identifies the obstacles

to progress, basic strategies to overcome these obstacles, and a range of specific measures to implement these strategies. Subsequently, more documents were adopted for the implementation of the strategies, including the Declaration on the Elimination of Violence against Women, Beijing Platform for Action (1995), and other UN resolutions.

1995 Beijing Platform for Action

The Beijing Platform for Action, adopted in 1995 at the Fourth World Conference on Women, acknowledged that the status of women had advanced in some respects but that this development was uneven. It reported that inequalities between men and women persisted, with serious concerns for the well-being of women. It sought to address the remaining concerns and obstacles to equality. The declaration reaffirmed the commitment to ensure the full implementation of the human rights of women and the girl child as an inalienable, integral, and indivisible part of all human rights and fundamental freedoms.

The Beijing Platform for Action is an agenda for women's empowerment. It aims to accelerate the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, removing all obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural, and political decision-making. This means that the principle of shared power and responsibility should be established between women and men at home, in the workplace, and in the wider national and international communities. Equality between women and men is a matter of human rights and a condition for social justice and is also a necessary and fundamental prerequisite for equality, development, and peace. A transformed partnership based on equality between women and men is a condition for people-centred sustainable development. A sustained and long-term commitment is essential, so that women and men can work together for themselves, for their children, and for society to meet the challenges of the 21st century.

1997 UN Economic and Social Council Report on Gender Mainstreaming

This report summarised the agreed conclusions on the concept of mainstreaming gender into all the activities of the United Nations. It recognised that a gender perspective had not yet been fully integrated into mainstream UN activities and therefore sought to promote a coordinated and coherent policy of gender mainstreaming and the central principles associated with it. It also made recommendations to all actors across the UN system.

The report defined the concept of gender mainstreaming and set out the principles of mainstreaming, such as the following:

- Responsibility for translating gender mainstreaming into practice is system-wide and rests at the highest levels.
- Accountability for outcomes needs to be monitored constantly.

2000 United Nations Security Council Resolution 1325 on Women, Peace, and Security

Adopted by the UN Security Council in 2000, this resolution was a major milestone for women. It established four major perspectives on women in peace and security. It recognised women's roles in the prevention and resolution of conflict, peace negotiations, peacekeeping, humanitarian work, and post-conflict reconstruction. It stresses the importance of women's participation and their full involvement in all efforts to maintain security.

This resolution has been summarised as the "four Ps":

1. Participation of women in peace and conflict
2. Protection of women during conflict
3. Prevention of conflict
4. Prosecution of gender-based violence and gender-related crimes

Since its adoption, five additional resolutions (1820, 1888, 1889, 1960, and 2122) have been adopted, creating what is known as the UN's women, peace, and security framework. This framework forms the basis for advocacy, education, reform, and capacity building on gender equality and women's rights as they relate to peace and security operations.

2002 The Johannesburg Declaration on Sustainable Development and the Plan of Implementation.

The declaration begins, "We, the representatives of the peoples of the world, assembled at the World Summit on Sustainable Development in Johannesburg, South Africa, from 2-4 September 2002, reaffirm our commitment to sustainable development. We commit ourselves to build a humane, equitable and caring global society cognizant of the need for human dignity for all".

In 2015, The 2030 Agenda for Sustainable Development was adopted by all United Nations Member States.

There are 17 Sustainable Development Goals (SDGs); the two most relevant to law enforcement are:



SDG 5 – Achieve gender equality and empower all women and girls.



SDG 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

2024, United Nations High-Level Network on Gender Responsive Policing

The High-Level Network on Gender Responsive Policing was established to assist Member States in strengthening their justice sector response, particularly that of law enforcement, to address the gender dimensions of crime, build trust among the public and ensure gender diversity within police services. This action ultimately leads to better decision-making with respect to protecting and serving all communities.

Gender Responsive Policing requires that women and men have equal access to all police functions and roles. Gender-responsive policing involves guaranteeing equal opportunities for women and men, including by eliminating explicit and implicit gender bias to ensure conditions are equal in law and practice, thus enabling both women and men to realise their full potential in a police organisation, including at the decision-making and managerial levels. Furthermore, it recognises that the enhanced visibility of both women and men in all facets of policing will increase trust and confidence of the community in the police.

In the context of the Network, gender-responsive policing includes:

- Leadership
- Representation
- Responsiveness
- Accountability

The activities of the Network will contribute to achieving the Sustainable Development Goals, in particular, Goals 5 and 16 on achieving gender equality, including eliminating all forms of VAWG in public and private spheres and peace, justice and strong institutions, including ensuring equal access to justice for all.

Mission Statement

The High-Level Network on Gender-Responsive Policing aims to strengthen and raise the capacities of police and other law enforcement agencies globally in operationalising Gender-Responsive Policing, with special attention to addressing SGBV, including VAWG.

Vision Statement

Each police organisation implements gender-responsive policing services, tailored to and accountable for the needs of the communities they represent. They contribute to achieving an effective and efficient police service that meets the highest possible professional standards by implementing a gender equality approach. The strengthening of gender-responsive policing needs to start within the national police, gendarmerie and other law enforcement agencies of Member States, to positively impact international police cooperation efforts.

Objectives

These include supporting advocacy and Network members' efforts in implementing effective gender-responsive policing practices, through a collaborative platform for convening expertise, facilitating knowledge exchange, and fostering partnerships in relation to five key areas for police, gendarmerie and other law enforcement agencies:

Institutional change:

Championing institutional change that will deliver gender-responsive police, gendarmerie and other law enforcement services that are representative, responsive and accountable to the communities they serve. This includes: the development and implementation of a gender equality policy that is monitored and evaluated; addressing and preventing harmful institutional gender bias, stereotypes and harassment; increasing women's representation in policing/law enforcement, especially at decision-making and managerial levels; implementing effective internal and external oversight mechanisms and whistleblower policies to address impunity for SGBV, including VAWG perpetrated by police and to ensure accountability; and meaningfully engaging men and addressing negative social norms to positively transform police culture.

Prevention and investigation:

Strengthening police, gendarmerie and other law enforcement practices relating to the prevention and investigation of the gender dimensions of crimes, including SGBV/VAWG. This includes community-oriented policing approaches

through community engagement, raising public awareness, and participation in multi-stakeholder partnerships that address the causes and consequences of SGBV/VAWG.

Capacity-building:

Transforming the learning and professional development of police, Gendarmerie and other law enforcement agencies' curricula, including those at dedicated colleges and universities, should be implemented to foster gender-responsive policing. This involves crime prevention and investigation that is trauma-informed, perpetrator-focused, and victim/survivor-centred. This includes training middle management officers and first responders on the reception and care of survivors and preventing revictimisation throughout the criminal justice chain.

Gender-responsive budgeting

Ensuring resources are committed to advancing gender-responsive policing, including objectives to promote equal opportunities in the police, gendarmerie or other law enforcement services and stronger relationships with victim/survivor support services and organisations that represent the rights of those affected by the gender dimensions of crime, including SGBV/VAWG.

Gender-responsive leadership

Demonstrating gender-responsive leadership through leading by example and taking positive steps to create an empowering and enabling environment to deliver on gender-responsive policing, in addition to monitoring and evaluating impact at all levels of the organisation.

Membership of the Network is an institutional engagement open to Member States and Permanent Observers of Non-Member States to the United Nations.

Membership is open to the Ministerial or Police Chief level of national police, gendarmerie and other law enforcement agencies. The term “police, gendarmerie and other law enforcement agencies” includes police, gendarmerie types of forces, customs, immigration and border services, as well as related oversight bodies, such as the Ministry of the Interior or other designated ministries, as per the national government structure.

Frameworks Specific to Africa

2003 Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa

Also known as the Maputo Protocol, this protocol seeks to ensure that the rights of women are promoted, realised, and protected to enable them to enjoy fully all their human rights. Article 2(1) obliges all state parties to combat all forms of discrimination against women through appropriate legislative, institutional, and other measures. Specifically, this article requires the following:

- a. Inclusion of the principle of equality in constitutions and other legislative instruments.
- b. Enactment and implementation of appropriate legislative or regulatory measures, including those prohibiting and curbing all forms of discrimination.
- c. Integration of a gender perspective into policy decisions, legislation, development plans, programmes, and activities, and in all other spheres of life.
- d. Correction and positive action in those areas where discrimination against women continues to exist.
- e. Supporting local, national, regional, and international initiatives directed at eradicating all forms of discrimination against women.

2004 African Union Solemn Declaration on Gender Equality in Africa

This declaration sought to reaffirm the commitment of African states to gender equality, as enshrined in various regional and national instruments. Parties agreed to accelerate the implementation of gender-specific economic, social, and legal measures aimed at combating HIV/AIDS and other related infectious diseases.

It also sought the following:

- Full participation and representation of women in the peace process, as stipulated in Resolution 1325
- Campaigning against gender-based violence, the recruitment of child soldiers, and sexual slavery
- Ensuring the education of girls and the literacy of women, especially in rural areas

Under Article 12, the state parties also committed themselves to report annually on the progress made on gender mainstreaming, to support and champion all issues raised in the declaration, both at national and regional levels, and regularly to provide one another with updates on progress made in ordinary sessions.

2009 African Union Gender Policy

The main purpose of the Gender Policy is to establish a clear vision and make commitments to guide the process of gender mainstreaming and the empowerment of women to influence policies, procedures and practices which will accelerate the achievement of gender equality, gender justice, non-discrimination and fundamental human rights in Africa.

This Gender Policy is guided by the values and principles stipulated in the AU’s Constitutive Act as well as the commitments of its Organs, Member States and Regional Economic Communities (RECs).

These include:

1. The promotion of good governance and the rule of law, which guarantees human rights and the rights of women through democratic and transparent institutions.
2. Adherence to the principle of gender equality between men and women, boys and girls in enjoying their rights, sharing of opportunities, benefits and contributions.
3. Strict observance and adherence to the principle of gender equality, which guarantees fairness and equal treatment for all, as enshrined in the Constitutive Act of the African Union.
4. Guarantees fairness and equal treatment for all.
5. Strict adherence to the Parity Principle as enshrined in the Constitutive Act of the African Union.
6. The promotion of the principle of shared responsibility, accountability and ownership of the commitments made by the AU.
7. The promotion of regional integration as a vehicle for the advancement of the African Continent and its peoples.
8. The application of the principle of subsidiarity ensures the efficient and effective implementation of the Policy at all levels.

AU Agenda 2063: The Africa We Want

The continent's strategic framework aims to deliver on its goal for inclusive and sustainable development, serving as a concrete manifestation of the pan-African drive for unity, self-determination, freedom, progress, and collective prosperity pursued under Pan-Africanism and African Renaissance. To prioritise inclusive social and economic development, continental and regional integration, democratic governance and peace and security amongst other issues.

Relevant Goals:

11. Democratic values, practices, universal principles of human rights, justice and the rule of law are entrenched.
12. Capable institutions and transformative leadership are in place.
13. Peace, security and stability are preserved.
14. A stable and peaceful Africa.
17. Full gender equality in all spheres of life.

Other instruments on gender equality include the following:

- 1994 Dakar Platform for Action.
- 1999 African Plan of Action to Accelerate the Implementation of the Dakar and Beijing Platforms for Action for the Advancement of Women.
- 2002 Durban Declaration on Gender Mainstreaming and the Effective Participation of Women in the African Union.
- African Union 2003 Maputo Declaration on Gender Mainstreaming and the Effective Participation of Women in the African Union.
- African Union 2007 Nairobi Declaration on Women's and Girls' Rights to a Remedy and Reparation.

Regional Frameworks

1999, East African Community Treaty (amended 2006, 2007)

Article 5(3e) – commits to ensuring “the mainstreaming of gender in all its endeavours and the enhancement of the role of women in cultural, social, political, economic, and technological development”.

2010 Common Policing Standards for East Africa

The common standards are a composite of the international and regional frameworks for human rights, policing and security, with a particular focus on the instruments of the UN, AU and EAC. In this way, the standards reflect the political and legal commitments to policing across the EAPCCO region.

The four common standards are

1. Role of Police
 - Protect life, liberty and security of the person.
 - Maintain public safety and social peace. And
 - Adhere to the rule of law as an essential element to human security, peace and the promotion of fundamental rights and freedoms.
2. Policing in accordance with the rule of law – includes the treatment of persons during arrest and detention in line with their rights, and they are treated humanely.

3. Police actions – include upholding rights and freedoms without discrimination, treating victims with compassion and dignity, and ensuring officers are trained to be sensitive to the diverse needs of victims. Additionally, there should be no discrimination against women, juveniles, or minority communities.
4. Police Organisations – including recruitment to ensure a representative organisation

Relevant extracts:

Common Policing Standard 3:

- iii. Ensures all citizens enjoy their fundamental rights and freedoms without discrimination and specifically conduct themselves in a way that does not discriminate against women, juveniles and minority communities (including but not limited to the differently abled, migrants, internally displaced persons and refugees). Police who are in frequent contact with suspects, offenders, victims and witnesses from these groups should receive sensitisation training.
- v. Ensures all persons deprived of their liberty are treated humanely, in a gender-sensitive manner, and with respect for their inherent dignity.

Common Policing Standard 4:

- iii. Increase public confidence [and] promote and encourage greater transparency and accountability in all [their] activities.
- vii. Ensure that [,] ... across all cadres/ranks/levels, [they are] representative of the community as a whole, with ethnic, **gender**, language and religious compositions reflective of the population they serve.

2015 EAC Regional Framework on UNSCR 1325

The East African Community Regional Framework on United Nations Security Council Resolutions (UNSCR) 1325 provides guidance on how UNSCR 1325 will be addressed in the EAC. The Regional Implementation Framework defines a systematic framework for national and regional actions and monitoring systems to assess progress and the impact of interventions on peace and security at all levels.

The purpose of the Framework is to:

1. Articulate EAC's commitment to implementing UNSCR 1325 and the broader women, peace and security agenda.
2. Provide a regional policy and programmatic framework that complements and supports national efforts on women, peace and security.
3. Provide an enabling environment at the regional level to improve women's leadership in conflict prevention and management, peacekeeping, security policy decision-making, and ensuring that women's and girls' rights are protected.
4. Strengthen civil society, women's groups, including young women and gender equality advocates, in engagement with the Regional Security and Conflict Prevention Policy and decision-making

2016, EAC Gender Equality and Development Act

Provided the EAC's commitment to gender equality and consolidate and harmonise the various commitments on gender equality that have been made at regional, continental and international levels in the context of the East African Community. Key elements of the Act:

3. (1) The Partner States shall uphold the principles of gender equality and gender equity as prerequisites and important elements of the regional integration processes and governance structures of the Community
- (2) The Partner States shall recognise the importance of nationality and citizenship as fundamental components of the regional integration processes. It shall grant rights to women and men based on equality and non-discrimination.
- (3) The Partner States shall prohibit discrimination and violence based on gender or nationality in all its forms and shall pursue by all appropriate means and without delay, a policy of eliminating gender-based discrimination by -
 - (a) embodying the principle of equality of men and women in their national legislations to ensure, through law, the practical realisation of this principle.

- (b) adopting appropriate legislative and other measures, including sanctions where appropriate, prohibiting gender-based discrimination and violence, and in particular protecting the reproductive rights of women and men and their respective rights in marriage.
- (c) establishing legal protection of rights and access to justice for women on an equal basis with men and to ensure, through competent national tribunals and other public institutions, the effective protection of women against any act of discrimination.
- (d) maintaining the age of majority at eighteen and to accord such corresponding rights of girls and boys; and to women and men based on equality and non-discrimination.
- (e) taking all appropriate measures to harmonise national, regional and international policies, strategies and programmes to ensure gender equality, equity and the empowerment of women and girls in the areas provided under this Act through the modification or abolition of existing laws, regulations, customs and practices that contravene the principles under this Act to eliminate discrimination against women and men by any person.

2018 East African Community Gender Policy

The Foreword to the policy confirms that the empowerment of women is central to the EAC's mandate. This conception of gender equality advocates for a substantive conception of equality, in that it seeks to combat discriminatory practices and transform gendered relations. The policy, furthermore, champions home-grown, grassroots solutions to the region's gender-equality challenges. The EAC's commitment to substantive gender equality is therefore clear.

Section 4.5 – Objectives

Two of the six objectives of the policy are:

- Strengthen measures that prevent and respond to Gender- based violence and other harmful cultural practices.
- Enhance processes that include women in peace and security at all levels of prevention, protection, participation, relief and recovery.

Section 5.13 Gender, Peace and Security

Policy Actions

Partner states shall:

- a. Develop, resource and implement the National Action Plans on UN Security Council Resolution 1325.
- b. Facilitate equal representation and participation by both men and women in key decision-making positions in conflict resolution, peace building and peace keeping initiatives.

EAC Secretariat shall:

- a. Engender the implementation of the EAC Protocol on Peace and Security.
- b. Institutionalise gender parity in peace and security negotiations; and
- c. Institutionalise the EAC Women, Peace and Security Network within the East African Community; and convene an annual forum on Women, Peace and Security.

2022 EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective

The Common Policing Standards were developed by the East African Community (EAC) and the Eastern Africa Police Chiefs Cooperation Organisation (EAPCCO) Secretariat in 2010 to harmonise policing in accordance with human rights norms.

The following are examples of mainstreaming goals suggested in the guidelines:

- **Goal 1:** To ensure that all police activities aimed at protecting the lives, liberty and property of individuals are responsible to the different needs and experiences of men, women, boys and girls, e.g. to design and implement tailored laws and policies that address the needs and experiences of survivors of gender-based violence (GBV)
- **Goal 2:** To ensure that the police can offer quality and responsive services to both women and men while being responsive to gendered power imbalances and different lived experiences.
- **Goal 3:** To ensure that laws governing access to justice, such as bail, recognise the gendered dimensions of property ownership.

- **Goal 4:** To ensure greater accountability and oversight in respect of gender-related crimes and negligence through collecting data on crimes against women and ensuring accountability when police officers commit crimes against women.
- **Goal 5:** To ensure that service delivery promotes the full and equal participation of men and women, e.g. to ensure that police stations are easily accessible for rural women; have victim-oriented rooms (safe spaces); and have spaces for mothers to breastfeed their children.
- **Goal 6:** To ensure that police officers are able to perform their duties in a manner that is sensitive to the gendered dimensions of power imbalances which impact upon access to resources, property and services and which enforce women's vulnerability to violence, e.g. through providing effective gender-sensitivity training for all police officers.
- **Goal 7:** To ensure that police institutions have mechanisms in place that enable the police services to partner and collaborate with both women and men in the local community to identify their particular needs; and to ensure that, while both men and women are consulted, the reality of gendered power imbalances is kept in mind and addressed so that women can safely voice their needs and experiences.
- **Goal 8:** To ensure that practical steps are taken to meet identified gendered needs and to evaluate the impacts of measures introduced.
- **Goal 9:** To ensure that budgeting processes are transparent and are responsive to gendered needs and priorities.
- **Goal 10:** To ensure that both men and women police officers are valued, promoted, mentored, and supported in balancing their professional and family responsibilities.
- **Goal 11:** To ensure that the policing institution has strong and transparent accountability processes for dealing with any problems of discrimination, violence against women, or sexual harassment.

National Frameworks

International treaties, conventions and declarations set standards and serve as a framework for the development of domestic laws and ensuring global commitments are met at the national level. National legislation, strategies and policies translate international and regional frameworks into the local setting, providing mechanisms to operationalise international principles to address a State's cultural, social, and political contexts.

What are the national frameworks and policies for gender equality within your country? Examples will include:

- The Constitution
- Legislation, for example, equality laws.
- Workplace Equality Frameworks, for example, protection of workers' rights, combating and prevention of discrimination and sexual harassment, maternity and paternity provisions, etc.
- National Action Plan, UNSC 1325, Women, Peace and Security.
- Equality/Gender Strategies and Policies at the country level.
- Equality/Gender Strategies and Policies within Law Enforcement Institutions.

Two examples from the region

- Uganda includes protected characteristics in relation to discrimination within its employment law, and Kenya includes a duty of public authorities to implement Gender Equality.

Ugandan law prohibits discrimination based on gender, ethnicity, race, religion, disability, HIV status, or any other protected characteristic.⁶ Protected Characteristics are specific attributes safeguarded against discrimination. What is included as a protected characteristic will be defined by each country within its legislation, making it against the law to discriminate against anyone with a protected characteristic.

National frameworks and policies define what is expected and what should not be happening, yet without implementation and enforcement from the top down to ground level, change will not happen, and inequality will prevail.

⁶ <https://aadmi.com/uganda-fair-treatment-workplace-laws/#:~:text=In%20Uganda%2C%20fair%20treatment%20includes,them%20amongst%20their%20co%2Dworkers>

Data collection and analysis are important methods to measure performance against gender equality commitments, but they need to be disaggregated by gender for it to be meaningful.

To gain an understanding of the gender equality situation in your workplace and country, you are encouraged to check gender/sex disaggregated data recorded and monitored by your organisation

and how that compares to any nationally held data collected by State Institutions that you may have access to. You can also compare any findings across the region to establish how your organisation or country is performing on gender equality compared to other similar organisations, or countries within the East Africa Region.

CHAPTER 2

UNDERSTANDING KEY GENDER TERMS AND CONCEPTS

Key Messages and Learning Points:

Understanding the various gender concepts, definitions, and considerations is important for law enforcement officials to influence their attitudes and behaviour in the workplace and when interacting with the public. It is also important that they know that gender is not solely about women, but it refers to men too.

- Gender terms and concepts provide a foundation to enable a more informed understanding of gender equality within law enforcement and its importance in influencing responses to local communities.

- An awareness of how gender considerations and common misconceptions can impact organisational development.
- The current global focus on women in law enforcement stems from their ongoing underrepresentation, which hinders organisations from reflecting the communities they serve and from leveraging the diverse skills, opinions, and experiences that an inclusive organisation can offer.

Definition of Concept

A concept can be defined as “a principle or idea”; “an idea, theory, etc., about a particular subject”;⁷ or “an abstract or generic idea generalised from particular circumstances.”⁸

Definition of Gender

The Office of the Special Advisor on Gender Issues and the Advancement of Women defines gender: Gender refers to the social attributes and opportunities associated with being male and female, the relationships between women and men and girls and boys, as well as the relations between

women and those between men. These attributes, opportunities, and relationships are socially constructed and are learned through socialisation processes. They are context/time-specific and changeable.⁹

According to the Geneva Centre for Security Sector Governance (DCAF)¹⁰, gender refers to particular roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. Gender roles vary widely across cultures and can change over time. (for example, men as breadwinners and constructors of houses, women

⁷ <https://dictionary.cambridge.org/dictionary/english/concept>

⁸ <https://www.merriam-webster.com/dictionary/concept#:~:text=1%20of%202-.noun,a%20concept%20car>

⁹ <https://www.un.org/womenwatch/osag/new/index.html>

¹⁰ A Women's Guide to Security Sector Reform – Training Curriculum, DCAF, 2017.

as care givers and responsible for maintaining the home). Boys and girls are encouraged by their families, schools, religious organisations, and communities to be different. These socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men are known as 'gender'. Boys are socialised to have masculine gender characteristics. Girls are socialised to have female characteristics.

Some examples of 'traditional' gender roles (which formulate stereotypes):

- Women care for children
- Men work away from home
- Boys go to school
- Girls don't fight
- Women cook
- Men are protectors

Social Construction of Gender

This refers to how society values and allocates duties, roles, and responsibilities to women, men, girls, and boys. It determines how the capabilities and potential of men and women are utilised. Through various agents of gender socialisation – such as family, religion, education, and culture – society creates a gender differentiation that in turn affects division of labour and power relations and reinforces gender roles.

Examples of socialisation:

1. Family – Differential reception of different sexes of children upon birth (e.g. more ululations for a boy than a girl).
2. Religion – Different status reserved for men and women in leadership positions, with women often not allowed to hold certain positions, segregated spaces for worship in some religions.
3. Education – Different career guidance for male and female students (e.g. men encouraged to be engineers and women encouraged to be nurses).

Gender arises through interactional and organisational practices. Gender is a pervasive, organising, and differentiating feature of social life and is woven into all aspects of life, both inside and outside the workplace.

Definition of Sex

Sex is the sum of biological and physiological characteristics that typically define women and men, such as reproductive organs, hormonal make-up, chromosomal patterns, hair-growth patterns, distribution of muscle and fat, body shape, and skeletal structure.¹¹

Traditionally, the term sex is used to refer to the biological and physiological differences that categorise someone as either female or male.

Examples of sex roles:

- Women give birth
- Women breastfeed children
- Women get pregnant
- Men's voices change at puberty

Differentiating between Sex and Gender

Distinguishing between sex and gender allows us to distinguish between the aspects of our lives that are socially conditioned and those that are biological imperatives, such as only females being able to give birth.

Unlike gender, sex is fixed. It is determined by biology and refers to the physical/biological attributes of males and females. Gender can change over time

- Sex is universal, gender is contextual.
- Sex is innate, gender is learned.

Gender and Culture & Tradition

Culture is a people's way of life. It consists of a belief system, values, rituals, interaction patterns, and socialisation. This, in turn, determines the attributes, roles, responsibilities, and expectations of persons in a society. Culture determines what the society wants or expects of women, men, girls, and boys. It also affects their power relations. Gender specifications are a result of the culture and socialisation in a society.

11 Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Pg. 450

Culture + Socialization = Gender

Examples:

- Preference for a boy over a girl child as a status symbol
- Boys rather than girls are prioritised for education
- Men being heirs to property
- Naming systems
- Initiation ceremonies
- Marital practices
- Gender-based violence, including harmful practices

Gender Mainstreaming

Since the 1995 Fourth World Conference of Women held in Beijing, gender mainstreaming has become an internationally recognised strategy for promoting gender equality. Gender mainstreaming is thus a strategy that is aimed at improving the performance and outcomes of an organisation, policy or law from a gender-equality perspective. In this regard, it involves interrogating the implications and outcomes for women and men of any planned action, legislation or policy, in all areas and at all levels. A gender-mainstreaming analysis recognises and addresses root causes of structural injustice, it questions who holds power and how they exercise it, and it addresses restrictive and discriminatory norms, while deepening inclusion and participation. A sound gender analysis, therefore, entails considering gendered roles, risks, responsibilities, and social norms, as well as accounting for the unique capabilities and needs of different groups. The ultimate goal of gender mainstreaming is to ensure substantive gender equality.¹²

The 1997 UN Economic and Social Council Report on Gender Mainstreaming defined the concept of gender mainstreaming as:

...the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal is to achieve gender equality.

Gender mainstreaming consists of two components: incorporation of gender perspectives and attention to the goal of promoting gender equality.

Gender Analysis

A gender analysis is an analytical framework for understanding the differences between women and men, which in turn can lead to more effective, efficient, and targeted policy formulation and programming, as well as more informed decision making for the benefit of both women and men. Once one has acquired the gender perspective, through conducting a gender analysis, one can then proceed to develop a policy and programme that promotes gender equality.

Gender Perspective

A gender perspective is not a separate thing that is only to be considered for specific gender projects. It should be integrated into every project, policy, and activity. Taking a gender perspective involves examining how a policy, project, or activity impacts women and men differently, thereby enhancing its effectiveness and leading to better outcomes. An important part of applying a gender perspective is conducting a gender analysis.

A gender perspective requires the following:

- Recognising the differences between women and men, girls and boys – their specific situations, conditions, and priorities.
- Viewing both women and men as potential actors in the field of policing.
- Looking at the different impacts of activities, programmes, and policies.
- Designing programmes, activities, policies, and interventions that are gender sensitive and that will consider those differences.

Gender Equality

The concept that all human beings, regardless of sex, are equal in dignity and rights and free to develop their abilities, pursue their professional careers and make choices without discrimination and the limitations set by stereotypes, rigid gender roles and prejudices.¹³

¹² EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective (2022).

¹³ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021), Pg. 448.

Gender Equality is when women and men have equal conditions for realising their full human rights and potential, and can contribute to and benefit equally from political, economic, social, and cultural development. Gender Equality is the end goal: equal rights, responsibilities, and conditions. It is outcome focused.¹⁴

Gender equality is the absence of discrimination based on one's sex in the allocation of resources or benefits or access to services. It refers to the equal treatment of women, men, boys, and girls so that they can enjoy the benefits of development, including equal access to and control of opportunities and resources.

Gender Inequality

When gender norms, roles, cultural practices, policies and laws, economic factors and institutional practices collectively contribute to and perpetuate unequal power relations between women and men. This inequality disproportionately disadvantages women in most societies.¹⁵

Gender inequality exists because gender roles assigned to women and girls are associated with less power than those assigned to men and boys. Women are generally excluded from decision-making and limited in their access to economic and social resources.¹⁶

Gender Equity

This is the process of being fair to women and girls, as well as men and boys. To ensure fairness, measures must often be taken to compensate for women and girls' historical and social disadvantages that prevent them from operating on a 'level playing field' with men and boys. Equity leads to equality.¹⁷

Gender Parity

Reaching gender parity in law enforcement implies that the same proportion of women and men – relative to their respective age groups/length of service – would enter law enforcement and participate meaningfully across all roles and ranks. In

other words, "Gender parity refers to equal numbers of men and women at all levels of an organisation. It must include the significant participation of both men and women, particularly at senior levels."¹⁸

Gender Blind

A gender-blind situation is one where, potentially, the different impacts of policy on women and men are ignored.

Gender Stereotypes

The Office of the High Commissioner for Human Rights (OHCHR) defines a gender stereotype as: a generalised view or perception about attributes or characteristics, or the roles that are or ought to be possessed by, or performed by, women and men. A gender stereotype is harmful when it limits women's and men's capacity to develop their abilities, pursue their professional careers and/or make choices about their lives.

Examples of gender stereotypes:

- Only men make good engineers.
- Women make good nurses.
- Men make decisive leaders.
- Women are weak leaders.

Gender Stereotyping

OHCHR defines Gender Stereotyping as: the practice of ascribing an individual woman or man specific attributes, characteristics or roles, by reason only of her or his membership in the social group of women or men.

Gender Bias

Gender bias develops from gender-based stereotypes and attributes that apply various characteristics, roles, and behaviours to men versus women, including sexual roles and behaviours. Gender bias can be explicit (conscious) or implicit (unconscious) and can be perpetrated by individuals or at an institutional level. Unconscious gender biases can intersect with other biases such as age, ethnicity, migration status, disability, sexual orientation, etc.

¹⁴ A Women's Guide to Security Sector Reform – Training Curriculum, DCAF, (2017).

¹⁵ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021), Pg. 449

¹⁶ A Women's Guide to Security Sector Reform – Training Curriculum, DCAF, (2017)

¹⁷ A Women's Guide to Security Sector Reform – Training Curriculum, DCAF, (2017)

¹⁸ UNDP Gender Parity Report (2001)

Gender Responsiveness

This involves planning and implementing activities that address identified gender issues and concerns, enabling the promotion of gender equality.

Gender Responsive Law Enforcement

When the needs of all parts of the community, women and girls, men and boys, including minority or marginalised groups, are considered to ensure no group is disadvantaged over another in its treatment by law enforcement.

Gender Responsive Criminal Justice

Means ensuring that laws, criminal justice institutions, criminal justice processes and criminal justice outcomes do not discriminate against anyone based on gender. It necessitates taking a gender perspective on the criminal law itself, as well as an assessment of access and obstacles to the criminal justice procedures available for women and men and adopting gender-sensitive strategies for protecting victims and promoting access to criminal justice.¹⁹

Gender Responsive Budgeting

Gender-responsive budgeting is the process of preparing a budget while ensuring that gender concerns are considered throughout (and incorporated into) the entire process.

Gender Inclusion

The term 'gender inclusive' refers to policies, language, and other societal frameworks that respect and acknowledge gender identities. Gender inclusive language, for instance, does not favour a particular gender, yet is sensitive to a person's gender. The use of gender inclusive language aims to reduce gender bias. Using gender-inclusive language means speaking and writing in a way that does not discriminate against a particular sex or gender, and does not perpetuate gender stereotypes.

Gender Accountability

Obligation and responsibility on the part of state structures and public officials to implement gender mainstreaming and achieve gender equality policy objectives, to report on progress achieved, and to be answerable in the event of a failure to meet stated gender equality objectives.

Gender-sensitive accountability requires that the decisions of public actors can be regularly assessed from the perspective of women's and men's needs and interests, and that gender equality is one of the standards against which the performance of decision-makers is assessed.²⁰

Positive Action and Affirmative Action

Measures put in place to compensate for historical and social disadvantages that prevent men and women from otherwise operating on a "level playing field". Affirmative action tends to be broader in scope and may include preferential treatment or quotas. Positive action is generally more targeted and aims to level the playing field without giving outright preference.

Common Gender Misconceptions

Gender is only about women, or about sex.

Gender-based violence is only violence perpetrated towards women (or girls) because they are women.

Gender Equality means women and men must be treated the same.

Gender-responsive policing relates only to how female officers deliver police services to women and girls in communities.

Positive action is the same as positive discrimination.

