

IMPROVING CIVILIAN PROTECTION BY INCORPORATING GENDER INTO CIVILIAN HARM MITIGATION TOOLS AND PROCESSES



ADVANCING WOMEN, PEACE, AND SECURITY AND GENDER PERSPECTIVES IN INTERNATIONAL HUMANITARIAN LAW MOVING FROM ANALYSIS TO IMPLEMENTATION

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SUMMARY

Effective civilian harm mitigation (CHM) by militaries and other armed actors responsible for planning and conducting operations requires more than policy commitments – it demands actionable, deliberate steps that integrate gender perspectives throughout military operations. Women, men, girls, and boys experience conflict differently, and failing to account for these differences can exacerbate harm and undermine operational effectiveness. These experiences are further shaped by intersecting identities, such as disability or minority status, which can amplify vulnerabilities and influence how harm is experienced. This policy brief draws on CIVIC’s research and operational experience and wider consultation led by DCAF to provide **practical recommendations and tools for militaries to incorporate gender considerations systematically into CHM**, from planning and training to monitoring and accountability. By embedding gender-responsive approaches into doctrine, operational planning, and community engagement, militaries can enhance protection for all civilians while strengthening compliance with international humanitarian law.

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INTRODUCTION

Over the last few decades, civilian harm mitigation (CHM) frameworks have emerged as a critical tool for operationalizing military actors' compliance with the principles of international humanitarian law (IHL), particularly the obligation of parties to international and non-international armed conflicts to take constant care to spare civilians, as enshrined in international law.¹ Most IHL provisions related to CHM do not explicitly reference sex or gender, but their effective application requires gender-sensitive interpretation. A gender-blind interpretation of IHL commitments undermines full and meaningful implementation of IHL principles, and ultimately protection of civilians. This is because men and women face different threats in armed conflict and experience the direct and indirect harms of war differently. These gendered differences are often compounded by other identity factors, such as age, disability, ethnicity, or socioeconomic status, creating complex layers of vulnerability. Contemporary legal analysis of IHL has increasingly recognized the need to integrate gender into the application of IHL, particularly through contextualized assessments of distinction, proportionality, and precautions.²



Understanding Civilian Harm Mitigation

CHM comprises the measures taken by armed actors to prevent, minimize, and address civilian harm arising from their own presence, activities, and operations. CHM spans all phases of operations, as well as post-strike assessment, investigations, amends or other forms of response, and institutional learning. Political support for CHM is a key enabler and can include the adoption of Protection of Civilians or CHM executive orders and policies.

CHM supports compliance with IHL, particularly through implementation of distinction, proportionality, and precautions, while also emphasizing operational and institutional measures that help reduce civilian harm in practice.

This brief focuses primarily on CHM as applied by state armed forces and military actors responsible for planning and conducting operations. The brief does not offer analysis on how Women, Peace, and Security (WPS) considerations apply to the specific legal frameworks and operational realities of private military and security companies (PMSCs) and mercenaries, which have distinct legal statuses, accountability frameworks, and contractual command structures. However, states that contract mercenaries or PMSCs to perform activities are responsible for ensuring that these PMSCs adhere to IHL, and therefore the obligations highlighted in the report remain relevant. Some of the recommendations around training and analysis in this brief are likely also relevant for PMSCs and mercenaries, but further analysis would be needed to tailor these recommendations to them.³

Beyond the ways in which more fully integrating gender into the implementation of CHM frameworks can help armed actors comply with IHL obligations, there are also ethical, moral, and strategic imperatives for doing so. Conducting military operations without understanding the gendered dimension of harm can result not only in civilian harm, but in military casualties, failed missions, and a loss of legitimacy. Soldiers who inadvertently contribute to civilian harm may also suffer moral injury and psychological distress that debilitate their personal and professional performance.

CHM frameworks ultimately depend on human judgement and interaction. Decisions about targeting, timing, warnings, engagement with civilians, and post-harm responses are made by people operating under pressure, uncertainty, and time constraints. Integrating gender perspectives strengthens these human decision-making processes by improving how military personnel interpret civilian behaviour, assess risk, and interact with affected populations.

The purpose of this policy brief is to provide practical recommendations and tools for militaries to incorporate gender systematically into CHM, from planning and training to monitoring, tracking, evaluation, learning, responding, and adapting doctrine and operational guidance. The brief begins with a concise overview of the most relevant provisions of IHL for CHM, and illustrates how applying a gender lens strengthens civilian protection and operational effectiveness.

The remainder of the brief is centred around five overarching recommendations for military actors.

Recommendation 1: Integrate gender-responsive CHM into all military policies, doctrines, and mission objectives.

Recommendation 2: Build institutional commitment and gender capability by prioritizing training for military leadership and Legal Advisers (LEGADs) on gender-responsive CHM practices and IHL implementation.

Recommendation 3: Systematically integrate gender analysis and sex- and age-disaggregated data into all stages of military planning and decision-making, including but not limited to gender-sensitive reviews of weapons and munitions, and the gendered risks associated with explosive remnants of war.

Recommendation 4: Strengthen inclusive, safe, and sustained community engagement with diverse groups of women and men to inform and enhance CHM measures, including as part of After-Action Reviews.

Recommendation 5: Establish and maintain gender-sensitive monitoring, investigation, and accountability systems to ensure learning and institutional improvement.

These recommendations are critical for achieving both compliance with IHL and the operational objective of minimizing civilian harm in all its gendered dimensions.

Detailed analysis is provided to demonstrate the criticality of each recommendation. For each recommendation, the brief also highlights real-world scenarios and examples in which failures to act in accordance with the prescribed action resulted in poor outcomes for civilians, or in which efforts of military actors aligned with the prescribed action and resulted in improved protection for civilians. To translate these policy and legal recommendations into practice, this brief includes a Gender-Responsive CHM Checklist. The tool provides a practical framework for militaries – especially commanders, LEGADs, and Gender Advisers (GENADs) – to assess and mitigate the gendered dimensions of civilian harm across all phases of military operations.