Gender Mainstreaming is only focused on women

¹⁹ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021), Pp. 449
²⁰ https://eige.europa.eu/publications-resources/thesaurus/terms/1362?language_content_entity=en

CHAPTER 3

CHALLENGES TO GENDER EQUALITY IN LAW ENFORCEMENT

Key Messages and Learning Points:

Law enforcement officials need to understand how a male-dominated workplace culture impacts colleagues, the organisation and the communities it serves, and how achieving gender equality can create a healthier, more productive working environment for all.

- Law enforcement officials need to understand the gender equality situation within law enforcement to be able to recognise if the culture within the working environment is impacting colleagues, the organisation and is influencing service delivery.
- The damage caused to individuals and the organisation of gender stereotypes, gender bias, and toxic masculinity needs to be understood by all those working within law enforcement so they can recognise and deal with inappropriate behaviour.

- Understanding how culture and tradition can impact an organisation's ability to progress towards gender equality and gender responsiveness is vital to enable law enforcement officials to address GBV effectively and for the organisation to recruit and retain more women.

The **masculine or macho** culture of policing can increase negative gender stereotyping and biases, the consequences of which affect how law enforcement officials deliver services to local communities and how they respond to gender-based crimes.

Gender Stereotypes and Stereotyping.

Gender stereotypes can perpetuate inequalities, a classic example is that women are perceived as caregivers due to the stereotype that women are nurturing. Therefore, childcare responsibilities tend to fall to women. Gender stereotypes can be harmful without being hostile. However, what are considered stereotypical masculine characteristics are commonly given a higher value than those considered stereotypically female. This is certainly the case within male-dominated organisations like the police.

Gender stereotypes can also 'intersect' with other stereotypes, leading to a detrimental impact for certain minority groups and a disproportionate impact on women. For example, women from indigenous groups, women with disabilities, those who are lower caste, have a lower economic status, are migrant women, etc. In the context of law enforcement, this can manifest itself as reduced or ineffective service delivery to such groups, or the appointment to lower positions and the allocation of less important or unpopular tasks to officials from such groups.

According to OHCHR, gender stereotyping is wrongful when it leads to a violation or violations of human rights and fundamental freedoms. It is also a common cause of discrimination against women, contributing to the violation of various rights, for example, the right to:

- Health
- An adequate standard of living
- Education
- Marriage
- Political participation and representation
- Effective remedy
- Freedom from GBV

Some examples of gender stereotyping include:

- Failing to investigate sexual violence against women, believing that the victims of sexual violence agreed to sexual acts, as they were not dressing or behaving modestly.
- At border crossings, failing to assess a group of women travelling together as a potential trafficker and her victims by assuming they are friends or a mother and her nieces.

- A group of children travelling with an adult who is labelled as their 'teacher' without considering her a potential trafficker and the children as victims. INTERPOL investigations showed it was a woman trafficker.
- Judging all women based on the behaviour of a minority.

Two international Human Rights treaties expressly prohibit gender stereotypes and gender stereotyping and place an obligation on states concerning harmful stereotypes and wrongful stereotyping.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which was covered in a previous lesson, Article 5 states,

“

State parties shall take all appropriate measures...to modify the social and cultural patterns of conduct of men and women, to achieve the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

”

Gender stereotypes and stereotyping are also covered in the Convention on the Rights of Persons with Disabilities, Article 8(l)(b)

Gender Bias

Gender bias develops from gender-based stereotypes and attributes that apply various characteristics, roles, and behaviours to men versus women, including sexual roles and behaviours. Gender bias can be explicit (conscious) or implicit (unconscious) and can be perpetrated by individuals or at an institutional level. Many within policing and law enforcement hold attitudes and values that promote equal, impartial, and fair access to justice. However, implicit gender and other biases can represent a significant barrier to ensuring equal access to justice. As implicit biases operate at an 'unconscious' level, it means judgements are being made in a matter of seconds, without any conscious awareness, therefore contradicting any consciously held beliefs and values.

It is internationally recognised that eliminating gender bias in policing and law enforcement practices can be a challenge. Still, it is a necessary component of combating sexual assault and domestic violence by improving the treatment of victims and increasing their safety and security.

According to the UN Women Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence, as with stereotypes, gender bias can also intersect with other prejudices, such as those based on ethnicity, disability, sexuality, age and religion. This can lead to assumptions being made about which women are more likely to be sexually available and therefore 'asking for it', often referred to as 'victim blaming', or which men are likely to be violent or predatory. Suppose gender bias and stereotypes of responding officers go unchecked. In that case, police personnel can contribute to the non-reporting of violence against women and girls, and the attrition of reported cases. It only takes a few officials acting inappropriately due to bias to undermine the trust and confidence that stakeholders, partners, and local communities have in law enforcement.

Gender bias can have various impacts at an institutional level, including:

- **Application process** – fewer women will apply for roles that are advertised using adjectives associated with masculine characteristics.
- **Recruitment** – unconscious bias can impact an evaluator's selection ratings, resulting in lower ratings for women compared to men.
- **Performance assessments** – women tend to receive less feedback than men, and what they do receive is more likely to be critical and vague. Once women become mothers, they are often perceived as less competent than women without children.²¹

In an operational context, gender bias held by individual law enforcement officials can impact an organisation's effectiveness and reputation:

- Provides less protection to certain victims based on gender.
- Fails to respond to crimes that disproportionately harm people of a particular gender.

21 European Institute for Gender Equality (2020). Sexism at Work: How can we Stop it?

- Misclassifies or underreports sexual assault or domestic/intimate partner violence cases
- Interrogates rather than interviews victims and witnesses.
- Treats domestic/intimate partner violence as a family matter rather than a crime.
- Fails to enforce protection orders.
- Impedes the ability to ascertain the facts, determine if the incident amounts to a crime, and develop a case that supports effective prosecution and holds the perpetrator accountable.

When conducting operational planning, law enforcement officials need to consider any potential impact on different genders, both within and external to the organisation. This will help to mitigate against reinforcing gender stereotypes, bias and discriminatory practices.

Sexism and Misogyny

Sexism and misogyny are defined as discrimination based on one's sex that predominantly afflicts women, whereas misogyny implies hate or entrenched prejudices against women.²²

According to the European Institute for Gender Equality, sexism is linked to beliefs on the fundamental nature of women and men and the roles they play in society, with sexism manifesting from gender stereotypes. A definition of sexism is provided: Sexism is linked to power in that those with power are typically treated with favour and those without power are normally discriminated against. Sexism is also related to stereotypes since discriminatory actions or attitudes are frequently based on false beliefs or generalisations about gender, and on considering gender as relevant where it is not.²³

According to the Council of Europe, sexism in the workplace includes:

- Derogatory comments
- Objectification
- Sexist humour or jokes
- Over-familiar remarks
- Silencing or ignoring people
- Gratuitous comments about dress and/or physical appearance
- Sexist body language
- Masculine practices which intimidate or exclude women and favour fellow men.

Misogyny is defined as hatred, contempt, or prejudice against women or girls. It is typically exhibited by men and is generally accepted because of patriarchy and of being a more extreme form of sexism, as it is specifically directed at women and girls. In contrast, sexism is prejudice towards anyone of the opposite sex.

According to the UK College of Policing²⁴, sexism and misogyny cover many behaviours, including:

- Comments about someone's appearance
- Blocking the career progression of female officers or female members of staff
- Sexualised jokes
- Sexual Harassment
- Sexual Assault

So, what are some of the impacts of sexism within a law enforcement work environment?

- Inefficiency – can hold individuals back, women, for example, can be denied opportunities for senior positions or placed into roles that are perceived to need stereotypically 'feminine' skills, thereby wasting human resources.
- Harmful to individuals – impacts on their sense of belonging, mental health, and physical health.
- Damage to the organisation's reputation – making it less attractive for minority groups to consider as a career of choice, those that do join, leaving what can be considered a 'toxic', sexist environment through attrition.

Violating Sexist Expectations

Stereotypical female behaviour is generally associated with low status and within the domestic context, so women will sometimes adopt stereotypically masculine behaviour when at work, both to fit in with a male-dominated environment, such as the police, and to prove they have what it takes. In policing, this has been evidenced both

²² Parikh et al (2021). Sexism and Misogyny as Traits of Police Culture.

²³ European Institute for Gender Equality (2020). Sexism at Work: How can we Stop it?

²⁴ <https://www.college.police.uk/guidance/sexism-and-misogyny-policing>

within the organisation because of police culture and disproportionately affecting female officers, but also in a service delivery context, for example, preventing male victims of sexual violence from reporting.

A powerful male police culture will support the existence of sexism and will reinforce perceptions that policing is only for males.²⁵ Traditionally, masculine norms require men to avoid and devalue characteristics that society considers to be feminine, and acting like a woman can be one of the worst things a man can do.

Toxic Masculinities

This section introduces the reader to the commonly used term toxic masculinities. Whilst they are predominantly male traits, it is also recognised that some women can exhibit attitudes and behaviours based on these traits.

‘Toxic Masculinities’ refers to a collection of offensive, harmful beliefs, tendencies, and behaviours rooted in traditional male roles but taken to an extreme.²⁶

There are various definitions for toxic masculinity, but generally, it has three core ideas:

- Toughness – Men should be physically and emotionally strong and aggressive in behaviour.
- Anti Femininity – Men should reject behaviours deemed ‘feminine’ for example, showing emotion and accepting help.
- Power – Men should work to gain power and status (both social and financial), and by doing so, will gain the respect of others.²⁷

Toxic masculinity suggests ‘real’ men treat their bodies like machines, need little sleep, work out even when injured, and push themselves to their physical limits. Research also tells us that masculine ‘norms’ encourage behaviours such as alcohol abuse, heavy smoking and poor diet. It then discourages men from seeking treatment, including for mental health issues, which can be seen as a weakness.

Toxic masculinity can pressure men into believing it is not appropriate to talk about their feelings, which can be an issue for police officers who often deal with traumatic incidents. If men avoid debriefs of such incidents, which often involve talking about emotions, over time, the impact of such incidents can build up and cause mental health issues such as post-traumatic stress disorder. If not addressed, this can increase sickness absence and ultimately lead to ill health retirement, resulting in lost skills and experience for the organisation and additional costs in recruiting and training new police officers.²⁸

Toxic masculinity doesn’t just manifest itself in adulthood; boys who do not appear ‘masculine enough’ can be harassed and bullied at school. Men who consider themselves ‘very masculine’ are found to be less likely to intervene when they witness bullying or when they witness someone being assaulted. Even more worrying from a police perspective is that a study in 2019²⁹ found that toxic masculinity can prevent men from consoling a victim, calling for help, and standing up to the perpetrator, as this goes against the belief that men should be strong and aggressive. This leads to men failing to intervene in conflicts when they believe they have a reputation to maintain as a ‘traditional man’, fearing that intervening could compromise this reputation.³⁰

Some examples of toxic masculinity in society:

- A boy does not act in a traditional masculine way at school, so he is bullied by other boys for being ‘too feminine’.
- A boy cries, and his father tells him to ‘toughen up’ as ‘men don’t cry’.
- A man tells his partner what she can or cannot wear, who they can spend time with, and whom she can speak to.
- A man will not show any emotions to his partner for fear of appearing ‘weak’.
- A man suffering from mental health issues refused to see a doctor or therapist, believing instead he should ‘man up’ or just power through it.³¹

25 Lila et al, (2013). Male Police Officers’ Law Enforcement Preferences in Cases of Intimate Partner Violence Versus Non-Intimate Interpersonal Violence: Do Sexist Attitudes and Empathy Matter?

26 <https://www.verywellmind.com/what-is-toxic-masculinity-5075107>

27 Ibid

28 Ibid

29 Ingram, k et al (2019) <http://dx.doi.org/10.1016/j.jsp.2019.10.007>

30 <https://www.verywellmind.com/what-is-toxic-masculinity-5075107>

31 <https://www.verywellmind.com/what-is-toxic-masculinity-5075107>

According to Adam Gallie, of Aurora New Dawn, a charity for victims and survivors of domestic abuse, sexual violence and stalking,³² some common toxic masculinity behaviours have been identified in research as:

1. Being stoic
2. Being promiscuous
3. Being violent
4. Being dominant
5. Sexual aggression towards women
6. Not displaying emotion
7. Not being a feminist ally.

While some masculine traits have their value, research has revealed that the overly masculinised occupational culture within law enforcement institutions can influence responses to crimes against women. The impact of a law enforcement male-dominated culture can result in women being unable to access justice, due to their fear of further violence, shame and embarrassment. It is also more likely that law enforcement officials who support a macho culture can often be perpetrators of violence themselves, including their spouses or intimate partners.³³

Culture and tradition can impact an organisation's ability to progress towards gender equality and gender responsiveness. According to the EAPCCO Guidelines on Implementing the Common Policing Standards from a gender perspective³⁴, certain areas of policing require a gendered focus to enable officers to understand how gender relations influence control over resources and property and address social norms surrounding gender-based violence (GBV). For example, family property is still often registered in the name of the male partner in relationships. Therefore, women in East African countries still face barriers to owning property, including land, which has implications for their capacity to afford bail and legal representation.³⁵ Law enforcement officials need to understand the different rights that women and men can claim to enable them to approach incidents with an unbiased and sensitive attitude.

A direct impact of culture and tradition on law enforcement organisations is the difficulty in recruiting women, who may need the permission of male family members or husbands to join, or who, due to societal expectations, may not want to join a male-dominated environment. This results in a lack of representation and inclusivity within law enforcement, and a lost opportunity for women to empower other women, both inside the organisation and in local communities.

Strategies, Policies and Procedures

Women can face additional challenges due to strategies, policies and procedures within law enforcement if such frameworks do not take into consideration the specific needs and attributes of women. For example, basing recruitment fitness criteria on the physical characteristics of men puts women at an immediate disadvantage compared to male applicants. Suppose uniform and equipment policies do not consider the specific needs of women. In that case, this can result in women not being able to fully participate in all areas of law enforcement, or if required to use equipment designed for men, can prevent them from delivering professional outcomes.

Performance evaluations that reward strength, power, and enforcement-related outcomes, yet do not recognise transformational skills such as effective communication, de-escalation of conflict, conflict resolution, problem-solving, and prevention activities, can reinforce gender stereotypes and biases, hindering women's professional development and advancement.

More detailed examples of Strategies, police and procedures that can impede women's meaningful participation in law enforcement, and how changes can support a more equal environment where women can flourish are included in Module 2.

³² <https://www.starandcrescent.org.uk/2019/09/13/what-are-the-top-10-toxic-masculinity-behaviours/>

³³ EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective (2022).

³⁴ Ibid

³⁵ Ibid

MODULE 2

Women's Representation and Meaningful Participation in Law Enforcement

MODULE GOAL

At the end of the module, the reader should be able to recognise the benefits of a gender-responsive law enforcement organisation, one that is diverse and inclusive, where women and men are valued for their contributions in the provision of gender-responsive service delivery to local communities.

INTRODUCTION

Notwithstanding the firm legal frameworks that exist for balanced gender representation in law enforcement, the ratio of male officers to female officers remains skewed against women. It is now well established that effective policing requires police institutions to be gender responsive, achieved by fully integrating all personnel and ensuring their effective utilisation, thereby tapping into the full complement of available capabilities and skills. Historically, however, law enforcement institutions have tended to deploy women within non-operational rather than public facing roles. This module will recognise how far women have progressed in law enforcement across the region,

what challenges remain and what strategies, policies and good practices can be implemented to increase the meaningful participation of women in law enforcement.

This module will commence by explaining the importance of gender responsive law enforcement, both for the internal community of the organisation and the external communities they serve. Gender responsiveness is about ensuring an organisation is operationally effective by being inclusive and representative of the communities it serves, to build trust and confidence of law enforcement within all communities.

CHAPTER 1

THE MEANINGFUL PARTICIPATION OF WOMEN IN LAW ENFORCEMENT

Key Messages and Learning Points:

The meaningful participation of women in law enforcement requires that women be entitled to participate in the decisions that directly affect them, including in the design, implementation, and monitoring of interventions. The concept of meaningful demands that women should not only be present, but that their concerns are heard and taken on board. They have an opportunity to articulate their contributions and expertise to ensure that a gender perspective and analysis inform and shape police strategies.

- Gender-responsive law enforcement ensures organisations are inclusive and representative of the communities they serve. To achieve this, more women are needed within law enforcement, which is why there is a current global focus on recruiting, retaining, and progressing women.
- Law enforcement officials need to be able to operationalise gender responsiveness to promote its benefits.
- Understanding how gender-responsive law enforcement can build trust and confidence within both internal and external communities is essential for those working within law enforcement, which men have historically shaped.

What does gender responsive law enforcement mean in reality?

Being gender responsive means that when law enforcement agencies deliver services to the communities they serve, the different safety and security needs of women and girls, men and boys, are considered. If services are delivered only from a male perspective, women and girls could be disadvantaged, likewise, if services are delivered from a female perspective, it could be detrimental to men and boys.

What is meant by community? – in relation to gender responsive law enforcement, both the internal community – officials, officers and staff, and the external community - stakeholders and members of the public need to be considered.

However, gender-responsive law enforcement does not mean that women and men within the organisation must perform the same roles to achieve equity. Instead, they should both have equal opportunities to choose the roles that best suit their individual needs and strengths.

Why is gender responsiveness important?

Gender responsive law enforcement is important for all incidents to which law enforcement officials respond, which includes calls for service that do not amount to a crime. It is not about pigeonholing female officials into roles that only deal with women and children, but recognising that their visible presence in all forms of law enforcement will increase trust and confidence in the police in communities. It is also important that male officials are provided with opportunities to diversify in their work, some may wish to work in roles that are not seen as traditionally 'male'.

As an example, not all female officers have the right skills or even desire to work in child and family protection units, yet some men do, in fact, in many countries, male officers are deployed in specialist units dealing with sexual and other gender-based crimes. Fundamentally, gender-responsive law enforcement is about operational effectiveness, by enforcing the principle of having the right person with the right skills, in the role that best utilises their skills and motivation to the benefit of the organisation and the communities it serves.

So, if gender responsiveness is not just about women, then why do law enforcement organisations currently focus on the recruitment, retention and progression of women?

Globally, women remain in a minority within law enforcement, yet on average, 50 per cent of the global population is women and girls. If law enforcement organisations are to deliver gender responsive services, then they need to be representative of the local communities they serve. Achieving a 50 per cent balance of women and men within law enforcement will be for many an aspiration. However, research tells us that a 'critical mass' in any organisation is needed to bring about change, for law enforcement that is deemed to be 30 - 35 per cent by various researchers.³⁶ Globally, it is estimated by the United Nations that women in policing amount to only 15-20 per cent. Even in developed countries like the United States, women make up only 13 per cent of law enforcement officers³⁷. In the UK, the national average for female police officers (not including civilian staff) is 35.4 per cent (as of 31st March 2024)³⁸. What is the national average of women in law enforcement organisations in your country? Are they uniformed personnel, and are they visible to local communities?

What does the research tell us in support of gender responsive law enforcement? That:

- Increasing the number of female officers is needed at all levels.
- Strategic and policy decisions are currently being disproportionately made from the male perspective.
- There is a requirement for more women in decision-making positions and at the strategic level to bring about institutional change
- More female role models are required, both to inspire and encourage women within policing and women and girls in communities
- There is a clear relationship between the status of women in policing and the status of women in society
- Trust and Confidence in the police increase within the community when more women officers are visible.

- Increasing the number of women in policing can result in increased community engagement, better reflecting the community it serves.

Therefore, if organisations want to deliver gender responsive services, they need to ensure the organisation itself is inclusive and representative, by ensuring strategies and policies at the institutional level are developed from both the male and female perspective, that more women are recruited and retained and that they can progress to leadership and decision-making positions to enable them to influence change.

According to the EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective, gender-responsive policing recognises that men and women experience violence differently in different spaces. For example, women are more likely to experience violence perpetrated within private spaces by people they know. Men, on the other hand, are more likely to experience violence perpetrated in public spaces by strangers. To ensure that the Common Policing Standards are translated into actions and policies with tangible benefits for women, women's unique experiences of violence and harassment need to be addressed.

The argument for law enforcement to be gender responsive is growing. Research tells us that women and children are disproportionately more likely to become victims of certain crimes. In other words, there is evidence that women are making up an increasing proportion of criminals. In many societies, women fail to report violence or abuse for fear of shame, exclusion or isolation, fear of reprisal or that their report will not be taken seriously. Research informs us that seeing female officers in uniform and operational within local communities has not only increased a feeling of safety among women and girls; but it has also built their trust and confidence in the police and led to increased reporting of VAWG and GBV.

³⁶ <https://30x30initiative.org/wp-content/uploads/2025/03/30x30-Critical-Mass.pdf>

³⁷ <https://www.statista.com/statistics/195324/gender-distribution-of-full-time-law-enforcement-employees-in-the-us/>

³⁸ <https://www.gov.uk/government/statistics/police-workforce-england-and-wales-31-march-2024/police-workforce-england-and-wales-31-march-2024#chapter8>

Women and girls are often the backbone of many communities. If you do not have the trust and confidence of all your local population, how much potential information and intelligence are you missing, and how effective can you be as a result? Timely, accessible, and reliable information and intelligence will help you in the fight against ALL crimes, including the many forms of transnational and organised crime, and in countering terrorism and violent extremism.

Policing and other law enforcement agencies have a core role in providing safety and security to all communities. This is achieved by working with and for communities, building their trust, upholding the law, preventing crimes, responding to emergencies, providing support services or information on how to access them, and maintaining peaceful societies. To be truly effective, law enforcement needs the support of local communities to solve problems together, to prevent crimes, and to gain information and intelligence to enable successful investigations and the prevention of all crimes. Whilst different law enforcement agencies may have different communities, the gender responsive service delivery ethos is the same.

Representation

Equal representation of women within policing services also remains a challenge, with sexual harassment and sociocultural factors influencing gender parity within police institutions. This is despite women making up most of the African population. Failing to improve gender representation is a missed opportunity to ensure that policing is responsive to the communities it serves while being informed by the values of diversity and equality. Some view the solution to persistent gender inequality as simply increasing the number of women police officers. However, more systemic social, economic and cultural changes are needed if women are to enjoy their rights on an equal basis.³⁹

A central component of gender mainstreaming is ensuring that women are represented within the police service and that they are involved in high-level decision-making and governance. To ensure this, participation goes beyond quotas and requires a police service that is representative and respectful while embracing a culture of diversity, equality and non-discrimination. This aspect is important, as it enables police institutions to utilise a diverse range of talents and experiences that can aid the police in being more responsive to the communities they serve.⁴⁰

The EAPCCO Guidelines on implementing the common Policing Standards from a gender perspective identify that ensuring greater representation within police and law enforcement institutions serves to empower women and indirectly protect their human rights. As emphasised in the EAC policy⁴¹ violence against women decreases when women have increased decision-making powers, higher education levels, and greater financial independence. Employing more women within law enforcement. Therefore, serves to further the economic empowerment of women.

The participation of women in law enforcement is not just about increasing their numbers; their participation needs to be meaningful, which means not being deployed solely in administrative non-operational roles but being provided with the same opportunities for career development and progression as their male counterparts.

Female officers professionally trained and equipped can play a vital role in removing the barriers to women's access to criminal justice. Empowered women officers can deliver real change, not only to their colleagues but also to women in the community. Women bring different perspectives and skills to law enforcement. In 2012, Sir Peter Fahy, former Chief Constable of Greater Manchester Police, UK, said at the funeral of Constable Nicola Hughes, "Policing is not about muscle, but it is about reason, restraint and intelligence"

³⁹ EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective (2022)

⁴⁰ Ibid.

⁴¹ East African Community Gender Policy (2018)

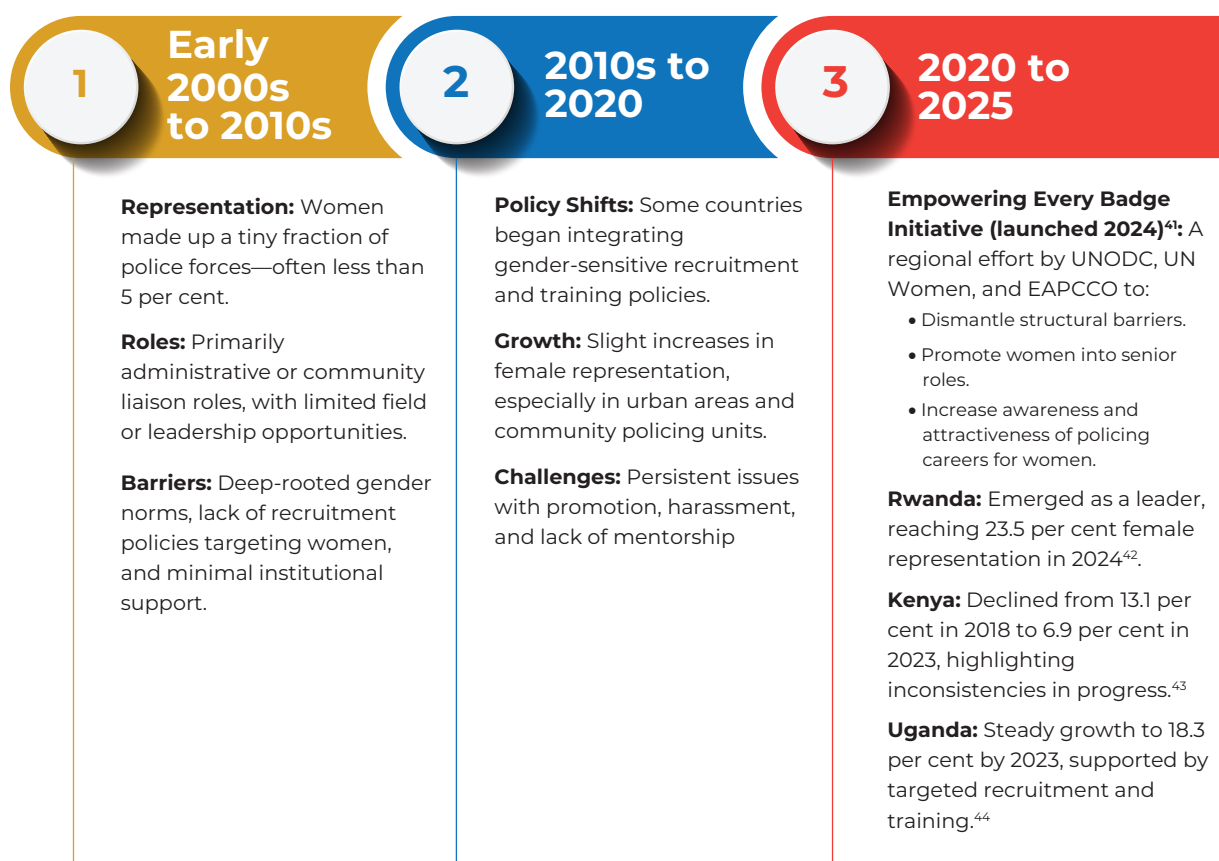
History of the Participation of Women

Over the past decade, the East Africa region has made significant progress in increasing women's participation in law enforcement. Regional and national action plans on women, peace, and security have been adopted, though implementation remains uneven. In some countries, such as Tanzania, Women's Networks have grown steadily in influence and impact, increasingly with the active support of senior male leaders. Several countries have amended or eliminated height and weight requirements to make recruitment more inclusive, reflecting a growing recognition that such criteria are not essential for identifying and selecting

qualified candidates. While the proportion of women in law enforcement has increased in many countries, it has remained stagnant in others. A variety of political, economic, social, and organisational influences continue to shape these outcomes, with specific challenges and dynamics varying across the region.

The limited data available from the region shows that historical trends of women in policing across East Africa reveal a gradual but uneven progression toward gender parity, shaped by cultural, institutional, and policy dynamics. Here's a summary based on recent studies and initiatives:

Historical Trends Overview



41 Empowering Every Badge - Gender & Law Enforcement in Eastern Africa

42 <https://www.police.gov.rw/media/news-detail/news/rnp-holds-13th-women-police-convention/>

43 <https://www.kenyans.co.ke/news/91898-un-raises-alarm-over-kenyan-female-police-officers>

44 <https://www.monitor.co.ug/uganda/news/national/women-are-under-represented-in-police-report-4288456>

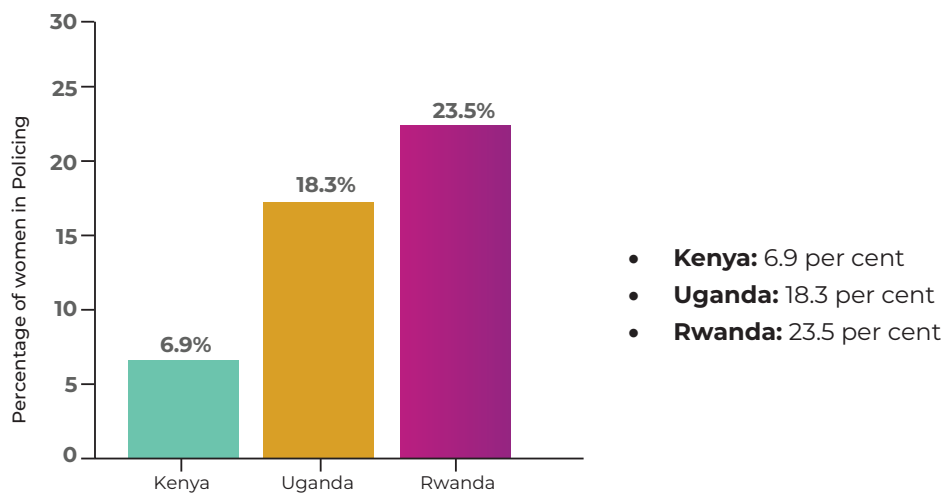


Figure 1: Women in Policing Across East Africa (2025)

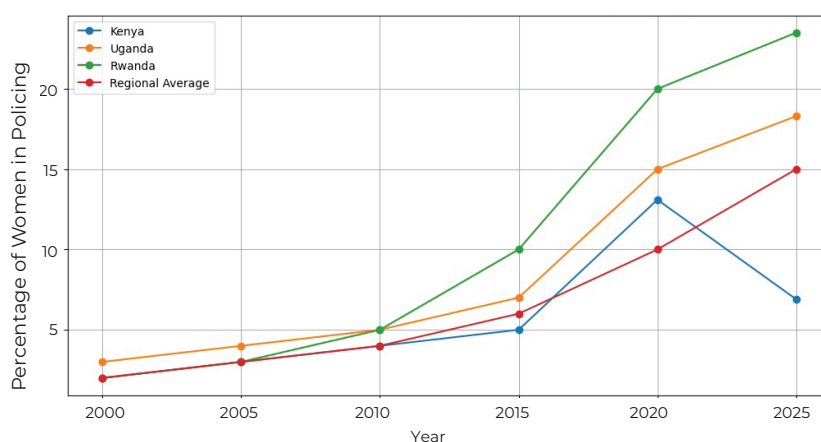


Figure 2: Historical Trends of Women in Policing Across East Africa (2000 - 2025)

- **Rwanda** shows the most consistent and significant growth, reaching over 23 per cent by 2025.
- **Uganda** has seen steady improvement, especially after 2015.
- **Kenya** experienced a sharp rise around 2020 but then declined by 2025.
- The **regional average** reflects gradual progress, with acceleration in the last decade due to policy reforms and international support.

Key Drivers of Change

- International support: For example, UN-led programs and donor funding.
- Regional collaboration: For example, EAPCCO provides leadership on Gender Responsive Law Enforcement.
- National gender policies: Integration of gender equality into national development and security strategies.
- Community policing models: These often prioritise empathy and communication—skills, where women are often seen as excelling.

Activity

To gain an understanding of the gender equality situation, you are encouraged to check gender/sex disaggregated data recorded and monitored by your organisation and how that compares to any nationally held data collected by State Institutions that you may have access to. You can also compare any findings across the region to establish how your organisation or country is performing on gender equality compared to other similar organisations, or countries within the East Africa Region.

Data collection and analysis are important methods to measure performance against gender equality commitments, but they need to be disaggregated by gender to be meaningful.

CHAPTER 2

FACTORS THAT LIMIT OR IMPEDE THE MEANINGFUL PARTICIPATION OF WOMEN IN LAW ENFORCEMENT

Key Messages and Learning Points:

The meaningful participation of women in law enforcement requires that women be entitled to participate in the decisions that directly affect them, including in the design, implementation, and monitoring of interventions. The concept of meaningful demands that women should not only be present, but that their concerns are heard and taken on board. They have an opportunity to articulate their contributions and expertise to ensure that a gender perspective and analysis inform and shape police strategies.

- All those working in law enforcement need to understand the damaging impact of sexual harassment, not just for those subjected to it, but also how perpetrators can damage an organisation's reputation, thereby damaging trust and confidence in it within both its internal and external community.

- Ensuring there are mechanisms and reporting pathways in place to deal with sexual harassment in the workplace and that they are defined with a specific policy, supported by a top-down message of Zero tolerance to all forms of sexual harassment, is essential.
- An awareness of barriers facing women's recruitment, retention, and progression within law enforcement is paramount if organisations are to address inequalities in policies and practices to enable a gender responsive organisation.

Law enforcement is recognised as being male-dominated and so a masculine occupation. Although the number of women in law enforcement has increased since women were first accepted into the organisations, they remain in the minority globally. So, law enforcement has, and continues to be, shaped by men. This results in a masculine culture prevailing where manliness is accepted as the ideal trait for officers and officials, with aggression and forcefulness often being encouraged and celebrated. Law enforcement culture is often referred to as a Boys' Club, where women can be isolated and excluded, thereby reducing operational effectiveness for the organisation.

In some cultures, women are perceived as mother, little sister, or seductress, which limits their behavioural flexibility. An error of an individual woman is exaggerated and generalised to all women as a homogenous group. Conversely, positive efforts to organise a women's association or advance an individual woman, regardless of her accomplishments, raise concern about women

getting favourable treatment. The dynamics of language, sexuality, appearance, and demeanour lead women in the sector to wonder whether they should tolerate being called *mrembo* (Swahili word for beautiful) or sweetheart by colleagues.⁴⁶

Sexual Harassment

Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation. Sexual harassment may involve any conduct of a verbal, non-verbal or physical nature, including written and electronic communications, and may occur between persons of the same or different genders.⁴⁷ It can take the form of propositions and threats, unwanted touching, and comments that call attention to women's sexuality or express anti-women sentiments. Sometimes in these situations, women do not unite and take coordinated action to press for change. Instead, they tend to reproach each other, asserting that those who get sexually harassed ask for it through their demeanour or behaviour.

⁴⁶ EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective (2022)

⁴⁷ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021), Chapter 13.

Stereotypical female behaviour is generally associated with low status and within the domestic context, so women will sometimes adopt stereotypically masculine behaviour when at work, both to fit into a male-dominated environment such as law enforcement, and to prove they have what it takes. The risk is that by doing so, they can be penalised, for example, it can lead to sexual harassment. US research found that in a male-dominated work context, women faced greater levels of sexual harassment, it being used as a tool to keep victims in their place. It also found that men who violate stereotypical gender roles are more likely to face harassment. Men who complain of sexual harassment tended to be believed less, liked less and punished more than women who complain.⁴⁸

The EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective state: “an effective policy on sexual harassment within the police institution will predetermine the process for investigating and punishing sexual harassment regardless of individual responsibility, extenuating circumstances, personal relationships and employment history. Leaders within police organisations must be particularly clear that they are committed to upholding a zero-tolerance policy and that it must be practised every day”.⁴⁹

A Zero-Tolerance policy toward sexual harassment will be critical for transforming towards a gender-responsive police organisation. Such a policy needs to ensure executive officers and managers have the tools to reinforce zero tolerance for any sexual harassment and other VAWG related crimes within the organisation, with emphasis on their role in holding people under their command accountable⁵⁰.

Such tools include protection measures for complainants and whistleblowers, which need to be supported by strong messaging from leadership about a process that is fair and aligned with institutional values. This way, reporting sexual harassment is deemed as strengthening the fabric of the organisation rather than going against a culture of silence falsely perceived as preserving collegial bonds. This includes a strong stance taken by police senior and executive leadership on zero tolerance for any act of retaliation; it is not uncommon for complaints of sexual harassment to face retaliation by those they have accused who have not been dismissed, making their lives in the workplace so difficult that they eventually quit.⁵¹

“

*Harassment of all kinds, including sexual harassment, is not [complimentary], humorous, or unavoidable. It's not trivial. It's not acceptable. It affects all jobs, sectors, and occupations, and it has serious consequences for workers, their families and communities, as well as for the reputations and productivity of enterprises.*⁵²

”

Does your organisation have a clearly defined policy and zero tolerance towards Sexual Harassment? Does it clearly state the organisation's expectations of appropriate behaviour? How to report any incidents of sexual harassment, and by whom? Does it clearly state what type of investigation will be instigated? Who will investigate? What is the investigation process and timelines?

48 European Institute for Gender Equality (2020). Sexism at Work: How can we Stop it?

49 EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective (2022)

50 Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021), Chapter 13.

51 Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021), Chapter 13.

52 UN Women (2019). 'Making Harassment at Work History'. <https://medium.com/we-the-peoples/making-harassment-at-work-history-a883fc0823ef/>

A model policy framework can be found at Annex 1 at the end of this chapter, developed by the UK National Police Chiefs Council (NPCC, UK).⁵³

As outlined in module 1, chapter 3, Policing and law enforcement globally often focus on recruiting more women and other minorities, believing this will address any issues of underrepresentation and diversity they may have. However, unless the retention and progression of women are also addressed, any gains obtained in recruiting more women can be lost if those women are not trained and deployed across a range of functions and departments.

So, how do the institutional impacts, described in Module 1, Chapter 3, manifest as barriers to females at the individual level?

Some women do not stay in law enforcement due to unequal treatment or a working environment that does not meet their needs or is overtly sexist towards women, but this can vary across regions. A working environment can be a hostile place for women when inappropriate behaviour goes unchallenged, where sexism and misogyny are tolerated. Following a high-profile abduction, rape and murder of a woman in London by a serving police officer,⁵⁴ various enquiries and reports were instigated by the UK government.⁵⁵ One of the reports found that officers who were perpetrators of inappropriate behaviour, including sexual harassment, were often repeat offenders. Still, if similar behaviour was reported, it was not taken seriously by supervisors, managers, or even professional standards departments. The report also found that women within the police, officers and staff, tolerated a certain degree of prejudicial and inappropriate behaviour before reporting it, many being worried about how it might impact their careers, or did not wish to rock the boat and be further ostracised from the boys' club. The report also found that within UK police forces, such complaints were not always taken seriously, allowing the repeat offenders to continue their inappropriate and sometimes predatory behaviour both towards female colleagues and women in the community.

Women in law enforcement can often be denied access to training and other professional development opportunities due to gender stereotypes and biases. This can be evident when certain roles are perceived as requiring the strength of a man, or where stereotypes expect members of specialist teams to display masculine characteristics, so that even facilities provided take no account of the needs of women, thereby creating barriers to their meaningful participation within such teams. Such overt masculinity can also impact males who may not feel worthy of joining elite teams if they only see very muscular men, often in military style uniforms, because men can also suffer from imposter syndrome. Fitness tests to access such specialist teams can also create a barrier to women's participation if the fitness criteria are based on male physical characteristics. This is an example of an institutional policy, which is based on stereotypes and bias, that has a detrimental impact at an individual level.

Another barrier to retaining women in law enforcement is that they often do not feel valued. For instance, they may be expected to wear uniforms and equipment that do not fit properly, as they were designed for men. A lack of policies that meet the specific health and well-being needs of women can also result in them leaving law enforcement organisations, as they may be forced to choose between family or career due to little or no flexible working options or a lack of facilities for mothers with young babies, preventing them from returning to work. They may come under pressure from their families, are unable to work at certain times of the day or are regularly absent due to specific female health reasons. In some countries where flexible working is available, there have been instances where individuals who take up such opportunities are perceived as less committed. In countries where flexible working and other work-life balance options are available, men can also benefit from them. They may have caring responsibilities for various reasons, including caring for elderly relatives or being a widower with young children.

⁵³ <https://www.npcc.police.uk/>

⁵⁴ The abduction, rape and murder of Sarah Everard by Metropolitan Police Officer Wayne Couzens <https://news.sky.com/story/sarah-everard-murder-how-killer-policeman-wayne-couzens-was-caught-and-the-lengths-he-went-to-cover-up-his-crime-12419714>

⁵⁵ <https://assets-hmicfrs.justiceinspectorates.gov.uk/uploads/inspection-of-vetting-misconduct-and-misogyny-in-the-police.pdf>

In some regions or countries, due to factors such as culture and tradition, law enforcement work can be gendered in that some women are expected to or prefer to remain in administrative roles rather than being deployed in more stressful and demanding areas of work. It can be a result of gender stereotypes or bias among both male and female colleagues, as well as within the local community or society as a whole. It may also be that women lack self-confidence in their abilities, due to having imposter feelings or that their perceptions of operational roles are negative.

Individuals can also suffer a detriment if deployment of resources is influenced by gender stereotypes or bias, such as a supervisor not sending a woman to a violent incident. Such sexist behaviour can have a negative impact on an individual's performance, which in turn affects the team's and the organisation's performance.

Policies and procedures in an organisation can be influenced by gender stereotypes and biases. For instance, in recruitment and selection processes. Research has found that women are more likely to deselect themselves if they believe they cannot fulfil 100 per cent of the requirements, compared to men who are likely to apply even if they only meet 60 per cent of the requirements. The perception can be that women lack confidence, yet research⁵⁶ suggests it is more likely due to women being socialised to follow rules and understand selection criteria to be final. It has also been found that women apply for fewer jobs whose adverts use adjectives associated with masculine stereotypes.

Unconscious bias can impact a selector's evaluation of female candidates, resulting in women receiving lower selection ratings. Women have also been found to receive less feedback, both during selection processes and during performance assessments. Any feedback they do receive is less likely to be constructive and more likely to be critical and imprecise.⁵⁷

Another common barrier for women in law enforcement is their ability to be taken seriously, due to the stereotypical expectation that they will have caring responsibilities, and that law

enforcement work is not compatible. Therefore, they are perceived as less committed to their role. This can manifest itself during selection processes for promotion to leadership positions, as it can often take women much longer to reach the higher ranks than their male counterparts who have the same length of service. Sexism can result in the promotion of women being perceived as higher risk than promoting men, for various stereotypical reasons, such as an expectation that she will start a family or that she will not be up to the job. When women are promoted to higher leadership positions, there is some evidence that they are not empowered or recognised as having authority, with decision-making still only expected of men. When this is perpetuated by subordinates, it undermines a woman's autonomy and creates a perception of tokenism that she has only reached the position due to being a woman, with no recognition of her capability to perform the role. This can have a devastating impact on her self-confidence, and if she dares to be more assertive, she is accused of being aggressive. As a minority leader, she is also highly visible, which puts her under immense pressure to excel in performance; any mistakes made are obvious and often exaggerated, whilst her male colleagues do not suffer such scrutiny.

If facilities, policies and procedures do not provide women who do have caring responsibilities or those who plan to have a family, with opportunities for work-life balance, the pressure on them and increased levels of stress can become intolerable. This can be especially challenging in countries or communities where culture and tradition influence societal expectations, such as in patriarchal societies. Without support from husbands and families, it is much easier for a female officer to take the easier option in an office/administrative role or to leave law enforcement altogether. This is not cost-effective for any organisation that has invested heavily in training and equipping her, only to lose the knowledge and experience she has gained. From a recruitment perspective, if women do not consider law enforcement as a career of choice, it will be challenging to develop an inclusive and gender responsive organisation.

⁵⁶ European Institute for Gender Equality (2020). *Sexism at Work: How can we Stop it?*

⁵⁷ Ibid.

Whilst the barriers to women's progression in law enforcement are most often created by men, being the majority within law enforcement and ergo in leadership positions, it is also recognised that whilst the majority of female leaders' mentor and support other women, some can also create barriers by pulling up the ladder behind them to prevent other

women from climbing up the rank structure. This behaviour is sometimes referred to as queen bee syndrome, when successful female leaders in a male-dominated environment see other women as a threat and are more critical of subordinates if they are female.

Annex 1

UK National Police Chiefs Council Model Police Framework for Sexual Harassment within Police Organisations.

Examples of what constitutes sexual harassment, as well as how it can be manifested and by whom:

- Sexual comments or jokes.
- Displaying sexually graphic pictures, posters, or photos.
- Suggestive looks, staring or leering.
- Propositions and sexual advances.
- Making promises in return for sexual favours.
- Sexual gestures.
- Uninvited discussion of one's sex life or inappropriate discussion of sex life.
- Sexual posts or contact on social media.
- Spreading sexual rumours about a person.
- Sending sexually explicit emails or text messages.
- Unwelcome touching, hugging, massaging, or kissing.
- Predatory behaviour.
- Criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications.
- Coercion.

Sexual harassment is usually directed at an individual or minority group, but it's not always the case. It may be perpetrated by one individual, a pair, a small group, a large group, or permeate through a whole section of the force.

Sometimes, there can be a culture of sexual harassment in a workplace that's not specifically aimed at one person – such as sharing sexual images and leering at members of the public. Someone could still make a complaint of sexual harassment in this situation.

An individual can experience sexual harassment from someone of the same or different sex, and the recipient of the behaviour decides whether the approach was unacceptable or undignified.

Sexual harassment can be a one-off event and does not need to be directed at a person. It can be witnessed or overheard. Sexual conduct that has been welcomed or tolerated in the past may, over time, become unwanted, and if it continues, it becomes harassment.

The NPCC framework policy also recognises that workplace sexual harassment can be perpetrated by a colleague, a manager, a supervisor, or someone else in a position of authority, or a member of the public/visitor.

CHAPTER 3

MEASURES TO INCREASE THE MEANINGFUL PARTICIPATION OF WOMEN

Key Messages and Learning Points:

Achieving **Real** change does not come just by recruiting more women; **Real** change comes from improved policies, structures and practices leading to changes in organisational culture.

- Introducing initiatives to develop inclusive law enforcement organisations, and learning from international good practice will ultimately create a gender-responsive organisation that can improve the trust and confidence of itself within local communities.
- Understanding that men's engagement is critical for culture change within law enforcement is important, as is encouraging peer intervention to address inappropriate behaviour.

- Developing gender responsive and ethical leaders is imperative to create a healthy work culture that is representative and inclusive.

To ensure that the core purposes of law enforcement are fulfilled, it is necessary to examine how and where changes to the internal culture within law enforcement can be made to enable them to become gender responsive. Critical to promoting gender equality is empowering women, identifying power imbalances and addressing them to allow women to have more autonomy.⁵⁸

Strategies and Policies for Implementing Gender Responsive Law Enforcement. (GRLE)

Being a gender responsive organisation refers to both its internal and external communities. Its internal community consists of all officers, officials, and staff working within law enforcement. To enable the organisation to provide gender-responsive service delivery to external communities, the organisation itself needs to ensure its make-up is diverse, representative, and inclusive. That means women, men and other minority groups are afforded equal opportunities by ensuring equality and equity within internal strategies, policies and procedures.

Some examples of initiatives that can bring about positive change and improve the working environment for women and men, and thereby enable gender responsive law enforcement:

- Engage men
- Culture audits
- Gender impact assessments
- Positive action, e.g., women only leadership courses, pre-selection coaching, specialist unit open days, etc.
- Career planning
- Both women and men being included on recruitment and selection panels
- 'Blind' paper sifts for recruitment and selection
- Mentoring and coaching programs for women and men
- Work-life balance/family friendly policies
- Ensuring facilities meet the specific needs of women
- Ensuring uniform equipment is available to meet the specific needs of women
- The targeted recruitment of women can be achieved through various strategies, including images that feature women, preferably in operational roles, the use of gender-neutral language, advertisements in women's publications, recruitment posters or stands staffed by female officers, and placements at frequented locations such as supermarkets and shopping malls.
- Target 'imposter feelings'
- Establishment of Women Police/Law Enforcement Associations or Networks

The EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective provide several steps that can be taken at the strategic level to improve representation and ultimately ensure a more gender responsive organisation.

- Gather data on the number of women police officer applicants and compare this information with the number of women recruits.
- Conduct focus groups, in-person surveys and, where possible, online surveys with women and men personnel members to identify barriers to recruiting women.
- Integrate gender perspectives and objectives into existing strategic planning processes and policies.
- Ensure that specific activities, such as training, mentoring and networking activities, are undertaken as needed to support the under-represented gender.
- Revise job descriptions and promotion criteria to incorporate knowledge and skills related to gender.
- Change policies that disadvantage personnel for taking parental leave.
- Implement training concerning gender, diversity, and sexual harassment.
- Build alliances with women's organisations, NGOs and ministries; and
- Address gendered barriers to training arising from, for instance, the location of training and from the inadequate provision of childcare (or a complete lack of it).

Box 1: Some International Examples of Internal Police Strategies and Action Plans.

- Gender Agenda 1, 2001 2, 2006 and 3, 2014 (National, UK).
- Gender Responsive Policing Strategy, 2023 (Civil Nuclear Constabulary, UK).
- South Wales Police Delivery Plan for Female Recruitment, Progression and Retention, 2016 - 2020 (UK).
- Gender Equality Agenda in the Kosovo Police and Action Plan, 2021 - 2023 (Kosovo).
- Guidelines for Gender Sensitive Policing with an emphasis on Recruitment, Selection and Professional Development of Women in Police Services, Women Police Officers Network in Southeast Europe, 2011.
- Gender Policy, Nigeria Police, 2024 – 2029
- The integration of a gender perspective in the Sierra Leone Police, 2013, DCAF
- Gender Policy, Kenya Police Service

International Reports, Compendiums of Good Practice, Tool Kits and other Resources

- Women in Law Enforcement in the ASEAN Region, 2020
- 30 x 30 Initiative, USA and Canada <https://30x30initiative.org/>
- Strengthening the Role of Women in

Policing: Compendium of Institutional Policies, Programs and Initiatives Across the Globe, 2023 (National Law School, India University)

- Gender Equality in UK Policing – HeForShe Annual Reports.
- International Association of Women Police Research Series, Policy Papers, 2023.
- Establishing and Strengthening an Association of Women Police, 2015 (UN Women, Kosovo)
- Police Reform and Gender, 2008 (DCAF)
- Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector, 2011 (DCAF)
- Police Recruitment and Selection: Resources and Lessons for Workforce Building, 2023 (USDOJ)
- Women in the Uganda Police Force: Barriers to Women in Operational Policing, 2021 (Raoul Wallenberg Institute, Sweden, APCOF, CJSI)
- Freedom through Association: Assessing the Contributions of Female Police Staff Associations to Gender-Sensitive Police Reform in West Africa, 2012 (DCAF and North-South Institute)
- Women in Law Enforcement in the ASEAN Region, 2020 (UN Women, UNODC, Interpol)

Crowther Centre in Australia⁵⁹ suggests a definition of positive masculinity: The expression of attitudes and behaviours (character strengths and virtues any gender might have) that have been embodied and enacted by males for the common good, both individually and for the community.

According to the Crowther Centre, positive masculinity includes fostering a sense of duty towards others and recognising the positives that come from looking out for others. The centre developed the Positive-Psychology-Positive Masculinity Paradigm (PPPM) to focus on strengths associated with masculinity, adaptive behaviours and positive aspects of being male.

The Crowther Centre in Australia's Positive-Psychology-Positive Masculinity paradigm (PPPM), mentioned in the lesson on Gender Stereotypes and Bias, suggests key actions that are important in developing and maintaining a culture of positive masculinity:

- Emphasising the importance of action empathy – defined as when a person's actions are based on how they think someone else might be feeling, for example, "I might not be upset by those words, but if it looks like someone else is, then I will respect that and support them".
- Nurturing male self-reliance – A person with good self-reliance knows their mind, but they will also listen to others' input. They will also act according to their values rather than simply following the crowd.
- Committing to having respect for women – This includes not being a perpetrator of violence against women and girls, making sexist comments or laughing at sexist jokes. It also includes being an active bystander, so actively challenging those who engage in sexist or inappropriate behaviour, whether they are family members, friends or colleagues. Two examples of how men can demonstrate this are the White Ribbon Campaign⁶⁰ and HeForShe⁶¹
- Recognise that men do not have to be heroes – positive masculinities challenge the link between masculinity and strength, power, and not showing weakness by emphasising the strength and heroism involved in being hard-working, looking out for others and asking for help when needed.

A culture of positive masculinity creates an environment where men (and boys) can feel more comfortable speaking up, and that they understand it is ok not to be ok.

Barriers to culture change:

- A lack of knowledge of when to act and having the skills to do so
- A culture of internal solidarity which creates conditions where perpetrators of inappropriate behaviour are protected and those who speak up or intervene are seen as disloyal.
- A belief that if you speak up, it will result in negative repercussions, such as being excluded from the team, damaging any chance of career progression, etc.
- Fear or embarrassment of upsetting others or getting it wrong.
- Not trusting that reports of sexism or misogyny will be taken seriously and dealt with objectively, or that it will reach a satisfactory outcome.
- A fear of losing control over any process after speaking out, and that confidentiality would not be maintained.
- Every day, sexism is accepted as the norm.
- Leaders are not being role models and demonstrating ethical behaviours.

A change of culture requires:⁶²

- A safe environment to raise concerns, such as support for victims/witnesses, anonymous and confidential reporting pathways, and whistleblower policies.
- Recognition for those enacting change, such as demonstrating inclusive behaviour in recruitment and promotion assessments or working to create inclusive services.
- Enhanced leadership capabilities include effective communication, training for leaders to identify 'red flags' and manage early signs of inappropriate behaviour, and independent reviews of expected behaviour.
- The creation of a learning culture by raising awareness of sexism and common misconceptions, training on how to act against sexism and misogyny, provision of reflective and non-judgmental spaces, and regular checks on cultural change.

⁵⁹ <https://www.crowthercentre.org.au/wp-content/uploads/2020/07/BGS-Crowther-Centre-Position-Papers-Positive-Masculinity.pdf>

⁶⁰ <https://www.whiteribbon.ca/?lng=en>

⁶¹ <https://www.heforshe.org/en>

⁶² <https://www.college.police.uk/guidance/sexism-and-misogyny-policing>

Peer Intervention

The risk of reporting often outweighs the benefits for an individual who has experienced inappropriate behaviour, which is why it is crucial for colleagues who witness such behaviour to intervene on behalf of the victim.

Other barriers that can prevent peer intervention include:

- Not knowing what to say or do
- Being seen as disloyal
- Not having senior role models who can offer support
- The law enforcement 'closed ranks' mentality.

How can all staff contribute to creating a culture change?⁶³

1. Become more self-aware
 - It is easy to ignore one's own biases, yet notice bias in others.
 - If there is a sharp negative reaction to something, check for biases that might have caused such a response.
2. Ask for feedback – we often share our own opinions before being asked, so ask others for feedback on how you and your opinions are received by others.
3. Build empathy – put yourself in the other person's shoes.
4. Self-advocate – People should feel comfortable in the workplace to raise concerns without fear of judgment or reprisals.
 - Communicate constructively
 - Point it out – state your observations
 - Check it out – validate your understanding and check the intent.
 - Work it out – find a solution.
5. Do not be a bystander – Challenge the situation, focusing on why you are uncomfortable rather than the person who is the target of the behaviour. Remind the perpetrator of any organisational policies, etc.

Within the Folke Bernadette Academy's Gender Responsive Leader's Handbook⁶⁴ is a section entitled, Calling Out Sexism – What Can I Say? provides guidance on what to say when countering sexism, noting that what to say depends on the circumstances of the situation. Sometimes you need to be clear that something is unacceptable. The handbook suggests a few phrases that you can adapt and use:

- Ask someone to repeat themselves: "Sorry, what did you say?"
- Ask someone to clarify: "What do you mean by that? Can you explain why that is funny?"
- Ask for evidence: "What do you base that comment on?"
- Reframe it correctly: "Yes, and of course we know that women are just as competent as men"
- Turn to the group: "What do others think about that statement? What are the implications?"
- Call it out: "That was inappropriate and disrespectful. That was sexist/racist/homophobic."

Implementing Gender Responsive Leadership⁶⁵

This section is based on the guidance within the Folke Bernadette Academy's Gender Responsive Leader's Handbook⁶⁶, which is recommended for a more detailed understanding of gender responsive leadership.

A gender-responsive leader uses their leadership position and skills to actively work toward women's meaningful participation in law enforcement and towards gender responsive services. They do this by ensuring that day-to-day tasks are done in a way that promotes these two goals.

A gender-responsive leader is not a gender expert but uses their leadership and management skills to implement organisational policies and promote change.

⁶³ European Institute for Gender Equality (2020). Sexism at Work: How can we Stop it?
⁶⁴ https://fba.se/globalassets/grl/fba_the-gender-responsive-leaders-handbook_2024.pdf
⁶⁵ Ibid.
⁶⁶ Ibid.

Gender-responsive leaders support their law enforcement organisation by working towards two goals:

1. Gender equality in the workplace.
2. Gender equality in service delivery.

Folke Bernadette Academy's Gender Responsive Leader's Handbook (2024) states that there are five core skills for gender-responsive leaders:

1. Leading by example
2. Setting priorities and targets
3. Communicating clearly and convincingly
4. Managing staff, resources, and activities
5. Holding yourself and others to account.

The figure below summarises the gender-responsive leadership framework, highlighting its twin goals as well as the five core skills of gender-responsive leaders. Source: FBA The Gender-Responsive Leader's Handbook (2024)

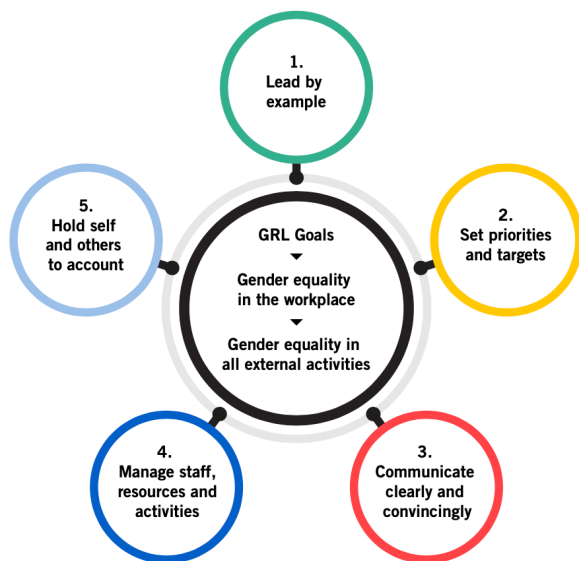


Figure 3: Gender-responsive leadership framework

Gender-responsive leaders need to have at least a basic level of understanding of where gender inequalities come from and how they become evident within law enforcement, to bring about positive change. There are four key actions leaders can take to lead by example on gender equality:

1. Mitigate gender stereotypes, biases, and privileges.
2. Intervene in sexism.
3. Be an ally to women.
4. Demonstrate commitment to organisational change for gender equality.

Gender-responsive leaders must call out and intervene in sexism. They also need to make it clear that sexism will not be tolerated in any form. Former chief of the Australian Army, Lieutenant General David Morrison, said, "The standard you walk past is the standard you accept. That goes for all of us, but especially those who, by their rank, have a leadership role".

Male and female leaders should be allies to women. All men, but especially those in positions of power, can use their influence to bring about change for women and promote gender equality for everyone. It is also important for women to support other women, yet there are still women who do not do so.

To use their leadership position to be an ally to women, a gender-responsive leader (male or female) can:

- Proactively reach out to women.
- Ask how you can support – instead of assuming what female colleagues need, ask them what they need from you for support.
- Pass up and pass on – this involves passing up (saying no) and passing on opportunities where one is underrepresented.
- Celebrate and elevate – ensure women's contributions and achievements are recognised and valued.
- Create or join a network that supports women – they can provide a safe space, support and collective action for gender equality.
- Share non-promotable workloads - ensure tasks that do not lead to promotion are shared out fairly between women and men, such as photocopying, making coffee, etc.
- Encourage others to practice allyship

A gender-responsive leader clearly and effectively communicates their priorities on gender equality, ensuring they use appropriate non-biased language, are convincing and consistent with their messaging on gender equality, and check that their message has been received and understood.

Leaders are accountable for creating and maintaining a working environment that is gender equal. They must ensure that women and men are represented equally across roles and ranks, there are equal opportunities for women and men, and nobody goes to work fearing they will be exposed

to sexual harassment, other forms of GBV, or discrimination. It is essential to have processes for reporting and dealing with sexual harassment in the workplace, and all staff should be aware of their existence and how to access them.

An essential element of gender-responsive leadership is being accountable for any actions or inactions in relation to gender equality. It is therefore important to outline expectations and set priorities for gender equality, so everyone understands their responsibilities and can be held to account for them.

Implementing Ethical Leadership

Ethical leadership aligns with, complements and supports gender-responsive leadership. Like gender responsive leadership, influencing workplace culture is also a benefit of ethical leadership; by demonstrating good ethical behaviour, leaders can develop a workplace that inspires and motivates others to follow such behaviour.

Ethical leaders inspire their teams by fostering a culture of respect, demonstrating appropriate conduct in accordance with recognised principles and values both inside and outside the workplace. They demonstrate strong moral principles through both words and actions, leading, inspiring and motivating so ensuring individuals feel accountable for their work. This results in improved performance because individuals are happier.

Ethical leadership is about building trust with staff who, when feeling less threatened, become motivated to achieve team/organisational objectives, becoming more loyal to their leader and the organisation.

Northouse's five principles of ethical leadership⁶⁷:

Ethical leaders:

- **Respect others** – actively listen to their followers, be empathetic, and tolerate opposing points of view.
- **Serve others** – act in ways that benefit others, placing the interest of others before their own

- **Are just** – concerned with issues of fairness and justice, treating all their followers equally with no one receiving special treatment unless their specific situation requires it. Any such special treatment must be reasonable and based on moral values.
- **Are honest** – not merely telling the truth but also being open with others
- **Build community** – leaders and followers need to focus on their mutually determined goals, attending to the community's goals and purpose. An ethical leader is concerned with the common good, focusing on how changes proposed by a leader and followers will affect the organisation, the community and society.

Harvard Business School 6 principles of ethical leadership:⁶⁸

1. **Respect** – Valuing others' skills and contributions, respect being mutual, two-way, not just leaders demanding respect from their subordinates/followers
2. **Accountability** – holding themselves to account for their actions, making decisions based on integrity and standing behind their work. They lead by example, communicate openly about challenges, and don't look to place blame on others.
3. **Service** – making ethical decisions based on doing what is right for employees, customers, and the community, often having a strong sense of service
4. **Honesty** – Leaders are transparent, building trust amongst the organisation and communities. To build and maintain trust, they must be good communicators who speak openly and honestly about issues. Regardless of the issue's severity or unpopularity, a leader's responsibility is to be clear and candid, empowering others to make the right decisions with the information they have
5. **Justice** – everyone gets what they deserve. Ethical leaders approach a situation with a focus on treating everyone fairly, expecting their teams to treat each other and their community in the same way. By their actions, they build an equitable work environment where everyone feels respected

⁶⁷ https://businessintegrity.unodc.org/bip/uploads/documents/resources/integrityethicsmodules/Ethical_Leadership.pdf

⁶⁸ <https://professional.dce.harvard.edu/blog/what-is-ethical-leadership-and-why-is-it-important/>

6. Community – ethical leaders view their organisation as a community and consider everyone when evaluating situations and making decisions. By viewing their organisations in this way, they build equity and inclusion into their decision-making process and create work environments that encourage collaboration across teams

Ethical Leadership Principles (According to Jayson Darby, Thomas, et al)⁶⁹

- 1. Fairness** – is core to ethical leadership. How individuals react to each other and what they expect to be treated. If we are treated fairly, we are more likely to treat others fairly.
- 2. Accountability** – taking accountability for poor decisions or mistakes is a good thing and another important attribute of ethical leadership. Taking accountability for a mistake shows you are a strong, well-rounded leader who people will want to follow.
- 3. Trust** – They cannot be a great team without trust, and it is vital when developing a high-performance team.
- 4. Honesty** – When leaders are honest, it creates an environment where important issues can be openly discussed, feeding directly into trust.
- 5. Equality** – Ethical leaders view individuals on an equal basis, by not discriminating.
- 6. Respect** – Whilst you may disagree with the other person, you should show regard for their wishes, feelings and rights. A fundamental understanding of humanity involves considering the ideas and thoughts of others and understanding why there are differences in thoughts and points of view.

How do the various principles above relate to law enforcement and the communities they serve? Whilst most examples provided for each principle relate to the work environment, the analogies can be applied to communities too. If we apply the example provided for the principle of 'honesty'. When leaders are honest, it creates an environment where important issues can be openly discussed,

which in turn fosters trust in external settings. We can see how law enforcement leaders being honest with members of the local community can build trust and confidence in the police.

An example would be the hosting of a community forum, where members of the local community can come along to a public meeting, chaired by the local law enforcement commander, to discuss their safety and security concerns and express their expectations of law enforcement. Suppose the commander is honest with them, for example, about what activities law enforcement officials are undertaking and any challenges being faced. In that case, whilst still demonstrating accountability to the local community, trust will build. Law Enforcement is more likely to benefit from greater community collaboration to tackle local issues, as they cannot prevent and detect crime alone; they need the support of stakeholders, including the local communities they serve.

How do ethical leaders demonstrate ethical principles in practice?⁷⁰

- 1. Set a good example** – Walk the walk and talk the talk. Would they do the job they are asking someone else to do? The answer should always be 'Yes'.
- 2. Respect everyone equally** – Equal treatment of peers and staff, no favoritism and no ill-treatment of anyone by discrimination. Ethical leaders listen attentively, are compassionate, consider opposing viewpoints fairly and value their contributions equally.
- 3. Open communications** – Open/two-way discussions help to build trust and respect for one another.
- 4. Fair mediation** – Demonstrating fairness, listening to both sides equally and coming up with solutions that satisfy both parties is essential.
- 5. Effective stress management** – A key trait of an ethical leader is the ability to manage stressful situations and listen to the team when things start to create conflict. Being a calming influence and creating an environment of fairness and trust helps achieve this.