The content of the policy brief is based on a review of secondary resources; the findings of a May 2025 expert roundtable hosted by DCAF examining how gender perspectives and the WPS Agenda can be meaningfully integrated into CHM frameworks; evidence gathered over time from CIVIC's research and programmatic activities; and feedback from members of a Community of Practice on IHL and WPS led by DCAF under the project 'Advancing WPS and Gender Perspectives in IHL: Moving from Analysis to Implementation'. An intersectional approach underpins this analysis, recognizing that gender interacts with other identities to shape differentiated experiences of harm and resilience during armed conflict. While this brief does not attempt to address every diversity factor in equal depth, it applies a pragmatic intersectional lens by highlighting how gender interacts with operationally relevant factors such as age, disability, displacement status, caregiving roles, and socioeconomic status in ways that affect civilian risk.

Definitions

Sex refers to the biological and physiological characteristics (chromosomes, hormones, reproductive organs) of male, female, or intersex individuals.⁴

Gender refers to the roles, behaviours, activities, attributes, and norms that a given society at a given time considers appropriate for men and women. These attributes, opportunities, and relationships are socially constructed and learned through socialization processes. They are context- and time-specific and changeable.

Gender-blind is an approach that ignores the socially constructed differences between women, men, boys, and girls, and assumes interventions affect everyone the same. It risks reinforcing inequalities.

Gender perspective takes into consideration how a particular situation impacts the needs of men, women, boys, and girls, and if and how activities affect them differently.

Gender-responsive approaches go beyond mere recognition to formulate and implement policies or programmes that actively address and aim to transform structural gender inequalities.

Gender-sensitive approaches recognize that gender differences, norms, roles, and power relations shape needs, opportunities, and experiences. They incorporate that awareness into design and analysis.⁵

Intersectionality is a perspective which emphasizes that individuals have multiple and overlapping dimensions to their identities linked to diversity factors – such as gender identity, ethnic origin, nationality or citizenship, age, disability, language, political opinions, religious beliefs, social background, sexual orientation, physical appearance, colour, and racialized identity – that are woven together. People can experience discrimination based on, or be privileged by, a combination of these factors and their interaction. An intersectional perspective emphasizes looking at these dimensions together and understanding their compound effects on the individual, based on prevailing power relations in any given society.⁶

APPLYING INTERNATIONAL HUMANITARIAN LAW WITH A GENDER AND WPS LENS

IHL contains a number of rules aimed at limiting the negative impact of armed conflict on civilians. Chief among these are the customary IHL principles of distinction, proportionality, and precautions, which apply in both international and non-international armed conflicts, regardless of treaty ratification. The principle of distinction requires combatants to distinguish between civilians and combatants, directing their attacks only against combatants and not against civilians. The principle of proportionality stipulates that the expected incidental civilian harm from an attack cannot be excessive in relation to the concrete and direct military advantage that can be reasonably expected from the attack. The principle of precautions requires combatants to take all feasible precautions to avoid or minimize incidental civilian harm. These principles form the legal foundation of CHM frameworks and guide military decision-making across planning, targeting, execution, and post-operation assessment.



Core IHL Principles Relevant to CHM

- **Distinction:** Parties to a conflict must at all times distinguish between civilians and combatants, and between civilian objects and military objectives. Attacks may only be directed against military objectives.⁷
- **Proportionality:** An attack is prohibited if it may be expected to cause incidental loss of civilian life, injury to civilians, or damage to civilian objects that would be excessive in relation to the concrete and direct military advantage anticipated.⁸
- **Precautions in Attack:** Parties to a conflict must take all feasible precautions in the choice of means and methods of warfare to avoid, and in any event minimize, incidental harm to civilians and civilian objects.⁹

Integrating a gender perspective enhances compliance with each of these principles. Because women, men, boys, and girls operate under gendered societal norms and routines, their patterns of life are often distinct. For instance, women and men may spend different hours inside versus outside their homes or practise different livelihoods and cultural rituals, with implications for how and where they move through space and time. Thus an attack may be more or less likely to harm women, men, boys, or girls depending on where and when it is launched. Ignoring or misreading gendered routines can produce targeting errors and incomplete proportionality assessments. Such misreadings often stem from gaps in how military personnel interpret civilian behaviour and interact with communities. Gender-responsive CHM supports more accurate human assessments by helping planners, commanders, and troops understand the different ways in which diverse women and men move, gather, or communicate, rather than potentially interpreting these behaviours as suspicious or anomalous.

These dynamics demonstrate how failures to integrate gender analysis can undermine the application of the IHL principles of distinction, proportionality, and precautions. In densely populated settings, attacks that do not adequately account for gendered patterns of civilian presence risk weakening distinction. Where proportionality assessments focus narrowly on immediate blast effects without considering foreseeable reverberating effects such as displacement, loss of access to healthcare, or exposure to sexual violence, the assessment is incomplete. Finally, the obligation to take all feasible precautions requires adapting the timing, location, and means of attack based on an understanding of when and where civilians are most likely to be present, including women and children whose daily routines may differ from those of men. For example, independent monitoring of civilian harm in the Gaza conflict beginning in October 2023 has shown high levels of women and children killed and injured resulting from targeting of suspected Hamas combatants in their homes alongside family members.¹⁰

Additionally, women, men, and children have some distinct biological features and live with structural inequalities that can lead them to experience different types and levels of harm from the same attack. For instance, women often face reduced access to financial resources and healthcare as compared to men. This can stem from unequal access to banking and documentation, restrictions on freedom of movement, caregiving responsibilities, and social norms that limit women's ability to seek healthcare independently or prioritize their own medical needs. As a result, the same initial physical injury arising from an explosive weapon for a woman, man, or child could have significantly

different health outcomes for each of them, particularly for women from marginalized groups or with disabilities, who may face additional barriers to accessing medical care. To anticipate and mitigate this harm, combatants need to understand gendered patterns of civilian harm, based on the best existing information available to them.