69 <https://www.thomas.co/resources/type/hr-blog/what-ethical-leadership-attributes-traits-examples>

70 <https://www.thomas.co/resources/type/hr-blog/what-ethical-leadership-attributes-traits-examples>

6. Adapts to change – Demonstrates an ability to find common solutions that benefit team members rather than just one individual. Understands changes and listens to concerns, while also making necessary decisions that are respected across the team. Working in new environments and scenarios can happen at any

time; ethical leaders help to ensure a smooth transition.

7. Zero tolerance of ethical violations – Ethical leaders hold themselves accountable and do not allow others to break ethical codes of conduct.

Annex 2

How to Develop Inclusive Strategies, Plans and Policies

Institutionalising gender responsive law enforcement requires strategies, plans, and policies to be inclusive, ensuring equal opportunities for women and men. They need to address inequalities and ensure women are empowered, including using 'temporary special measures' as defined within Article 4 of CEDAW.

For such strategies/plans/policies to be successful, alliances need to be formed between women and men across all ranks, especially at the command-level to ensure responsibility and accountability. Partnerships should also be established with local communities, working with women and men as role models to effect changes in social norms and patriarchal masculinities.

Before developing any strategies, plans and/or policies, you will need to understand what the current situation is. This can be achieved by conducting a baseline assessment and gap analysis. There are various tools available to support this; examples include:

- Models created specifically to assist, such as the Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector, 2011 (DCAF)
- Gender Impact Assessments
- Cultural Audits

Some of the more successful assessments/audits are produced using experts from outside the police/LE organisation. This is not always feasible. So, staff surveys can be conducted by way of anonymous questionnaires, focus

groups and one-to-one interviews. There should also be gender impact assessments of existing strategies, plans and policies. Once you know what the current situation is, you should be able to identify the gaps or challenges that need to be overcome. This will inform the setting of the strategic priorities, which in turn will lead to the setting of objectives and actions that need to follow the S.M.A.R.T. model, Specific, Measurable, Achievable, Relevant, and Timed.

Once the baseline assessment and gap analysis have been completed, you will need to decide:

- The strategic priorities
- How it will be implemented
- Responsibility and accountability
- Objectives and actions
- Risk and contingencies
- How it will be monitored and evaluated

When developing a gender equality policy for law enforcement, you will need to assess existing laws, policies, regulations and practices. An example of a process is:

1. Research existing legal frameworks
2. Identify gaps
3. Compare any laws to cultural practices
4. Identify discrepancies

Questions to ask:

- Are the laws reflected in the organisation?
- What gaps in their implementation exist?
- How can equal opportunities be included in policies being developed or reviewed within law enforcement?
- How do cultural practices affect power relations between women and men?

Guidance on developing a gender equality strategy:

1. Assess existing laws, policies, regulations and practices
2. Map stakeholders (internal and external) and hold consultations
3. Form a strategy committee
4. Develop the strategy and action plan
5. Convene female officers
6. Engage with command officers
7. Sensitise male officers
8. Write gender-related strategies/policies
9. Launch the strategies/policies

How can you institutionalise a gender responsive law enforcement strategy/policy?

- Establish gender equality offices/desks
- Ensure that the responsibility for implementation is the responsibility of high-level officers
- Mainstream gender and equal opportunities into new and existing guidance and training materials
- Build and maintain strategic partnerships
- Integrate the strategy/policy contents into police training curricula
- Develop and implement a monitoring, evaluation and learning process

PART TWO:

GENDER RESPONSIVE SERVICE DELIVERY

Module 3: Processing and Managing Gender-Based Violence and Related Cases as per Regional Practice

Global and regional legal frameworks that include a focus on GBV are included, and how they inform national frameworks. The duties and expectations of officers responding to gender-based violence and other gender related incidents are also covered. Definitions are provided for the overarching term of gender-based violence, its various forms, their characteristics, impacts and misconceptions. Types of victims and their vulnerabilities are also explained, as well as the terms 'do no harm', 'trauma informed', 'victim centered approach', and 'perpetrator focused investigation'.

This module aligns with the guidance contained within the global UN Women Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence. Following the format of Prevention, Initial Contact, Investigations, Safety and Protection, Support and Assistance, Coordination among Justice Agencies, and Communication.

Module 4: Gendered Security Threats and Transnational and Organised Crime

This module includes global and regional legal frameworks for combating transnational and organised crimes, together with the various definitions of such crimes.

The focus of the module is the gendered nature of transnational and organised crimes in relation to both victims and perpetrators, and the different impacts on women and men.

Current and emerging security threats across the EAPPCO region are outlined, with reference made to the UNODC Global Report on Trafficking in Persons 2024.

MODULE 3

Managing Gender-Based Violence and Gender-Related Incidents as per Regional Practice

MODULE GOAL

To provide law enforcement officials with the requisite skills to adequately deal with gender-based violence and gender security threats and impacts.

INTRODUCTION

Gender-based violence is a global issue of pandemic proportions that has an impact on all societies. It violates the rights and fundamental freedoms of victims and survivors. Such violence can have a devastating effect on the lives of victims, survivors, their families, and their communities. Men can also be victims of gender-based violence. However, women and girls are disproportionately impacted. The focus of the guidance within this module will be on women and girls, notwithstanding the fact that the same principles should be applied for any victim of GBV, women, men, children and those with disabilities or other characteristics that intersect.

Violent practices that victimise women and girls transcend social, cultural, ethnic, and religious boundaries. At least one in every three women around the world has been beaten, coerced into sex, or otherwise abused in her lifetime, with the abuser usually someone known to her.

Law Enforcement is at the frontline of the criminal justice system, often called upon to intervene when an act of violence or abuse is in progress or shortly after it has occurred, working with victims, survivors, perpetrators, witnesses, and various forms of evidence. Their attitude and response to all involved can have a dramatic impact on ensuing developments, including the prevention of future violent acts and the protection of victims. For example, in situations of recurring acts of domestic violence, the response can help victims leave a violent relationship, or, conversely, the victim, believing that nothing and no one can assist them, may remain in an abusive, violent setting.

Through enhanced practices, ensuring greater access to services such as shelters, counselling, and legal assistance, improved presentation of evidence at trial, and application of effective measures to protect victims, survivors, and witnesses, law enforcement can play a significant role in bettering the lives of all women. Law enforcement has long been under criticism for not doing enough to protect women from violence and for an often apathetic attitude towards the problem. However, they are only part of a much larger system: the cooperative, coordinated, and effective involvement of courts, prisons, communities, non-governmental organisations (NGOs), and civil society organisations (CSOs) is required to protect women against violence.

This module is designed to assist law enforcement officials by familiarising them with the relevant international laws, norms, and standards relating to gender-based violence and informing them about some promising practical approaches to ensure an effective response. First-responders, investigators, supervisors, managers, and senior leaders will benefit from the guidance they will find in this module, which includes strategies, policies, and procedures that enable gender responsive service delivery. The guidance supports service delivery to victims that is trauma-informed, victim-centred, and perpetrator-focused, thereby enhancing the safety and security of women in their communities and improving trust and confidence of law enforcement within all communities.

CHAPTER 1

LEGISLATIVE FRAMEWORKS FOR HANDLING GENDER-BASED VIOLENCE

Key Messages and Learning Points:

An awareness of international, regional and national legal frameworks on gender-based violence is important for understanding how they influence national legislation and the policies that govern the response expected of law enforcement officials.

- GBV is a global problem that manifests locally, so law enforcement responders should understand that their responses to victims define a country's reputation through their attitude and behaviour.

- When developing organisational strategy and policy to combat GBV, it is important to know and be able to reference how they align and support international, regional and national frameworks.
- National legal frameworks help define law enforcement responses to GBV and inform expectations of service delivery to communities.

International Frameworks

1993 Declaration on the Elimination of Violence against Women

This declaration was meant to strengthen and complement the implementation of CEDAW and the Nairobi forward-looking strategies, especially regarding the elimination of violence against women. It defines violence against women as any act of violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life. The declaration recognised that violence against women is an obstacle to the achievement of equality, development, and peace and further called for the upholding of the rights and freedoms of women.

2003 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

Article 1 (j) of the Maputo Protocol defines violence against women as:

“

All acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or war.

”

‘Women’ means persons of female gender, including girls.

The Maputo Protocol outlines state responsibility in ensuring every woman is entitled to respect for her life, and the integrity and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited.

States are required to:

- Enact and enforce laws that prohibit all forms of VAW, whether the violence takes place in public or private.
- Adopt other legislation and measures to ensure prevention, punishment and eradication of all forms of VAW.
- Identify the causes and consequences of VAW and take preventative measures.
- Punish perpetrators and implement rehabilitation for victims of VAW.
- Support, rehabilitate and offer reparation to victims of VAW.
- Prevent and condemn trafficking in women and girls.
- It also requires the provision and operationalisation of adequate budgets and other resources to implement and monitor these actions aimed at the eradication and prevention of VAW.

Article 1 (j) of the Maputo Protocol defines Harmful Practices as:

“

Harmful practices' means all behaviours, attitudes, and/or practices which negatively affect or violate the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity.

”

The Maputo Protocol provides that State parties have an obligation to prohibit and condemn all forms of harmful practices which negatively affect the human rights of women by:

- Raising public awareness within society.
- Prohibiting all forms of FGM using legislation backed by sanctions.
- Providing women who are being subjected to harmful practices with support such as health services, legal support, counselling and vocational training.
- Protecting women at risk from harmful practices or all other form of violence and abuse.
- Ensure that no marriage takes place before the age of 18 and only with the free and full consent of both parties.

The protocol also includes special protections from violence and abuse for elderly women and those with disabilities.

2010 Kigali International Conference Declaration on the Role of Security Organs in Ending Violence Against Women and Girls.

The declaration was the conclusion of an international conference on the role of security organs in ending violence against women and girls held 26-27 October 2010.

Commitments include:

- Harmonise and standardise legal frameworks pertaining to VAWG across the continent to facilitate, inter alia, cross-border investigation and prosecution.
- Conduct standardised and comprehensive training on VAWG for all security organs across the continent based on international

instruments, but incorporating best practices from African countries that are context relevant.

- Mobilise additional resources and better utilise existing resources through gender-responsive budgeting; better allocation of resources to relevant services within the security organs that deal with prevention and responses to VAWG.
- Improve evidence-based prosecution of GBV cases through capacity-building and increased resources.
- Recruit and promote more women officers at all echelons of the security organs.
- Enhance collaboration and information sharing, and foster partnerships among all stakeholders at the national and regional levels to achieve more effective targeting in prevention, service provision, and the promotion of efficient and effective justice.
- Improve the quality and availability of gender disaggregated data collection by security organs for use in policy formation, decision-making and programming.
- Enhance the quality and availability of research on VAWG by documenting interventions, establishing databases, and mapping best practices across countries in Africa to scale up successful initiatives.

2021, International Gender Responsive Policing Commitments

As part of the mission to 'build back better', UN Women and the United Nations Office on Drugs and Crime (UNODC) partnered with the International Association of Women Police (IAWP) to drive a global campaign to gain widespread commitment among police and law enforcement associations, networks, organisations and institutions to promote the benefits of gender-responsive policing for women and girls subject to violence and gain support for their implementation, in line with the Sustainable Development Goals 5 on 'Gender Equality' and 16 on 'Peace, Justice and Strong Institutions.'"

The five commitments, also known as gender responsive policing principles, are:

1. Committing to institutional change that will deliver gender-responsive police services that are accountable, transparent and representative of the communities they serve. This includes addressing and preventing harmful institutional gender bias, stereotypes and harassment and increasing women's representation in policing/ law enforcement.
2. Strengthening police practices on the prevention of violence against women and girls, including through participation in multi-stakeholder partnerships that address the causes and consequences of violence against women and girls.
3. Committing to transformative learning and professional development of police/ law enforcement, including through police colleges and universities, to implement gender-responsive policing that is trauma-informed, perpetrator-focused and victim/survivor-centered.
4. Ensuring resources are committed to advancing stronger relationships with victim/ survivor support services and organisations that represent the rights of women and girls in all their diversity.
5. Ensuring leadership take positive steps to empower and enable those they lead to deliver these commitments, to monitor and evaluate their impact at all levels of their respective organisations.

2025, The African Union Convention on Ending Violence Against Women and Girls.

The African Union Convention on Ending Violence Against Women and Girls (AUCEVAWG) is a comprehensive legal instrument for the prevention and elimination of all forms of violence against women and girls on the Continent. The Convention was adopted during the 38th Ordinary Session of the Assembly of Heads of State and Government in February 2025.

The Convention aims to:

- Establish a comprehensive, legally binding framework for the prevention and elimination of, and effective response to, all forms of violence against women and girls, across Africa, by addressing the root causes and drivers of such

violence, strengthening legal and institutional mechanisms, and promoting a culture of respect for human rights, gender equality and the dignity of women and girls.

- Ensure that State Parties reinforce a commonality of approach to eliminating violence against women and girls, whilst acting as a stimulus for an open narrative and advocacy on violence against women and girls.

Other examples of international legal frameworks that include GBV/VAWG:

- United Nations Universal Declaration of Human Rights, 1948.
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979
- Convention on the Rights of the Child, 1989
- Convention on the Suppression of Trafficking in Persons and of the Exploitation of the Prostitution of Others, 1949
- Declaration on the Elimination of Violence Against Women, 1948
- International Convention on the Protection of the Rights of all Migrant Workers and Members of the Families, 1990.
- Beijing Platform for Action, 1995.
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Crime, 2003.

Other Examples of Frameworks across Africa:

- African Charter on Human Rights and People's Rights, 1995.

Regional Frameworks

2010 Common Policing Standards for East Africa

The Common Policing Standard on policing in accordance with the rule of law further recognises that access to justice is a critical component of the capacity to exercise one's rights on an equal basis. To ensure that women can exercise their rights equally, police officers therefore need to:

- Protect women from the actions of third parties that threaten the human rights of women.
- Refrain from exacerbating gender inequalities and from harming women.
- Ensure that there are gender-sensitive laws, policies and planning.
- Ensure accountability and oversight in respect of gender-related crimes and negligence; and

- Contribute to challenging stereotypes and dislodging systemic forms of discrimination.

Given that GBV is a complex, sociocultural human rights issue, it needs to be emphasised that police officers are unable to prevent GBV on their own. They can, however, respond to victims of GBV in a humane and supportive manner. They can also play a powerful role in supporting and leading public-awareness campaigns that challenge gender stereotypes. Police officers can, furthermore, highlight positive role models and instigate dialogue.

2018 East African Community Gender Policy

One of the six objectives of the policy is:

- Strengthen measures that prevent and respond to Gender- based violence and other harmful cultural practices.

National Frameworks and Policies

As described in Module 1, Chapter 1, International treaties, conventions and declarations set standards and serve as a framework for the development of domestic laws and ensuring global commitments are met at the national level. National legislation, strategies and policies translate international and regional frameworks into the local setting, providing mechanisms to operationalise international principles to address a State's cultural, social, and political contexts.

What are the national frameworks and policies to combat gender-based violence within your country? Examples might include:

The Constitution

- Legislation, for example, what constitutes a crime of GBV/VAWG, the evidential requirements and punishments?
- What laws are there that criminalise sexual violence, including sexual harassment?

- Does legislation specifically cover domestic or intimate violence? If so, is it criminal or civil/family law?
- Are there any legal protections provided for victims of domestic/intimate partner violence, such as protection orders/injunctions issued by the courts, and if so, how are they obtained and do they provide law enforcement with a power of arrest if breached?
- Prevention and detection of GBV strategies, policies, and action plans at the State level.
- Prevention and detection of GBV strategies, policies, and action plans at the State level.

The above list is not exhaustive, but understanding the powers provided to law enforcement to respond to GBV is vital for anyone expected to respond and investigate such crimes.

Gender disaggregated data collection and analysis are important not only for measuring performance against GBV commitments, but also to identify trends so prevention activities can be developed.

To gain an understanding of the GBV situation in your country, you are encouraged to check gender disaggregated crime data recorded and monitored by your organisation and how that compares to any nationally held data collected by State Institutions that you may have access to. You can also compare any findings across the region to establish how your organisation or country is performing on gender equality compared to other similar organisations or countries within the East Africa Region.

CHAPTER 2

DEFINITIONS OF GENDER-BASED VIOLENCE CRIMES AND THEIR CHARACTERISTICS

Key Messages and Learning Points:

Understanding the various definitions of the crimes that fall under the umbrella term of Gender-based violence is critical to enable law enforcement officials to ensure the safety and protection of victims.

- An awareness that men can also be victims of GBV, but that women and girls are disproportionately subjected to GBV, is important for law enforcement officials to understand.

- Understanding that GBV takes many forms and has a broad range of impacts is vital for law enforcement officials to provide an appropriate response whilst assessing a victim's vulnerability.
- Law enforcement officials need to know how misconceptions, often based on gender stereotypes and gender biases, can impact both the initial response as well as the attitude and behaviour of responders and investigators, and the wider impact on the criminal justice process should a victim not be taken seriously.

Basic Principles

A rights-based approach to the delivery of quality essential services recognises that States have a primary responsibility to respect, protect and fulfil the rights of women and girls. Violence against women is a fundamental breach of women's rights, particularly their right to a life free from fear and violence. A human rights-based approach prioritises the safety and well-being of women and treats them with dignity, respect, and sensitivity. It also calls for the highest attainable standards of health, social, and policing services being available, accessible and acceptable to women.⁷¹

Trauma Informed – According to the Department of Justice, Canada,⁷² Police and other justice professionals need at least a basic understanding of the effects and impacts of trauma on victims; Trauma-informed training should promote emotional competencies that recognize, interpret, and respond constructively to emotions in individual police officers and others; Law Enforcement should develop interview techniques that empowers and calms victims so that they can provide more accurate, coherent, consistent and persuasive narratives. The focus for interviews of sexual assault victims should be on sensory, emotional memories rather than expecting the victim to provide a narrative with a chronology.

Victim Centered Approach - According to the United Nations Office of Drugs and Crime (UNODC), police act with a victim-centred approach when they place the needs of the victim at the core of any intervention, from institutional policy, all the way to operations and concrete actions. This entails ensuring a service delivery that protects, assists, and supports the empowerment of women and girls, at the same time prioritising issues of physical and psychological safety.

The victim-centred approach aims to accompany victims in their quest for access to justice for crimes of GBV in an empathetic and respectful manner, and in parallel, discourage officials from blaming them for their reluctance to cooperate with the criminal justice system. Thus, officers need to be aware of and be sensitive to the impact of trauma and be victim-centred, especially when victims seem uncooperative, as they may be traumatised and in fear of the perpetrator and/or wider systemic pressures and in need of urgent support. UNODC identifies that these crimes have longstanding negative social and economic costs on all society, let alone the physical and mental health impact on victims and their children and other family members.

⁷¹ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021), Pp. 448

⁷² Haskell, L. and Randell, M. (2019). "The Impact of Trauma on Adult Sexual Assault Victims.". Report Submitted to: Justice Canada. 2019.

To ensure the victim-centred approach protects the victim from further harm, helps them to cope with feelings of stigma and empowers their decision making without pressure and judgment, United Nations Police (UNPOL) has proposed four guiding principles for police to follow with due diligence and professionalism⁷³:

1. Physical safety of the victim
2. Confidentiality of the victim
3. Respect the rights of the victim
4. Non-discrimination

Perpetrator Focused - A perpetrator-focused investigation has four main actions: start by believing the victim, ensure no further harm to the victim and other family members, as well as the possibility of harm (or self-harm) to the alleged perpetrator; Relies on gathering material and biological/forensic evidence to establish the elements of facts of the case, using all means available on time; Seeks to build a strong case that does not exclusively burden the victim as the only source of evidence, nor bases evidence on testimonies made under duress, including from the alleged perpetrator or witnesses.

Meaningful Participation - Requires that individuals and their communities are entitled to participate in the decisions that directly affect them, including in the design, implementation, and monitoring of interventions. This may take on several different forms, including providing victims with balanced, objective information so they retain intimate control over the key decisions that affect their well-being. It can also involve consulting with them to gain feedback on the decision-making process, including the development of alternatives and the identification of solutions.⁷⁴

The concept of meaningful demands is that victims should not only be present, but that their concerns are heard and taken on board. They have an opportunity to articulate their contributions and expertise to ensure that a gender perspective and analysis inform and shape police strategies, and that outcomes benefit the whole of society.

Do No Harm - The ethos of Do No Harm must be central to any decisions or actions taken during the investigation. Its principle requires a proper assessment of gender dynamics and cultural norms that may result in victims and witnesses being exposed to further harm, including re-traumatisation or stigma, violence, and marginalisation at the hands of alleged perpetrators or the victims' families and communities.⁷⁵

Law Enforcement officials should consider whether their actions and communications unintentionally reinforce unhelpful traditional stereotypes about women and men that contribute to gender-based violence. They should also be conscientious about unintentionally generating other gender discriminatory attitudes (such as men feeling that they need to protect women by limiting their mobility, freedom or privacy) or anti-equality perspectives that sometimes arise.

How to avoid doing harm:⁷⁶

- Ensure that interventions centre on safeguarding a victim/survivor's safety and well-being, informed by women's diverse experiences in the community and experts in the field of GBV.
- Ensure the cultural appropriateness of the approaches and actions by engaging local organisations and individuals, both men and women – who know both the context and the outcomes of past interventions.
- Involve boys and men in developing campaign messages, communication materials, and other important products or interventions.
- Field-test all outreach materials with the specific target audience (for example, by age sub-group, language group, ethnic group or other important group characteristics).
- Continually monitor and evaluate interventions.
- Include feedback from women in the evaluations (for instance, in corroborating men's self-reported attitudinal or behavioral changes).

⁷³ UN Police Gender Toolkit (2015). Department of Peace Operations - DPO/DPET/Integrated Training Service

⁷⁴ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch. 2, Pp. 30

⁷⁵ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Pp. 451

⁷⁶ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch.5, Pp. 119, Box 10, Adapted from 'Do No Harm' UN Women (2010) <https://endvawnow.org/en/articles/200-do-no-harm.html>

Intersectionality – An intersectional approach to violence includes a consideration of where gender interacts with other inequalities/oppressions, including [but not limited to] race, class, caste, gender, ethnicity, sexuality, disability, nationality, immigration status, geographical location, religion and so on, to produce a unique experience of violence.⁷⁷

Definitions and Terms

Gender Based Violence

Gender-based violence is an umbrella term under which the following forms of violence sit: violence against women (although the two are often used interchangeably), domestic/intimate partner violence, sexual violence, harmful and traditional practices, trafficking of persons, and exploitation.

It can take the form of:

- Physical, sexual, psychological and economic violence occurring **in the family**,
- Violence related to exploitation, physical, sexual and psychological violence occurring **within the general community**
- Physical, sexual and psychological violence **perpetrated or condoned by the State institutions**, wherever it occurs.

Impact:

- **Physical Injuries** – Injuries, chronic pain, gastrointestinal disorders, and permanent disability.
- **Secondary Health effects** – Unwanted pregnancy, sexually-transmitted infection, HIV, Aids, gynecological disorders, unsafe abortion, pregnancy complications, weight loss.
- **Psychological and behavioral effects** – Post-traumatic stress disorder, depression, anxiety, fear & phobia, eating & sleeping disorders, sexual function disorder, low self-esteem, substance abuse, drug addiction.
- **Lethal Effects** – Suicide, murder, maternal mortality, infant mortality

The EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective describe various forms of GBV being inflicted within the family, within the community, or by state actors.

Family violence is a form of interpersonal violence that includes stalking, harassment and sexual, emotional, verbal, psychological, physical and economic abuse perpetrated by intimate partners and/or extended family members.

Community violence incorporates female genital mutilation, rapes perpetrated by strangers, stalking, the sexual trafficking of women, and the sexual harassment of women.

State violence refers to violence which is either perpetrated or condoned by people employed by the state, such as rapes committed by police officers. Police officers have a responsibility to protect women from violence perpetrated by third parties while simultaneously having a duty to refrain from harming women.

Sexual gender-based violence

According to the UN Refugee Agency (UNHCR), Sexual and gender-based violence (SGBV) is violence committed against a person because of his or her sex or gender. It is forcing another person to do something against his or her will through violence, coercion, threats, deception, cultural expectations, or economic means. Although most victims of SGBV are girls and women, boys and men can also be harmed by SGBV. Sexual abuse covers a broad spectrum of crimes, including sexually, psychologically and physically coercive acts and includes all forms of non-consensual sex, sexual harassment and sexual exploitation. It encompasses rape, forcing somebody to participate in unwanted, unsafe or degrading sexual activity, and forced prostitution.

Perpetrators of sexual violence can be an intimate partner, such as a spouse or a relative, a work colleague, a friend, or a stranger. Victims of sexual violence in many societies suffer from a sense of deep shame, often impacting their families too. In many societies, sexual violence remains an issue of deep shame for women and often for their families. This results in a lack of reporting by victims who may also fear they will not be taken seriously by law enforcement officials or other justice agencies.

⁷⁷ Adapted from Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Pp. 450

In some cultures, the victim is held accountable for what they have suffered, sometimes suffering further violence as a result.⁷⁸

Violence Against Women (VAW)

The UN General Assembly Declaration on the Elimination of Violence Against Women (1993) defined Violence Against Women (VAW) as:

Any act of gender-based violence that results in, or is likely to result in, physical or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life.

Article of the Maputo Protocol defines violence against women and girls as:

“...all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or war.”

Violence against women and girls (VAWG) is a form of gender-based violence (GBV), and whilst it is recognised that men are also victims of GBV, women and girls are disproportionately more likely to be victims.

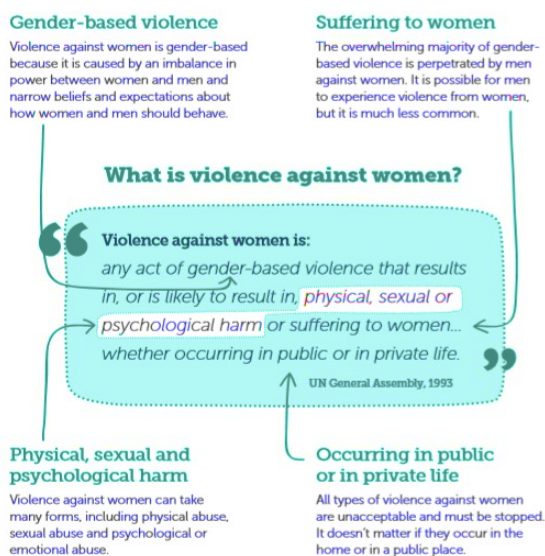


Figure 4: Definition of Violence against Women

Domestic Violence

A broad term involving different social and psychological dynamics and power differentials, and covers various forms such as child abuse, elderly abuse and interpersonal or partner abuse.⁷⁹

According to the United Nations, **domestic violence/abuse is a pattern of behaviour in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This includes any behaviours that frighten, intimidate, terrorise, manipulate, hurt, humiliate, blame, injure, or wound someone. Domestic abuse can happen to anyone of any race, age, sexual orientation, religion, or gender. It can occur within a range of relationships, including couples who are married, living together or dating.**⁸⁰

Domestic violence affects people of all socioeconomic backgrounds and education levels. It is any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender and sexuality. It typically manifests as a pattern of abusive behaviour toward an intimate partner in a dating or family relationship, where the abuser exerts power and control over the victim.

Family Members Include: Mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or stepfamily.

According to the UNODC Handbook on Effective Responses to Violence against Women, domestic violence includes physical, psychological and sexual attacks against women in the home or within a family context. It can include violence towards a woman by a family member other than the husband (such as a son, mother-in-law or other relative). Violence perpetrated by the husband is sometimes referred to as “spousal abuse”.⁸¹

78 UNODC Handbook on Effective police Responses to violence against women (2010)

79 Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Pp. 450

80 <https://www.un.org/en/coronavirus/what-is-domestic-abuse#:~:text=Domestic%20abuse%20is%20typically%20manifested,economic%20or%20sexual%20in%20nature>

81 UNODC Handbook on Effective police Responses to violence against women (2010)

Intimate Partner Violence (IPV)

Any behaviour by a man or woman, or boy or girl, within an intimate relationship that causes physical, sexual or psychological harm to the other person in the relationship. IPV may sometimes be referred to as domestic violence or family violence, although these terms also encompass violence by and against other family members. IPV disproportionately victimises women more than men, whilst men are overrepresented as perpetrators. It is also strongly associated with power differentials between men and women.⁸²

5 General characteristics of Domestic/Intimate Partner Violence:

- Domestic violence is a learned behaviour.
- Domestic violence typically involves repetitive behaviours, encompassing different types of abuse.
- The batterer, not substance abuse, the victim or the relationship, causes domestic violence.
- The danger to the victim and children is likely to increase at the time of separation.
- The victim's behaviour is often a way of ensuring survival.

Cultural factors that can perpetrate domestic / intimate partner violence⁸³

Societal:

- Cultural definitions of appropriate sex roles
- Expectations of roles within relationships
- Marriage customs, such as bride price/dowry
- The family is the private sphere and under male control
- Acceptance that men have the right to control over women
- Violence being acceptable to resolve conflict

Economic:

- Women's economic reliance on men
- Discriminatory inheritance laws and property rights that favour men
- Women's limited access to education or training
- Lack of access to cash or credit for women

Legal:

- Lower status of women than men in law or practice
- Definitions of Rape and Domestic Abuse
- Women's lack of access to justice
- Police and the judiciary's lack of gender sensitivity towards women

Political:

- Acceptance that the family is private and not under the control of the State
- Domestic violence is not taken seriously
- Limited opportunity for participation of women in the political system
- Women are underrepresented in politics, legal and medical professions

Physical Abuse

Involves hurting or trying to hurt a partner by hitting, kicking, burning, grabbing, pinching, shoving, slapping, hair-pulling, biting, denying medical care or forcing alcohol and/or drug use, or using other physical force.⁸⁴

Sexual Abuse - involves forcing a partner to take part in a sex act when the partner does not consent.⁸⁵

Financial/Economic Abuse

Involves making or attempting to make a person financially dependent by maintaining total control over financial resources, withholding access to money, and/or forbidding attendance at school or employment.⁸⁶

Psychological Abuse/Coercive Control

Psychological abuse is also referred to as 'Coercive Control' and involves causing fear by intimidation; threatening physical harm to self, partner or children; destruction of pets and property; "mind games"; or forcing isolation from friends, family, school and/or work.⁸⁷

⁸² Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Pp. 450

⁸³ Adapted from 'Causes of domestic violence', Innocenti Digest, vol. 6, June (2000)

⁸⁴ <https://www.un.org/en/coronavirus/what-is-domestic-abuse#:~:text=Domestic%20abuse%20is%20typically%20manifested,economic%20or%20sexual%20in%20nature>

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

Box 2: Common Misconceptions:⁸⁸

- **Rape involves a stranger, physical force and physical injury.** Rape usually involves someone the victim knows, without visible physical injury.
- **Substance abuse is the leading cause of domestic violence** – Although alcohol appears to be involved in about 50 per cent of incidents of domestic violence, offenders have also often assaulted their partners when sober. Abuse of alcohol is a risk factor that contributes to spousal abuse by lowering inhibitions, but alcohol and drugs do not cause domestic violence.
- **Physical abuse is the most serious form of domestic violence** – Research indicates that domestic violence may be physical, emotional/psychological. Economic or sexual in nature. Most victims confess that emotional/psychological abuse affects them more seriously and deeply than physical abuse.
- **Abuse is acceptable in certain cultures** – Violence is never an acceptable method of solving conflict. Spouses do not have the right to physically assault one another, regardless of the provocation.
- **Domestic disputes are a private affair and should be settled within the family without involving the police, health professionals or social workers** – Victims of domestic violence have often experienced extreme levels of physical violence, emotional abuse and trauma for months or years before they seek help. Victims tend to report abuse to the police, health professionals or social workers only after they have tried unsuccessfully to resolve their disputes in private.
- **Victims of domestic violence could leave if they wanted to** – Given their religious and/or cultural beliefs, victims of domestic violence may believe abuse is part of every marriage. If the victim has grown up in an environment where domestic violence was condoned, it is more likely that they will remain in the abusive relationship. Abused women may also be prevented from leaving home due to various factors, including fear of reprisals, social isolation, financial dependence, social stigma, emotional dependence and low self-esteem.
- **Children are generally not affected by domestic violence**, and it is better to have a father, even if he is violent - Children living in an abusive household are more likely to be abused themselves, are at risk of injury during a violent incident and risk suffering from trauma. Research shows that children from violent homes are at higher risk of alcohol and/or drug

Technology Facilitated GBV (TFGBV)

Technology-facilitated gender-based violence refers to any act that is committed, assisted, aggravated, or amplified by the use of information communication technologies or other digital tools, that results in or is likely to result in physical, sexual, psychological, social, political, or economic harm, or other infringements of rights and freedoms.⁸⁹

Online technology facilitated GBV is gender-based violence perpetrated through both electronic communications and the internet⁹⁰, and therefore

should be treated no differently from offline GBV, the only difference being how it is committed. According to the European Institute of Gender Equality (EIGE), cyber GBV should not be considered separately but as a continuation of offline violence. They found that the police often treat each incident of online communication as a single act instead of considering it in a broader context of the cumulative impact of abuse.⁹¹

⁸⁸ UNODC Handbook on Effective police Responses to violence against women (2010)

⁸⁹ <https://www.unwomen.org/en/articles/faqs/digital-abuse-trolling-stalking-and-other-forms-of-technology-facilitated-violence-against-women>

⁹⁰ CyberSafe (2017). "Cyber Violence against Women and Girls: Report." University of Ljubljana, Faculty of Social Sciences

⁹¹ EIGE (2017). "Cyber Violence against Women and Girls." European Institute for Gender Equality.