Women and men can also be vulnerable to different effects of the same attack during armed conflict. Broadly, men tend to suffer in higher numbers from the *direct effects* of attacks due to their greater presence in public spaces and combatant-adjacent roles, while women tend to suffer disproportionately from the *secondary and reverberating effects* of violence, often referred to in military contexts as second- or third-order effects.¹¹ Explosive weapons typically cause direct harm through blast and fragmentation, which disproportionately kill and injure men due to their greater presence in public spaces, their combat-adjacent roles, and a failure of armed actors to distinguish between combatants and combatant-age civilian men.¹² Indirect and reverberating harm, however, often disproportionately affects women and girls, including displacement, loss of access to healthcare and education, increased caregiving burdens, heightened exposure to sexual violence, and harmful coping strategies such as early marriage. These effects can be further exacerbated for specific minority groups or persons with disabilities, who may face compounded challenges in accessing humanitarian assistance, safe refuge, or protection services.¹³ If military commanders only consider the direct effects of attacks when considering civilian harm that could result from their operations, their assessments will be inherently gendered, failing to account for the types of harms that overwhelmingly impact women.

IHL also requires occupying forces to treat the civilian population humanely without 'adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria', which can be understood as prohibiting adverse discrimination based on sex or gender.¹⁴ For example, detention practices that fail to account for gender-specific needs, or the unique needs of persons with disabilities or members of particular minority groups, such as access to healthcare, sanitation, or protection from abuse, can amount to adverse distinction even where detention itself is lawful.

Rape and all other forms of sexual violence¹⁵ are also explicitly prohibited by IHL¹⁵ and by international criminal law when amounting to war crimes, crimes against humanity, and acts of genocide.¹⁶ State and command responsibility include preventing, investigating, and redressing all violations of IHL, including but not limited to gender-based crimes such as sexual violence.

The WPS Agenda strengthens and operationalizes IHL by emphasizing women's full and meaningful participation, prevention of conflict-related sexual violence (CRSV), gender-sensitive protection measures, and gender justice. Its normative framework provides militaries with a policy and programmatic infrastructure for fulfilling and expanding IHL's gender-related obligations and protections, especially through integration of gender analysis in doctrine and operational planning, gender training, deployment of GENADs, and enhanced integration of women into armed forces, peacebuilding, protection efforts, and relevant decision-making roles.

Understanding the Women, Peace, and Security Agenda

The WPS Agenda supports the operationalization of IHL within armed forces primarily through its implementation in military institutions, including gender training, advisory roles, doctrine development, and operational planning processes. While WPS National Action Plans do not directly operationalize CHM, they can function as accountability and institutional anchoring mechanisms that influence how armed forces integrate gender considerations into protection-related policies and practices, including CHM.

Articulated through a series of UN Security Council resolutions (e.g. 1325, 1820, 1888, 1889, 1960, 2106, 2122, 2242, 2467, 2493), the WPS Agenda is structured around four interconnected pillars: **participation** (of women in peace and security, including decision-making in defence and security sector institutions), **prevention** (of conflict and violence, including sexual violence), **protection** (of women and girls from conflict-related violence), and **relief and recovery** (meeting women's specific needs in post-conflict settings). It calls on all actors to integrate a gender perspective into peace and security efforts at all levels.

RECOMMENDATIONS – MOVING FROM THEORY TO PRACTICE

CHM frameworks operate across multiple interconnected levels, including policy and doctrine development, operational planning, execution of operations, monitoring and civilian harm tracking, post-harm response, and institutional learning. Translating policy into practice requires clear, actionable steps at strategic, operational, and tactical levels. The recommendations in this section provide a pathway for military commanders, planners, LEGADs, and others to integrate gender perspectives into CHM – from policy and doctrine development, training, mission analysis, operational planning, and execution to review, ensuring that protection efforts reflect the realities and needs of all civilians.



RECOMMENDATION 1: INTEGRATE GENDER-RESPONSIVE CHM INTO ALL MILITARY POLICIES, DOCTRINES, AND MISSION OBJECTIVES

Military doctrine and policy play a decisive role in shaping military strategies, how force is employed, and how civilian harm risks are managed.¹⁷ High-level doctrine outlines principles, honed through war-fighting experience, that should be adapted and applied in varied scenarios and military activities to achieve core objectives. These can include war-fighting concepts as well as ethical principles, both of which can touch on components of CHM, such as implementing rules of engagement and respecting the dignity of all persons. Gender-responsive principles in military doctrine should also more directly recognize mitigating harm to civilian women and men as a core principle that underpins operational success, institutionalizing it as a critical concern to help ensure it is considered in military operations.

A gender perspective should flow from military doctrine down to mission objectives, directives, guidance, and commander's critical information requirements (CCIRs) as components of CHM, shaping operational and tactical decisions and actions. Gender-sensitive military directives or guidance could instruct military planners to:

- identify sex-disaggregated data or consider gender in pattern-of-life analysis as part of operational planning
- consider the gendered impact of different weapons choices on women, men, boys, and girls
- include GENADs' advice in operational planning
- assess how access to information is different for men, women, and persons with disabilities when considering how to warn the population
- take into account gendered societal norms when searching men and women
- recognize potential gender bias in artificial intelligence (AI) systems
- deploy female and male personnel to engage both women and men in community outreach in safe and culturally sensitive ways.