TFGBV is becoming more prevalent across the globe, yet law enforcement internationally is still trying to catch up. There are several types of TFGBV commonly agreed: cyber stalking; non-consensual pornography (or revenge porn); hate speech and harassment; slut shaming; unsolicited pornography; sextortion; rape and death threats; collection of information about a victim; disclosure of a victim's private information on the internet and electronically facilitating trafficking.^{92,93}

The trauma the victim suffers is the same, if not more pronounced, when the violence is perpetrated online, sometimes leaving permanent trauma due to its public nature⁹⁴. Yet research has found that law enforcement officials often disregard and even minimise the harm caused by TFGBV, considering the experience of victims as individual incidents instead of recognising it as a pattern of behaviour committed over time.⁹⁵

Since perpetrators often find it easier to remain anonymous by committing offences online, the level of impunity increases. Online GBV is easy to commit and requires relatively little or even no understanding of technology.⁹⁶ This is further exacerbated by the increasing affordability of technology hardware, such as the widespread use of smart phones and other digital devices.

The worldwide spread of the internet and its increased accessibility create the ability for perpetrators to contact others anywhere in the world, thereby increasing the availability of potential victims and at the same time reducing the risk of detection, ultimately reducing the opportunity for victims/survivors to gain justice.⁹⁷

Conflict Related GBV

According to the UN Secretary-General's 2006 study, *Ending Violence against Women: From Words to Action, during armed conflict, women experience all forms of physical, sexual and psychological violence perpetrated by both State and non-State*

actors. These forms include murder, unlawful killings, torture and other cruel, inhuman or degrading treatment or punishment, abductions, maiming and mutilation, forced recruitment of women combatants, rape, sexual slavery, sexual exploitation, involuntary disappearance, arbitrary detention, forced marriage, forced prostitution, forced abortion, forced pregnancy and forced sterilisation.

“

Sexual violence has been used during armed conflict for many different reasons, including as a form of torture, to inflict injury, to extract information, to degrade and intimidate and to destroy communities. Rape of women has been used to humiliate opponents, to drive communities and groups off land and to wilfully spread HIV.

”

Armed conflict adds to the complexity of GBV, its causes and consequences and how it impacts women and girls differently and disproportionately. GBV may be used to target women and girls, particularly sexual violence as a tool of war to control or even punish a population. In some conflicts, rape has been used as a tool for ethnic cleansing.

Harmful Traditional Practices⁹⁸

Traditions are long-established patterns of actions or behaviours that are often handed down within families and communities over many generations. These customs are based on the beliefs and values held. Traditions are often protected by taboos, which are strong social prohibitions (or bans) relating to human activity or social custom based on moral judgement and religious beliefs. This means that traditions are not easy to change, because people adhere to these patterns of behaviour, believing that they are the right things to do.

92 UN Broadband Commission for Digital Development (2015) Cyber Violence Against Women and Girls A worldwide wake-up call:

A report by the UN Broadband Commission for the Digital Development Working Group on Broadband and Gender;

93 EIGE (2017). "Cyber Violence against Women and Girls." European Institute for Gender Equality. Also see CyberSafe (2017). "Cyber Violence against Women and Girls: Report." University of Ljubljana, Faculty of Social Sciences for detailed explanation on the

94 CyberSafe (2017). "Cyber Violence against Women and Girls: Report." University of Ljubljana, Faculty of Social Sciences

95 EIGE (2017). "Cyber Violence against Women and Girls." European Institute for Gender Equality.

96 CyberSafe (2017). "Cyber Violence against Women and Girls: Report." University of Ljubljana, Faculty of Social Sciences.

97 Ibid.

98 Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch. 5, Annex 2

Traditions have a positive influence on individuals, families and communities. However, they can be harmful too. The UN has included the following as harmful traditional practices (HTP), which seriously and destructively impact women and girls' health, wellbeing and human rights: female genital mutilation (FGM); forced feeding of women; early marriage; son preference; female infanticide; early pregnancy; and dowry price. Other HTPs include honour crimes, forced marriage, bride price, bride kidnapping, forced marriage, blood feud, breast 'ironing'/fattening and scarring.

Women and girls with disabilities are also subjected to the same harmful practices committed against women and girls without disabilities, with consequences which sometimes aggravate existing disabilities, create new ones, or magnify their existing vulnerability and social exclusion.⁹⁹

Female genital mutilation (FGM)/Cutting (FGM/C)¹⁰⁰

Female genital mutilation/cutting (FGM/C) remains a notable challenge for police investigators and prosecutors in the many jurisdictions across the globe where it has been criminalised.

The World Health Organisation (WHO) defines FGM/C as comprising all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.

FGM/C is a fundamental abuse of women & girls' human rights and the rights of the child, which has notable impacts on the health and well-being of females, leading to lifelong consequences. Police officers and their leaders need to recognise that FGM/C causes serious physical and psychological harm to victims. The physical injuries are like stabbing/slashing injuries.

Key Facts:

- Female genital mutilation (FGM) includes procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons.
- The procedure has no health benefits for girls and women.
- Procedures can cause severe bleeding and problems urinating, and later cysts, infections, as well as complications in childbirth and an increased risk of newborn deaths.
- More than 200 million girls and women alive today have been cut in 30 countries in Africa, the Middle East and Asia, where FGM is concentrated.
- FGM is mainly carried out on young girls between infancy and age 15.
- FGM is a violation of the human rights of girls and women.

The investigation and/or prosecution of FGM/C is more difficult because of a combination of factors, including:

- The timing of FGM/C typically occurs between 0 and 15 years old. The victim does not remember if or when the FGM/C took place, and there's the added problem of dating the injury scarring
- The involvement of mothers and other female relatives affects victims' decision-making regarding the police, prosecutors and other authorities within the family.
- For a victim, actively involving the police or other authorities may lead to community and social isolation
- Victims do not wish to criminalise or demonise their religion. Though no religious scripts prescribe the practice, practitioners often believe the practice has religious support
- Local structures of power and authority, such as community leaders, religious leaders, circumcisers, and even some medical personnel, can contribute to upholding the practice, which adds to the pressures facing victims.

The above factors highlight the importance of the police working in partnership with, and forging partnership agreements with, community members, community leaders, advocates, religious leaders, prosecutors, and health and social care professionals. Communicating and engaging with affected communities and other professionals is crucial for raising awareness, empowering them, and fostering trust and confidence in taking positive action.

⁹⁹ Ibid.
¹⁰⁰ Ibid.

Victims and Vulnerabilities

Victim refers to persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that violate criminal laws operative in Member States, including those laws proscribing criminal abuse of power.¹⁰¹

Vulnerable people are defined as those who, due to reasons of age, gender, physical or mental state, or due to social, economic, ethnic and/or cultural

circumstances, find it especially difficult to fully exercise their rights before the justice system as recognised to them by law. The following may constitute causes of vulnerability: age, disability, belonging to indigenous communities or minorities, migration and internal displacement, poverty, gender and deprivation of liberty. The specific definition of vulnerable people in each country will depend on their specific characteristics, and even on their level of social or economic development.¹⁰²

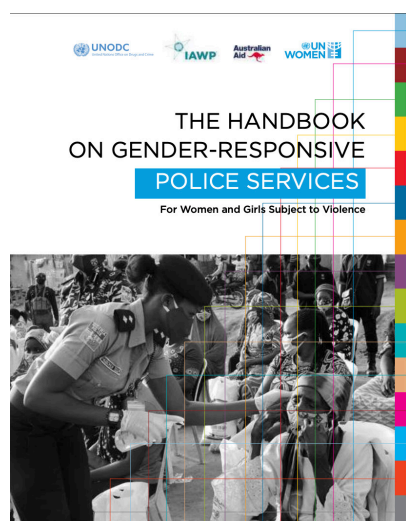
CHAPTER 3

EFFECTIVE HANDLING OF GENDER-BASED VIOLENCE

Key Messages and Learning Points:

The primary responsibility for initiating investigations and prosecutions lies with the police and prosecution authorities and does not rest with women subjected to violence, regardless of the level or form of violence UN General Assembly (2010)

- Preventing GBV requires a collaborative approach between law enforcement, other agencies, service providers and the local community.
- Law enforcement officials need to understand that responses to GBV should focus on the ethos of do no harm, that they must be trauma-informed, and victim-centred. The subsequent investigation needs to be perpetrator-focused whilst enabling the meaningful participation of the victim.
- The safety and protection of victims must be central to all decision making, with risk assessment, safety planning and review being an ongoing process.



This chapter aligns with the UN Women global Handbook on Gender Responsive Policing Services for Women and Girls Subject to Violence and is laid out in a similar format.

The global handbook, published in 2021, provides much more detail and is recommended as a reference document. It can be downloaded in various languages:

<https://www.unwomen.org/en/digital-library/publications/2021/01/handbook-gender-responsive-police-services>

According to the United Nations Security Council, at least 1 in 3 women around the world has been beaten, coerced into sex or otherwise abused in her lifetime, with the abuser usually someone known to her. It is estimated that globally, 1 in 5 women will become a victim of rape or attempted rape within their lifetime.

¹⁰¹ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Pp. 451

¹⁰² Ibid

The East Africa Region faces its challenges in relation to gender-based violence. In Kenya, 14 %, Tanzania 44%, Rwanda 35% and 50% in Burundi of women aged 15-49 have experienced sexual violence. Across the region, women are more than twice as likely to experience sexual violence as men. However, the prevalence of FGC/M in countries where it is practised has declined over the last 20 years. Yet, challenges remain, including with the medicalisation of FGM, and socio-cultural perceptions of the link between FGM/C and marriage.

Various countries within the region have enacted legislation to protect against GBV, and several countries also have policies in place to protect women and girls from violence. However, challenges remain in countries across the region, such as inadequate enforcement of laws, a lack of resources for forensics evidence capture and analysis, a lack of or weak collaboration arrangements between agencies involved in the custody or evidence chain, and a lack of reporting due to cultural factors.¹⁰³

Generally, police have a duty¹⁰⁴:

- (a) To effectively investigate all alleged incidents of violence.
- (b) To conduct all investigations in a manner that respects the rights and needs of each victim without needlessly adding to the existing burden experienced by them.
- (c) To take action to support and protect all victims of crime.
- (d) To prevent crime, maintain public order and enforce laws.

Law enforcement officials have an ethical duty to safeguard the rights of all victims, irrespective of their background. Given that communities are often very diverse, it is important that any approach is sensitive and responsive to this diversity. This includes understanding that within communities, many individuals and groups are excluded and marginalised in multiple, intersecting ways.

Safeguarding the rights of victims and creating a system that respects their privacy, dignity, and autonomy is a principle of good police practice.¹⁰⁵

1979 General Assembly Code of Conduct of Law Enforcement Officials:

“

Police are to serve the community by protecting all persons from illegal acts, consistent with the high regard for responsibility required by their profession. In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.

”

For example, individuals and groups can be marginalised based on various factors such as their gender, age, ethnicity, national origin and/or disability, and this can have a direct impact on their access to safety, security, and justice. To ensure that the dignity and privacy of all victims are respected and that their physical and emotional safety and security are prioritised, police officers should be aware and sensitive to an individual's diverse experiences and circumstances.

It is therefore crucial that all officials understand the complex make-up of their local communities to understand the different factors that can contribute to GBV. For example, how many different countries of origin are represented in your area of responsibility? Do you know how a victim's relationship to traditions, faith and/or culture may affect all aspects of their lives, including help-seeking? If not, how can you ensure you are providing an effective service? A bad experience for a victim can severely jeopardise the trust and confidence a whole community has towards law enforcement and can make responding to GBV more difficult. This also means that when in contact with the victim, steps should be taken to ensure there is no risk of secondary victimisation. Secondary victimisation occurs not as a direct result of a criminal act but rather the inadequate response of law enforcement and other competent institutions and individuals to the victim.

¹⁰³ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Pp. 451

¹⁰⁴ Ibid

¹⁰⁵ www.un.org/womenwatch/daw/egm/vaw-gp-2005/docs/experts/logar.dv.pdf

Prevention¹⁰⁶

Combatting GBV is not just the responsibility of the police or other law enforcement agencies; preventing GBV is the responsibility of the whole of society. Law enforcement, however, plays a critical role. There are several key aspects in crime prevention, one of which is the enforcement of existing laws to ensure perpetrators are brought to justice.

By conducting a thorough and robust investigation that begins with the first contact with a victim and identifies and preserves evidence in a clear and detailed manner, the likelihood of securing a conviction and punishing the perpetrator increases. Conviction and sentencing will send a clear message to society that GBV will not be tolerated. Whilst law enforcement has no control over sentencing, they do have control over the initial stages of the investigation, ensuring the evidence is identified, secured and preserved, and that it is not lost or contaminated. Prevention is the first imperative of justice.

Prevention activity should prioritise those that focus on interventions to stop violence and abuse, prevent future violence and encourage women and girls to report for their safety. To enable effective crime data analysis for identifying prevention activities, victims need to report crimes to the police at the earliest opportunity.

The problem-solving process can include:

- Eliminating the problem entirely
- Reducing the number of occurrences of the problem
- Reducing the degree of injury per incident
- Improving problem-handling
- Manipulating environmental factors to discourage criminal behaviour
- Negotiating a resolution to the problem

To enable effective analysis of the problem, data that is both recent and accurate is required. Intelligence is valuable in this process, and the more trust and confidence there is of the police within local communities, the more likely it is that relevant intelligence will be received. Here are some things to be considered:

- Ensure accurate records are created and maintained not only of crimes of GBV but also of incidents that may not amount to a crime.
- GBV crime data should be analysed to establish any patterns that are prevalent in the specific areas you work in.
- How can future crimes be prevented if there is no awareness of the problem?
- How do GBV crimes in different areas compare with nationally held data?
- How does the diversity of local communities' impact the types of GBV crimes being committed and the levels of reporting?
- What is the cultural makeup of the community?

It is often perceived that increased reporting of GBV is a negative reflection on the competence of law enforcement responses to such crime, when in fact, in the initial stages, it should be seen as a positive outcome. The more trust and confidence women have in law enforcement, the more likely they are to report GBV crimes. More reporting provides more data, enabling the identification of the problems to be more effective, enabling the development of preventative initiatives which, in the longer term, should start to see an overall reduction in this type of crime. If there is no reporting, there is no crime, and therefore, there can be no justice for victims.

For prevention of GBV to be effective, it requires collaboration between law enforcement, other agencies/service providers and the local community.

Examples of two problem-solving models can be found in Annex 1

106 Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch.3

Engaging men and boys in prevention

Men can and should show leadership by taking a vocal stand against gender-based violence. Engaging men and boys to address GBV is both a challenging and rewarding endeavor. It requires commitment to lead by example and to understand how social and cultural norms can influence the perception of such violence.

The EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective recommend that engagement with local communities to support prevention efforts should involve men and boys as well as women and girls. Violence and discrimination against women should not be seen as women's issues, but should be understood as broader social issues with men and boys being the predominant perpetrators of GBV. In this way, the culture of harmful gender norms that contribute to GBV can be addressed.

A key element in addressing this reality is to attempt to change the culture of harmful gender norms and discrimination that contribute to GBV. Madame Cisse Mariama Mohamed, Director of Health, Humanitarian Affairs and Social Development, at the African Union (AU) Commission, in 2021, stated: A boy who witnesses any male role model in his life being violent and abusive will grow up believing this is the norm. This turns into a vicious intergenerational cycle where boys internalise a view of manhood that is equated with physical and sexual aggression and dominance over girls and women.

GBV has a negative impact on men and boys due to its impacts on the whole of society, resulting in social and economic costs and can harm social norms and cultural expectations. Specific programs targeting men and boys should be developed to raise awareness of how harmful attitudes and behaviours contribute to GBV. Positive masculinities need to be promoted to remove the stigma associated with violence suffered by men and boys. Men and boys should be encouraged to become positive role models both within society and within the workplace, particularly in male-dominated organisations such as law enforcement.¹⁰⁷

Further information on engaging men and boys can be found in the Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence, Chapter 3, Annex 1.

Initial Contact¹⁰⁸

The first law enforcement official who has contact with the victim has a critical role to perform; they are the public face for their organisation. It is important to understand the principle of Every contact leaves a trace when it comes to engaging with victims; therefore, the quality of that initial contact is vital.

To enable victims of GBV to report the crime, they need to know how to make a report to law enforcement. Women and girls often lack the means to visit a police station for various reasons. Culturally it may be difficult for them leave their home without being accompanied, the police station may be too far from where they live, they may have no funds to access transport or transport is not safe or accessible to them, have caring responsibilities at home, and/or be in fear from the alleged perpetrator, family members or the wider community. They may simply not realise that law enforcement will deal with such crimes, as it may be considered a 'private' issue. Suppose they do attend a police station or other law enforcement facility. In that case, they may still face barriers to accessing justice, such as attitudes of officials, a lack of victim-friendly facilities or such facilities not being available or accessible to those victims with different types of disabilities.

Therefore, to uphold the victim's right to seek justice, law enforcement has a responsibility to assist them. The following needs to be considered: officials of all ranks should ask themselves:

- Are you and your colleagues appropriately trained on GBV and deployed so you are accessible to all women and girls?
- Do you have appropriate and accessible reporting mechanisms for victims of GBV?
- Are they widely published and available in different languages and formats (braille, large print, easy to read) where appropriate?

¹⁰⁷ EAPCCO Guidelines on Implementing the Common Policing Standards from a Gender Perspective (2022)

¹⁰⁸ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch.4

- Are there any help desks or other separate victim-friendly reporting locations within your police area? Does everyone know where they are and how to access them?

The first role of law enforcement is to ensure the immediate safety and health of the victim following any report of violence, and so a prompt response is paramount. Even during the initial response phase, it is vital to assess the potential risks to the safety of the victim and their family to prevent or mitigate any intimidation, retaliation, or re-victimisation. Even though the victim may be reluctant, often due to fear, to engage with the criminal justice process, officials still have a responsibility to safeguard them or any family members who may be at risk. This is particularly important if children are at risk, including from both physical and psychological harm.

Law enforcement must take positive action; doing nothing is not an option. Positive action may be ensuring the safety of the victim and others by removing them to a place of safety or, perhaps, a shelter or one-stop centre if available, or preferably by removing the alleged perpetrator from the location. The full range of powers available needs to be utilised at the same time, remembering that alleged perpetrators also have rights which need to be upheld.

The Organisation for Security and Cooperation in Europe (OSCE) offers insight into the typical barriers contributing to why women prefer to deal with incidents of violence themselves, and are discussed below:

- **Shame**, including shame associated with certain types of violence and with divorce.
- **Financial reasons**, including concerns that the woman would not be able to support herself and her children financially and would not receive support from her family.
- **Lack of trust in institutions**: women did not expect an effective response from the police or feared that they would not be believed.
- **Lack of awareness of specialist services**: women did not know where else they could go to get help.
- **Fear of retribution on the part of the alleged perpetrator**: women were afraid that the violence could escalate.

The environment in which the initial contact with a victim takes place is of vital importance. Remember, they may be fearful of even coming to the police in the first place, and in the case of IPV/DV, it is unlikely to be the first time they have suffered violence at the hands of the alleged perpetrator. Therefore, a key priority is to ensure their safety, allowing them to speak freely in private and ensuring the confidentiality of the information provided. The importance of this needs to be understood, and any specific needs of the victim must be identified and the approach adapted accordingly.

Elderly people may be hard of hearing or experience poor vision. In these circumstances, finding a place to speak with no background noise, well-lit or with good natural light can help immensely. Suppose the victim is a person with a hearing and/or speech disability. In that case, it will be vital for you to determine if they know sign language and provide an interpreter to facilitate communication.

It is good practice to speak to victims of GBV away from the law enforcement facility, unless there is a victim-friendly space where they can feel comfortable, and it provides them with privacy and confidentiality. Depending on their background, particularly if they are not from your country, such as a **refugee** or **migrant**, they may associate law enforcement and other uniformed security personnel with violence, so it is important to understand the victim's reality, to walk in their shoes.

To provide a victim-centred approach requires an understanding of the victim's perspective, they need to be taken seriously, and any conscious or unconscious bias held must not be conveyed to them. For example, how the victim is dressed, whether they were consuming alcohol or drugs, whether it was a woman out alone, what location they were in or at what time they were there, even whether they are involved in the sex industry, does not mean they were responsible for the violence against them and does not excuse what the perpetrator has done. Remember, law enforcement is there to help, not to judge.

Victims of GBV are often blamed for making themselves vulnerable by how they behave or where they go, but if a homeowner reports a burglary, is it their fault because they didn't have locks on all the windows or doors? No, their report is taken, and the crime investigated, so victims of GBV should be treated the same way.

What happens if a victim is not believed to be credible? What happens if a victim is not thought to be worthy of the expenditure of police resources or a thorough, methodical and evidence-based investigation?

It needs to be understood that false allegations of rape are very rare; the bigger concern should be that globally, crimes of rape, sexual assault and child sexual abuse are under-reported and that there is an opportunity to change this by treating victims with dignity and respect.

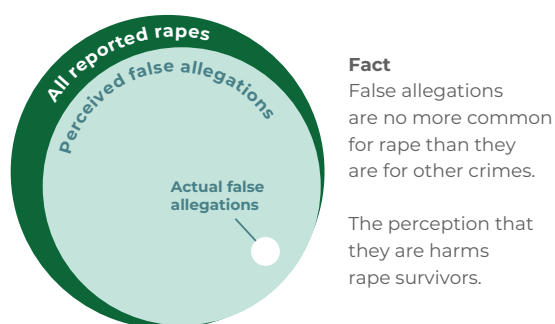


Figure 5: False Accusations (Rape Crisis Scotland)
<https://www.rapecrisisscotland.org.uk/false-allegations/>

Sometimes, the biggest support for a victim is that they are believed and are shown sympathy for the ordeal they have experienced. Building trust, confidence and rapport with the victim is key to enabling them to tell their story in full, but it may take time, maybe even hours.

Any gender bias held by law enforcement officials can influence the interpretation of how a victim should behave, leading to perceptions of how a perfect victim should look and act. This can create misconceptions that a chaste and honourable woman who has experienced sexual violence should warrant a prompt response and investigation,

whereas a woman who delays reporting such violence equates to implausible or false reporting on her part, another form of victim blaming.

Gender bias provides some explanation for the widely held belief that sexual assault reports are often false, which can influence the responses to such incidents. Gender biases and pre-conceived judgements of the victim and the veracity of a report are likely to force a victim to shut down, refuse to cooperate or even recant their story, despite the reality that false allegations of sexual assault are very rare. This leads to the vastly underreporting of serious and often traumatic crimes.

The most frequent prejudices that impact attitudes and behaviours of officers and thereby the police response to GBV are:¹⁰⁹

- Delayed reporting by the victim.
- The victim has a history of making similar reports.
- What the victim was wearing at the time of the victimisation, and how she generally dresses.
- The victim resisted filing the complaint.
- The sexual history of the victim.
- The emotional state of the victim (for example, if she seems calm or visibly upset).
- The victim's lack of resistance.
- The criminal record of the victim or her prostitution background.
- Belief that the victim has a mental illness.
- Belief that the victim may be under the influence of alcohol or drugs.
- The height of the victim is comparable to the height of the aggressor.
- The lack of any obvious signs of physical harm to the victim.
- Whether a person of the same sex attacked the victim.
- The victim's sexual orientation or gender identity.

Remember, the victim, due to trauma, may not behave as expected, for example, they may not be visibly upset, or tell their story in a chronological, coherent or precise way. It must be understood that this does not mean they are not telling the truth.

¹⁰⁹ Training Manual for Police Officers Strengthening Program for the Security of Vulnerable Groups. UNODC in partnership with the Government of Mexico (2017) and Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence. 2015 Department of Justice.

When first speaking to a victim, the biggest impact on trust and confidence takes place. A victim's response in some situations may not fit within pre-conceived ideas of appropriate behaviour. Suppose the victim is alienated at the very beginning of the justice process. In that case, their family, friends, and subsequently the wider community will likely be alienated, making your role much harder.

Law enforcement officials have a responsibility to treat the victim with empathy and sensitivity, reassuring them that they are believed, but **MUST NOT** make promises they cannot keep, such as telling the victim that the alleged perpetrator will be sent to prison. That is not a promise that can be made, as the court decides any punishment. However, promising to do everything possible to ensure a strong case is put to the prosecutor/or court and that the victim will be supported throughout the process is appropriate.

The overarching impact of trauma, whether it results from a single event or a series of events, often results in the victim's inability to cope. People react differently to trauma, and what may be traumatic to one person may not be to another. This is why it is vitally important that victims are not pre-judged by law enforcement officials based on their own beliefs and experiences or how they perceive victims are expected to react.

The initial response to trauma can be different for each victim, the three recognised responses being fight, flight or freeze. All three are 'automatic' physiological responses. Therefore, the victim will have no control over how their body responds to the traumatic event. This is why, when a victim reports

the crime, they may not behave as expected, but this does not mean that they are lying about what happened or the impact it has had on them.

The impact of trauma may be that they simply do not remember everything, or certainly not in a logical order. This is another reason why it is so important for you to take the time to build a rapport with the victim to get to a point where they can relate in detail what has occurred, and a formal statement recorded, which should usually be taken by an investigator or specially trained officer.

Investigation¹¹⁰

The primary responsibility for initiating investigations and prosecutions lies with the police and prosecution authorities. It does not rest with women subjected to violence, regardless of the level or form of violence.

(UN General Assembly in the 2010 Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (2011, General Assembly resolution 65/228, annex).

A perpetrator-focused investigation has four main actions:

1. Start by believing the victim
2. Ensure no further harm to the victim and other family members, as well as the possibility of harm (or self-harm) to the alleged perpetrator
3. Relies on gathering material and biological/forensic evidence to establish the elements of the case, using all means available on time
4. Seeks to build a strong case that does not exclusively burden the victim as the only source of evidence, nor bases evidence on testimonies made under duress, including from alleged perpetrators or witnesses.

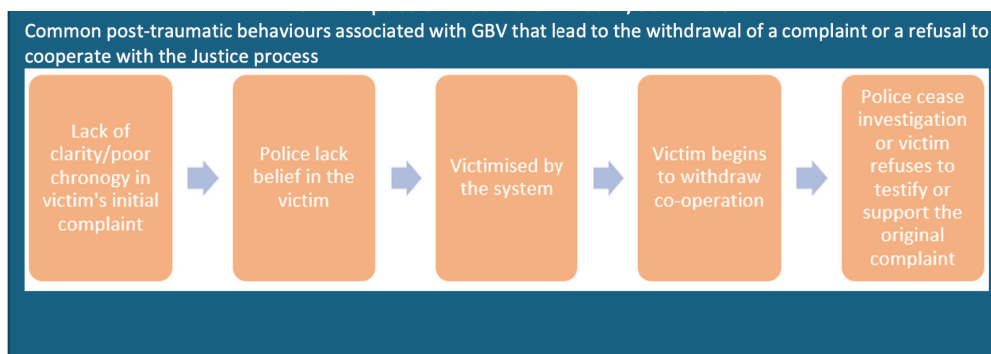


Figure 6: Impact of Trauma on Victim/Survivors

The purpose of an investigation is:

- To determine whether an offence was committed or to disprove an allegation
- To identify victims and witnesses
- To gather and preserve evidence of any kind that may be relevant
- To discover the cause, manner and location of an offence
- To prove the identity of the suspect or person(s) responsible
- To document the investigation, the evidence, and to prepare to present evidence at trial
- To prevent further victimisation (includes both the victim and others who may be affected, such as children)

To ensure law enforcement officials meet the organisation's expected standards, they must be familiar with the contents of any policy or Standard Operating Procedure (SOP) on combating/responding to GBV.

The initial response of the first person who encounters the victim will have the most significant and lasting impact on the victim's trust and confidence in law enforcement. This will then translate into the trust and confidence that their family, friends, and community have in the police. Any response to reported incidents of GBV must be immediate to demonstrate a commitment to combating such offences, providing a clear

message that all victims are important and that they are being taken seriously.

An immediate response is critical to ensure their safety and protection and that of any family or other associates who may be at risk. The victim may require medical attention for physical or psychological injuries. Obtaining such support at the earliest opportunity not only meets the victim's needs but also enhances the likelihood of obtaining direct evidence. Ultimately, from the moment an incident is reported, the ethos of Do No Harm needs to be understood in relation to any decisions or actions. It is paramount that everything is done to prevent the victim suffering further trauma by the instigation of any processes or procedures which could amount to secondary victimisation. It is likely to have been difficult for the victim to report the incident in the first place, and they may be at additional risk from their family or the wider community because of reporting.

According to the UNODC Handbook on Effective Police Responses to Violence against Women¹¹¹ - An investigation is a methodical exercise in problem-solving that involves identifying the offence by examining facts or circumstances of an incident and identifying the enforcement option appropriate to the facts or circumstances. While the complexities and dynamic nature of GBV are unique from other investigations, the purpose and guiding principles remain essentially the same.

THE PURPOSE OF AN INVESTIGATION IS:	AN EFFECTIVE INVESTIGATION, GENERALLY, IS ONE WHERE THE INVESTIGATOR:
<ul style="list-style-type: none"> • To determine whether an offence was committed or to disprove an allegation. • To identify victim/survivors and witnesses. • To gather and preserve evidence of any kind that may be relevant. • To discover the cause, manner, and location of an offence. • To prove the identity of the alleged perpetrator or person(s) responsible. • Where appropriate, to formulate the ground to bring a charge. • To document the investigation, the evidence, and prepare to present evidence at trial. • To prevent further victimisation (includes both the victim/survivor and others who may be affected, such as children). 	<ul style="list-style-type: none"> • Acted in a professional, impartial, inclusive and objective manner. • Was diligent in the collection of physical or non-physical evidence and statements. • At all times, treat all victim(s)/survivor(s), witness(es) and alleged perpetrator(s) with respect and dignity. • If there was an offence, which led to the identification of the alleged perpetrator(s) and collected sufficient quality of evidence to provide a realistic prospect of a conviction at court. • Consider the safety and security of the victim/survivor(s), witness(es) and alleged perpetrator(s). Conducted a risk assessment, risk identification and risk management process.

Table 1: Investigations on Effective Police Responses to Violence against Women

111 UNODC Handbook on Effective police responses to violence against women (2010)

All reports of GBV need to be accurate and in sufficient detail to enable a thorough investigation to take place. For example, are the actual words of the victim being recorded? It will undermine the entire case if, in court, the victim or witness states in their own words what happened, which does not correspond with the initial police report or their statement. Not recording in precise detail what was done or said may also result in a case not

reaching the court system if summarising or using more 'polite' terminology weakens the gravity of the offence presented to the prosecutor or other justice provider. Accurate recording of all incidents, whether validated as a crime or not, is crucial for collecting accurate data on the prevalence and type of GBV crimes. This enables the development of targeted prevention initiatives and helps identify problem areas to prevent similar or repeat incidents.

Box 3: As a minimum ALL reports of GBV should have the following recorded:¹¹²

- **Who is involved in the investigation, and how can they be contacted?** – Police file/ incident number, Complainant/victim, witnesses, alleged perpetrator, initial responders, investigating officer(s).
- **What took place?** – Any crime(s) committed; relationship between victim and alleged perpetrator; injuries (visible or otherwise); what evidence is available, its location and condition; any action taken and any further action required; what witness evidence is available and what enquiries were made to trace witnesses. Medical assistance provided and by whom/which medical facility the victim was taken to – details of medical staff and contact details.
- **When each event occurred** – Time (start/end), date, day. Date/time reported if different.
- **Where each event occurred** – Identification of crime scene(s); exact location; location of complainant/victim; location of alleged perpetrator; location of witnesses. Describe

the crime scene, apartment, house (which room), store, public building, park, alleyway, road or street. Describe what action was taken to protect and preserve the crime scene(s) from contamination or cross contamination, for example, how were people prevented from gaining access to the scene and destroying physical and/or forensic evidence; documented access/control for instance, what specialist officer(s) and staff entered the scene – and why – the date and time of their entry and the date and time of their exit.

- **Details of each event** – were weapons used, if so, where are they now? Why did the event occur? History of the alleged perpetrator; history of court and/or restraining orders; history of violence involving the alleged perpetrator/victim.
- **Victim safety** – actions taken to safeguard and protect the complainant/victim, any other family members, including children and other vulnerable individuals and witness(es).

The immediate needs of the victim must be established from the outset to understand what additional support and assistance may be required. Help from other service providers is likely to be needed in support of the investigation. By working with other service providers to support the victim, law enforcement can focus on their core role of gathering the evidence to identify the facts of the case.

During the immediate response phase of the investigation, any alleged perpetrators who are present or can be identified quickly need to be dealt with effectively. It is vital that action is taken ethically and with professionalism against any alleged perpetrator, regardless of an officer's personal views.

¹¹² Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch.5, Box 3, based on UNODC Handbook on Effective police responses to violence against women (2010)

In addition to considering what risks the alleged perpetrator may pose to the victim, you also have a duty of care to the alleged perpetrator, who must be presumed innocent until proven guilty by a court of law. This means that any risks to an alleged perpetrator need to be considered should the nature of what they are accused of, and their identity, become known. This is another aspect of privacy and confidentiality that needs to be respected, and any actions relating to the release of information to the public must follow the legal process pertaining to national laws.

In some countries, for example, the identity of the alleged perpetrator is protected until a formal charge of a crime has been served with a subsequent court date specified. Even when formally charged and within the justice process, the alleged perpetrator and their family could still be at risk from either reprisals, intimidation or even physical harm, either inflicted by others or self-inflicted. This often occurs when the alleged perpetrator is held in high regard within society, such as a teacher, religious leader, or doctor.

A key aspect of the investigation is the evidence provided by the victim; this needs to be recorded by way of a detailed statement of the incident, including any information that can help provide a background to the violence. Not only do the actual words and actions used against the victim need to be recorded, but it is also helpful to include peripheral information such as family make-up, previous history of violence. The reason for not previously reporting, such as fear on the part of the victim, should also be recorded. This is particularly relevant in IPV/DV cases where victims may have suffered on numerous occasions before reporting it to the police. In the case of coercive control, there may have been a gradual build-up of dominance of the victim by the alleged perpetrator over some time.

The victim's statement needs to capture how they feel both physically and emotionally, the impact of the violence and abuses they have been subject to and other family members, particularly children, who may have witnessed it. A detailed statement may take some time to complete. It may not be possible to obtain the statement in one session due to the trauma the victim is suffering or the medical

treatment they require. Patience and sensitivity are the key skills needed; the more time spent with the victim building trust and rapport, the more information will be obtained from them.

It is better to take time to obtain an accurate and detailed statement from the victim once than to spend time re-interviewing the victim as more information comes to light. Doing so will only add to the victim's trauma as they will relive the incident every time they must recollect it; this is an example of secondary victimisation by law enforcement. If another interview is required, then the specific reasons for it need to be carefully explained to the victim, or they may feel they are not being believed, adding to their trauma. If the victim has communication barriers, perhaps due to a disability such as deafness, even more time may be needed to collect their statement. If the victim is a child, it is even more important to record the actual words they use. Children are less likely to use or, in some cases, understand adult or legal terms, and so there must not be any temptation to change what they say into 'adult language'.

When working with girls who may be victims, it is important to recognise her unique needs based on her age and adapt responses accordingly. Ensure the environment in which the girl is spoken to is child friendly, that a parent, guardian, legal representative, etc., who is not involved in the incident being investigated, is present and actively engaged in the process. Children also need to be accorded the same considerations as adults in relation to confidentiality and privacy, and that medical, psycho-social and victim support services are age appropriate.

When obtaining a statement from a victim, especially if they have suffered significant trauma, such as during a serious sexual assault, it is good practice to listen to their first account, perhaps taking just brief notes so that an investigation can be commenced as soon as possible. Remember that trauma can impact victims in different ways, and they may not initially remember everything that happened to them, or in a chronological order. They may not appear to have acted rationally during the incident, but this does not mean they are not telling the truth.

Inclusion of reasons for acting or not acting the way they did during the violence is also useful evidence within the statement. Allowing time for the victim does not mean that the statement taking should be unduly delayed. However, a victim-centered approach requires that you always consider their needs, helping to guide the investigation, particularly during the very early stages.

Any forensic/medico-legal examination needs to be arranged promptly, ensuring the victim is not subjected to secondary victimisation, thereby adding to their trauma. The victim should only be escorted during the examination by an official of the same sex. It is imperative that all evidential requirements are met and that the procedures for handling, marking and preserving any exhibits that the medical examiner may hand over are understood. If not, support should be sought from a supervisor or referred to a more experienced colleague.

A common issue at stations, particularly in rural areas, can be a lack of female investigators or having female staff who are not trained to obtain statements or handle exhibits in cases of GBV, but are merely used as chaperones. A male official in a country where it is expected that only female officials should deal with female victims due to cultural or religious reasons still has an important role to play in providing reassurance to a victim. If the victim needs to attend, for example, a female help desk, merely providing directions is not sufficient or victim-centred. Still, responsibility should be taken for getting her there safely. The first official they have contact with is responsible for their safety and protection. Building her trust in a trauma-informed and victim centered way is imperative from the very beginning, ensuring they understand what will happen and meeting their immediate needs as far as possible.

During an investigation of sexual violence, focus should be given to obtaining statements from victims, and in forensic evidence awareness and handling of exhibits, ensuring the victim can be provided with the most appropriate sensitive response needed, treating them with dignity and respect and at the same time obtaining critical

evidence to enable investigators to fulfil their role. First Responders and anyone else attending the scene must avoid the temptation to move into an area or touch anything present that is not necessary once any risk to life has been dealt with, such as attending to a seriously injured victim. They need to understand that no one should be allowed access to the scene unless they have a critical role within the investigation or are providing medical treatment to anyone there who cannot otherwise be removed safely.

A basic principle of investigation is that transfer of material between a person and items or people they come into contact with will always occur. This is based on Locard's Principle of Exchange – Any action of an individual, and the violent action constituting a crime, cannot occur without leaving a trace. Any such cross-contamination can have a disastrous impact on the subsequent investigation and the credibility of any evidence, particularly forensic evidence presented at court.

In the case of serious crimes such as murder and rape, the scene should be secured and a log commenced of anyone attempting to gain access, even officers more senior in rank.

Protecting crime scenes is critical in preserving any potential evidence from being damaged, destroyed, lost or altered in any way from its original state. This allows the crime scene investigators to record everything in detail and to recover as much potential evidence as possible.

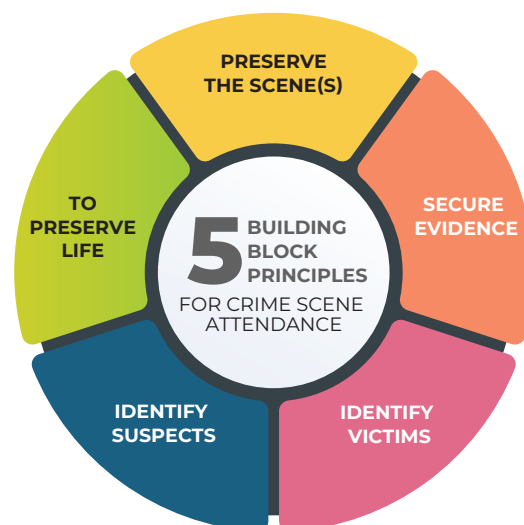


Figure 7: Five Building Block Principles for crime scene attendance

During the initial response and throughout the investigation, an open mind needs to be maintained and allow the evidence to guide decision-making rather than pre-judging any situation.

Do Not - Make Assumptions; Believe everything you are initially told or see

Always - Clarify, consider and check everything

The actions taken by the initial responder at the scene can have an enormous impact on the investigation. One of the most important aspects of crime scene investigation is the detailed recording of the scene in as uninterrupted a state as possible.

Evidence gathering is key in every investigation. In cases of GBV, evidence of crime may not always be obvious. It is important, therefore, that you consider all opportunities when attending incidents. This should also be extended to when speaking with victims, witnesses and whilst interviewing the alleged perpetrator. Religious and community leaders may also be able to provide relevant evidence, especially if they are female.

- Evidence can be physical (for example, a weapon, a document or a photograph) or verbal (for example, a statement from a witness).
- Evidence may implicate or exonerate a person and is required to convict a person in court.
- Continuity of evidence refers to the ability of the investigator to honestly and accurately testify in court that the physical evidence being presented is, in fact, the same item as originally found and is still in the same condition as when first found.

Forensic Awareness:

- Forensic examination of evidence involves the application of scientific processes and knowledge to examine something for a legal purpose.
- Forensic evidence - some form of physical evidence of a crime that will undergo a scientific examination, such as blood, semen or fibres.

Key rules of evidence:

- Immediate marking for future identification in court
- All evidence is separately packaged
- Steps are taken to prevent contamination or damage to evidence
- Avoid cross-contamination
- Continuity of possession must be maintained & documented
- Produce a full written report documenting all evidence & what, if any, forensic analysis is required of each item

When identifying potential evidence, it is important to look for what is unseen, not just what is obvious. This can be particularly useful in cases of IPV/ DV where coercive control is a feature, often manifesting as small individual incidents carried out by the alleged perpetrator over a long period. Taken in isolation, they may seem insignificant, but collectively, they can offer vital evidence in controlling the victim.

The following is a list of recognised stages of coercive and controlling behaviour within a relationship¹¹³

- Grooming
- Managing the situation
- Distortion of perspective
- Defining abuse
- Re-evaluating the relationship
- Ending the relationship
- Ending the abuse

Whilst signs of abuse will not always be spotted, it is worth knowing the above stages and what may be presented by a victim when responding to a call.

113 Graham Goulden, Cultivating Minds, UK <https://grahamgoulden.com/>

Box 4: Examples of evidence in domestic/intimate partner violence:¹¹⁴

- Victim's account of what happened and what life is like for them
- Phone records, in particular evidence of "open phone lines", were demanded by the alleged perpetrator of the victim/survivor
- Text messages, copies of emails, and notes containing rules or demands
- Evidence of abuse over the internet, digital technology and social media platforms
- Evidence of an assault
- Previous police history of calls to address.
- Police history regarding the alleged perpetrator
- Officer statements, to include observations on arrival.
- Details of the medical examination, doctor, and medical facility.
- Forensic evidence within the property includes blood marks and weapons used.
- Forensic evidence from the victim and/or the alleged perpetrator: nail scrapings/swabs
- Photographs of injuries such as: defensive injuries to forearms, latent upper arm grabs, scalp bruising, clumps of hair missing. Signs of strangulation
- Clothing
- Emergency call number tapes or transcripts
- Closed circuit television or CCTV in the home/public space/other places, i.e. places of work/restaurants
- Lifestyle and household, including at scene photographic evidence
- Records of interaction with services such as support services (even if parts of those records relate to events which occurred before the new offence came into force, their contents may still, in certain circumstances, be relied on in evidence)
- Medical records
- Witness testimony, for example, the family and friends of the victim/survivor, may be able to give evidence about the effect and impact of the isolation of the victim/survivor from them
- Evidence from work colleagues
- Local enquiries: neighbours, regular deliveries, postal, milk delivery, window cleaner, etc.
- Bank records to show financial control
- Previous threats made to children or other family members
- Diary kept by the victim/survivor
- Evidence of isolation, such as lack of contact between family and friends, the victim/survivor withdrawing from activities and also if the victim's home is in an isolated place
- Contact with other agencies; DA specialist agencies, both internally with the Police and externally
- Interview tapes/transcripts
- Consideration of the child's interview
- DNA from the alleged perpetrator
- Preservation/recovery of digital media evidence
- Housing records to confirm occupancy

Law enforcement officials need to understand that their role is to gather and analyse evidence to establish the facts, thereby determining the credibility of the allegation, rather than focusing on the credibility of the victim. They are there to help, not to judge.

Some crimes have specific indicators that you should be looking for, so what constitutes the best evidence in specific and more complex cases can be identified. Certain cultural and traditional practices can amount to a crime, not only within certain countries but also within communities of different origin from the host country.

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Witnesses can provide valuable evidence. Like all evidence, it can corroborate or disprove an allegation. Law enforcement's role is to present all the evidence; it is for the courts to decide guilt or innocence. It is therefore imperative to identify potential witnesses as soon as possible. The First Responder to any incident or crime scene must make every effort to obtain the details of any persons present or in the vicinity, even if they say they did not see anything.

As new information comes to light during the investigation, such people can be revisited if it is believed they may be able to provide evidence of something that was not obvious at the time. Obtaining their details needs to be carried out with dignity and respect and within legal parameters, ensuring their rights are protected. Some witnesses may also need specific support to ensure they can provide valuable evidence. This could be the case for witnesses with different types of disabilities or witnesses who are elderly or very young. Girls have unique needs based on their age, whether they are a victim or a witness.

Box 5: Minimum Standards Checklist for initial response:¹¹⁵

- To immediately separate the victim/survivor from the alleged perpetrator and to ensure the victim's safety. Because it is often a power and control situation, it is incumbent upon the officers to ensure that the parties are out of sight and hearing of each other, while always keeping officer safety a priority.
- To identify and secure any weapons that may be on hand, to protect all persons present.
- If present, isolate, search, and secure the alleged perpetrator, and have him removed from the scene.
- To arrange medical treatment for any injured persons.
- To ascertain the initial facts of what has happened and to identify the offence.
- To begin to identify and collect all potential evidence of the offence.
- To conduct an initial interview of the victim (an in-depth interview may take place later, including a formal written statement).
- To interview all witnesses and collect written statements as necessary.
- To arrange for any required follow-up/secondary investigation (e.g. forensics, medical examination).
- To contact victim/survivor services (if available) to assist with the care and support of the victim.
- To commence documentation of the investigation, evidence and statements.

Care is needed when either the victim or witness is elderly, very young or a person with a disability, as they may have specific needs. For example, if the victim or witness is elderly, they may be hard of hearing. In this case, ensure they are spoken to in a quiet area with minimal background noise. If they are short-sighted, they should be spoken to in a well-lit room, possibly with additional lighting. They may also have memory issues due to their age, and the impact of trauma can exacerbate this, so patience and understanding of their additional

needs are required. Any disabilities the victim may have should be addressed to ensure that the specific needs of each victim are considered and that relevant adjustments are made.

Women and girls with disabilities who face violence and discrimination also encounter barriers to accessing justice due to harmful stereotypes, discriminatory attitudes, and a lack of procedural and reasonable adjustments, which can lead to their credibility being doubted and their accusations being dismissed.

¹¹⁵ UNODC Handbook on Effective police responses to violence against women (2010)

Impact of Technology on Investigations

As crime types and methods continue to evolve globally, it is crucial for law enforcement officials to remain vigilant to the diverse behaviours/actions of perpetrators. Whilst some changes in crime patterns and behaviours may require a specialist response, it is important to remember the basics when dealing with victims. This is particularly important in today's law enforcement environment, which faces challenges due to the advancement of technology,

given the complexity and interdependence of issues in dealing with TFGBV. Whilst technological advances have benefited policing in providing technological responses to crime investigation, this has to be balanced with the challenges it has brought, particularly in how criminals have found new ways of working. This has created challenges for law enforcement, as organisations do not have appropriate resources, and access to basic technology remains an issue.

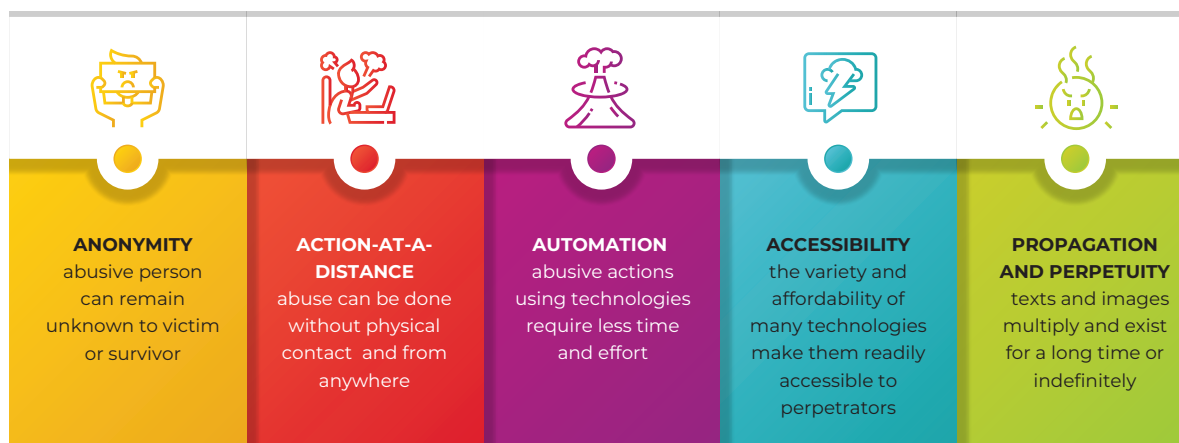


Figure 8: Distinguishing characteristics and profiles of cyber VAWG (UN Broadband Commission for Digital Development, 2015)¹¹⁶

The victim-centred guidance provided within this handbook should be applied whether VAWG is committed in the real or the virtual world; the needs of the victim, their safety and protection must be the main priority. Both physical and cyber forms of VAWG can cross over in that some forms of abuse may include offline harassment.^{117 118}

As in the case of offline GBV, the starting point for law enforcement to respond to online GBV more effectively is a transformational shift to gender-responsive policing, which will need to be based on an institutional and well-informed¹¹⁹ understanding of how the nature of the GBV, its causes and consequences impact women and girls differently and disproportionately.

Safety and Protection¹²⁰

The police are a key partner within the justice system when it comes to ensuring the initial and ongoing safety and protection of victims, so it is vital to work with other agencies and service providers.

By collaborating with other partners, investigating crimes of GBV will be strengthened and supported, whilst victims receive safety and protection relevant to their specific needs. To identify the safety and protection needs of the victim, their specific risks need to be identified. Such a risk assessment will be specific to each victim, depending on their circumstances, and they need to be at the centre of the risk assessment process. It is important to understand that the presence of any risks can

¹¹⁶ <https://en.unesco.org/sites/default/files/genderreport2015final.pdf>

¹¹⁷ UN Broadband Commission for Digital Development (2015). "Cyber Violence Against Women and Girls A worldwide wake-up call: A report by the UN Broadband Commission for the Digital Development Working Group on Broadband and Gender."

¹¹⁸ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch.13.

¹¹⁹ For the purposes of the Handbook, well informed meaning it is contextually relevant and with regular input consisting of qualitative and quantitative data provided by the police experts and external stakeholders such as essential service providers and/or civil society organisations.

¹²⁰ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch.6

indicate a higher risk of serious injury or fatality; likewise, an absence of these factors does not mean there is no risk of fatality.

The outcome of any risk assessment should be a safety plan which is jointly owned by the law enforcement entity and the victim. The safety plan should focus on mitigating identified risks, which can be achieved in partnership with other essential service providers who can offer additional support services not currently available. As with the risk assessment, a safety plan will be specific to each victim, as the complexities of their circumstances will be different.

As with all aspects of responding to victims of GBV, the contents of both the risk assessment and the subsequent safety plan need to be kept private and confidential, with only those engaged in the protection of the victim, across the different service providers, having access to them. Any changes to the circumstances of the victim or the alleged perpetrator need to be part of an ongoing risk assessment process and will require continual monitoring of the safety plan.

Suppose a victim is at risk or in fear. In that case, they will require safeguarding before they may be willing to make a complaint against the alleged perpetrator, particularly in domestic violence/IPV cases.



Figure 9: Risk Assessment flow chart taken from PROTECT II 'Capacity Building in Risk Assessment and Safety Management to Protect High Risk Victims' – A Learning Resource, Vienna 2012.

A broader picture of a case can be built up if each service provider shares information on any interactions with either the victim or the perpetrator. Health, education, and social services, for example, may have vital information and intelligence that could help with the investigation as well as ensuring the safety and protection of the victim. Knowing what information and/or intelligence sharing protocols are in place with other service providers can be enormously valuable.

Support and Assistance¹²¹

A victim-centred approach requires the victim to be kept informed as the investigation progresses. Good practice is to assign a dedicated officer to perform this role, ensuring continuity of information while continuing to build trust between the victim and law enforcement. As the relationship develops, the officer assigned to support the victim can glean valuable information and intelligence, which can be very useful for the investigating officer.

Any women and children accused of crimes who have been subjected to violence should also be identified as victims and treated as such. Examples could be sex trade workers and trafficked persons, those who others have exploited, even those who may have committed a violent act, if it could be because of long-term trauma caused by years of abuse. Remember, the role of law enforcement is to help, not to judge. Hence, it is important that any biases, stereotypes, and other thoughts or beliefs held are not translated into either words or behaviour towards the victim.

It is recognised that law enforcement may not have all the resources to meet a victim's individual needs, such as emotional or psychological support, facilities for persons with different types of disabilities (for example, sign language interpretation), health, medical and social welfare provision, shelters, etc. So, collaboration with other support service providers will be beneficial for the victim. It will also enable a focus on the core role of investigation to ensure the strongest case is prepared for the next stage of the criminal justice process.

To benefit from joint agency working in the provision of support and assistance for victims, there is a need to:

- Identify what support services are available within the policing area.
- How can they support the meeting of victims' needs?
- What, if any, relationships already exist with those identified?
- How can such services be accessed on behalf of the victim, or by the victim directly?

There may be a victim/one-stop crisis centre servicing the local area. If so, where is it and how can it be accessed? If a one-stop crisis centre does not exist, there may be NGOs and/or CSOs that provide services for victims. Who are they, and what services do they provide? Knowing will enable relevant information to be provided to support a victim who reports an incident of GBV to you. Some examples of questions you should seek answers to can be found below:

- Where support services already exist, how accessible and appropriate are they for women and girls?
- Are they able to support children as well as adults?
- What other services are available, and where can they be accessed?

It could support the investigation if the victim has access to services that law enforcement is unable to provide, which can provide both physical and emotional support during the investigative process to prevent secondary victimisation on the part of law enforcement, due to a lack of available resources. Collaborating with Disabled Persons Organisations will help ensure that victims with different types of disabilities receive all the support they need to access justice. Many women and girls with disabilities tend not to report violence because they are aware of the lack of accessible support they can receive at police stations. Offering accessible support will result in increased confidence of law enforcement amongst women and girls with disabilities.

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By ensuring the victim receives ongoing support and assistance through collaboration with other service providers, the focus on supporting the investigators can be maintained by gathering evidence to build a strong case against the alleged perpetrator and seeking justice for the victim. It will also build the victims, their family, friends and communities' trust and confidence in law enforcement, with the positive outcome that more victims will have the confidence to come forward to report such crimes.

How can early reporting be encouraged to avoid any potential loss of evidence, either from the victim, witnesses, the crime scene and even the alleged perpetrator? What practical steps could be taken to secure and preserve evidence at the earliest opportunity, even if the victim does not wish to make a complaint, so that if a report is made later, crucial evidence may still be available? A simple way could be to raise awareness of other agencies/ service providers of:

- Types of evidence.
- Identifying and protecting potential evidence.
- What constitutes a crime scene?
- The importance of protecting and preserving any scene cannot be overstated.
- How to preserve evidence, particularly potential forensic evidence, including bodily fluids.

Whilst these key aspects of an investigation should be controlled by law enforcement, with a heightened awareness of what is required, other service providers will be better able to support efforts to gain justice for the victim.

The number one consideration for any joint approach must be to meet the needs of the victim.

Coordination Among Justice Agencies¹²²

It is imperative for an effective investigation that there is coordination amongst justice agencies so efforts are not duplicated, or actions taken that may contradict or hinder other justice agencies. Coordination is also critical in ensuring a victim-centered approach to the investigation, prosecution and sentencing for crimes of GBV and reducing the risk of secondary victimisation, thereby increasing the potential of obtaining justice for victims.

Securing justice is a team effort; no single justice agency can achieve the goal of upholding the law and providing victims with accessible, effective, and fair justice without each agency working sensitively, ethically, with respect and dignity, and above all, together as partners.

To get started, justice agency partners (stakeholders) need to be identified. Examples could include legal advocates, lawyers, prosecutors, magistrates, judges and, where relevant, community elders and upholders of local laws or beliefs. Once stakeholders are mapped out, it is necessary to identify how each contributes to the justice process. Their requirements and expectations of law enforcement in general and responders in particular, as well as the specific requirements and expectations placed upon them, need to be identified. It is a good idea to discuss with counterparts in other justice agencies what their understanding of law enforcement is and for you to understand their needs, expectations and challenges. By doing so, improved levels of awareness will be developed amongst the agencies, providing a platform to build a collaborative relationship. For example, if prosecutors fully understand the requirements to present a strong case, it is likely to reduce the number of instances they discontinue before entering the court system. Likewise, prosecutors need to understand the requirements of the courts to gain a successful conviction. With a better understanding of the requirements for a successful conviction at court, you can identify and obtain the best evidence at the earliest opportunity.

Coordination between justice agencies can minimise the potential for secondary victimisation of the victim by reducing the number of times they have to tell their story; ideally, they should only have to say it once. Coordination will also build trust and confidence of, and between, all justice agencies, leading to an increase in information and intelligence sharing. This can enable more accurate data capture, ultimately leading to more preventative opportunities.

The risk assessment process should be coordinated between agencies. Suppose each agency produces its risk assessment. In that case, there is an increased possibility that crucial information could be missed, and any subsequent safety plan may have gaps within its mitigation measures.

Effective coordination relies on an agreed and transparent framework of working practices, with shared responsibilities and common performance measures developed through collaboration with all stakeholders. Such coordinated working will also require the development of protocols outlining each agency's areas of responsibility and where both individual agency and joint stakeholders' accountabilities lie.

Communication¹²³

Effective communication is probably one of the most critical aspects of dealing with victims and witnesses of GBV. Body language - Non-verbal communications (NVCs) have a key role to play in delivering either a positive or negative message to victims, and active listening is a skill all those who encounter victims and witnesses of GBV need to develop.

The effective delivery of any message depends on the words used, the tone of voice and the body language displayed. Research tells us that it is the ratio in which these three elements are communicated that has the greatest impact on what the listener absorbs from the message.

The ratio may surprise you, as a successful message is delivered when only 7% is by the words used, 38% by tone of voice and 55% by the body language. This has implications for you and your staff if you are unaware of your body language or if you are not demonstrating sensitivity or compassion in your tone of voice.¹²⁴

Call handlers have a particular challenge when speaking with a victim, as they can only rely on the words used and the tone of their voice, so they need to pay attention to what they are saying and how they are saying it. They have a critical role to play when they are the first person to speak to a victim.

To enable trust and rapport to be built with a victim so they will tell their complete story, the style of communication with them will be critical. Remember, they may be frightened, fearing the consequences of reporting to the police, suffering from the impact of trauma, or have specific vulnerabilities or needs. The use of language is important too; positive language identifies possibilities, choices, and opportunities, whereas negative language identifies what cannot be achieved.

Active listening is a valuable skill and is supported by positive use of body language, such as eye contact, nodding of the head, and displaying a positive, approachable posture with the victim. This needs to be managed carefully in certain cultural contexts. If a victim is unable to maintain eye contact due to cultural norms and/or any trauma she may have suffered, or be suffering, it does not mean she is not telling the truth.

Listening with an open mind to what the victim is saying is critical, ensuring that any prejudices, preconceptions, or judgements must not be conveyed to the victim in anyway. Building trust and rapport with the victim will take time, dependent on factors such as the level of trauma they may have suffered or the fear they are experiencing.

“

*Children are not small adults. They experience events, think, speak, and behave in a manner that reflects their age and evolving capacities. Suppose we want children to be able to participate in a meaningful manner in justice processes and to be protected from further harm. In that case, we need to adapt our language and behaviour when communicating with them.*¹²⁵

”

It is crucial to validate the victim's experiences, as victims often blame themselves for what has happened. Using a narrative that helps shift the blame away from the victim can also help build trust. One of the most powerful things that can be said to a victim is “you are not to blame for what

¹²³ Handbook on Gender Responsive Police Services for Women and Girls Subject to Violence (2021) Ch.9

¹²⁴ <https://www.rightattitudes.com/2008/10/04/7-38-55-rule-personal-communication/>

¹²⁵ UNODC Handbook on Effective police responses to violence against women (2010)

happened". The victim's statement needs to be accepted, and then evidence gathered, as in any other crime. This approach is necessary, as false reporting is very rare, and it focuses instead on the fact that GBV is vastly under-reported globally.

The following basic standards need to be met:

- Choose an appropriate location to speak to the victim that ensures their privacy and confidentiality and does not exacerbate any fear or trauma they are experiencing.
- Introduce yourself and explain the processes that will likely take place, including victim safety, confidentiality of information, support services (if available), and forensic/medical examination.
- Allow them to provide their free narrative without interruptions.
- Use Open questions – Who, what, when, where, and how to encourage them to provide further information following the free narrative. Be very careful about asking the Why? Question, a traumatised victim is likely to have asked themselves that question many times already, and you could be adding to their trauma and sense of self blame.
- Initiate the risk assessment process and consider early elements of a safety plan with the victim.

Once the victim has entered the justice process by making their complaint, it is vital that ongoing communication is maintained with them. They must be provided with updated information as the case progresses, including the detaining of any alleged perpetrator and any release conditions or known breaches of any conditions. They need to know what to do and how to contact law enforcement if they fear for their safety. Communication with the victim also needs to be maintained to carry out regular reviews of the risk assessment and safety plan.

Ongoing contact with victims should be coordinated with other justice agencies to ensure messages are consistent. An agreed protocol will ensure confidentiality of the information, only allowing it to be accessible to those who are directly involved with the case. Prior to sharing any information relating to the victim, you will need to ensure that you have obtained the victim's informed consent and that any organisational policy or process is complied with. Victims will require reassurance on why the sharing of such information with justice partners is required and how it will be protected and stored.

A victim-centered approach requires the meaningful participation of the victim, so that they must be kept fully informed, and their views must be taken into consideration for any decisions being made on their case.

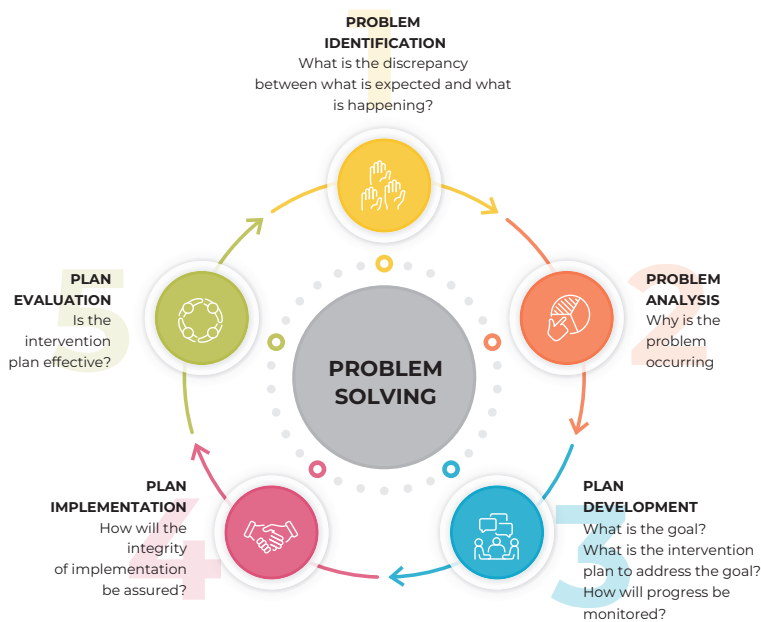


Figure 10: Problem-solving Cycle

Problem Identification - What is the discrepancy between what is expected and what is happening? What is the problem? How significant is the problem?

Problem Analysis – Why is the problem occurring?

4 Key elements of problem analysis:

1. What is the victim profile?
2. What is the offender profile?
3. Location of crime?
4. Nature of the crime?

Plan Development – What is the goal? What is the intervention plan to address the goal? How will progress be monitored? (examples include high visibility patrols, more female officers deployed, education, disruption tactics, etc.)

Plan Implementation – Putting the plan into action:
How will the integrity of implementation be assured?

Plan Evaluation – Is the intervention plan effective?

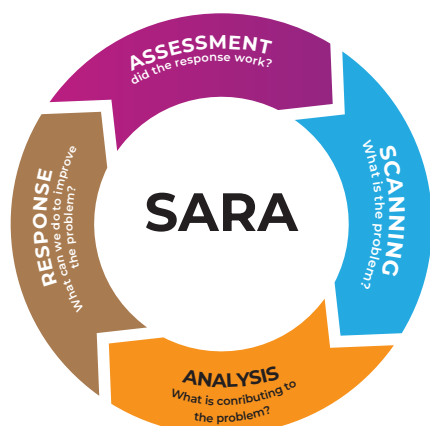


Figure 11: SARA Model of Problem-Oriented Policing

Scanning – identifying and prioritising potential crime and disorder problems.

Analysis – analysis of potential problems by gathering information and intelligence to identify underlying causes.

Response – development and implementation of tailored activities to address the causes of the problem identified in the analysis phase.