A gender-sensitive military code of conduct should go beyond reiterating IHL principles in a gender-blind manner and could, for instance, direct combatants not only to ensure that they minimize civilian harm, but also to consider the differential effects of operations on women, men, girls, and boys. A mission objective could explicitly state that the military advantage must be achieved while also minimizing gendered civilian harm. Likewise, CCIRs that promote a gendered and intersectional understanding of civilian patterns of life could include questions about the different types of activities and livelihoods that women and men of different ages and ethnicities typically participate in, or whether women and men are likely to be in the area of operations at different times during the day. In addition to locating hospitals and schools, taking their special protections into account, CCIRs could focus on identifying other community centres or points where women, men, or children might be likely to gather. To communicate effectively with all segments of the population for early warning, commanders should assess whether both men and women have access to information channels such as the internet and smartphones.

NATO Driving Alliance Members' Guidance on Gender

In 2009 the North Atlantic Treaty Organization (NATO) issued its first Bi-Strategic Command Directive 040-001 on 'Integrating Gender Perspective into the NATO Command Structure'. The directive has since been updated numerous times, with the latest version issued in 2021. It requires the incorporation of gender analysis across all phases of operations, and is supported by guidance from NATO Allied Command Operations (SHAPE) and NATO's 'Gender Makes Sense' operational handbook. As part of the directive's update, planners were instructed to integrate gender-differentiated information into collateral damage estimates and include gender-related questions in the CCIRs, such as women's mobility patterns, access to essential services, and gender-specific civilian presence around key sites.¹⁸

NATO member states and partners have adopted their own policies and doctrine in line with the Alliance's doctrine and guidance. The Australian military, for instance, adopted Joint Doctrine Note 2-18, 'Gender in Military Operations' in 2018.¹⁹ Guided by Bi-Strategic Command Directive 040-001, another NATO member updated its national joint targeting doctrine in 2023 to integrate gender perspectives better into operational planning. This gender-sensitive guidance has improved situational awareness, helped reduce blind spots in civilian harm assessments, and ensured that LEGADs and GENADs are systematically involved in operational planning.²⁰

RECOMMENDATION 2: BUILD INSTITUTIONAL COMMITMENT AND GENDER CAPABILITY BY PRIORITIZING TRAINING FOR MILITARY LEADERSHIP AND LEGADs ON GENDER-RESPONSIVE CHM PRACTICES AND IHL IMPLEMENTATION

Leadership commitment is a decisive factor in translating gender-responsive CHM from policy into practice, and training is a key component cementing leadership understanding of and buy-in to gender-responsive CHM practices. It can also ensure military leaders know how to operationalize gender-responsive doctrine, policy, and guidance.²¹ Effective training moves beyond awareness to help leaders prepare their units for real-world interactions with civilians. Scenario-based exercises that simulate challenging encounters with women, men, and children in diverse roles present in the military area of operations can strengthen real-world decision-making and restraint in complex environments where misinterpretation of civilian behaviour can rapidly escalate harm. Beyond building technical skills, increasing senior leaders' commitment to gender-responsive CHM should also result in them setting clear expectations around inclusion of gender considerations, allocating resources to support gender-responsive planning, operations, and learning, and enforcing compliance with policy and guidance related to gender.

Below the command level, many combatants lack basic knowledge of gender and how it could affect threats to civilians in their operating environments. One study of UN peacekeepers deployed across three countries, for instance, found that military peacekeepers primarily understood gender in the context of sexual exploitation and abuse that their own troops might commit against civilians. They generally lacked an understanding of how gender could affect the threats civilians faced from national armies as well as non-state armed groups, such as through exposure to CRSV perpetrated by those actors.²²

While mainstreaming gender concepts in training for militaries at all levels should be a long-term goal, focusing on military commanders is a critical starting point. Prioritizing gender training for LEGADs is also likely to be particularly impactful for CHM efforts, given their influence in IHL processes and consultative role in operational planning.

GENADs are a third capability where investment can have outsized dividends. Military GENADs with sufficient training and expertise who are actively involved in operational planning or consulted by operational planners can be a linchpin in translating doctrine and policy on gender-responsive CHM into practice.

Capitalizing on UN Mission Gender Expertise

UN peacekeeping missions deploy with a variety of military and civilian personnel with different levels of gender expertise, including military GENADs and Gender Focal Points, military Female Engagement Teams, and civilian Women Protection Advisers. Experience from the UN Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) demonstrates that when these gender experts are enabled and supported by leaders who understand the importance of gender responsiveness, and by processes that prioritize it, there is a significant impact on the ability of missions to respond to gender-based threats. When they are not, these threats are likely to go unaddressed.

After a spike in sexual violence committed by armed groups in South Kivu Province of the Democratic Republic of the Congo in 2018, MONUSCO's Senior Women Protection Adviser led efforts to develop a detailed workplan of activities to address the violence with actions that spanned the Mission's military, police, and civilian components. While other similar efforts to mobilize Mission resources to prevent and address sexual violence had failed, this effort succeeded in part because a growing number of Mission personnel, including leadership, had training and experience on gender-based violence. Such efforts have since been boosted by the publication of a Handbook for UN Field Missions on CRSV that makes clear every section of UN peacekeeping missions is responsible for helping address CRSV in the countries where they are deployed.

Still, the effectiveness of LEGADs and GENADs depends on the quality and scope of information collected on civilian presence, behaviour, and risks, on meaningful engagement with diverse groups of men and women, and on effective accountability and learning processes. The remainder of this brief will explore these concepts.