Assessment – measurement of the impact of the response, to test if it had the desired effect and to make changes to the response if required.

Prevention starts with the ability to identify and analyse the root causes of violence against women and girls to drive solutions. Being well informed about preventing VAWG means consulting those affected the most, with priority given to the most vulnerable.

To enable effective crime data analysis for identifying prevention activities, it is vital for victims/survivors to report crimes to the police at the earliest opportunity.

The problem-solving process can include:

- Eliminating the problem entirely
- Reducing the number of occurrences of the problem
- Reducing the degree of injury per incident
- Improving problem-handling
- Manipulating environmental factors to discourage criminal behaviour
- Negotiating a resolution to the problem

MODULE 4

Gendered Transnational Organised Crime and Security Threats

MODULE GOAL

At the end of the module, the reader should be able to recognise current and emerging security threats within the region, define and describe gender stereotypes and their implications for combating transnational organised crime and be able to identify the gendered nature of such crimes.

INTRODUCTION

The purpose of this module is to expose the reader to current understandings of how gender relates to security threats within the region and the gendered aspects of transnational and organised crime, in relation to victims and perpetrators and the different impacts on women and men.

The module covers international legal frameworks for combating transnational organised crimes, including an activity to research relevant national frameworks. A definition of transnational organised crime is provided, recognising that organised crime can be national or spill-over into the transnational context.

Transnational organised crime is continually evolving due to the exploitation of new technologies, which create additional opportunities for criminals. International frameworks are key to combating these crimes, as is collaboration between States, both regionally and globally.

The module will also explore the current and emerging security threats in the region and how law enforcement can assess such risks and apply mitigations.

CHAPTER 1

LEGAL FRAMEWORKS AND DEFINITIONS OF TRANSNATIONAL ORGANISED CRIMES

Key Messages and Learning Points:

An understanding of international legal frameworks and the various definitions related to transnational organised crime is important for law enforcement officials to enable their prevention and detection.

- As law enforcement organisations have a responsibility for security within and between nations, an understanding of the impacts of various forms of transnational organised crime is essential.

- When developing organisational strategy and policy to address transnational organised crime, it is important to know and be able to reference how they align and support international, regional and national frameworks.
- To enable effective response to transnational organised crime, law enforcement officials need to be aware of the complexities of such crimes, and the different impacts they have on individuals, institutions and States.

International Legal Frameworks

The international legal framework consists of several conventions and protocols from which States must define their laws to address transnational and organised crime effectively. These instruments also provide a framework for States wishing to collaborate; some of the key frameworks are:

1975 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)¹²⁶

This convention is an international agreement which aims to ensure that international trade in wild animals or plants does not threaten the survival of the species.

1989 Convention on the Rights of the Child and Optional Protocols

- 2000 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

2003 United Nations Convention against Transnational Organised Crime (UNTOC)¹²⁷ and its Supplementary Protocols

- 2003, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime.
- 2004, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime.
- 2005, Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime.

The Transnational Organised Crime Convention (also known as the Palermo Convention) is the main international legal framework for combating transnational organised crime. Numerous measures to encourage international cooperation to prevent and combat transnational organised crime are included both within the convention and its supplementary protocols.

¹²⁶ <https://cites.org/eng/disc/text.php>

¹²⁷ <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>

The convention does not contain a precise definition of transnational organised crime. Nor does it list the kinds of crimes that might constitute it. This lack of definition was intended to allow for a broader applicability of the convention to new types of crime that emerge constantly as global, regional, and local conditions change over time.

The convention does contain a definition of organised criminal group in Article 2(a):

- a) a group of three or more persons that was not randomly formed.
- b) existing for some time.
- c) acting in concert to commit at least one crime punishable by at least four years' incarceration,
- d) to obtain, directly or indirectly, a financial or other material benefit.

Since most groups of any sort contain three or more people working in concert and most exist for some time, the true defining characteristics of organised crime groups under the convention are their profit-driven nature and the seriousness of the offences they commit.

The Transnational Organised Crime Convention covers only transnational crimes. The term covers not only offences committed in more than one state, but also those that take place in one state but are planned or controlled in another. Also included are crimes in one state committed by groups that operate in more than one state, and crimes committed in one state that have substantial effects in another state.

The implied definition of transnational organised crime encompasses virtually all profit-motivated serious criminal activities with international implications. This broad definition takes account of the global complexity of the issue and allows cooperation on the widest possible range of common concerns.

Serious crime - is defined as ...conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty. Specifics of what amounts to a serious crime are for

individual States to define and incorporate within national legislation.

The purpose of the Convention is to promote cooperation to prevent and combat transnational organised crime more effectively, with an expectation on States to implement the suggested measures as minimum standards, while respecting the diversity of legal traditions and cultures. States may still add their own stricter measures to the minimum standards as outlined in the Convention.

The convention covers the following concerns:

1. The criminalisation of certain conduct
2. Investigation, prosecution and adjudication
3. International cooperation and assistance
4. Protection and assistance to witnesses and victims
5. Prevention

The focus of the Convention is on crimes that facilitate profit-making activities of organised criminal gangs (OCGs), with its supplementary protocols addressing specific types of crime activity.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime. Defines trafficking in persons as:

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or 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 exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs¹²⁸.

It also defines the trafficking of body parts as:

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or a position of vulnerability or of the giving or receiving

¹²⁸ Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

of payments or benefits to achieve the consent of a person having control over another person, for the removal of organs or other body parts.

The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, more commonly known as the Migrants Protocol, defines smuggling of migrants as the procurement, to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident. It contains the following elements:

1. The procurement of illegal entry - into a State of which the person is not a national or a permanent resident, to obtain direct financial or other material benefit.
2. States are required to criminalise the production and the procuring, providing or possessing of a fraudulent travel or identity document.

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition. The purpose of this Protocol is to:

Promote, facilitate and strengthen cooperation among States Parties to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. It shall apply to the:

- *Prevention of illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.*
- *Investigation and prosecution of offences established in accordance with Article 5 of this Protocol. Where those offences are transnational in nature and involve an organised criminal group.*

Other Relevant Conventions¹²⁹

- 1930 Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29), of the International Labour Organisation Convention
- 1979 Convention on the Elimination of All Forms of Discrimination against Women, (article 6 refers to traffic in women and exploitation of

prostitution of women)

- 2003 African Union Convention on Preventing and Combating Corruption

International Networks and Monitoring Organisations

In addition to international legal frameworks, there are various agencies, networks and monitoring organisations that can support law enforcement in tackling transnational and organised crime, some providing support for victims. Examples include:

- Environmental Investigation Agency
- International Consortium on Combatting Wildlife Crime (ICWC)
- The Wildlife Trade Monitoring Network (TRAFFIC)
- World Wildlife Fund for Nature (WWF)
- International Labour Organisation (ILO)
- International Organisation for Migration (IOM)
- INTERPOL
- World Bank
- Institute of International Finance (IIF)
- The Financial Action Task Force (FATF)
- Institute for Financial Integrity
- Global Coalition to Fight Financial Crime
- Not For Sale
- Polaris Project
- UK Human Trafficking Centre (UKHTC)
- UN Blue Heart Campaign against Human Trafficking
- UN Global Initiative to Fight Human Trafficking (UNGIFT)
- UN High Commissioner for Human Rights (UNHCHR)
- UN Inter-Agency Project on Human Trafficking (UNIAP)
- UN Voluntary Trust Fund for Victims of Human Trafficking
- Business Action to Stop Counterfeiting and Piracy (BASCAP)
- European Observatory on Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition
- International Trademark Association
- World Customs Organisation (WCO)
- World Health Organisation (WHO)
- World Intellectual Property Organisation (WIPO)

¹²⁹ https://www.unodc.org/documents/human-trafficking/HT_Toolkit08_English.pdf

National Frameworks and Policies

What are the national legal frameworks and policies to combat transnational organised crime within your country? What definitions are included within your national legislation for the various aspects of transnational organised crime, and organised crime within your borders?

Data collection and analysis are important not only for monitoring the types of crimes being committed but also their impacts on individuals, organisations and the State. They will also help identify trends, enabling the development of prevention activities. As transnational crime crosses borders, having relevant and accurate data and the ability to share it with law enforcement across the region will help law enforcement agencies to work with their counterparts across the region.

To gain an understanding of how transnational organised crime impacts your country, you are encouraged to check any crime data recorded and monitored by your organisation and how that compares to any data across the region you may have access to.

Definitions and General Characteristics of Transnational and Organised Crime

Organised crime threatens peace and security, violates human rights, and undermines the economic, social, cultural, political, and civil development of societies around the world.

Transnational organised crime manifests in many forms, including trafficking in drugs, firearms, and people. Organised crime groups (OCGs) exploit human mobility to smuggle migrants and undermine financial systems through money laundering. The vast sums of money involved can compromise legitimate economies and directly affect public processes by buying elections through corruption. It yields high profits for the criminals

but is very risky for the individuals who fall victim to it. Every year, countless individuals lose their lives at the hands of criminals involved in organised crime, succumbing to drug-related health problems, injuries inflicted by firearms, or the unscrupulous methods and motives of human traffickers and smugglers of migrants.

Organised crime continues to diversify, not least due to global advances in technology, and has reached macro-economic proportions; for example, illicit goods may be sourced from one continent, trafficked across another, and marketed in a third. Transnational organised crime can permeate government agencies and institutions, fuelling corruption, infiltrating business and politics, and hindering economic and social development. And it is undermining governance and democracy by empowering those who operate outside the law.

The transnational nature of organised crime means that criminal networks forge bonds across borders as well as overcome cultural and linguistic differences in the commission of their crime. Organised crime is not stagnant but adapts as new crimes emerge and as relationships between criminal networks become both more flexible and more sophisticated, with ever-greater reach around the globe. In short, transnational organised crime transcends cultural, social, linguistic, and geographical borders and must be met with a concerted response.¹³⁰

Terrorism and Violent Extremism

Although there is no agreed global definition of terrorism, the High Commissioner for Human Rights calls upon States to be guided by the key elements of acts of terrorism provided in Security Council resolution 1566¹³¹. As a minimum, terrorism involves the intimidation or coercion of populations or governments through the threat or perpetration of violence, causing death, serious injury or the taking of hostages.

¹³⁰ UNODC Toolkit to Combat Human Trafficking in Persons (2006)

¹³¹ <https://www.un.org/ruleoflaw/blog/document/security-council-resolution-1566-2004-on-threats-to-international-peace-and-security-caused-by-terrorist-acts/>

In some accepted definitions, terrorism has four characteristics:

1. The threat or use of violence.
2. A political objective and the desire to change the status quo.
3. The intention to spread fear by committing spectacular public acts; and
4. The intentional targeting of civilians.¹³²

Organised crime can be a significant source of income for terrorists, with crimes such as trafficking in arms, drugs, and people helping to fund their operations and maintain their networks.¹³³

Trafficking in Persons (TiP) (also known as Human Trafficking)

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime, has three basic purposes:

1. The prevention and combating of trafficking.
2. The protection and support of victims of trafficking.
3. The promotion of cooperation between States.

According to UNODC,¹³⁴ the definition can be simplified as:

- **The act** - recruitment, transportation, transfer, harbouring, or receipt of persons
- **The means** - threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim
- **The purpose** - exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices, and the removal of organs

Various factors contribute to TiP. These can be classified as push and pull factors. These include the offenders' exploitation of the desire by potential victims to migrate. While exploiting this, the offenders can recruit and gain initial control or

cooperation. Once the victims have been moved to another state or region, the methods are replaced by more coercive measures.

According to UNODC,¹³⁵ key factors that push victims and increase their vulnerability include poverty, oppression, lack of human rights enforcement, lack of social or economic opportunity, dangers from conflict or instability, and similar conditions. The practice of entrusting poor children to more affluent friends or relatives may create vulnerability. Some parents sell their children, not just for the money but also in the hope that their children will escape a situation of chronic poverty and move to a place where they will have a better life and more opportunities.

Other factors that contribute to the problem include porous borders, corrupt government officials, the involvement of international OCGs or networks, and the limited capacity of or commitment by immigration and law enforcement officers to control borders. It is the vulnerable who fall prey to traffickers, many living in poverty, without social support, displaced within or across borders or suffering within a conflict setting. Traffickers can increasingly operate using technology, to which children are especially vulnerable to being targeted by criminals.

In 2020, men accounted for about 70% of those investigated, prosecuted and convicted of trafficking in persons globally, with women accounting for more than 25%. In 2022, a 41% increase was seen in victims detected for sexual exploitation compared to 2020, with 90% of the total victims detected being women (64%) or girls (28%).¹³⁶

Analysis of global trafficking flows shows that over the past few years, victims trafficked from countries in Africa have been recorded in an increasing number of countries across the world and within the continent. This makes Africa the region from which the highest share of trafficking flows originates, with

¹³² Various definitions of terrorism accessed for original EAPCCO gender manual (2016) at <http://www.azdema.gov/museum/famousbattles/pdf/Terrorism%20Definitions%20072809.pdf> on 9 October 2015; What Is Terrorism? accessed at http://www.sagepub.com/sites/default/files/upm-binaries/51172_ch_1.pdf on 9 October 2015).

¹³³ <https://www.un.org/en/peace-and-security/transnational-crime> Accessed 4th April 2025.

¹³⁴ UNODC Toolkit to Combat Human Trafficking in Persons (2008)

¹³⁵ UNODC Toolkit to Combat Human Trafficking in Persons (2006)

¹³⁶ https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf

child trafficking being one of the main challenges for the countries of Africa. Trafficked children are more frequently detected than adults in most parts of the continent. In West Africa and East Africa, both boys and girls are more typically trafficked for forced labour, including domestic work. Girls are also commonly reported as trafficked for sexual exploitation across the whole continent.¹³⁷

Conditions of extreme poverty could also explain the trafficking of girls for forced marriage in the African region. As with child labour, child marriage is not always the result of trafficking, but in regions where these practices are prevalent, it is more likely for traffickers to find an opportunity to commit their crimes. East and West Africa record more child marriage compared to other parts of the continent, and also have the highest number of identified cases of trafficking of girls for forced marriage.¹³⁸

For law enforcement to deal effectively with trafficking in persons, there needs to be tailored training that supports a gender-responsive approach, which in turn ensures the protection and adequate provision of services to victims. To enable a gender-responsive approach, the concerns and fears that prevent trafficked persons from seeking out services and help need to be addressed. Female victims, for example, may face specific barriers to accessing justice if they do not feel confident in reporting to the police due to a lack of female officers, fear of a lack of confidentiality, fear of stigmatisation from their community or attachment to their traffickers (who could also be their legal 'husbands').

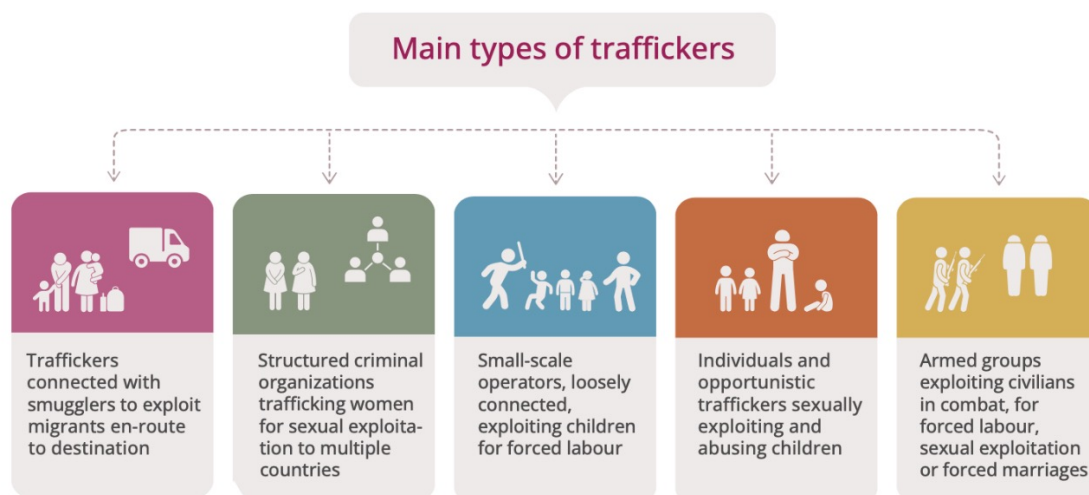


Figure 12: Type of Traffickers' structure reported in Africa

Source: UNODC Global Report on Trafficking in Persons 2024, Chapter 2, Trafficking in persons in and from Africa; a global responsibility¹³⁹

Smuggling of Migrants¹⁴⁰

The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime, aims to

1. Prevent and combat the smuggling of migrants, and
2. Promote cooperation among States Parties, while protecting the rights of smuggled migrants

According to UNODC¹⁴¹ in 2016, it was estimated that at least 2.5 million migrants were smuggled, generating profits of up to \$5.7 billion for smugglers. In a 2018 study, 30 major smuggling routes across the globe were identified. Crimes of violence are known to occur along smuggling routes, such as rape, extortion, kidnapping, human trafficking and brutality ending in death. Most smuggled migrants are young men, often fleeing conflict or persecution.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf (Chapter 2, Pg. 73)

¹⁴⁰ UNODC Toolkit to Combat Human Trafficking in Persons (2006)

¹⁴¹ <https://www.un.org/en/peace-and-security/transnational-crime> Accessed 4th April 2025

However, there is an increased risk of exploitation among the smaller number of unaccompanied and separated children.

Research by UNODC¹⁴² and interviews with migrants found that kidnappings, sale of persons and trafficking in persons were common along African migration routes to North Africa and Europe. The practice of selling migrants who third parties have captured for forced labour has been widely reported in North Africa.

Similar trends have been reported along the routes that lead migrants and refugees from the Horn of Africa to the countries of the Gulf Cooperation Council, via East African land and the Red Sea to the Arab peninsula. Once at the destination, migrants are often exploited to repay the debt to the smugglers who organised their travel. Female migrants are reportedly sexually exploited by being rented to specific clients for periods, exploited as domestic workers or forced to work in the hospitality industry, with male migrants trafficked into the construction sector. In some cases, smugglers have displaced people to work as mules transporting drugs and guns.¹⁴³

The route from the Horn of Africa to Southern Africa is also a known trafficking route, where refugees and migrants are exploited. According to UNODC, studies have reported extortion and exploitation as well as torture and physical and sexual violence on this route. Indications are that smugglers may, in some instances, take advantage of irregular migrants' weak positions to exploit and engage them in criminal activities. Smugglers are increasingly using violence and abduction along this route as a means to extort money from victims' families.¹⁴⁴

The distinction between trafficking in persons and smuggling of migrants

Whilst both the smuggling of migrants and human trafficking involve the movement of human beings for profit, for human trafficking, there must also be two further elements.

1. A form of recruitment that is inappropriate, such as coercion, deception or abuse of authority
2. The activity was undertaken for some type of exploitative purpose, even if the exploitation did not ultimately occur.

Human Trafficking	Smuggling of Migrants
Proceeds derived from the exploitation of victims in prostitution, forced labour or in other ways.	The smuggling fee paid by the illegal migrant
Can occur within a State without crossing borders.	Always transnational in nature
Trafficking involves the continuous exploitation of victims to generate profit.	No ongoing relationship, usually the relationship ends once the migrant has arrived at the destination.
Victims of trafficking either do not consent, or any consent initially given becomes invalid due to the methods by which it was obtained, such as coercion, deception or abuse.	Migrants generally consent to being moved.
Traffickers may also act as smugglers and use the same routes for both enterprises.	Migrants may become victims of trafficking.

Table 2: Key differences between human trafficking and migrant smuggling.
(Sourced from the UNODC Toolkit to Combat Human Trafficking in Persons, 2008)

¹⁴² https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf (Chapter 2)

¹⁴³ https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf

¹⁴⁴ Ibid.

Trafficking in Organs/Body Parts

Bodypart trafficking is a subset of human trafficking, as defined by the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organised Crime. The black market is permeated with the illegal exchange of body parts. The typical body parts bought and sold on the black market are tissue, organs, bones, and blood. These body parts are either forcibly taken or bought from vulnerable persons, primarily those in extreme poverty, and sold to a variety of buyers, including university programmes, hospitals/county morgues that perform autopsies, and crematoriums and funeral homes. In some places, body parts are stolen or sold for human sacrifice or to create medicine.¹⁴⁵

Drug Trafficking

Drug trafficking generally refers to the sale and distribution of illegal drugs. Penalties for drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction.

In recent years, drug trafficking has become one of the most lucrative forms of transnational organised crime globally. It continues to spread with sales taking place via social media as well as the spread of new and highly dangerous synthetic drugs, which are cheap and easy to manufacture. The digital age has, and will continue to change drug trafficking, which is thriving online by various means, creating ever increasing challenges for law enforcement.

According to UNODC,¹⁴⁶ there is increasing trafficking of heroin, cocaine, cannabis and amphetamine-type stimulants (ATS) into and through Eastern Africa. The international airports in Nairobi, Kenya, and Addis Ababa, Ethiopia, are key entry points for illicit drugs into the region, primarily due to the frequent commercial flights from Asia and the Middle East. The seaports of Dar es Salaam and Mombasa are also entry points favoured by drug traffickers. According to the Eastern & Southern Africa Commission on Drugs¹⁴⁷, Eastern, along with

Southern Africa, is a major route for trafficking of drugs to and through the region via its land and seaports each year, including significant quantities of heroin, cocaine and methamphetamine.

Cybercrime/Technology Facilitated Crime

Cybercrime may also be referred to as computer crime or, now more commonly, technology facilitated crime and is defined as a crime in which a computer is the object of the crime (hacking, phishing, spamming) or is used as a tool to commit an offense (child pornography, hate crimes, identity theft). Cybercriminals may use computer technology to access personal information or business trade secrets, or use the internet for exploitative or malicious purposes. Criminals can also use computers for communication, document or data storage. Criminals who perform these illegal activities are often referred to as hackers.

The complex nature of the crime, as one that takes place in the borderless realm of cyberspace, is compounded by the increasing involvement of organised crime groups. The huge surge in cybercrime, which impacts individuals, institutions and countries, results from the reported 60 per cent of the world's population now being online.¹⁴⁸

Cybercrime includes a range of crimes such as online fraud and data theft, technology facilitated GBV and the exploitation of children. Cybercrime can be perpetrated by individuals, groups, businesses, and nation-states.

Perpetrators and victims can be located anywhere in the world with an Internet connection; consequently, cybercrime investigators require access to data and the ability to share it across borders. According to UNODC (2025), the main legal challenges to investigating cybercrime and prosecuting cybercriminals are:

- The different legal systems between countries.
- Variations in national cybercrime laws.
- Differences in the rules of evidence and criminal procedure (e.g., the process by which law enforcement authorities can access digital

¹⁴⁵ UNODC Toolkit to Combat Human Trafficking in Persons (2006)

¹⁴⁶ <https://www.unodc.org/easternafrika/en/illicit-drugs1.html> Accessed 4th April 2025

¹⁴⁷ <https://globalinitiative.net/initiatives/esacd/>

¹⁴⁸ <https://www.un.org/en/peace-and-security/transnational-crime>. Accessed 4th April 2025.

evidence, for example, with or without a legal order, such as a search warrant).

- Variations in the scope and geographic applicability of regional and multilateral cybercrime treaties.
- Differences in approaches to data protection and respect for human rights.¹⁴⁹

Cybercrime is becoming harder to detect as the digital world becomes more complex and technology continues to develop and become more sophisticated. As noted by the United Nations Peace and Security, *Malware is proliferating, AI-enabled cyber operations are amplifying the threat, and there has been an alarming increase in ransomware attacks, which cripple vital systems and hold data hostage.*¹⁵⁰

Environmental Crime

This includes large-scale poaching and illegal logging; as a result, 50 per cent of the world's species are facing the fastest human-made mass extinction. Given the diversity of locations where poaching, harvesting, transit, purchase, and consumption of wildlife occur, illicit trafficking in endangered species is a transnational crime. Countries can be affected at source, transit, or destination points. Wildlife crime threatens national security and may endanger human and domestic livestock health through the spread of virulent diseases. Trafficking in natural resources such as timber generates billions of dollars in criminal revenues annually. It contributes to deforestation, loss of species and their habitats, and climate change and rural poverty.¹⁵¹

Organised criminal syndicates are moving poached or illegally harvested wildlife with the help of the same sophisticated techniques and networks used for trafficking in persons, weapons, drugs, and other contraband. There are many challenges posed by the poaching and trafficking of wildlife, including the involvement of a number of related crimes such as fraud, counterfeiting, money laundering, violence, and corruption.¹⁵²

The trafficking of wildlife and natural resources hampers conservation efforts, damages ecosystems, and undermines our planet's capacity to mitigate climate change. According to the latest World Wildlife Crime Report, from 2015 to 2021, seizures documented the illegal trade of 13 million plants and animals in 162 countries and territories, affecting around 4,000 species, the majority being endangered species. In 2016, it was estimated that environmental crimes resulted in between \$91 billion and \$259 billion annually for criminals and organised crime groups.¹⁵³

As some people increasingly face displacement and loss of agricultural and livestock-based livelihoods, their risk of falling victim to trafficking increases as they seek ways to keep themselves and their families adequately housed, fed and supported. In regions across the world, negative socio-economic impacts caused by climate change have been shown to create desperation and push many people to accept risky job offers for little pay in informal and dangerous sectors, while others resort to transactional sex for food or money.¹⁵⁴

Climate-adverse conditions have an immediate impact in terms of increasing labour-intensive activity to compensate for the loss of land productivity. A study conducted in Ethiopia showed that heavy rains can result in an approximately 20 per cent increase in child labour for both boys and girls, including hazardous work. This can result in a heightened risk of exploitative work and trafficking for forced labour. In South Sudan, the International Office for Migration (IOM) noted that environmental fragility has exacerbated social, economic and security issues and heightened the risks of child marriage.¹⁵⁵

Maritime Piracy

Piracy off the Horn of Africa has become an increasingly serious problem. Recent years have seen an increased number of attacks, with pirates becoming more organised and more aggressive

149 <https://www.unodc.org/e4j/en/cybercrime/module-1/key-issues/cybercrime-trends.html> Accessed 4th April 2025

150 <https://www.un.org/en/peace-and-security/transnational-crime> Accessed 4th April 2025.

151 UNODC Toolkit to Combat Human Trafficking in Persons (2008)

152 UNODC Toolkit to Combat Human Trafficking in Persons (2006)

153 <https://www.un.org/en/peace-and-security/transnational-crime> Accessed 4th April 2025.

154 https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf

155 https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf (Chapter 2)

as they arm themselves with more advanced weapons. The methods of pirates, with the use of mother ships on which they can be based, allow them to hijack larger vessels over bigger distances, hundreds of kilometres off the coast. Piracy is increasingly linked to other forms of organised crime, given the sophisticated intelligence collection networks and systematic corruption of local officials. Meanwhile, piracy is a key source of income for many communities, which receive funds from ransoms.¹⁵⁶

Money Laundering

According to the UN, *money laundering is the process of concealing the origins of illegally obtained money, turning 'dirty money' into 'clean money'*. It fuels corruption, undermines financial institutions, and facilitates a wide range of criminal activities¹⁵⁷.

Criminals can exploit gaps in international cooperation and legislation to move money across borders. Techniques used include, but are not limited to:

- Using shell companies and offshore accounts, and
- Investing in high value properties and art

Another challenge is the rise of digital currencies, such as cryptocurrencies, online payment platforms, and complex financial instruments, with law enforcement struggling to develop and maintain the skills needed to investigate.

In Africa alone, equivalent to nearly \$90 billion or about 3.7 per cent of the continent's Gross Domestic Product (GDP), is lost yearly to illicit financial flows.¹⁵⁸

Counterfeiting, Fraud and Piracy

Counterfeiting, fraud and piracy are other forms of transnational organised crime. The trade in fake and pirated goods is a transnational crime, run by extensive and complex criminal enterprises.¹⁵⁹ Such crimes have a negative impact on both legitimate

business and government revenues. Illegal products are often sub-standard, risking harm to consumers, sometimes proving fatal. For example, counterfeit mechanical parts can cause accidents, and counterfeit building materials can have disastrous and wide-reaching impacts. Toxic ingredients can be found in food and drink products, while beauty products can also contain toxic substances. The danger of counterfeit medicines has been well documented, either causing significant harm or failing to provide the remedy for which they were purchased due to having no active ingredient or having it in the wrong quantity.

According to INTERPOL,¹⁶⁰ organised crime groups can make huge profits through trafficking in illicit goods, and the penalties are weaker than for other types of trafficking. One often-overlooked impact of counterfeiting is its environmental impact, which involves the illegal disposal of toxic dyes and chemicals. Unregulated air pollution can also be a consequence, as can the disposal of seized counterfeit goods due to their constituent parts or ingredients being detrimental to the environment.¹⁶¹

Illicit Trading in Firearms

The illicit trade in firearms continues to increase, resulting in the proliferation of conflicts and contributing to a dramatic increase in criminal activity in many parts of the world. According to UN Peace and Security,¹⁶² in 2021 alone, 260,000 people were killed by small arms (firearms intended for individual use), amounting to 45 per cent of all violent deaths, that's more than 700 people a day, or one person dying every two minutes. Organised crime groups can supply weapons and ammunition to armed groups and governments facing sanctions. Both organised crime groups and non-State armed groups may directly engage in firearms trafficking to secure their arms and generate revenue, according to UNODC.

¹⁵⁶ UNODC Toolkit to Combat Human Trafficking in Persons (2008)

¹⁵⁷ <https://www.un.org/en/peace-and-security/transnational-crime> Accessed 4th April 2025.

¹⁵⁸ Ibid.

¹⁵⁹ <https://www.interpol.int/en/Crimes/Illicit-goods/Illicit-goods-the-issues> Accessed 5th April 2025

¹⁶⁰ Ibid.

¹⁶¹ UNODC, Focus on The Illicit Trafficking of Counterfeit Goods and Transnational Organised Crime, 2013

¹⁶² <https://www.un.org/en/peace-and-security/transnational-crime> Accessed 4th April 2025.

Transnational Organised Crime and Conflict

Conflict zones provide fertile ground for a range of criminal activity, including human trafficking, with armed groups exploiting the vulnerable for forced recruitment, forced labour and sexual exploitation. People may be trafficked to enhance military capacity, including through the forcible recruitment of child soldiers. People may also be trafficked to impose fear in the territories they control or for personal purposes such as sexual exploitation, buying brides, or forcing people into domestic labour. In 2020, approximately 12 per cent of detected trafficking victims came from conflict-affected countries.¹⁶³

Militias and armed groups engage in the trafficking of civilians for a variety of reasons in Africa. In 2023, between 80 and 90 armed groups recruited children and used them in conflict-related

operations in Africa. Children are used as fighters, support personnel, or are forced to work to generate income. Trafficking by armed groups, both non-state and state actors, is carried out in various contexts. For example, in South Sudan, children have been directly recruited from their homes. In other situations, children remain vulnerable to forced recruitment even in refugee camps or similar settings. The methods used to engage children may vary and can range from abductions to the use of threats, force, coercion, deception or exploitation of vulnerabilities.¹⁶⁴

Armed groups and government forces that engage in the trafficking of children appear to target more boys than girls. Following lines of traditional gender roles, boys are generally exploited in combat roles while armed groups traffic girls more commonly for sexual exploitation or forced marriage.¹⁶⁵

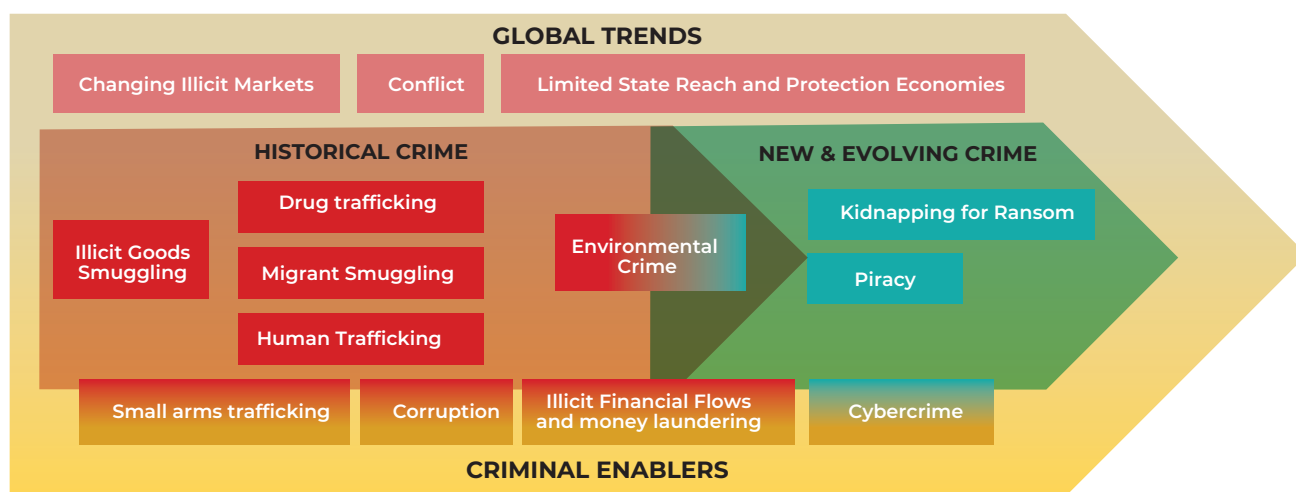


Figure 13: Summary Chart

¹⁶³ UNODC Toolkit to Combat Human Trafficking in Persons (2008)

¹⁶⁴ <https://www.un.org/en/peace-and-security/transnational-crime> Accessed 4th April 2025.

¹⁶⁵ Ibid.

CHAPTER 2

GENDERED ASPECTS OF TRANSNATIONAL AND ORGANISED CRIME

Key Messages and Learning Points:

An awareness of the various gendered aspects of transnational organised crime is Important for law enforcement officials to influence their decision-making when responding to perpetrators or victims of such crimes.

- Understanding how gender stereotypes and biases can influence investigations of transnational organised crime can prevent assumptions being made and perpetrators or victims being mis-identified.

- Knowing how transnational organised crimes impact women and men differently will assist law enforcement officials in identifying vulnerabilities and developing prevention initiatives that are gender responsive.
- Understanding the different roles women and men play within organised crime groups, as well as different recruiting methods, will enhance the ability of law enforcement to provide gender responsive solutions.

Most theories of crime either ignore gender entirely or merely focus on why females fail to resemble males in their behaviour. Women's lesser involvement in crime is largely attributed to their unique biology, by stressing, for example, their perceived lack of courage, their piety, maternity, want of passion, sexual coldness, weakness, and undeveloped intelligence.¹⁶⁶

Although transnational organised crime impacts everyone regardless of gender, women are particularly targeted and victimised by criminal groups. Gender discrimination and its intersection

with other forms of discrimination, such as racism, age and socio-economic status, increase the likelihood of becoming victims. Around 60 per cent of all trafficking victims and over 90 per cent of those trafficked for sexual exploitation were women and girls.¹⁶⁷

According to the UNODC Global Report on Trafficking in Persons 2024¹⁶⁸, in 2022, 61% of trafficking victims detected worldwide were female, with adults being the most detected age group; adult victims made up 39% and girls 22% of all detected victims.

Box 6:

The ICAT paper on The Gender Dimensions of Human Trafficking (2017) provides some interesting facts:

- While women still represent the majority of trafficking victims, the proportion of identified male victims increased from 16% in 2004 to 29% in 2014. Note – in 2022, the proportion of male victims had risen to 39%¹⁶⁹
- Trafficking for sexual exploitation is the most predominant form of global trafficking currently detected, accounting for 54% of all forms of trafficking, with females representing 96% of all victims trafficked.

- Traffickers who exploit women for other purposes, such as forced labour, begging, and domestic servitude, commonly exert sexual violence over victims as a means of coercion and control.
- Male victims represent 82% of trafficking for organ removal.

It describes some of the root causes and risk factors that result in disproportionate effects on women and girls:

- **Gender inequality** - Gendered poverty, lack of viable employment opportunities, lack of control over financial resources and limited access to education are all factors that can exacerbate the vulnerability of women and girls to trafficking.

¹⁶⁶ <https://issafrica.org/iss-today/a-new-look-at-women-and-organised-crime>

¹⁶⁷ https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf

¹⁶⁸ https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf

¹⁶⁹ Ibid.

- **Gender-based violence** - Gender-based violence and cultural norms that normalise such violence contribute to the cycle of violence against women and make them more vulnerable to trafficking.
- **Discriminatory labour or migration laws and gender-blind policies** - Labour and migration laws that lack a human rights and gender-sensitive approach may restrict women's ability to move freely and change employment, which increases the likelihood that women will seek employment in unregulated and informal sectors. This subsequently increases women's vulnerability to trafficking and exploitation.

- **Conflict, post-conflict settings and humanitarian crises** - In the absence of the rule of law during crises, women and girls can become highly vulnerable to different forms of exploitation. This is due, for example, to the fact that armed groups can target women and girls for sexual slavery, domestic servitude and forced and child marriages.

(Source: ICAT, *The Gender Dimensions of Human Trafficking* (2017))

Rather than using the tactic of coercion, girls and young women are recruited through seduction, which often characterises both the recruitment into OCGs and the trafficking of persons. A well-known method amongst traffickers to lure women and girls into sexual exploitation is known as the lover-boy method.

In January 2019, a study by the UK National Crime Agency¹⁷⁰ found that vulnerable females are targeted by male offenders who create the impression of a romantic relationship through affection and the provision of gifts such as alcohol, cigarettes and drugs, before exploiting the victim, eventually finding themselves locked into a set of exploitative relationships which are hard to walk away from.

Marginalised individuals are more likely to be victimised by OCGs for trafficking and exploitation. Some examples include being:

- Duped and sold by their family members, relatives and people they know.
- Lured by the promise of a marriage and a better life.
- Promised a job and told they need a marriage certificate to be eligible for work¹⁷¹

Marginalised women such as low-skilled workers, undocumented migrants, refugees and internally displaced people, and women prisoners have been particularly targeted for the above human trafficking scams. Discrimination against women not only limits their access to education, employment and legal protection but also reduces their power and decision-making, making them more exposed to exploitation. The fact that more women than men are employed in the informal sector, who are generally lower paid (such as domestic work, commercial cleaning, provision of entertainment, including as hostesses or dancers, and in sex work), also contributes to women's vulnerabilities to trafficking.¹⁷²

Considerations Regarding Male Trafficking Victims:¹⁷³

Whilst there is a recognition that women are disproportionately impacted by transnational organised crime, the impacts on male victims also need addressing:

- A lack of a gendered approach to trafficking undermines the uniqueness of the male victim's experience.
- Gender stereotypes can undermine the ability to correctly identify male trafficking victims. This prevents male victims from receiving the necessary assistance and protection services.

¹⁷⁰ <https://www.nationalcrimeagency.gov.uk/>

¹⁷¹ https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf

¹⁷² Ibid

¹⁷³ ICAT, *The Gender Dimensions of Human Trafficking* (2017), <https://icat.un.org/sites/g/files/tmzbd146/files/publications/icat-ib-04-v1.pdf>

- Stereotypical constructions of masculinity may result in men's reluctance to acknowledge that they are trafficked and/or to identify themselves as victims.

According to a 2024 study,¹⁷⁴ *...women are often portrayed as either victims or passive accomplices of their male counterparts. Women are often exploited and victimised by organised crime, but they are also active participants in organised crime groups and involved in various criminal markets and at different positions within the hierarchies of organisations, from a logistical support role to leadership.*

Women as perpetrators can participate in criminal markets because they are women. OCGs exploit women due to the stereotypical perception that they are fragile or more vulnerable than men, which can result in their evasion of law enforcement or their ability to lure victims into human trafficking.

They are sometimes coerced into such activities. Some examples include:

- Acting as drug mules, women are selected (and often coerced) to traffic illegal drugs because they are less likely to be identified as suspects.

- Women are used as recruiters for grooming and engaging potential human trafficking victims because it is believed women are more likely to trust other women than unknown men.
- Women are used as the face of cyber-scams to entice men into the scam.¹⁷⁵

According to findings from an OSCE¹⁷⁶ study, one of the reasons why women's roles in OCGs are often overlooked is that transnational organised crime is associated with violence, and violence is perceived as a specifically masculine trait. Evidence shows, however, that women do demonstrate violence in the context of transnational organised crime, even if it is generally less direct or results in less serious injury than male violence.¹⁷⁷

Women's perceived role as caregivers and educators of family values means they are more likely to be described as fixers, those ensuring the smooth running of OCGs and their business interests, rather than directly engaging in the core criminal activities of the group. Roles associated with women include:

- Responsibilities for managing relationships, accounts and intelligence.
- Acting as lookouts.
- Participating as facilitators or fronts for the transport of illicit goods or to cover up OCG activities behind a trustworthy exterior.

Men	Women
Often drawn into criminality by their social context, they are identified and recruited by criminal groups aware of their criminal capacities.	Typically become part of OCGs by being born into a criminal family or through relationships with male OCG members.
	Recruitment into OCGs is often linked to sexual and emotional exploitation, violence, and abuse.
Socio-economic inequalities and poverty are key drivers of recruitment and exploitation by OCGs of both men and women.	

Table 3: Gender and Recruitment into OCGs¹⁷⁸

Four interrelated factors affect recruitment into OCGs: families, friends, the streets and work.

¹⁷⁴ <https://globalinitiative.net/analysis/the-missing-piece-of-the-puzzle-women-and-organized-crime/>

¹⁷⁵ Ibid

¹⁷⁶ <https://www.osce.org/secretariat/560049>

¹⁷⁷ Federico Varese, *Mafia Life: Love, Death, and Money at the Heart of Organized Crime* (Oxford: Oxford University Press, 2018): p. 123.

¹⁷⁸ <https://www.osce.org/secretariat/560049>

Box 7: Gendered Roles within OCGs¹⁷⁹

Reflecting traditional gender stereotypes in the context of organised crime, women are perceived as passive, less violent and subject to the decision-making of men. This can allow them to act almost invisibly within OCGs, remaining undetected by criminal justice systems despite contributing to the criminal activities of these groups. In contrast, evidence shows that women can and do hold significant agency in OCGs. Women are active across the entire organisational hierarchy, functioning as leaders, managers and foot soldiers, as well as facilitating and enabling criminal activity.

- Women's roles in OCGs include conveying messages from and to prisons, assisting fugitives, collecting protection money, managing and laundering money derived

from illicit activities, ordering violence, and managing various types of trafficking. Women also provide advice and assistance within OCGs on law, finances, logistics and other specialist domains.

- Women who are partners or family members of male organised crime figures frequently have important information about criminal operations and structures, and often act as advisors for their male partners and family members.
- Women play a key role in transmitting the culture and ideology of OCGs, including codes of silence and honour. In this way, women contribute to the socialisation process and development of group bonds within OCGs.

(Source: Understanding the role of women in organised crime, OSCE (2023), <https://www.osce.org/secretariat/560049>)

The Gendered Impact of Environmental Crime

Research¹⁸⁰ has found that due to patriarchal structures, which result in unequal land ownership and access to economic opportunities and political platforms, women are reliant on men, experiencing limited access to formal education and political participation. The research also identified two other aspects relating to areas that are exposed to illegal environmental activities, as many extractive sites are dominated by male labour. This can reinforce gender roles and bring demands for sex work, which can lead to trafficking and exploitation.

Damage to the environment can also generate health issues, increasing the burden of caregiving on women and girls within families. Women and girls are sometimes forced to work if the traditional male provider becomes too sick to work, and girls and young women thereby miss out on education opportunities.

Cyber/Technology Facilitated Crime:

Gender stereotypes and biases can be exploited by criminals to commit cybercrimes. For example, according to the United Nations Office on Drugs and Crime Global Programme on Cybercrime,¹⁸¹ online scammers have been known to prepare scripts and tips on how to commit cyber fraud on male victims by using female characteristics. Scripts can also encourage scammers to exploit both masculine and feminine characteristics to gain a potential victim's trust.

Due to existing gender stereotypes and bias within society and law enforcement, it is more likely that male officials will be in roles that investigate or endeavor to prevent online or technology facilitated crimes. In many societies, women are more vulnerable than men to being targeted for online exploitation. Technology facilitated violence against women and girls is on the increase globally, so if law

¹⁷⁹ <https://www.osce.org/secretariat/560049>

¹⁸⁰ The research presents case studies on the Impact of biodiversity loss and environmental crime on women from rural and indigenous communities: evidence from Ecuador, Mexico, Cameroon and Indonesia, GI-TOC, October 2023, <https://globalinitiative.net/analysis/impact-environmental-crime-indigenous-women/>.

¹⁸¹ <https://www.unodc.org/unodc/en/cybercrime/home.html>

enforcement is to be gender responsive in this area of criminality, including when developing strategies and policies to deal with it, more female officials need to be trained in these roles. All officers, male and female, involved in this work need to follow the principles of a victim-centred, trauma-informed approach, and a perpetrator focused investigation.

Gendered Aspects of Terrorism and Violent Extremism:

To ensure a gender-responsive approach to countering terrorism and violent extremism, there needs to be adequate representation of women within the police, law enforcement and security sectors. This is necessary as both men and women are known to be targeted for recruitment, and there is evidence that a significant proportion of foreign terrorist fighters (FFTs) within the ISIL/Daesh ideology were women.¹⁸²

Gender stereotypes can be manipulated to the advantage of recruiters for terrorist or violent extremist groups by exploiting the concepts of masculinity and femininity. Propaganda from such groups has previously portrayed fighters as very masculine, who defend the community or faith, and have attributes of wealth and sexual gratification. Far right violent extremists regularly use historical rhetoric, when men were men, fighting in battles and dying in glory, fighting for *what is right*.¹⁸³

As with other crimes, women and girls, men and boys, can be impacted by terrorism and violent extremism in different ways, and so strategies to counter these crimes need to include gender analysis and awareness. For such approaches to be successful, women within the police and security services need to be involved in their development, to enable a greater awareness of the gendered issues.

Organised Crime and Gender-based Violence

There are multiple, complex linkages between organised crime and violence against women and girls.¹⁸⁴

- Various forms of organised crime, such as trafficking in persons for sexual exploitation, involve violence and abuse against women and girls
- Many women within organised criminal groups face violence, including sexual or gender-based violence, by partners or members of the group
- Being a victim of sexual or gender-based violence as a child or being committed by an intimate partner has been proven to be a risk factor for involvement in organised crime, in particular, but not exclusively, for women and girls
- Sexual or gender-based violence may be a motive for engaging with organised crime, in terms of escaping abusive relationships, seeking protection from violence in the family and community or earning money

Gender discrimination in OCG settings increases women's exposure to gender-based violence. Research on gangs in Cape Town, South Africa, shows that women facing domestic violence or who experience significant barriers to employment or reintegration into society are more likely to be exposed to a cycle of vulnerability. As a result, they risk recidivism, and their children are frequently drawn into gang life as well.¹⁸⁵

Gender-Blind Assumptions¹⁸⁶

Men are perpetrators and rarely victims - Not all men benefit equally from patriarchal structures. Men and boys who are victims may not seek help, especially for mental health or associated issues. If men are not considered as victims, they are likely to lack access to support services compared to women, due to the different treatment they can receive from law enforcement officials.

¹⁸² Understanding the Role of Gender in Preventing and Countering Violent Extremism and Radicalization That Lead to Terrorism – Good Practices for Law Enforcement, OSCE, 2019.

¹⁸³ Understanding the Role of Gender in Preventing and Countering Violent Extremism and Radicalization That Lead to Terrorism – Good Practices for Law Enforcement, OSCE, 2019.

¹⁸⁴ https://sherloc.unodc.org/cld/uploads/pdf/Issue_Paper_Organized_Crime_and_Gender_1.pdf

¹⁸⁵ <https://globalinitiative.net/analysis/gangs-violence-and-the-role-of-women-and-girls-cape-town/> Accessed 5th April 2025

¹⁸⁶ https://sherloc.unodc.org/cld/uploads/pdf/Issue_Paper_Organized_Crime_and_Gender_1.pdf

Women perpetrators are anomalies or passive participants - Despite organised crime being perceived as a violent activity, many OCGs do not engage in violence. Even those who perpetrate violence also engage in non-violent activities, such

as money laundering, hiding weapons or bribing officials. As violent roles are mostly associated with men, other activities can be hidden that may be performed by women.

CHAPTER 3

CURRENT AND EMERGING SECURITY THREATS

Key Messages and Learning Points:

As global, regional and national security threats continually change, it is important that law enforcement officials are aware of current threats, those emerging, as well as any potential future threats to enable them to adapt their responses and service delivery to local communities accordingly.

- An awareness of the different types of security threats and their characteristics is vital if law enforcement is to continue to evolve in line with the ever-changing landscape it is there to protect.

- By raising awareness of the threats faced across East Africa, law enforcement officials will have a greater understanding of how certain crimes can have a broader impact than the trauma faced by individual victims.
- Security threats at the regional level require a coordinated and collaborative response across law enforcement agencies and jurisdictions.

This chapter focuses on current and emerging security threats at the regional level, noting that individual countries will have different and sometimes distinct threats based on a state's context, including available resources, level of economic development, governance and strength of the rule of law.

Current and Emerging Security Threats - Transnational Organised Crime

A key security threat to East Africa is that of transnational organised crime, which, if unchecked, can starve governments of much needed income, such as tax revenues from goods purchased by consumers and profits made by legitimate businesses. It can also result in a loss of investment by companies influenced by a country's inability to combat organised crime, not to mention the additional costs associated with the provision of services to victims of such crimes. Transnational organised crimes impacting the Eastern Africa Region have already been outlined in Chapter 2; all have an impact on both human security and national security in various ways.

Political instability, militarism, civil unrest, internal and armed conflict, and natural disasters may increase trafficking.

Trafficking and the misuse of firearms are inherently linked to criminal organisations and terrorist groups, destabilising entire regions, contributing to and enabling human rights abuses, and leading to violations of arms embargos.¹⁸⁷ According to UN Peace and Security (2025), OCGs may directly engage in firearms trafficking to secure their arms and generate income.

¹⁸⁷ <https://www.un.org/en/peace-and-security/transnational-crime> Accessed 4th April 2025.

There is also a cyclic relationship between transnational organised crime and conflict, itself an obvious risk to security across the region. Crime fuels conflict, and conflict creates an environment where crime thrives, undermining governments, eroding the rule of law, and weakening law enforcement, resulting in increased challenges for finding a resolution to the conflict.¹⁸⁸

To combat transnational organised crime, there is a need to address why women constitute an increasing proportion of criminals. Utilising a gender perspective when studying organised crime should not be limited to the impact of the perception that men are criminals and women are victims, nor can it pretend that women's role in committing organised crime necessarily mirrors men's. It also requires recognition that these factors vary with modern socio-economic changes, especially women's access to resources. Given that gender remains the single most powerful determinant of criminality, failure to adequately engage with it compromises the effectiveness of strategies formulated to prevent and detect transnational organised crime. To combat these crimes effectively, it is necessary to not only focus on a particular incident but also undertake further investigations to gain insights into the network that is involved and hopefully bring the masterminds and financiers to account.¹⁸⁹

According to the *Global Initiative Against Transnational Organised Crime*¹⁹⁰, responses to organised crime often overlook women's roles within criminal groups and how illicit economies impact them in ways that are different from men. Women can also play a significant role in resisting organised crime, so engaging with women in local communities plays a key role in combating it.

According to *The Missing Piece of the Puzzle Women and Organized Crime*,¹⁹¹ a gendered perspective is particularly important to understanding and responding to organised crime for several reasons:

- Women participate in criminal markets, which can be overlooked because they are most often perceived as victims. They often provide

a supporting role in organised crime, but sometimes women play a direct leadership role.

- Organised crime impacts women in various ways, and their experiences are different to those of men, like other forms of violence against women.
- Women are involved in the response to organised crime, playing a critical role in combating organised crime and addressing the impact on local communities. As members of law enforcement, justice agencies and community groups, women bring value in understanding the issues and identifying potential solutions.

When analysing OCGs and their illicit markets, applying a gender perspective is essential to identify and overcome gender bias.

It is recommended that the four areas need attention¹⁹²:

- Enhance gender disaggregated data and analysis of organised crime.
- Boost gender-responsive and gender-transformative programming to address organised crime
- Amplify gender discussions and women's issues in the international debate on transnational organised crime
- Empower women-led initiatives and ensure the participation of women in the policy space.

Stereotyping of female victims and perpetrators is part of a larger problem of gender bias within law enforcement and the wider criminal justice sector. This is likely due to the under-representation of women in law enforcement organisations, and wider discrimination and harassment of women working across the criminal justice systems.

In Law Enforcement, other justice agencies, and at the national policy-making level, women bring different perspectives from their male counterparts in identifying, prioritising and responding to the harms of organised crime. However, women often make up only a small percentage of such agencies, so their voices often go unheard. This is another

¹⁸⁸ Ibid.

¹⁸⁹ <https://issafrica.org/iss-today/a-new-look-at-women-and-organised-crime>

¹⁹⁰ <https://globalinitiative.net/>

¹⁹¹ <https://globalinitiative.net/analysis/the-missing-piece-of-the-puzzle-women-and-organized-crime/>

¹⁹² <https://globalinitiative.net/analysis/the-missing-piece-of-the-puzzle-women-and-organized-crime/>

justification for increasing the number of women within organisations by addressing the challenges they face within such organisations to enable their meaningful participation and support the organisation to provide gender responsive service delivery.

The ICAT Paper on *The Gender Dimensions of Human Trafficking*¹⁹³ provides recommendations for a gender responsive approach to prevention and response to trafficking:

- **Moving beyond a security framework:** While progress has been made in implementing law enforcement frameworks, it remains crucial to ensure a human-rights/victim-centred and gender/age-sensitive approach. This approach should respond to the tailored needs of men, women, girls, and boys as distinct groups with specific requirements.
- **Responses** to trafficking place more emphasis on prosecuting and convicting traffickers rather than supporting victims and survivors. Providing appropriate support and assistance to victims and survivors is essential.
- **Prevention:** initiatives must be strengthened through awareness-raising, including targeting groups of vulnerable populations that are at risk of becoming victims of trafficking. Prevention strategies should be informed using data to analyse the problem, including increased risks of vulnerability of women, men, girls and boys, with particular emphasis on how intersectionalities render certain groups more vulnerable to trafficking and exploitation. Prevention measures need to address issues such as gender specific poverty, unemployment, access to education and other discrimination based on gender.

(Module 3, Chapter 3 provides additional guidance on prevention and problem solving).

Patriarchal views often have different impacts for women and men in the context of illicit economies. A 2017 study¹⁹⁴ that analysed the impact of drug markets on women in Eastern and Southern Africa

found that gender norms play a role in the response to drug use and possession. This resulted in negative experiences for women who use drugs in areas such as policy, law enforcement and discrimination in access to health and social care, among others.

The Office of the UN High Commissioner for Human Rights has often called for member states to implement drug policies that consider the unique needs of women as well as other minority communities.

Using a gender lens and considering sexual or gender-based violence as potential factors and risks that influence a person's involvement in organised crime is key for an in-depth understanding of organised crime. These considerations are also of paramount importance to policymakers in developing national strategies against organised crime, as addressing gender-based violence against women can directly contribute to preventing women from engaging in organised crime.¹⁹⁵

Maritime piracy can be fuelled by a lack of governance, which perpetuates a lack of security and economic disempowerment, undermining the rule of law regionally and globally.

Secondary-level impacts of organised crime can be felt within communities, by impeding peace, stability, and economic and social development, all of which are known to disproportionately impact women.

Progress has been made across Africa, including within the EAPCCO region, as outlined in Chapter 2 of the UNODC Global Report on Trafficking in Persons¹⁹⁶, in combating trafficking in persons, which is described as tangible and measurable. Over the last 20 years, most African countries have introduced legislation addressing all aspects of trafficking in persons as defined in the United Nations Trafficking in Persons Protocol. The increased efforts of countries have seen the number of detections increase over time, from very

¹⁹³ ICAT, *The Gender Dimensions of Human Trafficking* (2017), <https://icat.un.org/sites/g/files/tmzbd1461/files/publications/icat-ib-04-v.1.pdf>.

¹⁹⁴ Julia Stanyard, *Women and drug policy in Eastern and Southern Africa*, Eastern and Southern Africa Commission on Drugs, November 2023, <https://globalinitiative.net/analysis/women-and-drug-policy-in-eastern-and-southern-africa/>.

¹⁹⁵ https://sherloc.unodc.org/cld/uploads/pdf/Issue_Paper_Organized_Crime_and_Gender_1.pdf

¹⁹⁶ https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf

few detections to rates that are similar to the world average. In 2022, the number of victims detected per 100,000 population almost doubled from 2019.

African countries have also reported immense improvements to criminal justice responses, with the number of convictions recorded quadrupling compared to 2017. Countries in North Africa, West Africa and Southern Africa recorded more convictions compared to 2017, accelerating in 2022. However, the number of convictions in 2022 represents only 10 per cent of all those investigated in 2020. This indicates there are still improvements to be made across the justice system, such as investigations by law enforcement and addressing prosecution and sentencing issues.

Other current or emerging security threats to the Eastern Africa region

Human security and displacement

This can result from a variety of causes, in addition to transnational organised crime activity such as terrorism and violent extremism. Conflict is a clear factor that leads to a lack of human security, resulting in the displacement of populations through either direct or implied force. Poverty can also cause the displacement of people both within or across borders as they seek a better life for themselves and their families.

Human security and displacement can also be linked with other identified security threats, such as climate change, if resulting weather patterns cause drought or flooding. Therefore, it impacts livelihoods dependent on agriculture and destroys people's homes and businesses.

Illegal migration often stems from individuals seeking a better life in another country, either within the region or through it to access developed countries, driven by the perception of a better life, despite the risks associated with smuggling and trafficking routes.

Immigration – even when migration is legal, tensions can erupt between immigrants, or refugees seeking asylum, and local populations, particularly where resources are in short supply. Tensions

can rise, especially when there is a large influx of refugees, for example, if the local community sees them to be getting preferential treatment from aid agencies in the provision of food and other essential provisions and services.

History has shown that immigrants to a new country, even if they are economic migrants arriving to support a country's infrastructure or services, tend to populate the same area. As their numbers continue to increase, tensions can rise because they often have different cultures and traditions from the resident population.

Tribal/local conflicts – conflict can also take place between tribes and local communities due to disagreements over such issues as land rights, livestock ownership and other factors. Within the Eastern Africa region, there are numerous pastoral communities that rely on livestock to feed their families. The livestock itself is therefore a valuable commodity, and a pastoralist family's status is often defined by how many animals they own.

Pastoralists are often found in areas that are susceptible to the impacts of climate change, such as droughts or floods, and they recognise neither local nor national territorial boundaries, being driven by the need to find suitable pastures for their livestock. Relevant governments often view the pastoral way of life as a problem, rather than fostering trust in the state by investing in community development.

Political tensions and conflicts

There are political tensions and conflicts across Eastern Africa, both between States and within them. According to the Center for Strategic & International Studies¹⁹⁷, tensions among States within East Africa include *disagreements between Uganda and Rwanda on border issues, and territorial disputes between Kenya and Uganda*.

Tensions between States can exist based on territorial disputes, resource competition, and allegiances to certain rebel groups. Internal conflicts and political tensions can arise from citizens' perceptions that their governments engage in corrupt practices, poverty, and concerns over election processes, including the independence of electoral commissions, as well as political repression.

¹⁹⁷ <https://globalinitiative.net/analysis/the-missing-piece-of-the-puzzle-women-and-organized-crime/>

Corruption

In 2025, UNODC¹⁹⁸ reported that corruption poses significant threats to countries around the world. It weakens institutions, erodes trust, and threatens the economy. Eastern Africa is not immune to the problem of public procurement and whistleblower protection.

A 2019 report by INTERPOL, Corruption as a facilitator for organised crime in the *Eastern Africa Region*¹⁹⁹ highlighted key findings from analysis undertaken. Below are some examples:

- *Corruption practices probably facilitate a wide array of illicit activities in Eastern Africa, notably drug trafficking, trafficking in human beings and people smuggling, wildlife crimes, the trade of stolen motor vehicles and small arms and light weapons.*
- *Corrupt practices likely occur in procurement and international contracts schemes within the Eastern Africa region.*
- *It is highly likely that trafficking of drugs is the criminal market most connected to corrupt activities in the Eastern African region, with bribery as one of the major enablers for this crime.*
- *Corrupt practices may take place at each step of the chain of human trafficking and people smuggling, from recruitment to transportation, accommodation and exploitation of victims.*
- *It is highly likely that the trafficking of small arms and ammunition is facilitated through bribery at international borders in the Eastern African region.*
- *strong political will to curb corruption, combined with proper resource allocation and a robust legal framework, has successfully curbed organised crime in the Eastern African region.*

ILLICIT MARKET	LOW	MIDDLE	HIGH
Drug Trafficking THB & People Smuggling Wildlife Crimes Stolen Motor vehicles Money Laundering Small Arms & Light Weapons	BRIBERY Boarders Prosecution Local Markets Container Scanning National Parks Ports Forged Documentation Shipment International Contracts Diversion from Stockpiles	TRADING INFLUENCE Territorial Protection Patrol shifts change and removal Prosecution Delay Regularization Process Divert Information Avoid Detection on International SMV databases Procurement Building	INFILTRATION Individual/Organization protection Political patronage Use of legal business Judiciary files dismissed Public services at mercy of syndicates

Figure 14: Types and levels of relationship between Corruption & Illicit Markets in the Eastern African region²⁰⁰

Gender-based Violence

GBV is recognised as a global problem that is vastly under-reported, and the costs to individuals and governments have been underestimated over many years. However, States are now beginning to address it as a threat to security and stability. The focus of its impact has historically been on the victim and their family. Yet, now the impact on local communities, State institutions and even the reputation of a country is being recognised. With

links between GBV and violent extremists being made, there is a clear link to conventional security threats, so the impact on State security should not be underestimated. Some countries and law enforcement agencies around the globe now have Violence Against Women and Girls Strategic Threat and Risk Assessments in the same way that such assessments are created for terrorism and violent extremism.²⁰¹

(GBV is covered extensively in Module 3).

¹⁹⁸ <https://www.unodc.org/corruption/en/about.html>

¹⁹⁹ <https://www.interpol.int>

²⁰⁰ INTERPOL, 2019, Corruption as a facilitator for organized crime in the Eastern Africa Region

²⁰¹ <https://www.npcc.police.uk/SysSiteAssets/media/downloads/our-work/vawg/vawg-strategic-threat-and-risk-assessment-underpinning-and-informing-the-2024-vawg-statement.pdf>

Climate Change

According to the Africa Climate Security Risk Assessment,²⁰² the effects of global warming in Africa are among the most serious threats to human security on the continent. Climate change impacts affect the security of African countries and societies both directly and indirectly by exacerbating existing political, peace and security, and socio-economic and development challenges. These challenges particularly affect vulnerable social groups, such as women, young people, children, internally displaced persons (IDPs) and refugees, people with disabilities, and other minority groups.

The Africa Climate Security Risk Assessment (ACRA) identifies risks for Eastern Africa due to climate change as:

- **Competition for natural resources** - Natural resource management conflicts are increasing in both prevalence and levels of violence.
- **Livelihood and food insecurity** - Livelihoods, and food, water and energy insecurity can drive several security-related challenges in existing unstable situations. Effects include public discontent over food prices, resulting in declining government legitimacy.
- **Maritime security** – This can manifest as sea level rise, increased frequency and intensity of severe storm events, and severe drought affecting water supply and the ability of commercial shipping routes to remain navigable.
- **Changing human mobility** - The risks for both migrants and host communities increase when movements are forced, sudden, irregular and/or unplanned, or occur at a larger scale, driving tensions and conflict. However, if managed effectively, migration will remain an important driver of economic development and resilience.
- **The rise of armed groups** – Natural resources can and are being weaponised by armed groups. They attack infrastructure, benefiting operationally from climate-related hazards. As a result, their operations exacerbate environmental challenges during resource extraction and lead to environmental crimes.

Public Health Crises

Various public health crises have and continue to affect Eastern Africa, creating public health emergencies. Examples are:

- Ebola
- COVID 19
- Clade I Mpox (Monkeypox)
- Malaria
- Tuberculosis
- HIV/Aids,
- Various tropical and parasite borne diseases

The impact of disease is exacerbated by inadequate sanitation, poor access to clean water, inadequate healthcare and acute hunger. Lessons must continue to be learnt from previous outbreaks, with organisations and governments developing their contingency and emergency planning to improve their responses to future outbreaks. One of the many things learnt from the COVID-19 pandemic was the disproportionate impact restrictions and enforced lockdowns had on women and girls due to increased levels of gender-based violence.

Contingency and Emergency Preparedness

To enable law enforcement to develop and adapt responses to ever-changing security threats, Strategic Threat and Risk Assessments are vital, both from a national context and in a specifically law enforcement context, so that organisations can train, prepare and practice responses. Once a Threat and risk assessment has been completed, mitigations can be identified to reduce any risks both for the population, law enforcement organisations and ultimately the State.

A security threat and risk assessment for law enforcement should not merely focus on the obvious security threats, such as terrorism and violent extremism, but on all that can impact human and State security to enable law enforcement organisations to forward plan. Planning strategically, tactically, and operationally will allow the most effective and efficient use of limited resources as well as identify new ways of working and prioritise budgets accordingly.

By learning lessons from the past, law enforcement can position itself to better adapt to the ongoing global landscape in which it operates.

202 <https://weatheringrisk.org/en/publication/africa-climate-security-risk-assessment>

ANNEXES

Annex 1: UK National Police Chiefs Council Model Police Framework for Sexual Harassment within Police Organisations. (Page 39)

Annex 2: How to Develop Inclusive Strategies, Plans and Policies (Page 47 & 48)



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