RECOMMENDATION 3: SYSTEMATICALLY INTEGRATE GENDER ANALYSIS AND SEX- AND AGE-DISAGGREGATED DATA INTO ALL STAGES OF MILITARY PLANNING AND DECISION-MAKING, INCLUDING BUT NOT LIMITED TO GENDER-SENSITIVE REVIEWS OF WEAPONS AND MUNITIONS, AND THE GENDERED RISKS ASSOCIATED WITH EXPLOSIVE REMNANTS OF WAR

Men and women typically face different types of threats in situations of armed conflict. Men often suffer in greater numbers from forced recruitment, arbitrary detention, and extrajudicial execution, while women face higher levels of sexual violence and structural barriers to accessing resources and care that can exacerbate initial harms. These gendered protection risks can be compounded for persons with particular vulnerabilities, such as persons with disabilities, who may face greater mobility challenges during flight, or for members of marginalized ethnic or religious minorities, who may be targeted due to their identity or denied access to assistance. Women, as the default caregivers, also face additional burdens of caring for young and older family members, as well as those with disabilities, that can become especially challenging and dangerous during armed conflict. The gendered impacts of military operations may also vary across land, air, and maritime domains, requiring domain-specific analysis of civilian presence, movement, and risk.

These differentiated risks should be anticipated from the earliest stages of military operations, including during intelligence collection, environmental assessments, and mission analysis. Gender-responsive CHM therefore depends not only on how operations are conducted, but also on whether the right questions are asked when information about the civilian environment is first gathered, analysed, and validated.²³

Civilian harm often occurs when militaries fail to anticipate or account for civilian presence in their areas of operations; fail to anticipate how their adversary may endanger civilians (for example, use of human shields or the intentional targeting of civilian infrastructure); fail to anticipate appropriately the effects of the weapons they use; use excessive force in populated areas; or misclassify civilians as combatants. Failures in military technology also contribute to civilian casualties. To address these CHM failures with a gender-responsive approach, operational planning should systematically integrate gendered threat and pattern-of-life information for men and women, using sex-disaggregated data within operational planning and execution processes. This starts with intelligence preparation of the operational environment, and should specifically inform the military capabilities analysis, force assignments, mission planning and execution, and combat assessments within the targeting cycle. While IHL primarily regulates a party's own conduct of hostilities, understanding gendered threats posed by adversaries remains essential for effective CHM, protection planning, and precautionary decision-making. LEGADs should ensure that gender analysis informs the commander's guidance, proportionality assessments, targeting decisions, and operational and task orders.

Battle damage assessments should capture sex- and age-disaggregated casualties and secondary effects of operations, especially for dual-use objects. Militaries should also progressively fill data gaps by developing civilian harm tracking mechanisms and including gender-sensitive questions in CCIRs. For example, CCIRs could capture sex- and age-disaggregated data on population movements or displacement. Likewise, engaging safely and effectively with diverse international and national civil society representatives can help ensure militaries have an understanding of how gender influences civilian behaviour and threats in their operating environment (see Recommendation 4).

Timing Operations to Avoid Harming Women and Children in Yemen

Women and men have suffered wide-reaching harms from Yemen's decade of civil war. Women in particular have endured gender-based violence, starvation, and loss of access to education.²⁴ Yemeni security forces operating in government-controlled areas, including Aden and Marib, decided to begin delaying some military raids and operations in public places – such as mixed-gender markets, women's markets, hospitals, and schools – until outside the peak hours of the day when civilians were likely to be in and around these sites. The decision was motivated in particular by a desire to prevent the deaths of women and children, which security forces viewed as a priority under international and Islamic law. Security forces also saw this CHM effort as important to maintain a positive image and support from civilians and their international military partners.

The decision to adjust the time of military operations was informed by an understanding of where and when women and children were likely to gather and be harmed. But despite these positive developments, women continue to face other harms, including restrictions on their freedom of movement by all parties to the conflict.²⁵

As new technology is introduced into the military domain – especially AI – militaries need to understand the additional gender biases that this technology injects into the planning and targeted processes, as well as how failures in the technology and its design can result in the deaths of civilian women, men, and children.

Addressing Gender Bias of Artificial Intelligence in the Military Kill Chain

Artificial intelligence is increasingly and rapidly being deployed in new military applications. One application in the military domain critical to CHM is AI in military targeting processes. AI is currently being used in two main ways in targeting processes, also referred to as the 'kill chain': helping to identify potential targets, and tracking known targets. Machine-learning AI models do this by observing correlations in large amounts of data about humans and making inferences based on these correlations.

Rather than being neutral, AI systems reflect the biases – including gender biases – of the engineers who build and train them, as well as the data they are trained on. For example, AI-powered voice recognition systems are less accurate in identifying women's voices than men's. Likewise, facial recognition software utilizing AI delivers false feedback more frequently for women than men and for darker-skinned individuals than lighter-skinned ones. In the military domain, these gender biases could result in higher levels of misidentification for women, particularly women with darker skin tones.²⁶

Gender bias can also be built into AI-enabled targeting systems by the combatant parameters created by their human operators. Militaries are not transparent about their targeting criteria. Nevertheless, investigative reporting on target identification by the Obama-era drone programme found that the US system was drastically overcounting military-age males in identified strike zones as combatants.²⁷ This pattern has been replicated by the Israeli Defense Forces in Gaza since 2023, where all military-age

men are likely to be treated as combatants in drone strikes.²⁸ Not only does this type of skewed targeting lead to an initial false report – in which civilian men killed by a drone strike are likely miscounted as combatants – but when this assumption is not corrected by human operators, these gender biases are reinforced in the data that future machine-learning models will use to identify combatants.²⁹ Additionally, gendered patterns of life vary significantly from one location to another, and an AI system trained on civilian behaviour in one country, or even one region of a country, may make faulty assumptions about civilians in another area where gender norms are different.

Because of these weaknesses, parties to a conflict need to be cautious about how they rely on AI in operational planning and targeting processes and use AI recommendations on targeting alongside analysis on gendered patterns of behaviour where operations are taking place. Moreover, militaries should not assume all military-age men in a strike zone or killed in a strike are combatants. Processes and tools such as civilian harm tracking mechanisms are needed to reveal identification errors driven by AI system biases and correct these errors. Efforts are also needed to resolve the underlying biases in the data on which machine-learning models are trained.

RECOMMENDATION 4: STRENGTHEN INCLUSIVE, SAFE, AND SUSTAINED COMMUNITY ENGAGEMENT WITH DIVERSE GROUPS OF WOMEN AND MEN TO INFORM AND ENHANCE CHM MEASURES

Effective CHM requires a comprehensive understanding of the operational environment, extending beyond military intelligence to include insights from the civilian population. Civilians are best placed to understand their own environment and protection concerns, and when given the chance to engage, women and men are likely to raise different types of concerns. For example, women often identify cases of CRSV that would otherwise go unreported and, as caregivers within their families and communities, are more likely to identify protection concerns faced by children and older people.³⁰ In many contexts, women's participation in community engagement also contributes to early warning, mediation and more accurate understanding of civilian harm risks, strengthening the effectiveness of CHM measures (e.g. through civil-military coordination mechanisms documented in Ukraine).³¹ Women are active protection actors in their communities, often playing unique mediation and social cohesion roles as well as documenting violence and violations.³²

Proactively and safely engaging directly with diverse groups of women and men during planned and reactive operations provides important context-specific information about gendered patterns of life, vulnerabilities, and protection needs. Provided it is conducted responsibly, this dialogue can foster trust, enhance early-warning capacities, and allow military actors to tailor their operations to minimize harm, while simultaneously ensuring interventions are culturally sensitive and responsive to the community's realities. Where forces are operating as an occupying force or face significant barriers to direct engagement with civilians, engagement may take indirect forms, such as liaising with humanitarian actors or other trusted intermediaries to better understand civilian presence, movement patterns, and protection risks.

Militaries should utilize civil-military coordination teams supported by GENADs, Female Engagement Teams, or mixed-gender patrols to engage directly with civilian populations and understand their daily routines, vulnerabilities, and protection concerns. Female military personnel are, moreover, a critical capability to interact effectively with local populations.³³ As such, full integration of female personnel in operational roles should be recognized as key to assessment of the operating environment and CHM capability.

Civilian-focused information-gathering differs from traditional military intelligence, but can open critical avenues of information not accessible through traditional intelligence channels and is equally vital to effective operational planning. This information – particularly when disaggregated by sex and age – should then be integrated into the products that inform commanders' decisions. Such integration of information and intelligence is key to ensuring gender-responsive CHM considerations are incorporated within military plans, orders, and execution of operations. Civil-military engagement should include feedback loops during and after operations, including through After-Action Reviews.

Women may face gender-specific barriers to engagement. These can include societal norms that discourage women from participating in mixed-sex or public forums, language barriers linked to a gender gap in education, and caregiving responsibilities that reduce women's availability to attend engagement forums. Militaries need to anticipate these barriers and adopt strategies and processes for overcoming them. Without this engagement, militaries risk operating with significant blind spots, leading to unintended harm and alienating the civilians they are obligated to protect.

Civil Military Dialogue as a Lever of Change in Nigeria

The Nigerian armed forces have, at times, adopted policies and practices intended to strengthen their position in their fight against non-state armed groups (NSAGs) operating in the country's northeast that have failed to take into account gendered protection concerns and have had negative consequences for civilians. Such policies have included restrictions on what plants can be grown and clearing land of trees and bushes to improve visibility, digging trenches around towns to fortify them, and establishing curfews to reduce the potential for nighttime attacks. Because women are largely responsible for farming and collecting firewood, reduced tree cover and barriers to accessing farmland can place outsized burdens on them – for example, increasing their exposure to NSAG attacks as they travel further in search of firewood.

However, civil-military engagement that includes diverse groups of women and men has helped Nigerian military commanders better understand the protection concerns of civilians and identify ways to achieve their military aims while avoiding civilian harm. In this context, diverse inclusion has meant incorporating women and men of different ages, livelihood groups, ethnicities, religions, and physical abilities – whose daily routines and exposure to risk differ significantly – into community-based dialogues with the Nigerian military. In response to concerns, the Nigerian Armed Forces have adjusted their patrol schedule and locations to correspond to the areas and times where women and men report facing the highest threats as a result of their different livelihood activities, and at times provided them with transportation or escorts to agricultural areas to help reduce the risk of NSAG attacks. Such proximity to armed actors can also carry risks for civilians, and has to be organized with sensitivity to

potential risks and based on community expertise. For instance, in some cases women and men participating in civil-military dialogue with the Nigerian armed forces have advocated that military actors distance themselves from the community to prevent drawing attacks towards civilians, based on their understanding of the tactics of non-state armed actors operating in the area.

Women members of community protection groups in several Nigerian states have also engaged with the Multinational Joint Task Force (MNJTF) deployed in Nigeria on the issue of unexploded ordnance (UXO). In meetings with the MNJTF, the women raised the issue of UXO endangering children while playing and women while farming. This engagement led to a joint UXO awareness campaign rolled out by the women and the MNJTF, which community protection groups credited with increasing civilian reporting on UXO sightings and decreased harm from UXOs.

RECOMMENDATION 5: ESTABLISH AND MAINTAIN GENDER-SENSITIVE MONITORING, INVESTIGATION, AND ACCOUNTABILITY SYSTEMS TO ENSURE LEARNING AND INSTITUTIONAL IMPROVEMENT

Even with robust policies, comprehensive training, and gender-sensitive planning, the effectiveness of CHM hinges on consistent implementation and the ability of militaries to learn from successes and failures. Militaries have a wide variety of different structures and systems for promoting internal accountability. However, in all militaries accountability is enforced through a chain of command, vesting military leaders with the first level of responsibility for ensuring that CHM efforts adequately consider gender. Holding leadership accountable and ensuring leaders promote accountability from those under their command are critical to institutional learning, as commanders are responsible for ensuring that lessons related to gendered civilian harm are identified, acted upon, and reflected in future planning and guidance. A focus on leader behaviour and organizational culture – fostered in part through individual performance evaluations and promotion criteria that include gender as components – can help. So too can investment in learning systems and forums like NATO's annual Conference on Gender Perspectives and Lessons Learned Portal website.³⁴

Sex- and age-disaggregated civilian harm tracking, post-strike assessments, and After-Action Reviews are also important tools for identifying gendered patterns of harm from militaries' own operations, measuring the impact of mitigation efforts, and adapting practices to improve CHM efforts and ensure they are more gender-responsive. LEGADs should ensure these mechanisms align with IHL, capture gendered impacts, and feed lessons learned into doctrine and operational planning. After-Action Reviews and other learning processes should explicitly assess whether gender considerations were integrated into planning and execution, including whether warnings were accessible to both women and men and whether tracking captured sex- and age-disaggregated patterns of harm.

Civilian harm tracking, which is meant to inform and strengthen operational planning, should be accompanied by transparent investigations when there are indications that harm has occurred, and appropriate amends or redress and accountability for affected individuals, depending on whether or not the harm is a result of legal violations. Militaries should ensure mechanisms for reporting harm are accessible to both women and men, and consider whether women and men with disabilities face specific reporting barriers.

Such steps are vital not only for deterring violations but also for building and maintaining trust with civilian populations, thereby enhancing the legitimacy and effectiveness of military operations. How military personnel interact with affected civilians after harm occurs is critical. Respectful communication, timely acknowledgement, and transparent follow-up influence whether civilians view harm mitigation efforts as credible. Gender-sensitive approaches help ensure these interactions account for power dynamics, stigma, and barriers that may otherwise prevent individuals from coming forward.

Likewise, internal self-assessments and audits are a component of monitoring and accountability that can drive a culture of gender awareness and improved inclusion of gender in CHM efforts. Audits can include, but are not limited to, efforts to evaluate whether National Action Plans (NAPs) on WPS are being effectively implemented.

The Dutch WPS NAP: A Potential Tool for Accountability

In recent years the Dutch military has taken steps to improve accountability for civilian harm caused by its troops. Measures have included the creation of an online harm-reporting portal and new reporting requirements, such as a provision for the military to inform Parliament proactively of the anticipated risks of civilian casualties before Dutch troops are deployed and the potential civilian harm implications of the deployment of different types of weapons.³⁵

In parallel, the Netherlands' WPS NAP commits to the meaningful participation of women and girls in peace and security processes; the development of gender-sensitive and gender-responsive early-warning mechanisms; ensuring the Dutch arms trade does not increase the risk of gender-based violence; and supporting peacekeeping and peace enforcement missions in preventing and addressing CRSV. The WPS NAP includes a provision that:

Military and civilian personnel and policy makers and implementing agencies must be gender-aware to develop and implement policies and interventions that take into account the gender-based and other root causes of conflict and insecurity, and the different ways in which women, men, girls and boys in all their diversity experience conflict ... [They] must be able to apply and integrate gender analysis in the development, implementation and monitoring of policies, programmes and interventions...³⁶

These two streams of effort on CHM and WPS could be further aligned. Future revisions of the Dutch NAP could do more to underscore the military's responsibility in terms of gender-responsive protection and harm mitigation efforts. NAP monitoring, reporting, and partnership structures create a pathway for sustained institutional pressure that could be mobilized to improve gender awareness, training, and accountability within security institutions (as necessary preconditions for gender-responsive CHM) and to promote integration of gender considerations into the Dutch military's growing range of CHM accountability tools.

CONCLUSION

Gender-responsive CHM is not merely best practice, it is fundamental to meaningful operationalization of Protection of Civilians and the objectives of IHL. It is also a critical strategic imperative. Integrating gender into CHM practices strengthens the application of the core IHL principles of distinction, proportionality, and precaution while simultaneously enhancing operational effectiveness. It supports states in fulfilling their WPS commitments.

Achieving these objectives requires prioritization and sustained investment in doctrine development, comprehensive training, GENAD capacities, and robust monitoring and accountability mechanisms. These commitments, as outlined in the recommendations of this policy brief, are interconnected and mutually reinforcing. Focusing on them will enable armed forces to translate legal and normative commitments into tangible, measurable protection outcomes for all civilians.



ACRONYMS AND ABBREVIATIONS

AI	Artificial Intelligence
CHM	Civilian Harm Mitigation
CCIRs	Commander's Critical Information Requirements
GENAD	Gender Adviser
GBV	Gender-Based Violence
IHL	International Humanitarian Law
LEGAD	Legal Adviser
MNJTF	Multinational Joint Task Force
MONUSCO	UN Stabilization Mission in the Democratic Republic of the Congo
NAP	National Action Plan
NSAG	Non-State Armed Group
NATO	North Atlantic Treaty Organization
PMSCs	Private Military and Security Companies
UXO	Unexploded Ordnance
WPS	Women, Peace, and Security

NOTES

1 This principle is considered a norm under customary international law. As regards international armed conflict, it is explicitly stated in Article 57 of Additional Protocol I to the Geneva Conventions and is compatible with Article 13 of Additional Protocol II to the Geneva Conventions. For additional analysis on this see ICRC, 'Article 15', International Humanitarian Law Databases, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule15>.

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5 These gender definitions are taken from DCAF, OSCE/ODIHR, UN Women, *Gender and Security Toolkit*, DCAF, OSCE/ODIHR, UN Women, 2019, <https://www.dcaf.ch/gender-and-security-toolkit>.

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- 15 Geneva Convention, Common Article 3; AP I, Arts 75(2)(b) and 76(1); AP II, Art. 4(2)(e).
- 16 IHL explicitly prohibits all forms of sexual violence, including rape, treating them as grave breaches. Such acts are recognized as war crimes in both international and non-international armed conflicts (Rome Statute, Art. 8(2)(b)(xxii) and 8(2)(e)(vi)). Furthermore, when committed as part of a widespread or systematic attack directed against any civilian population, these acts constitute crimes against humanity (Rome Statute, Art. 7(1)(g)). When perpetrated with the specific intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, sexual violence can also be a constitutive act of genocide (Rome Statute, Art. 6; Genocide Convention, Art. II). These prohibitions are also firmly established as rules of customary IHL, binding on all States (ICRC Customary IHL Study, Rules 93, 94).
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GENDER-RESPONSIVE CIVILIAN HARM MITIGATION CHECKLIST

The Gender-Responsive CHM Checklist is designed to guide militaries in systematically considering how their actions may differently affect women, men, girls, and boys. Planners, LEGADs, GENADs, and Gender Focal Points can use it to review policies, plans, and procedures, to identify gaps, and to propose concrete actions to reduce gendered civilian harm. Insights from the checklist should be integrated into operational planning, training, and review mechanisms, and revisited regularly to capture lessons learned and context-specific insights.

GENDER-RESPONSIVE CIVILIAN HARM MITIGATION CHECKLIST	
Phase and questions	Response/action taken
PLANNING AND PREPARATION	
<p>Intelligence</p> <p>1. Have you conducted a gender analysis of the area of operations?</p> <ul style="list-style-type: none"> ▪ Identify the presence, roles, and daily movement patterns of women, men, boys, and girls ▪ Include context-specific social norms, livelihood patterns, and access to essential services ▪ Collect and use sex-, age-, and diversity-disaggregated data 	
<p>Civil-military cooperation/GENADs</p> <p>2. Have you consulted diverse community groups, including women’s networks and local leaders, to understand civilians’ risks?</p> <ul style="list-style-type: none"> ▪ Ensure participation is voluntary, confidential, and culturally appropriate ▪ Identify methods for overcoming systemic barriers to women’s inclusion in civil-military dialogue ▪ Map different communication channels for women and men (radio, markets, etc.) 	
<p>Operations/targeting cells/LEGADs</p> <p>3. Have you identified gendered risks related to the target area or objective?</p> <ul style="list-style-type: none"> ▪ Are civilian women, men, or children disproportionately present in or near potential targets (e.g. schools, clinics, residential areas)? ▪ Could targeting disrupt access to healthcare, water, or food supplies, with different effects on women and men? 	

LEGADs/planners

4. Is gender analysis incorporated into proportionality and collateral damage estimations?
- Have you accounted for reverberating effects such as loss of healthcare or increased risks of gender-based violence (GBV)?
 - Have you ensured that indirect civilian harm is factored into legal reviews and operational risk assessments?

Planners

5. Do your operational plans include gender-sensitive precautionary measures?
- Are warnings accessible to both women and men (considering literacy, language, and mobility)?
 - Have you adapted timing or routes to avoid periods of high civilian activity, including activities specific to women, men, and children (e.g. school hours, market days)?

CONDUCT OF OPERATIONS

Operations

6. Are GENADs, LEGADs, and other personnel responsible for CHM integrated into real-time planning and decision-making?
- The GENAD advises on gendered civilian harm, the LEGAD ensures IHL compliance, and the CHM officer coordinates mitigation
 - All should have access to operational updates and influence on targeting decisions
7. Have you reviewed data systems (AI, Intelligence, Surveillance and Reconnaissance, pattern-of-life analysis) for gender bias?
- Avoid assumptions that all 'military-age males' are combatants
 - Validate AI recommendations through human-in-the-loop oversight and gender-aware review
8. Are troops trained and briefed on gender-responsive protection measures? Are these reflected in the rules of engagement?
- Emphasize the prohibition of sexual violence and other forms of GBV under IHL
 - Reinforce discipline and awareness of gendered civilian behaviour patterns (e.g. women gathering firewood or collecting water)

POST-OPERATION REVIEW AND ACCOUNTABILITY

9. Is civilian harm tracking gender-sensitive?
- Record and analyse data by sex, age, and diversity through an established system for civilian harm tracking
 - Include both direct and indirect effects (loss of livelihood, displacement, increased GBV, psychosocial harm)
 - Ensure women and men can safely report harm through appropriate channels

10. Are lessons learned and accountability measures gender-informed?

- Do lessons learned inform future planning, intelligence collection, and civil-military engagement?

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Center for Civilians in Conflict (CIVIC) is an international non-governmental organization dedicated to the protection of civilians in conflict. CIVIC envisions a world where every civilian is protected from the harms of conflict. Our mission is to keep civilians safer in conflict by working with communities, armed actors, and decision-makers to prevent and respond to harm. CIVIC was established in 2003 by Marla Ruzicka, a young humanitarian who advocated on behalf of civilians affected by the war in Iraq and Afghanistan. Honoring Marla's legacy, CIVIC has kept an unflinching focus on the protection of civilians in conflict. Today, CIVIC has a presence in conflict zones and key capitals throughout the world where we work with and alongside communities affected by violence to strengthen their own protection and advocate for their rights. We engage armed actors and decision-makers to prevent and respond to civilian harm, and we influence policies and practices to make civilian protection a global priority. As a humanitarian protection actor, we bridge the gap between people at risk and those with the power and responsibility to protect them. At CIVIC, we believe civilians are not “collateral damage” and civilian harm is not an unavoidable consequence of conflict—civilian harm can and must be prevented.

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